



Truro Select Board

Tuesday, May 25, 2021

Regular Meeting-5:00pm

REGULAR MEETING

<https://global.gotomeeting.com/join/200107197>

1-866-899-4679, Access Code: 200-107-197

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: 200-107-197 or you may join the meeting from a computer, tablet or smartphone by entering the follow URL into your web browser: <https://global.gotomeeting.com/join/200107197>.** 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.

1. PUBLIC COMMENT

2. PUBLIC HEARINGS

- A. Public Hearing on an Application received from Mylan Janopolis, of MCJLT Inc., dba Days Market and Deli, 271 Shore Rd, for a Change of License Category (Wine and Malt to All Alcohol)

3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS NONE

4. STAFF/ COMMITTEE UPDATES

- A. Board/Committee Report: Climate Action Committee
- B. Staff Update on Status of Seasonal Hiring and Impacts on Programming: Damion Clements, Recreation & Beach Director
- C. Staff Update on Baker-Polito Administration's COVID Announcements, Town of Truro Masking Order, Town of Truro Policy #64: Masks and Social Distancing, and Plans for Town Buildings and Other Operations: Emily Beebe, Health & Conservation Agent

5. TABLED ITEMS NONE

6. SELECT BOARD ACTION

- A. Climate Action Committee Greenhouse Gases Presentation
Presenters: Eric Mays and Bob Higgins-Steele, Climate Action Committee Members
- B. Vote to Award Bond Authorization Note
Presenter: Mary McIsaac, Temporary Town Treasurer
- C. Review and Approve the Posting of the Annual Town Meeting and Annual Town Election Warrants
Presenter: Darrin Tangeman, Town Manager
- D. Review and Vote on Town Meeting Articles and Final Review of Annual Town Meeting Warrant
Presenter: Darrin Tangeman, Town Manager
- E. Approve and Execute Lease Agreements for Cellular Towers
Presenter: Darrin Tangeman, Town Manager
- F. Multi- Member Bodies Consolidation/ Dissolution: Part- Time Residents Advisory Committee, Herring River Restoration Committee, SMART/ PAYT AD Hoc Committee
Presenter: Darrin Tangeman, Town Manager

G. Letter to Committee Chairs Regarding Upcoming Multi-Member Consolidation and Charge Revision Discussion

Presenter: Kristen Reed, Vice-Chair, and Sue Areson, Clerk

7. **CONSENT AGENDA**

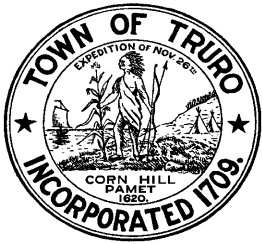
A. Review/Approve Corrected Motions for Avenue D and Terra Luna Outdoor Dining and Seasonal Alcohol License

B. Review and Approve Select Board Minutes: March 9, 2021

8. Select Board Reports/Comments

9. Town Manager Report

10. Next Meeting Agenda: June 1, 2021, June 3, 2021 and June 8, 2021



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Mylan Janoplis, owner and manager of Days Market and Deli

REQUESTED MEETING DATE: May 25, 2021

ITEM: Public Hearing for Change of Alcohol License Category – MCJLT Inc. dba Days Market and Deli, 271 Shore Road

EXPLANATION: Mylan Janoplis, has submitted an Alcoholic Beverages Control Commission (ABCC) application for review with the Local Licensing Authorities (per MGL Ch. 138 §15A and 16B). The application is for a Change of Alcohol License Category received from Mylan Janoplis, MCJLT Inc. dba Days Market and Deli. The Days Market and Deli current liquor license is a seasonal wine and malt off premise license. The owner is looking to change the category of license to all alcohol. All of the required change of category application documentation has been submitted which includes: Application for Amendment, Applicant's Statement, Corporate Vote, Transmittal Form, and Proof of Fee payment. This change requires a legal notice and an Abutter's Notification.

If the request is approved, the ABCC application will be mailed to the State for final approval. The ABCC will then notify the Town of the approval or the Licensing Department will be contacted with a request for additional information from the applicant. If the request is denied, the applicant/owner/manager will be notified in writing of the decision via "certified mail return receipt requested" allowing the applicant/owner/manager 5 days to appeal to the Alcoholic Beverages Control Commission. The public hearing can also be continued to a date and time certain if a decision is not rendered on the 25th.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: This could have an economic impact on the business. They have the option appeal to the Alcoholic Beverages Control Commission.

SUGGESTED ACTION: *MOTION TO approve the change of license category for MCJLT, Inc. dba Days Market and Deli* located at 271 Shore Road, from Seasonal Wine and Malt to Seasonal All Alcohol liquor

license *for submission to the Alcoholic Beverages Control Commission.*

ATTACHMENTS:

1. Public Hearing Notice
2. Chief of Police Approval
3. (ABCC) Application for Change in License Category
4. Abutter's List
5. Licensing Authority Certification



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Licensing Department

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

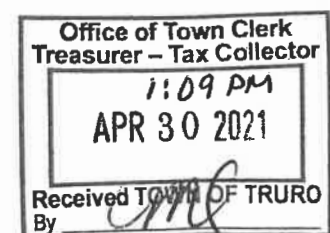
Email: ntudor@truro-ma.gov or nscoullar@truro-ma.gov

TOWN OF TRURO PUBLIC HEARING CHANGE OF ALCOHOL LICENSE CATEGORY

The Truro Select Board will hold a Public Hearing on Tuesday, **May 25, 2021 at 5:00 p.m.** on an application received from Mylan Janoplis, of MCJLT Inc., dba Days Market and Deli, 271 Shore Rd, for a Change of Alcohol License Category (from Wine and Malt to All Alcohol) under M.G.L. Chapter 138, §15A and §16B. Comments from the public will be heard and all interested parties are urged to attend.

To provide comment during the meeting please call in toll-free at 1-866-899-4679 and enter the following access code when prompted: 200-107-197, or by joining the meeting from your computer, tablet or smartphone: <https://global.gotomeeting.com/join/200107197>.

Robert Weinstein
Chair, Select Board
Town of Truro





TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Licensing Department

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

Email: ntudor@truro-ma.gov or nscoullar@truro-ma.gov

To: Police Chief, Jamie Calise, Truro Police Department
 From: Nicole Tudor, Executive Assistant
 Date: May 14, 2021
 Re: **Application for a Change in Alcohol License Category –Wine & Malt to All Alcohol–
 Retail License for MCJLT Inc., dba Days’ Market and Deli , Located at 271 Shore
 Rd, Truro.**

The Office of the Select Board is in receipt of an ABCC (Alcoholic Beverages Control Commission) application from, Mylan Janoplis, Owner of MCJLT Inc. dba Days’ Market and Deli.


MCJLT, Inc. is requesting a Change in Alcohol License Category–Wine & Malt to All Alcohol –Retail License (per MGL Chapter 138 § 15A and §16B) with the Town of Truro.

Included please find the accompanying ABCC application as submitted by the applicant that will be provided to the Alcoholic Beverages Control Commission once the Select Board /Local Licensing Authority review and approve the application at a duly held public hearing on May 25, 2021.

Please kindly review for purposes of approval with the Local Licensing Authority this request for a change in the alcohol license category from Wine & Malt to All Alcohol–Retail License to ensure that the safety and well-being of the public will be protected.

Please provide any comments below:

POLICE DEPARTMENT
REVIEW & APPROVAL

Signature: 
Police Chief, Jamie Calise

Date: 



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

RCVD 2021APR29 PM12:14
 ADMINISTRATIVE OFFICE
 TOWN OF TRURO

APPLICATION FOR AMENDMENT-Change of License Classification

Change of Category

(e.g. All Alcohol, Wines and Malt)

- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Category Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*
- Payment Receipt

Change of Class

(e.g. Seasonal /Annual)

- DOR Certificate of Good Standing
- DUA Certificate of Compliance
- Change of Classification Application
- Vote of the Entity
- Abutter's Notification*
- Advertisement*
- Payment Receipt

Change of License Type

(§12 ONLY, e.g. general on premises, tavern, inn, restaurant)

- Change of License Type Application
- Vote of the Entity
- Advertisement*
- Payment Receipt

**If abutter notification and advertisement are required for transaction, please see the local licensing authority.*

1. BUSINESS ENTITY INFORMATION

Entity Name	Municipality	ABCC License Number
MCJLT Inc.	Truro	[REDACTED]

Please provide a narrative overview of the transaction(s) being applied for. Attach additional pages, if necessary.

Would like to change from Wines & Malt Beverages to All Alcohol

APPLICATION CONTACT

The application contact is the person who should be contacted with any questions regarding this application.

Name	Title	Email	Phone
Mylan Janoplis	President	[REDACTED]	[REDACTED]

2. LICENSE CLASSIFICATION INFORMATION

2a. Change of License Category	Last-Approved License Category	Wines and Malt Beverages
All Alcohol, Wine and Malt, Wine Malt and Cordials	Requested New License Category	All Alcoholic Beverages
2b. Change of License Class	Last-Approved License Class	Seasonal
Seasonal or Annual	Requested New License Class	Seasonal
2c. Change of License Type*	Last-Approved License Type	§15 Package Store
E.g. Restaurant to Club *Certain License Types CANNOT change once issued*	Requested New License Type	§15 Package Store

APPLICANT'S STATEMENT

I, the: sole proprietor; partner; corporate principal; LLC/LLP manager
Authorized Signatory
of
Name of the Entity/Corporation

hereby submit this application (hereinafter the "Application"), to the local licensing authority (the "LLA") and the Alcoholic Beverages Control Commission (the "ABCC" and together with the LLA collectively the "Licensing Authorities") for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

- (1) I understand that each representation in this Application is material to the Licensing Authorities' decision on the Application and that the Licensing Authorities will rely on each and every answer in the Application and accompanying documents in reaching its decision;
- (2) I state that the location and description of the proposed licensed premises are in compliance with state and local laws and regulations;
- (3) I understand that while the Application is pending, I must notify the Licensing Authorities of any change in the information submitted therein. I understand that failure to give such notice to the Licensing Authorities may result in disapproval of the Application;
- (4) I understand that upon approval of the Application, I must notify the Licensing Authorities of any change in the ownership as approved by the Licensing Authorities. I understand that failure to give such notice to the Licensing Authorities may result in sanctions including revocation of any license for which this Application is submitted;
- (5) I understand that the licensee will be bound by the statements and representations made in the Application, including, but not limited to the identity of persons with an ownership or financial interest in the license;
- (6) I understand that all statements and representations made become conditions of the license;
- (7) I understand that any physical alterations to or changes to the size of the area used for the sale, delivery, storage, or consumption of alcoholic beverages, must be reported to the Licensing Authorities and may require the prior approval of the Licensing Authorities;
- (8) I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the Application may result in sanctions, including the revocation of any license for which the Application was submitted; and
- (9) I understand that any false statement or misrepresentation will constitute cause for disapproval of the Application or sanctions including revocation of any license for which this Application is submitted.
- (10) I confirm that the applicant corporation and each individual listed in the ownership section of the application is in good standing with the Massachusetts Department of Revenue and has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

Signature:

Date:

Title:

CORPORATE VOTE

The Board of Directors or LLC Managers of
Entity Name

duly voted to apply to the Licensing Authority of
City/Town

and the

Date of Meeting

Commonwealth of Massachusetts Alcoholic Beverages Control Commission on

For the following transactions (Check all that apply):

- Change of Class (i.e. Annual / Seasonal)
- Change of License Type (i.e. club / restaurant)
- Change of Category (i.e. All Alcohol/Wine, Malt)
- Other

"VOTED: To authorize
Name of Person

to sign the application submitted and to execute on the Entity's behalf, any necessary papers and do all things required to have the application granted."

A true copy attest,

For Corporations ONLY
A true copy attest,



Corporate Officer /LLC Manager Signature

Corporation Clerk's Signature

Mylan Janoplis

Mylan Janoplis

(Print Name)

(Print Name)



The Commonwealth of Massachusetts
 Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3, Chelsea, MA 02150-2358
 www.mass.gov/abcc

**RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
 MONETARY TRANSMITTAL FORM**

APPLICATION FOR AMENDMENT-Change of License Classification

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE LOCAL LICENSING AUTHORITY.

ECRT CODE: RETA

Please make \$200.00 payment here: [ABCC PAYMENT WEBSITE](#)

PAYMENT MUST DENOTE THE NAME OF THE LICENSEE CORPORATION, LLC, PARTNERSHIP, OR INDIVIDUAL AND INCLUDE THE PAYMENT RECEIPT

ABCC LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY)

ENTITY/ LICENSEE NAME

ADDRESS

CITY/TOWN

STATE

ZIP CODE

For the following transactions (Check all that apply):

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> New License | <input type="checkbox"/> Change of Location | <input type="checkbox"/> Change of Class (i.e. Annual / Seasonal) | <input type="checkbox"/> Change Corporate Structure (i.e. Corp / LLC) |
| <input type="checkbox"/> Transfer of License | <input type="checkbox"/> Alteration of Licensed Premises | <input type="checkbox"/> Change of License Type (i.e. club / restaurant) | <input type="checkbox"/> Pledge of Collateral (i.e. License/Stock) |
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Change Corporate Name | <input checked="" type="checkbox"/> Change of Category (i.e. All Alcohol/Wine, Malt) | <input type="checkbox"/> Management/Operating Agreement |
| <input type="checkbox"/> Change of Officers/
Directors/LLC Managers | <input type="checkbox"/> Change of Ownership Interest
(LLC Members/ LLP Partners,
Trustees) | <input type="checkbox"/> Issuance/Transfer of Stock/New Stockholder | <input type="checkbox"/> Change of Hours |
| | | <input type="checkbox"/> Other <input type="text"/> | <input type="checkbox"/> Change of DBA |

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL FORM ALONG WITH COMPLETED APPLICATION, AND SUPPORTING DOCUMENTS TO:

**Alcoholic Beverages Control Commission
 95 Fourth Street, Suite 3
 Chelsea, MA 02150-2358**

Payment Confirmation

YOUR PAYMENT HAS PROCESSED AND THIS IS YOUR RECEIPT

Your account has been billed for the following transaction. You will receive a receipt via email and via text message.



Transaction Processed Successfully.

INVOICE #: [REDACTED]

Description	Applicant, License or Registration Number	Amount
FILING FEES-RETAIL	[REDACTED]	[REDACTED]

Total Convenience Fee: [REDACTED]
Total Amount Paid: \$ [REDACTED]

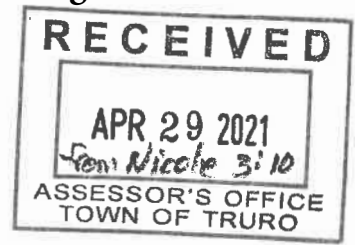
Date Paid: 4/29/2021 7:28:51 AM EDT

Payment On Behalf Of
License Number or Business Name:
 [REDACTED]
Fee Type:
 FILING FEES-RETAIL

Billing Information
First Name:
 Mylan
Last Name:
 Janoplis
Address:
 [REDACTED]
City:
 [REDACTED]
State:
 [REDACTED]
Zip Code:
 [REDACTED]
Email Address:
 [REDACTED]



TOWN OF TRURO
ASSESSORS OFFICE



CERTIFIED ABUTTERS LIST
REQUEST FORM

29 April 2021

DATE: _____
MCJLT Inc. DBA: Days Market & Deli

NAME OF APPLICANT: _____
Mylan Janmoplis

NAME OF AGENT (if any): _____

MAIL ADDRESS: _____

PHONE: HOME _____
508.487.2855

WORK _____

CELL _____

FAX _____

271 Shore Road North Truro, MA 02652

PROPERTY LOCATION: _____
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 13 PARCEL 12

ABUTTERS NEEDED FOR:

(Please check one)

- Board of Health \$10.00
- Cape Cod Comm. \$15.00
- Conservation Comm. \$10.00
- Zoning Bd. Of Appeals \$15.00
- Licensing *changing wine & beer license to all alcohol* \$15.00

- Planning Board
- Special Permit \$15.00
- Site Plan \$15.00
- Preliminary Subdivision \$15.00
- Definitive Subdivision \$15.00

Other _____
(Please Specify)

FEE:

\$ _____
(Inquire)

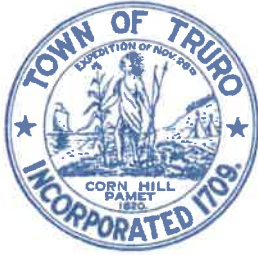
*\$15 rec'd
4/29/2021
chk #
1048*

Note: We have up to 10 calendar days to process your order.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 4/29/2021 Date completed: 4/29/2021

List completed by: Laura Geiges



TRURO ASSESSORS OFFICE

PO Box 2012 Truro, MA 02666

Telephone: (508) 214-0921

Fax: (508) 349-5506

Date: April 29, 2021

To: Mylan Janoplis

From: Assessors Department

Certified Abutters List: 271 Shore Road (Map 13 Parcel 12)

Licensing

Attached is a combined list of abutters for 271 Shore Road (13-12). The current owner is Happy Days LLC.

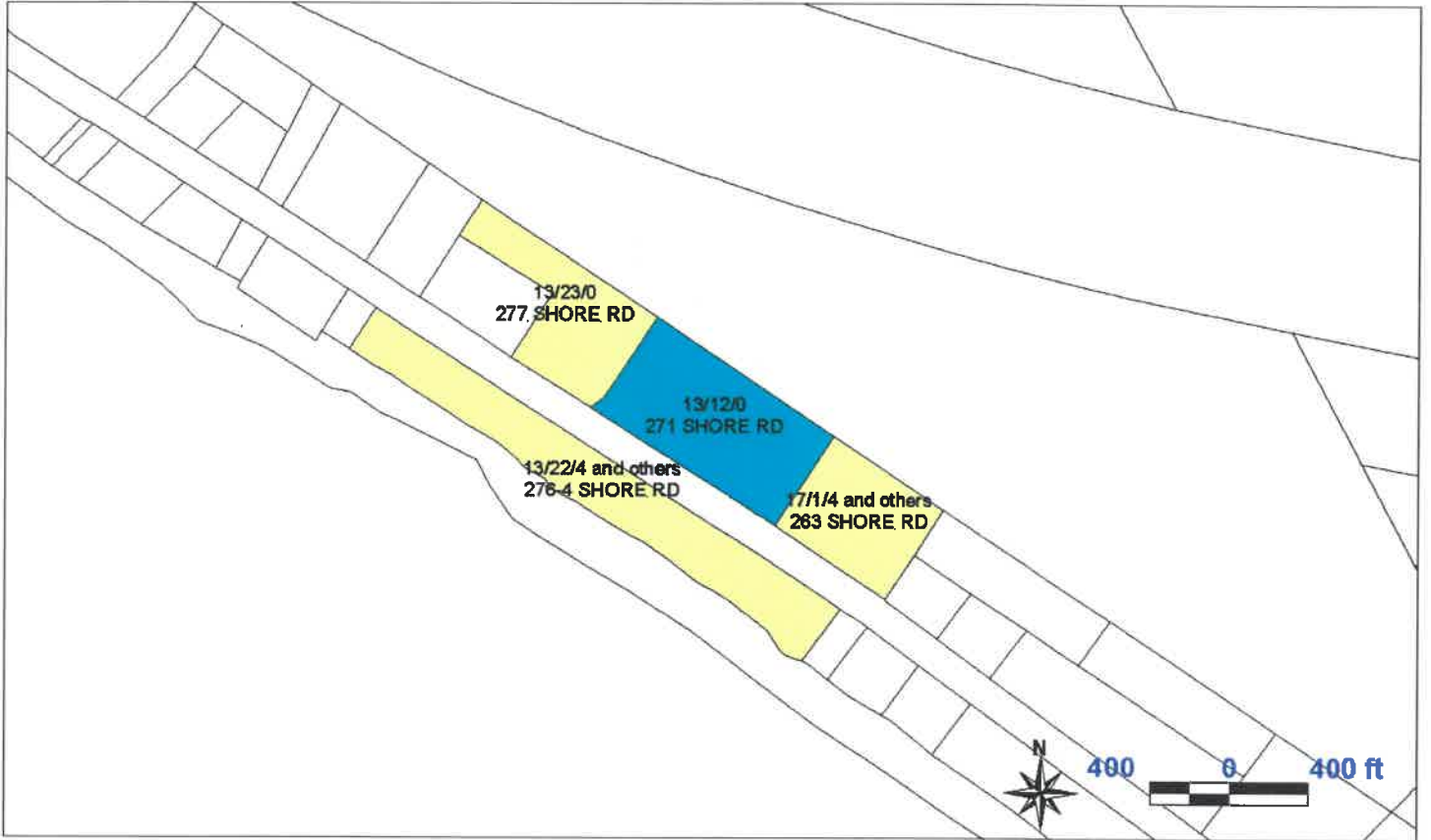
The names and addresses of the abutters are as of April 23, 2021 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Laura Geiges

Assistant Assessor / Data Collector

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
6979	13-22-1-R	WILKINSON DENVER & SHERRY	276-1 SHORE RD	2212 W MILES AVE #6	HAYDEN	ID	83835
6980	13-22-2-R	GAY MICHAEL T & ELIZABETH P.	276-2 SHORE RD	291 WEATHERBEE DRIVE	WESTWOOD	MA	02090
6981	13-22-3-R	THOMAS F ZIMMIE REVOC TRUST TRS: THOMAS F ZIMMIE	276-3 SHORE RD	39 ZELENKE DRIVE	WYNANTSKILL	NY	12198
6982	13-22-4-R	WIN HLA-PE & TIN NINI	276-4 SHORE RD	680 WHEELER HILL RD	WAPPINGERS FALLS	NY	12590
6983	13-22-5-R	ROCKETT REVOCABLE TRUST ROCKETT CHRISTOPHER F & JEAN M	276-5 SHORE RD	16 BOATWRIGHT'S LOOP	PLYMOUTH	MA	02360
6984	13-22-6-R	FIELD JOHN W JR	276-6 SHORE RD	38 ROOD HILL ROAD	SANDISFIELD	MA	01255
6985	13-22-7-R	URELL NANCY	276-7 SHORE RD	24 LELLAND ROAD	STOUGHTON	MA	02072
6986	13-22-8-R	GUARNOTTA JULIE A	276-8 SHORE RD	17 EAST PIER	SAUSALITO	CA	94965
6987	13-22-9-R	VIOLET REALTY LLC MANAGER: DAVID ALLEN	276-9 SHORE RD	23 EAST WHARF ROAD	MADISON	CT	06443
6988	13-22-10-R	KANE HEATHER A	276-10 SHORE RD	2818 BALLIETT COURT	VIENNA	VA	22180
6989	13-22-11-R	KANE SCOTT M	276-11 SHORE RD	33 HARDEN HILL RD	DUXBURY	MA	02332-5115
6990	13-22-12-R	RADKA GARY & MIRCHANDANI MALA	276-12 SHORE RD	22574 STATLER ST	SAINT CLAIR SHORES	MI	48081
6991	13-22-14-R	PEZZE MARCUS	276-14 SHORE RD	107 WEST ROAD	SHEFFIELD	MA	01257
6992	13-22-15-R	IRIS 15 LLC MGRS: MARK & DONNA HAVERSAT	276-15 SHORE RD	57 GREENWOOD LN	MONROE	CT	06468
6993	13-22-16-R	WEINSTEIN KEITH & MARSHA	276-16 SHORE RD	27 CLAFLIN ROAD	BROOKLINE	MA	02445

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Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
6994	13-22-17-R	WAKEFIELD CRAIG	276-17 SHORE RD	929 FROG HOLLOW ROAD	RYDAL	PA	19046
6995	13-22-18-R	WEEMAN JOHN E & LYNETTE J	276-18 SHORE RD	18 DAMARIN LANE	BRUNSWICK	ME	04011
6996	13-22-19-R	BAHAMONDE DANIELA ORTIZ & QUARTARARO JUSTIN S	276-19 SHORE RD	340 WASHINGTON ST	MALDEN	MA	02148
6997	13-22-20-R	LEDDY BARBARA	276-20 SHORE RD	PO BOX 1097	WELLFLEET	MA	02667
6998	13-22-21-R	HELLER FAMILY TRUST TRS HELLER C B & MIRANDA C	276-21 SHORE RD	16133 VENTURA BLVD SUITE 545	ENCINO	CA	91436
6999	13-22-22-R	PRIMROSE 22 LLC	276 SHORE RD	4 LECLAIR DRIVE	HINGHAM	MA	02043
7000	13-22-23-R	BERNSTEIN SUSAN A	276-23 SHORE RD	82 ELLERY STREET	CAMBRIDGE	MA	02138
7031	13-22-24-E	DAYS REAL EST TRUST TRS: DAYS JOSEPH M	276 SHORE RD	PO BOX 157	NO TRURO	MA	02652-0157
6047	13-23-0-R	KANE CAROL A	277 SHORE RD	223 CHANDLER ST	DUXBURY	MA	02332
6568	17-1-1-R	FOLEY KATHERINE A & MARK S & FOLEY WILLIAM R	263 SHORE RD	131 WAMPUM ST	WRENTHAM	MA	02093
6569	17-1-2-R	SCOTT MARK B & I-CHING KATIE	263 SHORE RD	2 RAVENSCROFT RD	WINCHESTER	MA	01890
6570	17-1-3-R	COTNOIR FAMILY TRUST TRS: COTNOIR ROBERT C	263 SHORE RD	205 TENTH ST #5G	JERSEY CITY	NJ	07302
6935	17-1-4-E	263 SHORE ROAD CONDO TRUST	263 SHORE RD	263 SHORE RD	NO TRURO	MA	02652

LG 4/29/2021

13-22-1-R	WILKINSON DENVER & SHERRY 2212 W MILES AVE #6 HAYDEN, ID 83835	13-22-2-R	GAY MICHAEL T & ELIZABETH P. 291 WEATHERBEE DRIVE WESTWOOD, MA 02090	13-22-3-R	THOMAS F ZIMMIE REVOC TRUST TRS: THOMAS F ZIMMIE 39 ZELENKE DRIVE WYNANTSKILL, NY 12198
13-22-4-R	WIN HLA-PE & TIN NINI 680 WHEELER HILL RD WAPPINGERS FALLS, NY 12590	13-22-5-R	ROCKETT REVOCABLE TRUST ROCKETT CHRISTOPHER F & JEAN M 16 BOATWRIGHT'S LOOP PLYMOUTH, MA 02360	13-22-6-R	FIELD JOHN W JR 38 ROOD HILL ROAD SANDISFIELD, MA 01255
13-22-7-R	URELL NANCY 24 LELLAND ROAD STOUGHTON, MA 02072	13-22-8-R	GUARNOTTA JULIE A 17 EAST PIER SAUSALITO, CA 94965	13-22-9-R	VIOLET REALTY LLC MANAGER: DAVID ALLEN 23 EAST WHARF ROAD MADISON, CT 06443
13-22-10-R	KANE HEATHER A 2818 BALLIETT COURT VIENNA, VA 22180	13-22-11-R	KANE SCOTT M 33 HARDEN HILL RD DUXBURY, MA 02332-5115	13-22-12-R	RADKA GARY & MIRCHANDANI MALA 22574 STATLER ST SAINT CLAIR SHORES, MI 48081
13-22-14-R	PEZZE MARCUS 107 WEST ROAD SHEFFIELD, MA 01257	13-22-15-R	IRIS 15 LLC MGRS: MARK & DONNA HAVERSAT 57 GREENWOOD LN MONROE, CT 06468	13-22-16-R	WEINSTEIN KEITH & MARSHA 27 CLAFLIN ROAD BROOKLINE, MA 02445
13-22-17-R	WAKEFIELD CRAIG 929 FROG HOLLOW ROAD RYDAL, PA 19046	13-22-18-R	WEEMAN JOHN E & LYNETTE J 18 DAMARIN LANE BRUNSWICK, ME 04011	13-22-19-R	BAHAMONDE DANIELA ORTIZ & QUARTARARO JUSTIN S 340 WASHINGTON ST MALDEN, MA 02148
13-22-20-R	LEDDY BARBARA PO BOX 1097 WELLFLEET, MA 02667	13-22-21-R	HELLER FAMILY TRUST TRS HELLER C B & MIRANDA C 16133 VENTURA BLVD SUITE 545 ENCINO, CA 91436	13-22-22-R	PRIMROSE 22 LLC 4 LECLAIR DRIVE HINGHAM, MA 02043
13-22-23-R	BERNSTEIN SUSAN A 82 ELLERY STREET CAMBRIDGE, MA 02138	13-22-24-E	DAYS REAL EST TRUST TRS: DAYS JOSEPH M PO BOX 157 NO TRURO, MA 02652-0157	13-23-0-R	KANE CAROL A 223 CHANDLER ST DUXBURY, MA 02332
17-1-1-R	FOLEY KATHERINE A & MARK S & FOLEY WILLIAM R 131 WAMPUM ST WRENTHAM, MA 02093	17-1-2-R	SCOTT MARK B & I-CHING KATIE 2 RAVENSCROFT RD WINCHESTER, MA 01890	17-1-3-R	COTNOIR FAMILY TRUST TRS: COTNOIR ROBERT C 205 TENTH ST #5G JERSEY CITY, NJ 07302
17-1-4-E	263 SHORE ROAD CONDO TRUST 263 SHORE RD NO TRURO, MA 02652				

LG 9/29/2021



The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission

For Reconsideration

Agenda Item: 2A5

LICENSING AUTHORITY CERTIFICATION

Truro

City/Town

[Redacted]

ABCC License Number

TRANSACTION TYPE (Please check all relevant transactions):

The license applicant petitions the Licensing Authorities to approve the following transactions:

- Checkboxes for various transaction types: New License, Change of Location, Change of Class, Change Corporate Structure, Transfer of License, Alteration of Licensed Premises, Change of License Type, Pledge of Collateral, Change of Manager, Change Corporate Name, Change of Category, Management/Operating Agreement, Change of Officers/Directors/LLC Managers, Change of Ownership Interest, Issuance/Transfer of Stock/New Stockholder, Change of Hours, Change of DBA, and Other.

APPLICANT INFORMATION

Form fields for Applicant Information: Name of Licensee (MCJLT, Inc.), DBA (Days' Market and Deli), Street Address (271 Shore Road), Zip Code (02652), Manager (Mylan Janoplis), Type (\$15 Package Store), Class (Seasonal), Category (All Alcoholic Beverages), and Special Legislation options.

DESCRIPTION OF PREMISES Complete description of the licensed premises

Large empty box for the complete description of the licensed premises.

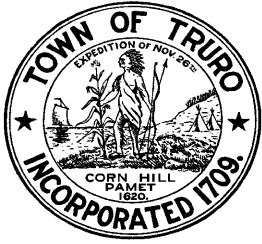
LOCAL LICENSING AUTHORITY INFORMATION

Form fields for Local Licensing Authority Information: Application filed with the LLA (Date: 04/29/2021, Time: 12:14PM), Advertised (Yes/No), Date Published (5/13 and 5/20/2021), Publication (Provincetown Banner), Abutters Notified (Yes/No), Date of Notice (5/4/2021), Date APPROVED by LLA (05/25/2021), Decision of the LLA (Approves this Application / Approves this Application with Modifications), and Seller License Number/Name fields.

The Local Licensing Authorities By:

Alcoholic Beverages Control Commission
Ralph Sacramone
Executive Director

Horizontal lines for signature of Local Licensing Authorities.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kristen Reed Vice-Chair and Susan Areson Clerk

REQUESTED MEETING DATE: May 25, 2021

ITEM: Committee Updates-Climate Action Committee

EXPLANATION: The Climate Action Committee Chair, Carol Harris, will speak briefly with the Select Board Members on questions from the Board.

Name of Committee/Board:

Date of Presentation:

Number of Members:

Number of Vacancies:

Accomplishments for the past 12 months:

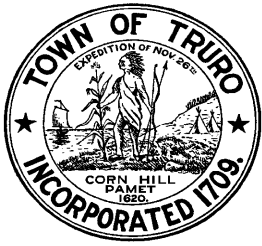
Goals for the next 12 months:

Status of goals:

Challenges in Achieving Goals:

Support required from the Select Board/Town Manager:

SUGGESTED ACTION: Discussion only



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Damion Clements, Beach and Recreation Director

REQUESTED MEETING DATE: May 25, 2021

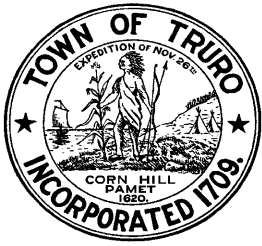
ITEM: Update on Beach and Recreation Department

EXPLANATION: Recreation & Beach Director Damion Clements will provide a brief update on the status of staffing seasonal positions in the department and the and impacts on programming.

Specific programs affected: Recreation Summer Youth Program
 Lifeguard Program

SUGGESTED ACTION: Discussion only

ATTACHMENTS:



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Health and Conservation

REQUESTOR: Emily Beebe, Health and Conservation Agent

REQUESTED MEETING DATE: May 25, 2021

ITEM: Update from the Health and Conservation Agent

EXPLANATION: Health & Conservation Agent Emily Beebe will update the Board on the Baker-Polito Administration's recent announcements regarding COVID-19 and their implications in Truro. She will also discuss the Board of Health's revisions to Town of Truro Masking Order and will present some modifications to Select Board Policy 64: Masking and Social Distancing for the consideration of the Board. Finally, she will provide an update on the planning efforts for the phased reopening of Town buildings and facilities to the public.

Pending discussion from the Board, the revised Select Board Policy 64: Masking and Social Distancing will be on a subsequent agenda for formal approval.

SUGGESTED ACTION: Discussion only.

ATTACHMENTS:

1. Press Release Baker Polito-Administration to Life COVID Restrictions May 29, State to Meet Vaccination Goal by Beginning of June
2. Memorandum from Health & Conservation Agent Emily Beebe regarding Reopening Plans
3. Draft Revised Board of Health Order
4. Draft Revisions to Select Board Policy 64: Masking and Social Distancing for the Town of Truro

Press Release

Press Release Baker-Polito Administration to Lift COVID Restrictions May 29, State to Meet Vaccination Goal by Beginning of June

Commonwealth Will Adopt CDC Face Covering Guidance

For immediate release:

5/17/2021

- Office of Governor Charlie Baker and Lt. Governor Karyn Polito
- Governor's Press Office
- Executive Office of Health and Human Services
- Executive Office of Housing and Economic Development



BOSTON — Today, the Baker-Polito Administration announced that the Commonwealth is on track to meet the goal of vaccinating 4.1 million residents by the first week of June and all remaining COVID-19 restrictions will be lifted effective May 29.

<https://www.mass.gov/news/baker-polito-administration-to-lift-covid-restrictions-may-29-state-to-meet-vaccination-goal-by-beginning-of-june>

The Commonwealth's face covering order will also be rescinded on May 29. The Department of Public Health will issue a new face covering advisory consistent with the Centers for Disease Control and Prevention's updated guidance. Face coverings will still be mandatory for all individuals on public and private transportation systems (including rideshares, livery, taxi, ferries, MBTA, Commuter Rail and transportation stations), in healthcare facilities and in other settings hosting vulnerable populations, such as congregated care settings.

Governor Charlie Baker will end the State of Emergency June 15.

The Administration also announced updates that will be effective May 18 to revise face covering requirements for youth and amateur sports and other guidance relating to childcare programs and K-12 schools. The Administration will release updated guidance for summer camps effective May 29.

The Administration is able to take these steps to reopen the Commonwealth's economy because Massachusetts is on track to meet the goal set in December to fully vaccinate over 4 million individuals by the first week of June. The Commonwealth leads the nation in vaccinating residents, with 75% of adults receiving at least one dose. To date, over 4 million residents have received a first dose, with 3.2 million fully vaccinated.

New cases have dropped by 89% since January 8. COVID hospitalizations are down 88% since January 1 and the positive test rate is down by 88% from peaking at 8.7% on January 1 to 1% today.

Effective May 29

Effective May 29, all industries will be permitted to open. With the exception of remaining face-covering requirements for public and private transportation systems and facilities housing vulnerable populations, all industry restrictions will be lifted, and capacity will increase to 100% for all industries. The gathering limit will be rescinded.

All industries will be encouraged to follow CDC guidance for cleaning and hygiene protocols.

On May 18, 2020, the Administration [published the reopening phases](#), which called for ending restrictions when vaccines became widely available. Today, there are over 975 locations for Massachusetts residents to access vaccines without delay.

Face Covering Guidance

In line with updated CDC face covering guidance, the Administration will rescind the current face covering order and issue a new face covering advisory effective May 29.

Non-vaccinated individuals are advised to continue wearing face masks and to continue distancing in most settings. The advisory will also recommend fully vaccinated individuals no longer need to wear a face covering or social distance indoors or outdoors except for in certain situations.

<https://www.mass.gov/news/baker-polito-administration-to-lift-covid-restrictions-may-29-state-to-meet-vaccination-goal-by-beginning-of-june>

Face coverings will still be required for all individuals on public and private transportation (including rideshares, livery, taxi, ferries, MBTA, Commuter Rail and transportation stations), healthcare facilities and providers, congregate care settings and health and rehabilitative day services.

Face coverings will also remain required indoors for staff and students of K-12 schools and early education providers.

[Link to mask guidance](#)

Youth and Amateur Sports Face Covering Guidance

Effective May 18, the youth and amateur sports guidance will be updated to no longer require face coverings for youth athletes 18 and under while playing outdoor sports. Effective May 29, all youth and amateur sports restrictions will be lifted.

[Link to youth sports guidance](#)

K-12, Early Education and Summer Camp Guidance

Effective May 18, guidance from the Department of Elementary and Secondary Education and the Department of Early Education and Care will be updated to no longer require masks for outdoor activities like recess and to allow for the sharing of objects in classrooms, in both K-12 and childcare settings. This guidance will remain in effect beyond May 29.

The Administration will release updated guidance for summer camps, effective May 29, which will include no longer requiring masks for outdoor activities.

[Link to DESE guidance](#)

[Link to EEC guidance](#)

State of Emergency Order

Governor Baker will end the [State of Emergency](#) June 15, and the Administration will work with legislative and municipal partners during this period in order to manage an orderly transition from emergency measures adopted by executive order and special legislation during the period of the State of Emergency.

###

Memo To: Darrin Tangeman
From: Emily Beebe, Health Agent
Date: May 20, 2021
Re: Transition Plan for Town of Truro Staff & Facilities

Summer 2021: Public and in-Person

1. Town offices remain open and operating during business hours:
 - Town hall and the Community Center 8-4, M-F
 - Library hours as posted
 - Offices will be open to the public on Monday mornings and Friday afternoons for three and a half hours each day.
2. Truro will introduce a phased, and incremental *re-opening* commencing June 1, when Town offices will begin to offer **Public and Appointment hours.**
3. As current CDC guidance advises that masks be worn in public settings when around people who don't live in your immediate family, especially indoors and when it may be difficult for you to stay six feet apart; and, in consideration of the heightened number of visitors during the Summer season, masking will continue to be required inside all Truro Public Buildings by staff and the public.
4. Physical distancing must be respected inside all public buildings by staff and the public.
5. Mitigations that support separation such as plexiglass and working with closed doors in separate office spaces shall remain in place at least through Labor Day.
6. Existing processes that minimize contact such as after-hours pickup, curbside pickup, drop-off boxes, remote research via email, and remote meetings shall remain in place until further notice. These processes serve those who may not be comfortable entering public buildings or may accommodate those who do not prefer to mask inside public buildings.
7. While traveling in Town vehicles with another staff person, both staff members shall be masked.
8. Masking outdoors on some Town property is still required where physical distancing is not always possible, and includes entrance/exits to Public Beaches, at the Transfer Station and at Town Meeting.
9. In-person Board and Committee meetings will not likely fully resume until after Labor Day. Hybrid meetings may commence after July 1st and will likely integrate remote meetings with in-person meetings.



RULE AND ORDER REQUIRING THE USE OF MASKS AND OTHER PROTECTIVE MEASURES: AMENDED MAY 25, 2021

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Pursuant to the declaration of a State-wide public health emergency on March 10, 2020, Massachusetts General Laws, Chapter 111, Sections 31 and 122, 310 CMR 11.05, 105 CMR 300.200 and all other authorizing statutes and regulations, we, the members of the Truro Board of Health hereby order the following:

1. In addition to physical distancing and in an effort to protect others, all members of the public entering any Town building; the Town's transfer station; the entrances/exits of Town Beaches; the gangway at the pier and while attending the Annual Town Meeting must wear a cloth face covering that covers their nose and mouth, such as a fabric or surgical mask. Wearing a mask is not a substitute for maintaining 6 feet of physical distancing.
2. The face covering requirements of this Order shall be in place until at least July 1 as described. This Order seeks to address the crowded summer conditions and avert any artificial reduction in participation at the Annual Town Meeting. and The Town also extends support to those business establishments in Truro who choose to require the public to mask in order to mitigate possible impacts from high volumes of customers and/or address situations where physical distancing is difficult, in efforts to better protect their staff and vulnerable members of the public.
3. Notwithstanding any provision in this Order, pursuant to guidance issued by the CDC face coverings should not be placed on young children under 2-years-old, anyone who has trouble breathing, anyone who is unconscious, incapacitated or otherwise unable to remove the mask without assistance, or anyone who due to disability is unable to wear a mask.
4. To the extent necessary, this Order shall be enforced by the Truro Health Agent, assistant Health Agent and Truro Police Officers.
5. Whoever violates any provision of this Order may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, section 21D and the Town's non-criminal disposition by-law.
6. If non-criminal disposition is elected, then any person who violates any provision of this Regulation shall be subject to: for a first offense, a written warning; for a second offense, a penalty in the amount of one hundred dollars (\$100), for a third offense, a penalty of two hundred dollars (\$200); and for a fourth or subsequent offense, a penalty in the amount of three hundred dollars (\$300.00). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

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This Order, as amended shall be effective beginning May 25th, 2021 and remain in effect until notice is given, pursuant to the Truro Board of Health's judgement that the Public Health Emergency no longer exists.

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Tracey Rose, Chair
Truro Board of Health



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Extension: 10 or 24 Fax: 508-349-5505

POLICY MEMORANDUM #64

Date: Adopted May 12, 2020; Revised May 25, 2021

Subject: Masks and Physical~~Social~~ Distancing for the Town of Truro

This policy applies to all Town property. Employees on duty, board/committee/commission members and the public at large will be expected to abide by the policy while on Town property. This policy will likely change may be updated as we receive public health data changes and/or new guidance from health officials is provided.

Rationale and Tools

The Town of Truro remains committed to providing high-quality service to the residents and visitors of Truro while ensuring the safety of our workforce. To that end, the Town of Truro expects the following available tools be used to promote safety and minimize transmission of COVID-19:

1. Good hand hygiene—frequent handwashing (with soap and water for a minimum of 20 seconds) and using hand sanitizer when handwashing is not possible.
2. Social~~Physical~~ distancing—when possible, maintaining six feet of distancing from other people and avoiding gathering in groups unless it is necessary. Efforts should be made to limit group size when feasible.
3. Good respiratory hygiene—cover a cough or sneeze with a tissue, then throw the tissue in the trash. If tissues are not available use your elbow to cover coughs and sneezes.
4. Keep your face free of germs—avoid touching your face.
5. Masks/ face coverings—wear a cloth face covering over your nose and mouth when inside Town of Truro buildings/ facilities.
6. Sanitized surfaces—the Town will clean and disinfect frequently touched objects and surfaces.
7. Stay home when you are sick—Stay home if you are ill. Please avoid visiting Town of Truro facilities if you are sick or experiencing any symptoms of COVID-19. Employees should report any symptoms of COVID-19 to their immediate supervisor, even if a negative test result was received., except to get medical care.
8. Be an example—set an example for co-workers and community members by utilizing all of these tools. Use common sense and remember that all of us must do our part to protect each other.

Required Actions

- The Town of Truro ~~requires~~ recommends that ~~social~~ physical distancing be practiced on all Town property.
- Employees, board/committee/commission members and visitors are ~~required~~ recommended to keep a minimum of six feet from one another and ~~shall not gather~~ should avoid gathering in groups, without proper safety measures in place., in accordance with CDC Guidance. For work tasks that may require an exemption from this policy directive, please contact your supervisor.
- Virtual meetings are encouraged where possible. In-person meetings should be avoided,



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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~~even when people are in the same building.~~

- ~~• Avoid gathering in breakrooms and other communal spaces and follow the posted guidance for these places.~~
- ~~• The CDC has published guidelines recommending all persons wear cloth face coverings in public settings where social distancing cannot be achieved: masks are required while on Town of Truro property. Social distancing should be practiced whenever possible and face covering is a secondary tool to protect each other. Please note that t~~The exception to the masking policy would include those individuals with health issues that prevent them from safely wearing a mask and visitors under the age of two years.

These practices will be continually monitored and re- evaluated. ~~This policy will be in effect until such time as the Governor's COVID-19 Order No. 31 is lifted and until such time as the Truro Board of Health rescinds "Rule and Order Requiring the Use of Masks and Other Protective Measures."~~

By adhering to these policy directives and exercising common sense, you can help protect yourself, our workforce and the community. Failure to adhere to these policy directives by Town employees may result in discipline.

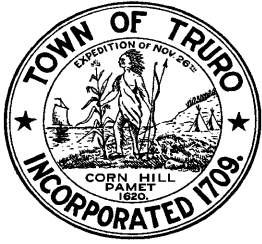
~~Janet Worthington, Robert Weinstein, Chair~~
~~Weinstein Kristen Reed, Vice-Chair~~

~~Robert~~

~~Kristen Reid Susan Areson, Clerk~~
~~Worthington~~

~~Susan Areson Janet~~

Stephanie Rein
Select Board
Town of Truro



TOWN OF TRURO

Select Board Agenda Item

BOARD/COMMITTEE/COMMISSION: Climate Action Committee

REQUESTOR: Carol Harris

REQUESTED MEETING DATE: May 25, 2021

ITEM: Greenhouse Gas Inventory for Truro

EXPLANATION: The Climate Action Committee was charged by the Select Board to conduct a greenhouse gas inventory for Truro. The Committee has completed the first inventory.

FINANCIAL SOURCE (IF APPLICABLE): Not applicable.

IMPACT IF NOT APPROVED: Missed opportunity for informing the Select Board, Town Manager, and citizens of Truro about the current state of greenhouse gas emissions in Truro.

SUGGESTED ACTION: None-presentation only

ATTACHMENTS:

1. PowerPoint presentation

Truro Greenhouse Gas (GHG) Inventory

1Q 2021

Climate Action Committee

Acknowledgements

Town of Truro

- Assessor's Office
- DPW
- Town Clerk
- Building Department
- Harbormaster's Office

Cape Cod Commission

Wellfleet Energy and Sustainability Committee

Input on data sources

- Town of Wellesley Energy Committee
- Metropolitan Area Planning Commission

Outline

- Motivation
- Framework for evaluation and reporting
- Methodology by sector/source
 - Exclusions
- Results
- Considerations

Why?

- Charge from Select Board
 - Prepare a baseline study of the greenhouse gas emissions of the entire town of Truro, including municipal, residential, institutional, and commercial sectors
- Track decarbonization progress towards MA goal net-zero 2050
- Identify Truro's GHG emissions to inform decision making
 - Building codes, municipal construction/retrofit, EV charging infrastructure
- Just scorekeeping – no recommendations

Framework

- City Inventory Reporting and Information System (CIRIS)
 - Excel based
 - Free!
 - Complies with Global Covenant of Mayors Common Reporting Framework
 - Truro is a member
- Standards based sectors (Global Protocol Community-Scale GHG)
 - Stationary – Building heating fuel and electricity
 - Transportation – Motor vehicles
 - Waste – Solid waste and septic

Residential heating fuel

- Town assessor's data (2019) – property class, fuel type, building area (sq ft)
- Residences – 63% seasonal, 37% year round
- Estimate seasonal usage as 35% of year round – heating degree days
- MA Dept Energy Resources usage data
 - Propane – 0.39 gals / sq ft
 - Heating oil – 0.40 gals / sq ft

	Propane	Heating Oil
Total building area (sq ft)	1,702,044	2,362,824
Year round usage (gals)	244,794	352,067
Seasonal usage (gals)	144,268	207,489

Commercial heating fuel

- Town assessor's data (2019) – property class, fuel type, building area (sq ft)
- Classify property type – office, lodging, restaurant, retail, storage, trade
- Classify seasonal usage by quartile
- Calculated as 40% of year round residential per sq ft

	Propane	Heating Oil
Total building area (sq ft)	125,400	187,780
Usage (gals)	19,997	29,693

Grid supplied electricity

- Mass Save data (2018)
- New England regional emission factor

Residential – 17,102 MWh

Commercial – 6,753 MWh

Motor vehicles

- Town assessor's registration data (2020) – plate type, VIN
- NHTSA Vin lookup API fuel type
- National averages for vehicle miles travelled, MPG

	Gas	Diesel	Electric	Motorcycles
Vehicles #	2,434	121	14	52
MPG (mi/kwh)	24	14	4	44
Miles / year	11,487	11,989	11,487	2,312
Usage (gals) (kwh)	1,155,224	106,298	44,603	2,732

*Reported in grid

Watercraft

- Harbormaster's data (2020) – moorings, daily launches
- Estimate # trips per mooring – 20 trips / year
- Daily launch receipts

4,635 trips / year

10 gals / trip

46,350 gals

Waste

- DPW data for municipal solid waste (2019)
 - Covanta SEMASS waste to energy
1,678 tons

Exclusions

- Misc propane – cooktops, hot water, pool heaters, generators, etc.
 - Difficult to estimate and track – installs but not removals
- Buses – P&B, PeterPan, CCRTA
 - CCC track regionally
- Landscaping eqpt – e.g. lawnmowers
- Off road eqpt – e.g. excavators
- Septic
 - Small (1.5% of total per capita)

Results - Intensity

	CO2 per capita (in tons)	CO2 per 1000 sq mi (in million tons)
Truro	12.7	1.0
MA (2017)	9.2	8.1
US (2017)	15.8	1.4

Truro seasonal usage skews this

- Number of residents
 - 2,038
- Number of residences
 - 2,912
 - 1,085 year round
 - 1,827 seasonal

Results - Sector

	US (2019)	Truro
Transportation	29%	45%
Electricity Generation	25%	22%
Industry	23%	-
Agriculture	10%	-
Commercial	7%	2%
Residential	6%	31%

Considerations

- Peer reviewed by CCC rep and neighboring town
 - Indicates variability in approaches
- Excluded sequestration – regional/state level
- Longitudinal consistency/reproducibility
 - Conduct every two years
- Intent for audit by Global Covenant of Mayors
- Results dissemination

The End



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Finance

REQUESTOR: Mary McIsaac, Treasurer *MM*

REQUESTED MEETING DATE: May 25, 2021

ITEM: Request to award the Bond Anticipation Note sold on May 20th to Jefferies, LLC.

EXPLANATION: The Treasurer accepted bids for a Bond Anticipation Note in the amount of \$9,755,000 on May 20th, 2021. The proceeds of this note will provide funding to temporarily finance capital projects completed and /or in progress and additional funding for the Ambulance purchase of \$350,000 and the Infrastructure project for Eagle Neck Creek of \$725,000.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: If not approved, the Town will not have a proper funding source for capital project spending and the Free Cash calculation for July 1, 2021 will include a reduction equal to the amount of funds expended without this financing source. As of 4/27/2021 qualifying expenditures totaled \$6,861,000.

SUGGESTED ACTION: *Motion to Award the Bond Anticipation Note to Jefferies, LLC in the amount of \$9,755,000. with a coupon rate of \$1.50%, a premium of \$127,107.65 and NIC (Net Interest Cost of 0.1934%. Payable on June 10, 2022*

ATTACHMENTS: Bid List and Note Details by Purpose prepared by Hilltop Securities, Financial Advisors for the Town of Truro.

Town of Truro, Massachusetts

\$9,755,000 General Obligation Bond Anticipation Notes, Unlimited Tax

Sale Date: 5/20/2021
Dated Date: 6/11/2021
Delivery Date: 6/11/2021
Due Date: 6/10/2022
Days Per Year: 360
Day Count: 359
Bank Qualified: Yes
Rating: None



Bidder	Underwriter	Principal	Coupon Rate	Premium	Interest	Net Interest	NIC	Prorata Premium	Prorata Interest	Award	Reoffering Yield
Jefferies LLC	•	\$9,755,000	1.50%	\$127,107.65	\$145,918.54	\$18,810.89	0.1934%	\$127,107.65	\$145,918.54	\$9,755,000	
Piper Sandler & Co.	•	\$9,755,000	1.00%	\$75,991.45	\$97,279.03	\$21,287.58	0.2188%				
Oppenheimer & Co.	•	\$9,755,000	1.00%	\$74,826.00	\$97,279.03	\$22,453.03	0.2308%				
BNY Mellon Capital Markets	•	\$9,755,000	1.50%	\$115,638.70	\$145,918.54	\$30,279.84	0.3113%				
Century Bank		\$2,000,000	0.95%	\$6,600.00	\$18,947.22	\$12,347.22	0.6191%				
Award Totals								\$127,107.65	\$145,918.54	\$9,755,000	

Weighted Average Net Interest Cost: 0.1934%

MUNICIPAL PURPOSE LOAN

Town of Truro, Massachusetts

\$9,755,000 General Obligation Bond Anticipation Notes, Unlimited Tax

Sale Date: 5/20/2021
 Dated Date: 6/11/2021
 Delivery Date: 6/11/2021
 Due Date: 6/10/2022



<u>Purpose</u>	<u>Vote Date(s)</u>	<u>Reference</u>	<u>Amount Authorized</u>	<u>Previous Issues</u>	<u>Bonds, Grants, and/or Paydowns</u>	<u>Renewal This Issue</u>	<u>New This Issue</u>	<u>Total This Issue</u>	<u>Balance Unissued</u>	<u>Original Issue Date</u>	<u>Prorata Interest</u>	<u>Prorata Premium</u>	
East Harbor Culvert Repairs	4/25/2017	Ch. 44, 7(1)	\$3,700,000	\$1,931,000	\$0	\$3,700,000	\$0	\$3,700,000	\$1,769,000	6/21/2019 & 6/12/2020	\$55,345.83	\$48,211.00	EXEMPT
Fire Department Tender	4/24/2018	Ch. 44, 7(1)	\$350,000	\$280,000	\$70,000	\$280,000	\$0	\$280,000	\$0	6/21/2019	\$4,188.33	\$3,648.40	EXEMPT
Land Acquisition	4/30/2019	Ch. 44, 7(1)	\$5,100,000	\$4,700,000	\$0	\$4,700,000	\$0	\$4,700,000	\$400,000	6/21/2019	\$70,304.17	\$61,241.00	EXEMPT
Eagle Neck Creek Repair/Improvement	4/30/2019	Ch. 44, 7(1)	\$1,000,000	\$0	\$0	\$0	\$725,000	\$725,000	\$275,000	6/11/2021	\$10,844.79	\$9,446.75	EXEMPT
Fire Department Ambulance	9/29/2020	Ch. 44, 7(1)	\$350,000	\$0	\$0	\$0	\$350,000	\$350,000	\$0	6/11/2021	\$5,235.42	\$4,560.50	EXEMPT
Totals			\$10,500,000	\$6,911,000	\$70,000	\$8,680,000	\$1,075,000	\$9,755,000	\$2,444,000		\$145,918.54	\$127,107.65	

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Truro, Massachusetts, certify that at a meeting of the board held May 25, 2021, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of the \$9,755,000 1.50 percent General Obligation Bond Anticipation Notes (the “Notes”) of the Town dated June 11, 2021 and payable June 10, 2022 to Jefferies LLC at par and accrued interest, if any, plus a premium of \$127,107.65.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated May 13, 2021 and a final Official Statement dated May 20, 2021, each in such form as may be approved by the Interim Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Interim Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that the Select Board and Interim Town Treasurer have received and reviewed electronic copies of any and all certificates or documents relating to the Notes (collectively, the “Documents”). Such Documents may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that we authorize and direct the Interim Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Interim Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

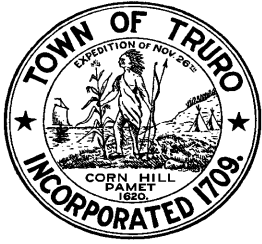
Further Voted: that each member of the Select Board, the Interim Town Clerk and the Interim Town Treasurer be and hereby are, authorized to take any and all such

actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Interim Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Interim Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25 as amended, further suspended, supplemented or modified by the Executive Order of the Governor of The Commonwealth of Massachusetts Suspending Certain Provisions of the Open Meeting Law, Chapter 30A, §20 dated March 12, 2020.

Dated: May 25, 2021

Clerk of the Select Board



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: May 25, 2021

ITEM: Review and Approve the Posting of the Annual Town Meeting and Annual Town Election Warrant

EXPLANATION: In accordance with Town Charter 2-3-5, the Town Meeting Warrant must be posted at least 14 days before the date of a Town Meeting. In accordance with Massachusetts General Law Chapter 39, Section 10, the Town Election Warrant must be posted at least 7 days before the date of an Annual Town Election.

The warrants were prepared by Temporary Town Clerk Susan Joseph and will be posted by the Town Constable in accordance with Massachusetts General Law pending Select Board vote. Staff will add the Board members' electronic signatures to the warrants.

Annual Town Meeting will be held on Saturday, June 26, 2021 at 10 am at the Truro Central School. The Annual Town Election will be held on Tuesday, June 29, 2021 from 7 am to 8 pm at the Truro Community Center. There are no ballot questions on this year's Annual Town Election ballot.

SUGGESTED ACTION: (Two motions)

Motion to approve the 2021 Annual Town Meeting Warrant posting and to authorize signing the warrant electronically and to post the Warrant in accordance with the Town Charter.

Motion to approve the 2021 Annual Town Election Warrant posting and Election Ballot and to authorize signing the warrant electronically and to post the Warrant in accordance with the Town Charter.

ATTACHMENTS:

1. Posting of the Town Meeting Warrant 2021
2. Posting of the Annual Town Election Warrant



ANNUAL TOWN ELECTION

TUESDAY, JUNE 29, 2021 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 29, 2021 from 7:00 am to 8:00 pm for the following Town offices on the Annual Town Election ballot:

#	OFFICE	TERM
2	Select Board	3 Years
2	School Committee	3 Years
2	Library Trustee	3 Years
1	Cemetery Commission	3 Years
1	Cemetery Commission	2 Years
2	Planning Board	5 Years
1	Housing Authority	5 Years

In conformity with Section 2.3.5 of the Truro Town Charter, 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, fourteen 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 25th day of May in the Year of our Lord, Two Thousand and Twenty One.

We, the members of the Select Board of the Town of Truro, have read the warrant for Annual Town Election to be held from 7:00 p.m. to 8:00 p.m. on June 29, 2021 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.

Robert M. Weinstein, Chair

Kristen M. Reed, Vice-Chair

Susan H. Areson, Clerk

Janet W. Worthington

Stephanie J. Rein

A TRUE COPY, ATTEST:

Susan A. Joseph
Temporary Town Clerk, Town of Truro
Date of Posting:

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.

Constable

Date

POSTING OF THE WARRANT

In conformity with Section 2.3.5 of the Truro Town Charter, 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, fourteen days, at least, before the date of said meeting.

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 25th day of May in the Year of our Lord, Two Thousand and Twenty-One.

We, the members of the Select Board of the Town of Truro, have read the warrant for Annual Town Meeting to be held at 10:00am on June 26, 2021, at the Truro Central School.

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

Robert M. Weinstein, Chair

Kristen M. Reed, Vice-Chair

Susan H. Areson, Clerk

Janet W. Worthington

Stephanie J. Rein

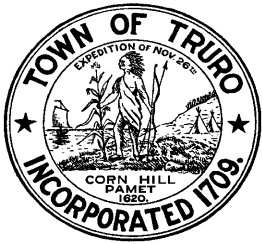
A true copy, attest:

Susan A. Joseph
Temporary Town Clerk, Town of Truro

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.

Constable

Date



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: May 25, 2021

ITEM: Review and Possible Vote on Town Meeting Articles

EXPLANATION: All articles for the 2021 Annual Town Meeting Warrant are prepared for the Board's review and votes to recommend. The Planning Board, Finance Committee and Charter Review Committee have all met to make their recommendations on most of the articles. All articles have been reviewed by Town Counsel, KP Law, for proper legal form.

The following table outlines Select Board votes taken on articles to date:

Article 1: Authorization to Hear the Report of Multi-member Bodies	Select Board: 5-0-0
Article 2: Authorization to Set the Salary of the Select Board	Select Board: 5-0-0
Article 3: Authorization to Set the Salary of the Moderator	Select Board: 4-0-1
Article 4: Amendments to the FY21 Operating Budget Funded by Free Cash	Select Board: 4-0-0
Article 5: FY2022 Omnibus Budget Appropriation	Select Board: 5-0-0
Article 6: Transfer of Funds from Free Cash SECTION 1: TO REDUCE OR STABILIZE THE FY2022 TAX RATE SECTION 2: TO THE OPEB TRUST SECTION 3: TO THE CAPITAL EXPENSE STABILIZATION FUND SECTION 4: TO THE STABILIZATION FUND SECTION 5: TO PURCHASE HEAVY-DUTY TRACTOR TRUCK REPLACEMENT SECTION 6: TO REPAIR/REPLACE WINDOWS, SHINGLES, SIDING, AND TRIM AT TRURO CENTRAL SCHOOL SECTION 7: TO GENERAL FUND RESERVE FUND	Select Board: 4-0-0 Select Board: 4-0-0 Select Board: 4-0-0 Select Board: 4-0-0 Select Board: 4-0-0 Select Board: 4-0-0 Select Board: 4-0-0
Article 7: Council on Aging Revolving Fund	Select Board: 5-0-0
Article 8: Authorization to Expend Funds in Anticipation of Reimbursement for State Highway Assistance Aid	Select Board: 5-0-0
Article 9: Fund a Childcare Voucher Program	
Article 10: Fund a Childcare Voucher Program- Petitioned Article	
Article 11: Community Preservation Act SECTION 1: CONTRIBUTION TO THE AFFORDABLE HOUSING TRUST FUND SECTION 2: HOUSING CONSULTANT SECTION 3: PRESERVATION OF HIGHLAND HOUSE MUSEUM PERMANENT	Select Board: 5-0-0 Select Board: 5-0-0 Select Board: 5-0-0

COLLECTION SECTION 4: EDGEWOOD FARM HISTORIC PRESERVATION PROJECT PHASE 5 SECTION 5: PUMA PARK ENHANCEMENT SECTION 6: PAYOMET DRIVE-IN SECTION 7: ADMINISTRATIVE SUPPORT SECTION 8: OPEN SPACE RESERVE SECTION 9: BUDGETED RESERVE	Select Board: 2-3-0 Select Board: 5-0-0 Select Board: 5-0-0 Select Board: 5-0-0 Select Board: 5-0-0 Select Board: 5-0-0
Article 12: Authorization to Transfer Town Property to the Truro Conservation Trust (Originally slated for 2020 Annual Town Meeting)	Select Board: 5-0-0
Article 13: Accept Deed in Lieu of Foreclosure—135 South Pamet Road	Select Board: 5-0-0
Article 14: Amend General Bylaws, Chapter 3 Prohibitions on the Use and Sale of Balloons (Originally slated for 2020 Annual Town Meeting)	Select Board: 5-0-0
Article 15: Amend General Bylaws, Chapter 3 Municipal Single-Use Plastic Bottle Ban (Originally slated for 2020 Annual Town Meeting—Modified after March 23, 2021 Meeting)	Select Board: 4-0-1
Article 16: Non- Binding Public Advisory Questions for Increased Security at Pilgrim Nuclear Power Station on Cape Cod Bay (Originally a 2020 Petitioned Article)	Select Board: 5-0-0
Article 17: Resolution in Support of Changing the State Flag & Seal of Massachusetts (Originally a 2020 Petitioned Article)	Select Board: 5-0-0
Article 18: Charter Amendment to Sections 3-1-1 and 6-4-2 (Originally a 2020 Petitioned Article)	Select Board: 1-2-2
Article 19: Amend the Local Room Occupancy Excise Tax (Originally a 2020 Petitioned Article—Modified after March 16, 2021 Meeting)	Select Board 4-1-0
Article 20: To Establish an Affordable Housing Stabilization Fund and to Dedicate a Percentage of the Local Room Occupancy Excise Tax to Said Fund (Originally a 2020 Petitioned Article—Modified after March 16, 2021 Meeting)	Select Board: 5-0-0
Article 21: Charter Amendment to Section 2-2-4 (Originally a 2020 Petitioned Article)	
Article 22: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit - Petitioned Article	Select Board: 5-0-0
Article 23: Amend Zoning Bylaw §10.4 and §30.2 Food Truck Definition and Use and §30.9 Parking	Select Board: 4-0-1
Article 24: Amend Zoning Bylaw §30.9 Parking, C. Off Street Parking Schedule	Select Board: 5-0-0
Article 25: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, C. ADU Permit	Select Board: 5-0-0
Article 26: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure	Select Board: 5-0-0
Article 27: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure	Select Board: 5-0-0
Article 28: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure	Select Board: 5-0-0
Article 29: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, F. Findings of the Planning	Select Board: 5-0-0
Article 30: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, H. Requirements for Tax Exemption and §10.4 Definitions	Select Board: 5-0-0
Article 31: Amend Zoning Bylaw §70.3 Commercial Development	Select Board: 5-0-0
Article 32: Amend Zoning Bylaw §70.4 Residential Development	Select Board: 5-0-0
Article 33: Amend Zoning Bylaw §70.6 Recording of Decision	Select Board: 5-0-0
Article 34: Amend Zoning Bylaw §70.9 Waiver of Site Plan Review	Select Board: 3-0-2
Article 35: Amend Zoning Bylaw §40.6 Growth Management	Select Board: 1-3-1
Article 36: Amendment to General Bylaws Ch 3—Add Municipal Single-Use Bottle Ban- Petitioned Article	Select Board: 0-0-5

Article 37: Amendment to Charter Chap 3 & Chap 6—Make Zoning Board of Appeals an Elected Board- Petitioned Article	
Article 38: Amendment to Charter Chap 3 & Chap 6—Make Board of Health an Elected Board- Petitioned Article	
Article 39: Tax Transparency of Financial Articles in Excess of \$50,000.00- Petitioned Article	Select Board: 5-0-0
Article 40: Project Accounting & Quarterly Reporting on Total Expenditures over \$75,000.00- Petitioned Article	Select Board: 0-0-5
Article 41: Add New Section to General By-laws- Truro Clean Water Fund- Petitioned Article	Select Board: 0-5-0
Article 42: Special Act to Create a Year-round Rental Housing Trust- Petitioned Article	
Article 43: Reduction of Truro’s Net Greenhouse Gas Emissions to Zero by 2050 (Originally slated for 2020 Annual Town Meeting)	Select Board: 5-0-0
Article 44: Advisory Vote on the Use of Automated Tabulator (Originally slated for 2020 Annual Town Meeting)	Select Board: 5-0-0

* Articles highlighted in yellow are recommended for discussion at the May 25, 2021 so that votes can be recorded in the warrant.

To be able to print votes to recommend in the Warrant, the votes will need to be completed before the end of May, which means any votes to recommend that are not completed at the May 25, 2021 will not be included in the warrant. If Select Board comments need to be added or changed, please note that in your discussions.

The draft warrant articles are ready for review are attached. The form of vote is positive, motion to recommend, and will be recorded in the warrant as # of yes votes - # of no votes - # of abstentions in favor, e.g. 5-0-0 in favor. Once the votes are completed, they will be added to the warrant.

The articles are ordered as determined by the Select Board at the March 9, 2021 meeting. They were renumbered for the May 25, 2021 meeting to allow for inclusion of the Select Board’s own version of the petitioned childcare article.

At the May 11, 2021 Select Board meeting, the Board determined that they would like to include their own version of Article 9: Fund a Childcare Voucher Program- Petitioned Article that reflects that the Truro Central School committed to accommodating all three- and four- year- olds of Truro residents and Town of Truro employees and notes that the cost for administering the program will be included in appropriation for this article. Language was added to indicate that this program is a one-year pilot program, that the funds will include the cost of administering the program and note that the voucher system will be direct-to-provider tuition assistance. The language also includes that the tuition assistance is “up to a maximum” of \$7,500 so that if administration fees are more than anticipated or if there are additional eligible children, the total dollar figure can be divided accordingly.

Article 9 is now the Select Board’s version of the childcare article and includes the language presented at the Board’s May 18, 2021 work session. The final dollar amount associated with this article reflects the 9 two-year-olds identified by Town census information and a count of staff, which indicates there will be three school staff members with two-year- olds and one Town of Truro staff member with a two- year- old in FY2022. Truro Central School’s pre-school program accepts children who are three years old as of September 1st. Funding for this program will be from available free cash.

The article’s form has been approved by Town Counsel. Article 10 is the petitioned childcare article and all subsequent articles have been renumbered.

Additional Information Regarding Articles 9/10

At the April 27, 2021 Meeting, Select Board members requested additional information on Article 9. Staff conversed briefly with officials from the Early Learning Program in Provincetown (Wee Care) and the Town of Wellfleet Pre-School Voucher Program. Provincetown offers a program from birth to Kindergarten that provides free care for all residents of Provincetown and employees of the Town of Provincetown regardless of need. Due to COVID-19, some classrooms are not fully operational, so vouchers are provided for children to attend other licensed/ certified programs. The remaining classrooms are expected to open on May 31st. There is a waiting list for the program.

Wellfleet offers a voucher program for three- and four- year- olds. There is \$100,000 available for three-year-olds and \$100,000 available for four-year olds with a maximum amount of \$7,000 per child (less if there is a larger pool of children). The vouchers can only be used for programs that have a pre-school curriculum and all payments are made directly to the providers. There is no income requirement associated with this program.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: If votes to recommend are not complete prior to the warrant going to the printer, they will not appear in the 2021 Annual Town Meeting Warrant.

SUGGESTED ACTION: *Motion to recommend {insert article number here} as printed in the warrant.*

ATTACHMENTS:

1. 2021 Draft Annual Town Meeting Warrant

WARRANT

Truro Annual Town Meeting

Saturday, June 26, 2021

10:00 AM

Truro Central School Ballfield

AND

Annual Election Ballot

7:00 AM to 8:00 PM

Tuesday, May 11, 2021

Truro Community Center

Transportation will be available for citizens by the Council on Aging.

Reservations must be made by Wednesday, June 23, 2021 by calling 508-413-9509.

Please note: Accommodations for individuals with disabilities including assistive listening devices (ALD) and material in alternative formats may be arranged by contacting Town Hall four business days prior to Annual Town Meeting at 508-349-7004 ext. 110 or ext. 124

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Truro's Town Meeting Guide

Truro's Town Meeting is governed by the following: Truro's Charter, Sections 1-3; *Town Meeting Time, A Handbook of Parliamentary Law*, available from the Massachusetts Moderators Association; Truro's Bylaws; and Massachusetts General Laws.

TRURO'S LEGISLATURE

YOU, the registered voters who come to Town Meeting and vote, constitute the legislative branch of Truro's town government. **YOU** determine, among other things, the town's budget, its use of local and state funds, its zoning bylaws and its general bylaws.

THE WARRANT

The warrant is prepared by the Select Board and consists of articles submitted by the Select Board, by other elected and appointed multi-member Boards, and by petitioned articles submitted by registered voters (10 voters, if submitted for inclusion in the Annual Town Meeting Warrant; 100 for inclusion in a Special Town Meeting warrant.)

A **QUORUM**, consisting of 100 registered voters, must be present before Town Meeting can begin.

THE MODERATOR

The Moderator, who is elected by the people, presides over Town Meeting and makes sure that the Meeting is conducted in a respectful, civilized way. No insults. No shouting. No personal remarks. No rudeness.

PROCEDURE

- A. **SEATING**—If you are a voter, you may sit anywhere, except in one area of the room that is reserved for non-voters.
- B. **VOTING**—Each voter is given a **CARD** when checking in to Town Meeting. When the Moderator calls for a vote, you must raise your **CARD**.

If the vote is not obvious to the Moderator—if, for example, a 2/3 vote is called for—you must keep your card raised until a **TELLER** has registered it.

If the Moderator estimates the number of votes for or against a given motion, and **SEVEN VOTERS** challenge the Moderator's call, a recount using **TELLERS** will be held.

- C. **DEBATE**—If you wish to make a Motion, or speak to a Motion, you must raise your hand and be recognized by the Moderator. When you have been recognized, please go to the microphone (or have it brought to you, if you cannot go to it).

When you are at the microphone, please **STATE YOUR NAME AND WHETHER OR NOT YOU ARE A VOTER**.

D. **VOTERS MAY SPEAK FOR 3-4 MINUTES**, maximum, at one time, except for **MOVERS OF ARTICLES**, who may have more time, if needed.

NON-VOTERS MAY ALSO SPEAK FOR 3-4 MINUTES, unless there is an objection from a voter (and a majority of voters sustains the objection).

E. **PLEASE DO NOT INTERRUPT—EXCEPT to**

1. **MAKE A POINT OF ORDER**—e.g. speaker is not entitled to the floor, or has not been properly recognized, or is not within the time limit; motion has not been properly made and seconded, etc.

2. **MAKE A POINT OF PERSONAL PRIVILEGE**—e.g. can't hear, fire, etc.

F. **ALL MOTIONS, including ALL AMENDMENTS, must be IN WRITING.**

G. **TO END THE DEBATE:** call for **THE PREVIOUS QUESTION**—"I move the previous question"—This ends the debate. You must be properly recognized by the Moderator to make this motion; it requires a 2nd, is not debatable, and needs a 2/3 vote.

H. **RECONSIDERATION**—a motion to reconsider must be made on the same night as the vote to be reconsidered; must be made within one hour, after intervening business; requires a 2nd, and a majority vote.

I. **TO STOP DEBATE** before it has started, make a motion to **POSTPONE INDEFINITELY**—"I move that this matter be postponed indefinitely." The motion requires a 2nd and a majority vote. Do **NOT** move that the matter be **LAI**D ON THE TABLE. If a matter is laid on the table, it must be taken from the table and debated before Town Meeting can be adjourned.

J. **ALL DEBATE MUST GO THROUGH THE MODERATOR. PERSONAL REMARKS ARE NOT IN ORDER. APPLAUSE IS INAPPROPRIATE AND TIME-CONSUMING.**

K. **ADJOURNMENT**—When all the articles have been debated, voted on, and dealt with, a motion must be made to **DISSOLVE THE MEETING** or **ADJOURN SINE DIE**; the motion requires a 2nd, and a majority vote.

PLEASE TURN OFF ALL CELL PHONES. PLEASE BE SEATED.

Message from the Select Board

Dear Truro Voter:

DRAFT

Message from the Finance Committee

To All Truro Voters:

DRAFT

**Report from the Truro Planning Board
Impact of Residential House Size Bylaw
2 Year Report to 2021 Truro Town Meeting
March 25, 2021**

At the November 13, 2018, Truro Special Town Meeting, the town approved Article 6, “Section §50.2 ‘Building Gross Floor Area for the Residential District’ ”. This bylaw limited the aggregate gross floor area of dwellings and accessory structures on individual lots within Truro’s Residential District to 3,600 square feet, with an additional 1,000 square feet by special permit. The purpose as described in Section A “...is to limit the size of future residential construction, alteration, or reconstruction to preserve the special character and prevailing size and massing of buildings in the Town, and to be in harmony with the historic nature, sense of community, and aspirations of Truro.”

Section F of the bylaw stated that: “F. The Planning Board shall review the effect of this Section 50.2 of the Bylaw upon the Town of Truro and submit a report to the 2021 Truro Annual Town Meeting.”

- 1) Since the Bylaws passage, there have been no Special Permits issued by Truro’s Zoning Board of Appeals to exceed the 3,600 square foot ‘by-right’ limit imposed by the bylaw.
- 2) Truro’s Building Inspector reports that no permits have been denied because of the bylaw.
- 3) The Planning Board reviewed building permits for the 26.6 months since the passage of the bylaw (Nov 13, 2018 to Jan 31, 2021) and the 26.6 months (Aug. 17,2016 to Nov. 13, 2018) prior to the bylaw’s approval. The table below shows the results.

	Prior (8/7/16-11/13/18)	Since (11/14/18-1/31/21)
Total # building Permits	893	918
# Single Family Residences		
Residential District	38	15
Other Districts	2	2
# Addition/ Alterations - impacting living space) (includes motel/condos)		
Residential District	105	88
Other Districts*	19	53

* Other Districts: Beach Point Limited Business; Seashore District; Rt 6A N Truro Limited Business; Truro Center Limited Business; North Truro Center General Business; Route 6 General Business.

While the total number of building permits has remained steady, the building permits for single-family homes and building permits issued for additions to existing single-family residences in the Residential District are lower in the period since the passage of the bylaw. That data includes 10 months where construction was likely impacted by the Covid-19 pandemic and resulting pressure on the economy. There has been an increase in permits for additions/alterations outside the Residential District but much of that is likely due to the bylaw change allowing year-round condos which was passed at the same Town Meeting. Conversations with local building tradespeople indicate that that there has been an increase in work over the past 2^{1/2} years. Again, it is unclear how much of that may be due to the Covid pandemic.

Terms Used in Municipal Finance

Appropriation – An amount of money which has been authorized by vote of Town Meeting to be spent for a designated purpose.

Available Funds – Available funds refer to the Stabilization Fund, Beach Receipts Reserved for Appropriation, Pamet Harbor Receipts Reserved for Appropriation, Recreation Receipts Reserved for Appropriation, Conservation Commission Receipts Reserved for Appropriation, and continued appropriations left in Articles voted at previous Town Meetings.

Bond and Interest Record (Bond Register) – The permanent and complete record maintained by the treasurer for each bond issue. It shows the amount of interest and principal coming due each date and all other pertinent information concerning the bond issue.

Bond Anticipation Note (BAN) – Short-term debt instrument used to generate cash for initial project costs and with the expectation that the debt will be replaced later by permanent bonding. Typically issued for a term of less than one year, BANs may be re-issued for up to five years, provided principal repayment begins after two years (MGL Ch. 44 §17). Principal payments on school-related BANs may be deferred up to seven years (increased in 2002 from five years) if the community has an approved project on the Massachusetts School Building Authority (MSBA) priority list. BANs are full faith and credit obligations.

Capital Outlay Expenditure Exclusion – A temporary increase in the tax levy to fund a capital project or make a capital acquisition. Exclusions require two-thirds vote of the selectmen or city council (sometimes with the mayor's approval) and a majority vote in a community-wide referendum. The exclusion is added to the tax levy only during the year in which the project is being funded and may increase the tax levy above the levy ceiling.

Cherry Sheet – A form showing all State and County charges and reimbursements to the Town as certified by the Massachusetts Department of Revenue.

Classification of Real Property – Assessors are required to classify all real property according to use into one of four classes: Residential, Open Space, Commercial, and Industrial. Having classified its real property, local officials are permitted to determine locally, within limits established by statute and the Commissioner of Revenue, what percentage of the tax burden is to be borne by each class of real property and by personal property owners.

Classification of the Tax Rate – Each year, the selectmen or city council vote whether to exercise certain tax rate options. Those options include choosing a residential factor (MGL Ch. 40 §56), and determining whether to offer an open space discount, a residential exemption (Ch. 59, §5C), and/or a small commercial exemption (Ch. 59, §5I) to property owners.

CMR – Code of Massachusetts Regulations.

Code of Ethics – The provisions and requirements of MGL Ch. 286A pertaining to the standards of behavior and conduct to which all public officials and employees are held.

COLA – Cost of Living Adjustment.

Collective Bargaining – The process of negotiating workers' wages, hours, benefits, working conditions, etc., between an employer and some or all of its employees, who are represented by a recognized labor unit.

Commitment – Establishes the liability for individual taxpayers. The assessors' commitment of real estate taxes fixes the amount that the collector will bill and collect from property owners.

Community Preservation Act (CPA) – Enacted as MGL Ch. 44B in 2000, CPA permits cities and towns accepting its provisions to establish a restricted fund from which monies can be appropriated only for: a) the acquisition, creation and preservation of open space; b) the acquisition, preservation, rehabilitation, and restoration of historic resources; c) the acquisition, creation and preservation of land for recreational use; d) the creation, preservation and support of community housing; and e) the

rehabilitation and restoration of open space, land for recreational use and community housing that is acquired or created using monies from the fund. Acceptance requires town meeting or city council approval or a citizen petition.

Community Preservation Fund – A special revenue fund established pursuant to MGL Ch. 44B to receive all monies collected to support a Community Preservation Program, including but not limited to, tax surcharge receipts, proceeds from borrowings, funds received from the Commonwealth, and proceeds from the sale of certain real estate.

Free Cash – This is the amount certified annually by the State Bureau of Accounts. Town Meeting may appropriate from Free Cash for any lawful purpose. Sometimes referred to as Excess and Deficiency.

Overlay (Also called Allowance for Abatements and Exemptions) – The amount raised by the Assessors to be used for potential abatement of property taxes. The Overlay Surplus is the portion of each year's Overlay Account no longer required to cover the property abatements.

Reserve Fund – This fund is established by the voters at an Annual Town Meeting through the Omnibus Budget. Transfers from the Reserve Fund are within the exclusive control of the Finance Committee and are for extraordinary or unforeseen expenditures.

Stabilization Fund – This is a special reserve account. Without an authorizing two-thirds ($\frac{2}{3}$) vote at a Town Meeting, funds cannot be deposited into or withdrawn from this account.

Transfer – The authorization to use an appropriation for a different purpose; in most cases only Town Meeting may authorize a transfer. However, in Truro, with certain restrictions, transfers may be authorized if the transfer is \$2,500 or less, the transfer is within the same Department, and is approved by the Department Head, Town Manager and the Finance Committee.

PROPOSITION 2½ TERMS

Contingent Votes – Chapter 634 of the Acts of 1989 permits a Town Meeting to appropriate funds contingent upon passage of a referendum question (Override). A contingent vote does not automatically result in an override referendum. An override referendum can only be called by the Select Board. If a referendum is called by the Selectmen, it must take place within ninety days of the Town Meeting vote.

Debt Exclusion and Capital Outlay Expenditure Exclusion – These two override ballot questions can be placed on a referendum by a two-thirds ($\frac{2}{3}$) vote of the Select Board. If a majority of the voters approve the ballot question, the Town's levy limit is temporarily increased for the amount voted at the referendum. The increase may exceed the Town's levy limit.

General Override – A general override ballot question can be placed on a referendum if a majority of the Select Board votes to do so. If the ballot question is approved by a majority of the voters, the Town's levy limit is permanently increased by the amount voted at the referendum. The levy limit increases may not exceed the Town's levy ceiling.

Levy – The property tax levy is the revenue the Town can raise through real and personal property taxes. The levy is the largest source of revenue for the Town.

Levy Ceiling – This is the maximum amount of the levy limit. The ceiling equals 2½% of the Town's full and fair cash value.

Levy Limit – The limit is based on the previous year's levy plus certain allowable increases.

Levy Limit Increase – The levy limit automatically increases each year by 2½% of the previous year's levy limit.

New Growth – The increase in the levy limit attributable to new construction and new parcel subdivisions.

Override – A community can increase its levy limit by voting at a referendum to exceed the limit. There are three (3) types of overrides: general, debt exclusion and capital outlay expenditure exclusion.

Fiscal Year 2022 Five Year Capital Improvement Overview

In accordance with the requirements of the Truro Charter (Paragraph 7-2-6), the Select Board respectfully presents for your review the FY 2022 Five Year Capital Improvement Plan. The expenditures listed are presented to give an updated overview of the projects and capital needs planned for the future. Attempts to define the future, while prudent from a planning point of view, must be fully recognized as “best estimates” that will be subject to continual change as each capital question moves forward.

During the calendar year 2003, the Town consolidated all long-term debt, including certain Cape Cod Land Bank acquisitions, into one general obligation bond, and refinanced the debt during a period of low interest rates, saving the Town almost \$500,000.00 over the life of the bond; thus, concurrently improving its Standard & Poor’s Bond Rating three (3) levels to an A+ rating. The attached “previously committed long-term debt” schedule, and the new “previously committed Land Bank debt” schedule, reflects that refinancing. The Town’s bond rating now is an “AA+” after a 2014 review by Standard and Poor’s.

Commencing with the FY2002 Municipal Operating Budget, the Town approved a procedure to incorporate safety and other high priority capital items in the operating budget, up to a maximum expenditure amount to be set annually. Concerted effort has been focused on gradually increasing the annual appropriation for priority capital items to ensure sufficient budget capacity to develop and maintain a realistic upgrade and/or replacement schedule for the town’s rolling stock of vehicles, equipment and machinery. If an item does not succeed in being placed in the operating budget for purchase through this Operating Capital Account, Budget Line Item #01013358, then the capital item may be funded in a different manner.

As one alternative, the Capital Stabilization Fund established per Article 14 of the April 26, 2016 Annual Town Meeting and merged with the balance of the *Capital Improvements Fund* by vote of the November 13, 2018 Special Town Meeting has a balance of \$432,832.60. The purpose of this Fund is to allow, with Town Meeting approval, appropriation of incremental sums over a period of time to be used for capital purchases that may occur several years in the future. When the project or purchase is ready to be funded, Town Meeting must vote to appropriate the funds to the project or purchase. Two other ways to acquire a capital item individually require either a separate article specifying use of other available funds, or a Capital Exclusion Article, on the Town Meeting Warrant. The Capital Exclusion Article is considered to be a so-called “menu-override,” requiring a majority vote at both Town Meeting and at the next referendum.

In FY2021, the Operating Capital Account budget was significantly reduced in light of the undetermined impacts of the COVID-19 pandemic. As such, many capital requests were deferred to FY2022, impacting the five- year schedule and resulting in increased capital needs for FY2022. Due to significant spending freezes implemented by the Town Manager and Town Accountant, and better than projected revenues, the FY2021 free cash certification was significantly higher than previous years. For this reason, articles are included for free cash transfers to purchase the heavy-duty tractor truck (deferred from the 2020 Annual Town Meeting) needed for hauling machines and solid waste and recyclables and to repair and replace windows, shingles, siding and trim at the Truro Central School necessary for general building maintenance, as well as to address leaky windows. Free cash is a logical source of funding for these capital purchases, as free cash is a one-time revenue source for a one-time expenditure.

The Five- Year Debt Schedule for FY2022 through FY2026 follows on the next page. The Capital Improvement Budget for FY2022-FY2026 can be found in Appendix B of the Annual Town Meeting Warrant.

Five- Year Debt Schedule: FY2022- FY2026

**Debt figures include principal and interest

PREVIOUSLY COMMITTED LONG TERM DEBT**	FY2022	FY2023	FY2024	FY2025	FY2026
Year committed/amount/repayment					
TOWN HALL REHABILITATION (Note 1)	\$160,000	\$104,000	\$0	\$0	\$0
2002/\$3,258,360/20 years - paid in full FY2023					
SEWER (MWPAT) (Note 2)	\$0	\$0	\$0	\$0	\$0
2003/\$197,404/19 years- paid in full FY2021					
COMMUNITY CENTER (Note 3)	\$231,150	\$222,885	\$214,525	\$195,975	\$
2006/\$3,735,000/20 years- paid in full FY2026					
SUB TOTAL	\$391,150	\$326,885	\$214,525	\$195,975	\$

NOTES

1. The total project amount borrowed has been reduced by receipt of a Small Cities Grant in the amount of \$312,000.
2. MA Water Pollution Abatement Trust loan. This is a no interest loan. Septic betterment receipts used to repay the debt.
3. The total project amount borrowed has been reduced by the receipt of donations in the amount of \$223,000.

PROJECTS TO BE PERMANENTLY FINANCED	FY2022	FY2023	FY2024	FY2025	FY2026
Year committed/amount/repayment					
WATERWAY REPAIRS- EAGLE CREEK RESTORATION (Note 4)	\$27,417	\$26,600	\$25,783	\$24,967	\$
2012/\$150,000/5 years					
WATERWAY REPAIRS- EAST HARBOR CULVERT PROJECT (Note 5)	\$308,025	\$301,550	\$295,075	\$288,600	\$
2017/\$3,700,000/20 years					
NEW EQUIPMENT- AMBULANCE (Note 6)	\$79,800	\$77,350	\$74,900	\$72,450	\$
2018/\$350,000/5 years					
LAND ACQUISITION- WALSH PROPERTY (Note 7)	\$399,500	\$391,275	\$383,050	\$374,825	\$
2019/\$5,100,000/20 years					
WATERWAY REPAIRS- EAGLE NECK CREEK (Note 8)	\$79,900	\$78,255	\$76,610	\$74,965	\$
2019/\$1,000,000/20 years					
SUB TOTAL	\$894,642	\$875,030	\$855,418	\$835,807	\$

NOTES

4. The initial authorization in 2012 was increased by \$1M in 2019. The project will be permitted and completed.*
 5. The East Harbor project will address numerous concerns affecting the safety and water quality of the expansive waterway.*
 6. The Town has acquired and put into service a new ambulance.*
 7. The Town has purchased the Walsh Property ~ 69 acres (+/-) for "general municipal purposes."*
 8. The Eagle Neck Creek project will fund drainage improvements and remediation of tidal flow issues.*
- *Projects are expected to be bonded in 2022.

FUTURE CAPITAL PROJECTS (Note 9)	FY2022	FY2023	FY2024	FY2025	FY2026
Year to Commit/Amount/Repayment					
NEW DPW FACILITY-LAND ACQ. & CONSTRUCTION					
TOWN CENTER ROAD CULVERT REPLACEMENT					
LITTLE PAMET CULVERT REPLACEMENT AND RESTORATION					

9. These projects are in the planning phase and, as such, no funding requests are proposed at this time.

GREETINGS:

In the name of the Commonwealth, you are hereby required to warn the inhabitants of the Town of Truro qualified to vote in town affairs, to meet at the Truro Central School, 317 Route 6, Truro, MA 02666, on Saturday, June 26, 2021 at 10:00 AM, then and there, to vote on the following articles:

CUSTOMARY & FINANCIAL ARTICLES

Article 1: Authorization to Hear the Report of Multi-member Bodies

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2020 Annual Town Report, or take any other action relative thereto.

Requested by the Select Board

Select Board Recommendation	5	0	0
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Article 2: Authorization to Set the Salary of the Select Board

To see if the Town will vote to determine and set the salary for the Select Board for Fiscal Year 2022 at \$3,000 per member for a total of \$15,000, or take any other action relative thereto.

Requested by the Finance Committee

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 3: Authorization to Set the Salary of the Moderator

To see if the Town will vote to determine and set the salary for the Town Moderator for Fiscal Year 2022 at \$150, or take any other action relative thereto.

Requested by the Select Board

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	1

Article 4: Amendments to the FY2021 Operating Budget Funded by Free Cash

To see if the Town will vote to appropriate from available funds (Free Cash) such sums of money necessary to supplement the operating budgets of the various Town departments for the current fiscal year 2020-2021 (FY2021), or take any other action relative thereto.

FROM	TO	AMOUNT
Free Cash	Snow Removal	\$50,000
<i>To balance FY21 budget for emergency snow and ice removal operations.</i>		
TOTAL		\$50,000

Requested by the Select Board

Explanation: This is a customary article included in each Annual Town Meeting warrant to address any legal overdrafts (Snow Removal) and supplemental adjustments to current year appropriations. This year’s request includes a transfer for the purpose of balancing the snow removal overdraft that occurred during the winter of 2020/2021.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	0

Article 5: FY2022 Omnibus Budget Appropriation

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of twenty-one million, six hundred eighty-nine thousand, one hundred dollars (\$21,689,100) to defray the expenses and charges of the Town of Truro in Fiscal Year 2022 (the period from July 1, 2021 through June 30, 2022), including the costs of public education, debt service and interest payments, and to meet said appropriation by the following means:

Source	Amount
Raise through taxation	\$20,992,870
Transfer from Beach Receipts Reserved for Appropriation	\$239,900
Transfer from Pamet Harbor Receipts Reserved for Appropriation	\$85,700
Transfer from Recreation Receipts Reserved for Appropriation	\$500
Transfer from Conservation Commission Receipts Reserved for Appropriation	\$5,000
Transfer from Educational/Governmental Programming Access Fund	\$89,380
Dennis Family Gift Account	\$275,750

Or take any other action relative thereto.

Requested by the Select Board

Explanation: The proposed Fiscal Year 2022 Operating Budget can be found as Appendix A in the Annual Town Meeting Warrant. The Budget format contains the expenditure figures for Fiscal Year 2020, appropriation figures for Fiscal Year 2021 (as amended), original requests for Fiscal Year 2021 from Town Departments, Finance Committee’s recommendations and Town Manager/ Select Board FY2022 recommendation. Please refer to the Select Board’s Message to the voters on page 6 and the Finance Committee’s Message on page 7.

Finance Committee Recommendation	4	0	1
Select Board Recommendation	5	0	0

Article 6: Transfer of Funds from Free Cash

SECTION 1: TO REDUCE OR STABILIZE THE FY 2022 TAX RATE

To see if the Town will vote to transfer nine hundred thousand dollars (\$900,000) from Free Cash to reduce or stabilize the 2022 Tax Rate, or to take any other action relative thereto.

Requested by the Select Board

Explanation: This is a customary article that transfers funds to offset the tax rate for the upcoming fiscal year. Annually, the Select Board uses certified free cash (unexpended funds) as a revenue source to reduce the impact on the tax rate. Staff recommends gradually reducing the amount of free cash used in this manner in an effort to prepare for years that less free cash is available. Last year, \$1,000,000 of free cash was used to off-set the tax rate.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	0

SECTION 2: TO THE OPEB TRUST FUND

To see if the Town will vote to transfer the sum of four hundred thousand dollars (\$400,000.00) from Free Cash to the Other Post-Employment Benefits (OPEB) Trust Fund, or take any other action relative thereto.

Requested by the Select Board

Explanation: This is a customary article that began at the 2014 ATM to transfer funds into the Other Post-Employment Benefits (OPEB) Trust Fund to cover further liability in accordance with government accounting standards. This year’s proposal is to transfer four hundred thousand dollars (\$400,000.00). The balance as of March 1, 2021 in the fund is \$3,375,713.43.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	0

SECTION 3: TO THE CAPITAL EXPENSE STABILIZATION FUND

To see if the Town will vote to transfer the sum of one hundred thousand dollars (\$100,000.00) from Free Cash to the Capital Expense Stabilization Fund, or take any other action relative thereto.

Requested by the Select Board

Explanation: This is a customary article that began at the 2016 ATM to transfer funds into the Capital Expense Stabilization Fund to plan for significant capital purchases that will occur several years in the future. Rather than waiting and appropriating or borrowing the entire sum in one year, this fund will allow us to reserve, with town meeting approval, incremental sums of money over time. When the project or purchase is ready to be funded, a town meeting vote will be required to appropriate the funds. The balance as of March 1, 2021 in the fund is \$432,778.81.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	0

SECTION 4: TO THE STABILIZATION FUND

To see if the Town will vote to transfer the sum of one hundred thousand dollars and no cents (\$100,000.00) from Free Cash to the Stabilization Fund, or take any other action relative thereto.

Requested by the Select Board

Explanation: This transfer will replenish funds that have been transferred to the General Fund over the past several years to pay accumulated benefit obligations to retiring employees. Free Cash will be used for that purpose in FY 2022. The balance as of March 1, 2021 in the Stabilization Fund is \$1,116,734.22 or 5.1% of the proposed FY2022 Operating Budget. This transfer will bring the Town closer to the recommended 6-10% of operating expenditure budget for the Stabilization Fund.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	0

SECTION 5: TO PURCHASE HEAVY-DUTY TRACTOR TRUCK REPLACEMENT

To see if the Town will vote to transfer the sum of one hundred seventy thousand dollars (\$170,000.00) from Free Cash to the Operating Capital Account (01013358) to pay costs of acquiring a heavy-duty tractor truck, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

Requested by the Select Board

Explanation: The Department of Public Works requests a new Heavy-Duty Tractor Truck to use for transporting recycling and solid waste, and for hauling machines and equipment. The Department currently has a 1988 International Roll Off Truck, a 2000 Sterling Dump Truck, and a 1984 Brigadier Heavy Duty Tractor (not registered and not road-worthy) that will be decommissioned with the purchase of this Heavy-Duty Tractor Truck.

Finance Committee Recommendation	3	2	0
Select Board Recommendation	4	0	0

SECTION 6: TO REPAIR/REPLACE WINDOWS, SHINGLES, SIDING, AND TRIM AT TRURO CENTRAL SCHOOL

To see if the Town will vote to transfer the sum of two hundred twenty- eight thousand, two hundred dollars (\$228,200.00) from Free Cash to the Operating Capital Account (01013358) to pay costs of repairing and replacing windows, shingles, siding and trim at the Truro Central School, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

Requested by the Select Board

Explanation: This is a regular long-term maintenance project that will include re-shingling the exterior walls that have not been recently re-shingled and replacing a leaking bank of windows and the interior and exterior trim around them. The project will be completed in a single multi-week period during summer break.

School Committee Recommendation			
Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	0	0

SECTION 7: TO GENERAL FUND RESERVE FUND

To see if the Town will vote to transfer the sum of one hundred twenty- five thousand dollars (\$125,000.00) from Free Cash to the Reserve Fund (01013257) to be available for extraordinary or unforeseen expenditures in fiscal year 2022, or take any other action relative thereto.

Requested by the Select Board

Explanation: In accordance with MGL Chapter 40, Section 6, the Reserve Fund is a sum of money appropriated at Town Meeting to be used for “extraordinary or unforeseen expenditures.” The Finance Committee approves or denies Reserve Fund Transfer requests in accordance with Massachusetts General Law and the Truro Select Board Policy #42. In recent years, Town Meeting has appropriated \$100,000 in the Omnibus Budget to the Reserve Fund. This year, \$100,000 is included in the FY2022 Omnibus Budget and \$125,000 of Free Cash is requested to bring the FY2022 Reserve Fund total to \$225,000. This request brings the reserves of the Town more in- line with Government Finance Officers Association recommendations.

Finance Committee Recommendation	4	1	0
Select Board Recommendation	4	0	0

DRAFT

Article 7: Council on Aging Revolving Fund

To see if the Town will vote pursuant to Section 1.1.8 of the General Bylaws to set the spending limit for the COA Revolving Fund for Fiscal Year 2022 at forty thousand dollars (\$40,000); or to take any other action relative thereto.

Requested by the Town Accountant

Explanation: This is a customary article required by Massachusetts General Law that sets expenditure limits for the Council on Aging Revolving Fund.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 8: Authorization to Expend Funds in Anticipation of Reimbursement for State Highway Assistance Aid

To see if the Town will vote to appropriate all sums provided to the Town pursuant to the Chapter 90 Highway Assistance Program of the Massachusetts Department of Transportation for purposes consistent with said program; or to take any other action relative thereto.

Requested by the Town Accountant

Explanation: The amount of the Chapter 90 funds to be awarded to Truro by the State for FY 2022 is \$169,653.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 9: Fund a Childcare Voucher Program

To see if the Town will vote to transfer from available funds the sum of \$112,500 to pay the costs of funding and administering a one-year pilot program voucher system for two-year-old children of Truro residents and two-year-old children of Town of Truro employees to attend a state-licensed childcare program. A voucher in the form of direct-to-provider tuition assistance up to a maximum of \$7,500 will be provided for each eligible child who has reached the age of no less than two years of age as of August 31, 2021, and are not three years or older as of August 31, 2021. The administration of this program and related funds shall be overseen by the Select Board or its designee, or take any other action relative thereto.

Requested by the Select Board

Select Board Comment: The Select Board worked with the Petitioner of Article 9 to create an article that addressed the newly expanded Truro Central School Pre-School Program which will accommodate all three- and four-year-olds, but will not accommodate two-year-olds. The new article also addresses the concerns of the Select Board and the need for administrative costs to be funded through this article. The program, if approved by Town Meeting voters, will be funded by free cash this year. If the program is successful, the program would need to be incorporated into the budget and/ or be subject to an override in subsequent years.

DRAFT

PETITIONED FINANCIAL ARTICLES

Article 10: Fund a Childcare Voucher Program- Petitioned Article

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$150,000 to pay the costs of funding a voucher system for two and three-year old children of Truro residents and children of Town of Truro employees to attend a state-licensed child care and/or state-licensed PreK program. Eligible children may receive a maximum of \$7,500 per year in voucher support, and are children who have reached the age of no less than two years of age as of August 31st, and are not 4 years or older as of August 31st, and are children that cannot be accommodated in full at the Truro Central School PreK program. The administration of this program and related funds shall be overseen by the Select Board or their designee, or take any other action relative thereto.

Requested by Citizen Petition

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

Finance Committee Comment: The Finance Committee recommends that the motion on Town Meeting floor be to “transfer funds from free cash” to fund this article.

Finance Committee Recommendation	3	0	1
Select Board Recommendation			

COMMUNITY PRESERVATION ACT ARTICLES

Article 11: Community Preservation Act

SECTION 1: CONTRIBUTION TO THE AFFORDABLE HOUSING TRUST FUND

(Community Housing)

To see if the Town will vote to appropriate the sum of Fifty Thousand dollars and no cents (\$50,000.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue, to contribute to the Truro Affordable Housing Trust Fund, or take any other action relative thereto.

Requested by Truro Housing Authority

Explanation: If a fund of money is immediately available to the Housing Authority, then the Housing Authority will be able to make time to act on opportunities that would be lost if the Housing Authority had to wait for Town Meeting or beyond to request money for a legitimate Community Housing project.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	5	0	0

SECTION 2: HOUSING CONSULTANT

(Community Housing)

To see if the Town will vote to appropriate the sum of Twenty-five Thousand dollars and no cents (\$25,000.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue, to provide technical assistance to the Truro Housing Authority, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by Truro Housing Authority

Explanation: The Truro Housing Authority needs to continue receiving professional expertise in developing and implementing housing projects. The consultant will not be a full or part-time employee of the Town, but rather will work on particular projects on an “as needed” basis. These funds will be used for a consultant to continue to work on property acquisition, planning and educational programs on housing needs.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	5	0	0

SECTION 3: PRESERVATION OF HIGHLAND HOUSE MUSEUM PERMANENT COLLECTION

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Eighteen Thousand, Seven Hundred Eighty-four dollars and no cents (\$18,784.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue for the preservation of items in the permanent collection of Highland House Museum, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by the Truro Historical Society

Explanation: More Highland House Museum permanent historic resources will be displayed in the main exhibition hall; the Miss Betsey Holsbery 1858 Walling Map of Cape Cod will be cleaned and conserved; photographs and documents will be restored; and several Truro artists' works are to be reframed and repaired.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	5	0	0

SECTION 4: EDGEWOOD FARM HISTORIC PRESERVATION PROJECT PHASE 5

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Seventy-two Thousand, Five Hundred dollars and no cents (\$72,500.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue for a fifth phase of restoration and preservation of three historic buildings at Edgewood Farm, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by the Truro Center for the Arts at Castle Hill

Explanation: A deed restriction has been completed to keep Edgewood Farm historically preserved in perpetuity. Phase 5 plans include replacement of wooden down spouts on all three buildings, upgrades for historic outdoor lighting, and restoration of one bathroom.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	2	3	0
Community Preservation Committee Recommendation	5	0	0

SECTION 5: PUMA PARK ENHANCEMENT

(Recreation)

To see if the Town will vote to appropriate the sum of Forty-eight Thousand, Four Hundred Five dollars and no cents (\$48,405.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue for shade sails to protect areas of Puma Park, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by the Truro Commission on Disabilities

Explanation: This phase of the project will include installation of a safe and accessible surface under the adult exercise equipment and the purchase of shade structures to provide shelter from the full sun at Puma Park.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	5	0	0

SECTION 6: PAYOMET DRIVE-IN

(Recreation)

To see if the Town will vote to appropriate the sum of Twenty Thousand dollars and no cents (\$20,000.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue for improvement of the Highland Center Drive-In stage for recreational use, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by the Payomet Center for the Performing Arts

Explanation: The Payomet request is for construction of a bandshell covering for the stage at the Highlands Center Ballfield Drive-In. This would protect performers and anyone using the stage from the elements and would allow programming to continue in all weather for an extended season.

Finance Committee Recommendation	4	1	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	5	0	0

SECTION 7: ADMINISTRATIVE SUPPORT

To see if the Town will vote to appropriate the sum of Thirty-two Thousand, Five Hundred Ninety-one dollars and no cents (\$32,591.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue for the administrative expenses of the Community Preservation Committee, or take any other action relative thereto.

Requested by Community Preservation Committee

Explanation: The Community Preservation Act and the Truro Community Preservation Bylaws permit 5% of the projected Community Preservation Act surcharge revenue can be used for management of CPC operations, as well as for workshops, seminars, membership in the Community Preservation Coalition, printing, advertising and supplies and the like. Any money remaining at the end of the Fiscal Year will revert to the Community Preservation Act Undesignated Fund Balance.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	6	0	0

SECTION 8: OPEN SPACE RESERVE

To see if the Town will vote to appropriate the sum of Sixty-five Thousand, One Hundred Eighty-one dollars and no cents (\$65,181.00) from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue to reserve for the purpose of Open Space, or take any other action relative thereto.

Requested by the Community Preservation Committee

Explanation: The Community Preservation Act and the Truro Community Preservation Bylaws require 10% of the projected Community Preservation Act surcharge revenue be used for Open Space. This is the first year that there is no debt service or Open Space project request. The money will remain in reserve for future use.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	6	0	0

SECTION 9: BUDGETED RESERVE

To see if the town will vote to appropriate the sum of Three Hundred Nineteen Thousand, Three Hundred Fifty-two dollars and no cents (\$319,352.00) as a Budgeted Reserve from Projected Fiscal Year 2022 Community Preservation Act Surcharge Revenue for such projects as may be recommended by CPC to Town Meeting, or take any other action relative thereto.

Requested by Community Preservation Committee

Explanation: After the 10% allotments for Community Housing, Historic Preservation and Open Space are made or reserved for those purposes, a balance of \$319,352 will be reserved for approved CPA projects in any category including Recreation by Town Meeting approval. Any money remaining at the end of the Fiscal Year will be assigned to the Community Preservation Act Undesignated Fund Balance.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0
Community Preservation Committee Recommendation	6	0	0

DRAFT

LAND CONVEYANCE ARTICLES

TWO-THIRDS
VOTE

Article 12: Authorization to Convey Town Property to the Truro Conservation Trust

To see if the Town will vote to transfer an .822-acre parcel located at 1 Pond Village Avenue (36-048) from the Tax Title Custodian to the Select Board, for the purpose of conveyance, including a conveyance to the Truro Conservation Trust, for nominal or no consideration, said land to be conserved as open space in perpetuity, and on such other terms and conditions as the Select Board shall determine; or take any other action relative thereto.

Requested by the Select Board

Explanation: This parcel is adjacent to 10 acres recently purchased by the Truro Conservation Trust (known as the “Twine Field” property) and across Pond Road from the Town-owned Pilgrim Park. The TCT has built publicly accessible trails and installed benches on the “Twine Field” property that has created a park-like setting to complement Pilgrim Park. The acquisition of this Town-owned parcel will enable the TCT to establish a permanent trailhead access on Pond Village Avenue and will expand the total amount of contiguous open space conserved in perpetuity for public use and wildlife habitat. This article was originally slated for the 2020 Annual Town Meeting but was deferred due to the COVID-19 pandemic.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 13: Accept Deed in Lieu of Foreclosure—135 South Pamet Road

To see if the Town will vote to accept a deed in lieu of foreclosure from Barbara R. Musnuff, or from the then current owner(s), pursuant to the provisions of G.L. Chapter 60, Section 77C, to a parcel of land identified as Assessors Map 48, Lot 7, said property described in a deed recorded with the Barnstable County Registry of Deeds in Book 2427, Page 117, located at 135 South Pamet Road, which is subject to tax takings held by the Treasurer/Collector for unpaid real estate taxes, said parcel to be under the care, custody, control and management of the Select Board for general municipal purposes, and to authorize the Select Board to accept and record the deed, provided the Select Board determines that the deed and the acceptance shall comply with the provisions of G.L. Chapter 60, Section 77C, or take any other action relative thereto.

Requested by the Select Board

Explanation: The home at 135 South Pamet Road was demolished in 2018 after storm impacts and migrating sand rendered it unstable. The property serves as a public access to Ballston Beach. The owner of the property, Barbara Musnuff, has agreed to donate the property to the Town by a deed in lieu of foreclosure, which means any outstanding taxes are forgiven. This article authorizes the Select Board to accept a deed for the property.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

GENERAL BYLAW ARTICLES

Article 14: Amend General Bylaws, Chapter 3 Prohibitions on the Use and Sale of Balloons

To see if the Town will vote to amend Chapter 3 of the General Bylaws by adding a new section as follows (new language shown in **bold underline**):

No person shall sell, use or distribute any type of balloon (including, and not limited to, plastic, latex or Mylar balloons) inflated with any type of lighter-than-air gas (including, and not limited to, helium gas). No person shall dispose of any balloon in any manner, including by release into the air, other than being contained in a plastic trash bag and transported to the Transfer Station.

This Bylaw may be enforced through any lawful means in law or in equity, including, but not limited to, non-criminal disposition pursuant to G.L. c. 40, §21D. If non-criminal disposition is elected, then any Establishment or individual violating any provision of this Bylaw shall be subject to the following penalties:

\$50.00 for first offense

\$100.00 for second offense

\$200.00 for third and subsequent offenses.

Each day that such violation continues shall be considered a separate offense.

or to take any other action relative thereto.

Requested by the Select Board

Explanation: This article would prohibit the sale, use, or distribution of helium (or similar) balloons, which often end up as litter on land or in the ocean and can be hazardous to animals and marine life.

Select Board Recommendation	5	0	0
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Article 15: Amend General Bylaws, Chapter 3 Municipal Single-Use Plastic Bottle Ban
To see if the Town will vote to adopt the following as a general bylaw and to insert it into the Chapter 3 of the General Bylaws (new language shown in **bold underline**):

The purchase by the Town of Truro of either water or any other beverage in single-use plastic bottles of any size is prohibited and the sale of non-carbonated, unflavored water in single-use plastic containers is prohibited on Town of Truro property.

Any Town department when engaged in public health and safety operations shall be exempt from this Bylaw.

Effective date: As soon as practicable but no later than September 1, 2021.

In the event of a declaration (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water for Truro residents the Town shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended.

or to take any other action relative thereto.

Requested by the Select Board

Explanation: The Select Board prepared a similar article for the 2020 Annual Town Meeting but opted to consider it at a future Town Meeting due to the COVID-19 Pandemic. A municipal plastic bottle ban was initiated on Cape Cod in 2019 and has been adopted by 13 of the 15 towns in Barnstable County as of year-end 2020. Plastic bottles do not biodegrade and can last forever. Their production emits toxic waste into the air, and chemicals from plastic can leach into our beverages. When plastic bottles are discarded, they pollute the air if incinerated, contaminate groundwater if buried, clutter our beaches, forests, and roadways, and if ending up in our oceans threaten marine life. The proposed language provides for a municipal ban and a commercial ban that would apply solely to municipal property and would prohibit Town of Truro staff, officials, or other purchasing agents of the Town from purchasing any beverages in single-use plastic bottles as part of their official duties. It would also prohibit commercial entities from selling non-carbonated, unflavored water in single-use plastic containers on Town of Truro-owned property.

Select Board Recommendation	4	0	1
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SELECT BOARD ARTICLES ORIGINATING FROM CITIZEN-PETITION

Article 16: Non- Binding Public Advisory Questions for Increased Security at Pilgrim Nuclear Power Station on Cape Cod Bay- Petitioned Article

Whereas, the high-level nuclear waste will remain at Pilgrim for decades or more in dry casks that present safety concerns, each holding half the radioactive cesium released at Chernobyl;

Whereas, the spent fuel pool remains full and is vulnerable to terrorist attack or accident that could cause radioactive contamination rendering our communities uninhabitable;

Whereas, due to lack of proper security on the property, there has been open access beyond the posted ‘No Trespassing’ signs to within line-of-sight of dry cases and spent fuel pool;

Whereas, during decommissioning, the Nuclear Regulatory Commission has abdicated its responsibility to protect the public by approving exemptions requested by new Pilgrim owner Holtec for reduced offsite liability insurance, cybersecurity, and offsite emergency planning;

Whereas, safety is a human right;

Whereas, citizens of the Town of Truro find this to be an unacceptable threat to our health and safety and must be resolved in the most timely manner;

Therefore, shall the people of the Town of Truro direct the local government to communicate to Governor Baker and the State Legislature to employ all means available to ensure that: (1) spent nuclear fuel is secured in better quality dry casks and hardened onsite, storage; and (2) spent fuel pool and casks are protected with heightened security to prevent intrusion in order to protect the health, welfare, and economic interests of the Town of Truro and its inhabitants and visitors?

or take any other action relative thereto.

Requested by the Select Board

Petitioner Comment: This was submitted by petition for consideration at Town Meeting for inclusion as a non-binding public advisory question for the 2020 spring Town Ballot.

Select Board Comment: This was submitted by petition for consideration at the 2020 Annual Town Meeting and can be considered by Town Meeting as a non-binding advisory vote. The Select Board voted at their August 25, 2020 meeting to include the 2020 Annual Town Meeting petitioned articles on a subsequent special or annual Town Meeting as Select Board articles.

Select Board Recommendation	5	0	0
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**Article 17: Resolution in Support of Changing the State Flag & Seal of Massachusetts-
Petitioned Article**

To see if our Town, Truro, will support the following resolution to ask the governor to appoint a committee to change the Massachusetts State Flag, Motto, and Seal:

Resolution in Support of Changing the State Flag & Seal of Massachusetts

Whereas the history of the State of Massachusetts is replete with instances of conflict between the European Colonists and the Native Nations of the Region, who first extended the hand of friendship to the Colonists on their shores in 1620, and helped them to survive starvation during the settlers' first winters on their land;

Whereas members of the Native Nation for whom the State of Massachusetts is named were ambushed and killed by Myles Standish, first commander of the Plymouth Colony, in April of 1623, barely two years after the Pilgrims arrived on their shores;

Whereas the naked Colonial broadsword brandished above the head of the Native man on the Massachusetts State Flag and Seal is modeled over Myles Standish's own broadsword, borrowed from the Pilgrim Hall in Plymouth by the illustrator Edmund Garrett in 1884;

Whereas the belt binding the Native's cloak on the Flag and Seal is modeled after a belt worn by Metacomet, known to the English as King Philip, who was among the Wampanoag leaders who resorted to a mutually destructive war in 1675-76 in defense of Native lands against Euro-Colonial encroachment;

Whereas the proportions of the body of the Native man in the Flag and Seal were taken from a Native skeleton kept in Winthrop, the bow modeled after a bow taken from a Native man shot and killed by a colonist in Sudbury in 1665, and his features taken from a photograph of an Ojibwe chief from Great Falls, Montana, considered by the illustrator to be a "fine specimen of an Indian," though not from Massachusetts;

Whereas the history of relations between Massachusetts since Colonial times and the Native Nations who continue to live within its borders includes the forced internment of thousands of so-called "praying Indians" on Deer Island, in Boston Harbor, where they died by the hundreds of exposure in 1675, their subsequent enslavement in Boston, Bermuda, and the Caribbean Islands, the offering of 40 pounds sterling as bounty for the scalps of Native men, women and children in Massachusetts beginning in 1686, increased to 100 pounds sterling for the scalps of Native adult males by 1722, half that amount for Native women and children;

Whereas Native Nations within the boundaries of Massachusetts were kept in a state of serfdom, and their members legally considered incompetent wards of the state until the nonviolent action of the so-called Mashpee Rebellion of 1833 led to the granting of Native self rule by the Massachusetts legislature in 1834, as if the sovereign right of Native self-government was the Massachusetts legislature's to confer;

Whereas Native Americans were legally prohibited from even stepping foot into Boston from 1675 until 2004, when that law was finally repealed;

Whereas the 400th anniversary of the landing of the Euro-Colonists at Plymouth Plantation, which gave rise to the long chain of genocidal wars and deliberate policies of cultural

destruction against Native Nations of this continent, is approaching in the year 2020, affording every citizen of the Commonwealth a chance to reflect upon this history and come to a new awareness of a better relationship between the descendants of the Euro-Colonial immigrants and the Native Nations of the Commonwealth;

Whereas the land area now known as the Town of Truro shares a rich Native history with modern tribal Nations like the Mohican, the Abenaki, and tribal groups like the Sokoki and the Pocumtuck and the Wampanoag who frequented this area for thousands of years before the first colonial settlers arrived.

Now, therefore, BE IT RESOLVED that the Town of Truro hereby adopts this resolution in support of H.2776 and S.1877, a "Resolve Providing for the creation of a Special Commission relative to the Seal and Motto of the Commonwealth," and requests that Representative Paul Mark and Senator Jo Comerford continue their strong advocacy and support for the aforementioned Resolve (H.2776 and S.1877) in the General Court, and that the Joint Committee on State Administration and Regulatory Oversight, after holding a public hearing on the Resolve report it out favorably, and if the legislation shall pass that the governor shall sign it and work with members of the General Court to ensure its enactment.

or take any other action relative thereto.

Requested by the Select Board

Select Board Comment: This was submitted by petition for consideration at the 2020 Annual Town Meeting and can be considered by Town Meeting as a non-binding advisory vote. The Select Board voted at their August 25, 2020 meeting to include the 2020 Annual Town Meeting petitioned articles on a subsequent special or annual Town Meeting as Select Board articles.

Select Board Recommendation	5	0	0
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TWO-THIRDS
VOTE

Article 18: Charter Amendment to Sections 3-1-1 and 6-4-2- Petitioned Article

Whereas the Truro Planning is currently an elected multi-member body;

Whereas the intent of this article is to change the Truro Planning Board to a Select Board appointed multi-member body;

Now, therefore, to see if the Town will vote pursuant to G.L. c.43B, § 10 to amend Sections 3-1-1 and 6-4-2 of the Town Charter as set forth below, with ~~strikethrough~~ text to be deleted and **bold underlined** text to be inserted:

3-1-1 *The membership of the following multi-member bodies shall be elected as follows:*

- A Moderator shall be elected for a three-year term.*
- A Board of Selectmen of five members.*
- A School Committee of five members.*
- ~~*A Planning Board of seven members.*~~
- A Board of Library Trustees of five members, notwithstanding the provisions of Section 10 of Chapter 78 of the General Laws.*
- A Housing Authority of four members in accordance with the General Laws.*
- A fifth member of the Housing Authority shall be appointed by the Commonwealth.*
- A Cemetery Commission of three members.*

6-4-2 *The regulatory multi-member bodies listed below shall be appointed by the Board of Selectmen in accordance with sections 4-3-2 and 6-2-6 of this Charter.*

- Board of Health*
- Board of Assessors*
- Conservation Commission*
- Zoning Board of Appeals*
- Planning Board**

or take any other action relative thereto.

Requested by the Select Board

Select Board Comment: This article was submitted by petition for consideration at the 2020 Annual Town Meeting. The Select Board voted at their August 25, 2020 meeting to include the 2020 Annual Town Meeting petitioned articles on a subsequent special or annual Town Meeting as Select Board articles.

Select Board Recommendation	1	2	2
Charter Review Committee Recommendation			

Article 19: Amend the Local Room Occupancy Excise Tax- Petitioned Article

To see if the Town will vote to amend the local room occupancy excise tax under G.L. c. 64G, §3A to the rate of 6%, or take any other action relative thereto.

Requested by the Select Board

Select Board Comment: This article was originally submitted by petition for consideration at the 2020 Annual Town Meeting. The Select Board voted at their August 25, 2020 meeting to include the 2020 Annual Town Meeting petitioned articles on a subsequent special or annual Town Meeting as Select Board articles. As originally written, this article was not in proper legal form, and as such, the Select Board modified the article to meet the intent of the initial article, which resulted in two separate articles. In this, the first of the two articles, the voters will consider increasing the local room occupancy tax from 4% to 6% effective October 1, 2021 (date provided by Massachusetts General Law). If approved, the second article (Article 19: To Establish an Affordable Housing Stabilization Fund and to Dedicate a Percentage of the Local Room Occupancy Excise Tax to Said Fund) will be considered so that an Affordable Housing Stabilization Fund will be established and 33% of annual local room occupancy excise will be dedicated to said fund.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	4	1	0

DRAFT

**TWO-THIRDS
VOTE**

Article 20: To Establish an Affordable Housing Stabilization Fund and to Dedicate a Percentage of the Local Room Occupancy Excise Tax to Said Fund- Petitioned Article
 To see if the Town, pending a favorable vote of Article 18: Amend the Local Room Occupancy Excise Tax, will vote to accept the fourth paragraph of G.L. c. 40, §5B to establish an affordable housing stabilization fund and to dedicate, without further appropriation, 33% of the annual local room occupancy excise to said stabilization fund to commence on October 1, 2021, or take any other action relative thereto.

Requested by the Select Board

Select Board Comment: This article was originally submitted by petition for consideration at the 2020 Annual Town Meeting. The Select Board voted at their August 25, 2020 meeting to include the 2020 Annual Town Meeting petitioned articles on a subsequent special or annual Town Meeting as Select Board articles. As originally written, this article was not in proper legal form, and as such, the Select Board modified the article to meet the intent of the initial article, which resulted in two separate articles. If Article 18: Amend the Local Room Occupancy Excise Tax is approved by Town Meeting, this article will be considered so that an Affordable Housing Stabilization Fund will be established and 33% of annual local room occupancy excise will be dedicated to said fund beginning on October 1, 2021.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

TWO-THIRDS
VOTE

Article 21: 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 the Select Board

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			
Charter Review Committee Recommendation			

ZONING BYLAW ARTICLES

TWO-THIRDS
VOTE

Article 22: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit - Petitioned Article

To see if the Town will vote to amend Section 40, Special Regulations, §40.2 Accessory Dwelling Unit, by deleting the language in ~~strike through~~, adding the **bold underlined** wording and enumerate the bylaw correctly accordingly.

§40.2 Accessory Dwelling Unit

A. *The purposes of this bylaw are to:*

1. *Increase the number of moderately priced, year-round rental swelling units in Truro;*
2. *Encourage a more economical and energy-efficient use of the Town’s housing supply; and*
3. *Provide homeowners with a means of obtaining rental income to defray housing costs.*

B. *Requirements*

1. *One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district by obtaining an ADU **Building** Permit. ~~from the Planning Board.~~*
2. *An ADU may be established within or attached to a principal swelling, principal structure, or accessory structure, or constructed as a detached unit, and must be located on the same lot as the primary dwelling.*
3. *The ADU must be in conformity with the State Building Code, Title V of the State Sanitary Code and all applicable town health, building, zoning and other local laws and regulations.*
4. *An ADU within or attached to a principal dwelling, principal structure or accessory structure that is a pre-existing nonconforming use or structure shall not increase any existing nonconformity or create a new nonconformity without first obtaining a **Special** Permit or Variance, respectively, from the Zoning Board of Appeals.*

C. *ADU Permit Criteria*

1. *The ADU shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities.*
2. *The ADU shall not contain more than one thousand (1,000) square feet nor less than four hundred (400) square feet of Gross Floor Area as that term is defined in Section II of this Zoning By-law. Once an ADU has been added to a dwelling, structure or lot, the ADU shall not be enlarged beyond the square footage specified in the permit granted pursuant to this section without first obtaining a subsequent **ADU Building** Permit, ~~from the Planning Board,~~ and in no case shall an ADU be permitted to exceed the square footage allowed by this section.*
3. *At least two (2) off street parking spaces in addition to parking otherwise required for the property is required for an ADU.*
4. *An ADU shall be clearly subordinate in use, size, and design to the principal dwelling or structure, ~~considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window size and location, and~~*

~~building materials.~~ When accessory to a principal dwelling, the intent is to retain the appearance of a single-family dwelling and the privacy of abutters.

5. The principal dwelling and ADU and lot on which they are located shall remain in common ownership, and shall not be severed in ownership, including that the lot, buildings or units thereon shall not be placed in a condominium form of ownership.
6. Either the ADU or the principal dwelling on a lot with an ADU must be leased for a term of at least twelve (12) months. Rental of said unit for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited. Proof of year-round rental shall be provided annually to the Building Commissioner by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as a primary residence.
7. ADUs permitted under this section shall be inspected annually or as frequently as deemed necessary by the Health and Building Departments for compliance with public safety and public health codes. The owner of the property shall be responsible for scheduling such inspection and shall pay any applicable inspection fees.

D. Procedure

1. Each application for a Permit shall be filed by the Applicant with the ~~Town Clerk~~ **Building Department** consisting of:
 - a. ~~An original and 14 copies of the Application for ADU Permit;~~
 - b. ~~15~~ Copies of the required plans and **in addition** to other required information under §40.2;
 - c. Applicable filing fee;
 - d. ~~List of abutters obtained from the Truro Assessing Department;~~
 - e. Site Plan or Site and Sewage Plan prepared by a registered professional engineer or registered sanitarian showing all property lines, existing and proposed structures on the parcel, and setbacks from roads and property lines for each structure. Building dimensions (height, stories, square footage) shall be shown on the plan.
 - f. Documentation of approval of the septic/wastewater treatment system from the Board of Health.
 - g. Building plans at a scale of no less than 1/8"= 1'-0", including floor plans and front, side and rear elevations of the ADU and principal dwelling or structure.
 - h. Affidavit declaring that the ADU and/or principal dwelling to which it is accessory will be rented on a twelve month basis.
 - i. Documentation of approval, if applicable, from the Conservation Commission.
 - j. Documentation of Special Permit or Variance, if applicable, from the Zoning Board of Appeals.

E. ~~Public Hearing~~

1. ~~Upon receipt of the application by the Truro Town Clerk, the Planning Board shall hold a duly noticed public hearing within 65 days of said filing. The Board shall:~~
 - a. ~~Give notice by advertisement in a newspaper of general circulation in the Town of Truro, no less than ten (10) days before the day of such hearing; and~~
 - b. ~~Give notice by posting such notice in a conspicuous place in the Town Hall for a period of not less than ten (10) days before the day of such hearing; and~~

~~c. Give notice by mailing a copy of such advertisement to abutters to the subject property, abutters to abutters within 300 feet of the subject property, and owners of properties across the street from the subject property.~~

~~F. Findings of the Planning Board~~

- ~~1. The Planning Board shall grant an ADU Permit if it finds that the proposal complies with the provisions of this bylaw, §40.2, as amended. The concurring vote of four members of the Planning Board shall approve an ADU permit as submitted or with reasonable conditions. The Board shall deny the permit only if:

 - ~~a. The application is incomplete, and the applicant fails to complete the application within 21 days after written notice of the application's deficiencies, or~~
 - ~~b. The imposition of reasonable conditions will not ensure that the ADU will conform to the standards and criteria described herein, or~~
 - ~~c. The ADU does not comply with the requirements of the Zoning Bylaw.~~~~
- ~~2. The permit decision is not appealable.~~

G. Penalty

Failure of the applicant to comply with any provision of this section or the Permit is punishable by a fine established in Section 60.1 of the Truro Zoning Bylaws and shall entitle the Planning Board, **Building Commissioner** after notice and public hearing, to revoke, modify or suspend the Permit. The Town shall be entitled to recover its litigation fees, including counsel fees, incurred in enforcement of this Bylaw.

H. Requirements for Tax Exemption

Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to Chapter I, Section 10 of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units.

or to take any other action relative thereto.

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

Petitioner's Comment: This is a citizen petitioned article. This article was created to allow homeowners to build or convert an existing building to one (1) accessory dwelling unit on their property with the provision that it be rented year round as opposed to seasonally. This will benefit the community by increasing the opportunities for young people to afford to live in town, enable elderly residents to downsize or rent a portion of their home and will help create a more well-rounded community. There is a segment of the community that earns more than allows them to qualify for affordable housing yet don't make enough to afford a home. This bylaw will allow residents to create opportunities for this segment of society to live in Truro. This change will remove the planning board from the process, allowing property owners to build ADUs as a "by right" designation meaning if it fits on your property without infringing on other zoning or

health regulations, you can proceed without hearings and additional costs associated with filings.

Select Board Recommendation	5	0	0
Planning Board Recommendation	0	6	0

DRAFT

**TWO-THIRDS
VOTE**

Article 23: Amend Zoning Bylaw §10.4 and §30.2 Food Truck Definition and Use and §30.9 Parking

(additions in underline, deletions in ~~cross-through~~)

To see if the Town will vote to amend the Zoning Bylaw by:

(a) Adding the following new definition to §10.4 Definitions:

Food Truck: A motorized truck, towable trailer, or cart that is used to sell or distribute food to consumers pursuant to a mobile food service permit and a hawker and peddler license and/or pursuant to a common victualler license.

(b) Adding “Food Trucks” to the §30.2 Use Table as follows:

PRINCIPAL USES							
	R	BP	NT6A	TC	NTC	Rt6	S
COMMERCIAL							
<u>Food Trucks (12)</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>

NOTES

12. A Special Permit shall not be required for any location having received a license and/or permit for the operation of a Food Truck from the Town of Truro Select Board and/or Board of Health prior to April 28, 2020.

(c) Adding “Food Trucks” to the §30.9 Parking Schedule as follows:

PRINCIPAL USE	PARKING REQUIREMENT
RESIDENTIAL	
<u>Food Trucks</u>	<u>2 spaces per food truck</u>

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article recognizes food trucks as a land use and provides reasonable, flexible measures for public review. The Zoning Bylaw (hereafter “ZBL”) does not currently include food trucks as a use, and thus food trucks are likely not allowed despite

having existed throughout town for many years. Most notably there is a history of food trucks at Town beaches in the Residential and Seashore districts. This article defines and legalizes the use while grandfathering existing locations, provides for noticed public hearings before the Zoning Board of Appeals for any new location proposed, and adds reasonable parking requirements. The act of adding the use also brings clarity to the existing practice of requiring Commercial Site Plan Review for new locations.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	4	0	1

DRAFT

**TWO-THIRDS
VOTE**

Article 24: Amend Zoning Bylaw §30.9 Parking, C. Off Street Parking Schedule

To see if the Town will vote to amend Zoning Bylaw §30.9 Parking Schedule as follows:
(additions in underline, deletions in ~~cross-through~~)

C. Off Street Parking Schedule:

2. These standards are the minimum requirement. The Planning Board under Site Plan Review, or the Zoning Board of Appeals by Special Permit when Site Plan Review is not required. may vary the required number of spaces if the nature and scale of a proposed use warrants such a change.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article provides a process for the modification of parking requirements. Currently these requirements can be modified during Site Plan Review, but there is not a mechanism for projects that do not require Site Plan Review. This article allows modifications to be issued by the Zoning Board of Appeals after a noticed public hearing.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 25: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, C. ADU Permit

To see if the Town will vote to amend Zoning Bylaw §40.2 Accessory Dwelling Unit as follows: (additions in underline, deletions in ~~cross-through~~):

C. ADU Permit Criteria

- 3. At least two (2) off street parking spaces in addition to parking otherwise required for the property is required for an ADU. This requirement may be reduced or waived at the discretion of the Planning Board.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article allows for reduction of the parking requirement for ADUs as part of the noticed public hearing process for ADU permits. It recognizes that unforeseen circumstances may exist to justify the requirement is unnecessary and creates a hardship for homeowners looking to add an ADU to their property. For instance, some small ADUs may clearly be intended for one person and not require 2 parking spaces.

Select Board Comment:

Planning Board Recommendation	5	1	0
Select Board Recommendation	5	0	0

TWO-THIRDS
VOTE

Article 26: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure

To see if the Town will vote to amend Zoning Bylaw §40.2 Accessory Dwelling Unit by adding new language and deleting language as follows (additions in underline, deletions in ~~cross-through~~):

D. Procedure

1. Each application for a Permit shall be filed by the Applicant with the Town Clerk consisting of:

- a. An original and ~~44~~ 9 copies of the Application for ADU Permit;
- b. ~~45~~ 10 paper copies and one digital copy of the required plans and other required information under §40.2

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article reduces the required number of physical copies of applications and adds requirements for the submittal of digital copies. Most applications are distributed to Town staff electronically, reducing the need for paper copies.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

TWO-THIRDS
VOTE

Article 27: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure

To see if the Town will vote to amend Subsection D of Zoning Bylaw §40.2 Accessory Dwelling Unit by deleting language as follows (additions in underline, deletions in ~~cross-through~~):

D. Procedure

...

~~f. Documentation of approval of the septic/wastewater treatment system from the Board of Health.~~

...

~~i. Documentation of approval, if applicable, from the Conservation Commission.~~

~~j. Documentation of Special Permit or Variance, if applicable, from the Zoning Board of Appeals.~~

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article eliminates submittal requirements that are not germane to the jurisdiction of the Planning Board in their review of ADU permit applications. It does not eliminate the need for ADUs to receive all necessary permits. The Building Commissioner and Health/Conservation Agent will continue to review these requirements through the building permit process. Additionally, the submittal requirements to be eliminated currently require that the Planning Board must always be the final regulatory board to review ADUs when it may be logical to go in an alternate order under certain circumstances.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 28: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure

To see if the Town will vote to amend Subsection D of Zoning Bylaw §40.2 Accessory Dwelling Unit by adding new language and deleting language as follows (additions in underline, deletions in ~~cross-through~~):

D. Procedure

...

g. Building floor plans at a scale of no less than 1/8"= 1'-0", ~~including floor plans and front, side and rear elevations of the ADU and principal dwelling or structure.~~

h. For ADUs proposed in a new structure or that require the modification of the exterior of an existing structure, building elevations at a scale of no less than 1/8"= 1'-0" of the dwelling or structure that contains the ADU.

i. Photographs of the exterior of the existing principal dwelling taken from the north, south, east, and west.

j. For ADUs proposed within an existing accessory structure, photographs of the exterior of the existing accessory structure taken from the north, south, east, and west.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article eliminates the need for ADU permit applications to include building elevation plans for proposals where there are no exterior changes to a building proposed. This is an unnecessary cost to applicants, and existing conditions can easily be documented with photographs.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 29: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, F. Findings of the Planning Board

To see if the Town will vote to amend Subsection F of Zoning Bylaw §40.2 Accessory Dwelling Unit by deleting language as follows (additions in underline, deletions in ~~cross-through~~):

F. Findings of the Planning Board

...

~~2. The permit decision is not appealable.~~

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article recognizes that a town cannot deny appeal rights through stating such in a zoning bylaw. Any discretionary permit (including an ADU permit) issued through zoning is appealable under state law by either the applicant or another interested party. Further, the current language may create confusion regarding the particular type of court appeal that should be filed resulting in additional unnecessary legal costs to the applicant, the Town, or both.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 30: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, H. Requirements for Tax Exemption and §10.4 Definitions

To see if the Town will vote to amend the Zoning Bylaw by

(a) adding new language and deleting language in Subsection H of §40.2 Accessory Dwelling Unit as follows (additions in underline, deletions in ~~cross-through~~):

H. Requirements for Tax Exemption

Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to Chapter I, Section ~~10~~ 11 of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units.

And by

(b) deleting from §10.4 Definitions the following definition in its entirety:

~~Dwelling Unit, Affordable Accessory. A rental dwelling unit either detached from or located within or attached to a principal dwelling, principal structure, garage, containing at least four hundred (400) square feet but not more than one thousand four hundred (1,400) square feet of Gross Floor Area. Accessory unit shall be restricted to remain affordable by conditions attached to the Special Permit issued by the Planning Board and be occupied by income-eligible households determined in accordance with HUD Income and Fair Market Rental Guidelines. (04/07)~~

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article corrects a scrivener's error referencing the General Bylaws and removes an obsolete definition for Affordable Accessory Dwelling Units. The ZBL previously contained provisions for Affordable ADUs, but this was replaced with the adoption of the current ADU bylaw.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 31: Amend Zoning Bylaw §70.3 Commercial Development

To see if the Town will vote to amend Subsection D of Zoning Bylaw §70.3 Commercial Development by adding new language and deleting language as follows (additions in underline, deletions in ~~cross-through~~):

D. Procedures and Plan Requirements

1. Each application for Commercial Site Plan Review shall be filed by the Applicant with the Town Clerk consisting of:
 - a. An original and ~~44~~ 9 copies of the Application for Site Plan Review;
 - b. ~~45~~ 10 paper copies and one digital copy of the required plans and other required information per subsection 3 below;

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article reduces the required number of physical copies of applications and adds requirements for the submittal of digital copies. Most applications are distributed to Town staff electronically, reducing the need for paper copies.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 32: Amend Zoning Bylaw §70.4 Residential Development

To see if the Town will vote to amend Subsection C of Zoning Bylaw §70.4 Residential Development by adding new language and deleting language as follows (additions in underline, deletions in ~~cross-through~~):

C. Procedures and Plan Requirements

1. Each application for Residential Site Plan Review shall be filed by the Applicant with the Town Clerk consisting of:
 - a. An original and 44 ~~9~~ copies of the Application for Site Plan Review;
 - b. 45 ~~10~~ paper copies and one digital copy of the required plans and other required information per subsection 3 below;

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article reduces the required number of physical copies of applications and adds requirements for the submittal of digital copies. Most applications are distributed to Town staff electronically, reducing the need for paper copies.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 33: Amend Zoning Bylaw §70.6 Recording of Decision

To see if the Town will vote to amend Zoning Bylaw §70.6 Recording of Decision by adding new language and deleting language as follows (additions in underline, deletions in ~~cross-through~~):

It shall be the responsibility of the applicant to obtain a true attested copy of the decision from the Town Clerk. The applicant shall be responsible for recording the Planning Board Commercial or Residential Site Plan decision at the Barnstable Registry of Deeds or Land Court, as applicable. Prior to the issuance of a building permit, the applicant shall present evidence of such recording to the Building Commissioner and the ~~Planning Board Secretary~~ Planning Department.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article acknowledges that filings are currently being handled by professional staff at Town Hall and brings the ZBL in line with this practice.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	5	0	0

**TWO-THIRDS
VOTE**

Article 34: Amend Zoning Bylaw §70.9 Waiver of Site Plan Review

To see if the Town will vote to amend Zoning Bylaw §70.9 Waiver of Site Plan Review by adding new language and deleting language as follows (additions in underline, deletions in ~~cross through~~):

The Planning Board may determine at its discretion without a public hearing that submission of a Commercial or Residential Site Plan review application is not required when the alteration, construction, or reconstruction of an ~~existing~~ building or structure or new use or change in use will not have a significant impact: within the site or in relation to adjacent properties and streets; on pedestrian and vehicular traffic; on public services and infrastructure, or on unique environmental and historic resources, abutting properties; or community needs. Site Plan Review shall not be waived in the Seashore District.

(4/17)

A waiver from Commercial or Residential Site Plan Review must be requested by the applicant using the appropriate Site Plan Review Application form. The form, applicable filing fee and supporting documentation to establish that such review is not required shall be filed with the ~~Planning Board Secretary~~ Town Clerk. A waiver request will be considered at a regular session of the Planning Board.

Upon the decision of the Planning Board, a copy of the decision shall be sent to the applicant, the owner, the representative, if any, and the Building Commissioner.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article does three things:

1. *It clarifies that Residential Site Plan Review cannot be waived because Residential Site Plan Review is only required in the Seashore district, and the bylaw states that Site Plan Review cannot be waived in the Seashore district.*
2. *It allows for the waiver of Commercial Site Plan Review for new buildings that do not create significant impacts. For example, the ZBL currently allows a waiver for a 2,000 sq. ft. addition to an existing commercial building, but it does not allow a waiver for a new 200 sq. ft. shed.*
3. *It acknowledges that filings are currently made with the Town Clerk and brings the ZBL in line with this practice.*

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	3	0	2

**TWO-THIRDS
VOTE**

Article 35: Amend Zoning Bylaw §40.6 Growth Management

To see if the Town will vote to amend Zoning Bylaw §40.6 Growth Management by adding new language and deleting language as follows (additions in underline, deletions in ~~cross-through~~):

- A. Purpose. The purpose of §40.6 of the bylaw is to provide adequate time for the Town to plan and prepare for the effects of future residential growth, and ensure that the pace of growth does not diminish the Town’s rural character, impair natural resources or overwhelm town services or infrastructure. The gradual pace of development afforded by the bylaw will provide opportunities for the Town to: 1) purchase and protect open spaces, thereby reducing the Town’s ultimate density and preserving, as much as possible, the Town’s rural character; 2) undertake comprehensive planning to identify a community land use vision to guide the regulation of land use and development; 3) assess the impacts of anticipated growth on town infrastructure, roads, drinking water supply and fresh and marine wetlands and water bodies, and plan appropriate measures to protect the integrity of those resources; and 4) develop a financially sustainable plan for the provision of town services and infrastructure necessary to support the community’s land use vision. This section, 40.6, shall expire on December 31, ~~2021~~, 2024.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Comment: This article extends the date of expiration of the Growth Management Bylaw from December 31, 2021 to December 31, 2024. This extension will allow the Town to continue and complete the tasks identified in the Purpose section, including an update to the Town’s Local Comprehensive Plan. Most recently, the COVID 19 emergency halted the Town’s efforts to pursue this essential planning process. An extension will provide the time required for this process.

Select Board Comment:

Planning Board Recommendation	6	0	0
Select Board Recommendation	1	3	1

NEW PETITIONED ARTICLES

**Article 36: Amendment to General Bylaws Ch 3—Add Municipal Single-Use Bottle Ban-
Petitioned Article**

To see if the Town will vote to adopt the following as a general bylaw and to insert it into the Chapter 3 of the General Bylaws (new language shown in **bold underline**):

The purchase by the Town of Truro of either water or any other beverage in single-use plastic bottles of any size is prohibited and the sale of water or any beverage in single-use plastic containers is prohibited on town property.

Any Town department when engaged in public health and safety operations shall be exempt from this Bylaw.

Effective date: As soon as practicable but no later than September 1, 2021.

In the event of a declaration (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water for Truro residents the Town shall be exempt from this Bylaw until seven (7) calendar days after such declaration has ended.

or to take any other action relative thereto.

Requested by Citizen Petition

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

Petitioner’s Comment: A municipal plastic bottle ban was initiated in 2019 and has been adopted by 13 of the 15 towns in Barnstable County as of year-end 2020. Plastic bottles do not biodegrade and can last forever. Their production emits toxic waste into the air, and chemicals from plastic can leach into our beverages. When plastic bottles are discarded, they pollute the air if incinerated, contaminate groundwater if buried, clutter our beaches, roadways, forests, and roadways, and if ending up in our oceans threaten marine life.

Petitioner’s Note: This article was requested by the Truro Select Board for inclusion on the Warrant for the April 28, 2020 Annual Town Meeting and recommended unanimously (5-0-0) to the voters. However, it did not appear on the final Warrant for the postponed Annual Town Meeting held on September 26. We urge the Select Board to request the article again for the 2021 ATM Warrant, with a slightly expanded Explanation and additional towns having adopted it.

Select Board Recommendation	0	0	5
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TWO-THIRDS
VOTE

Article 37: Amendment to Charter Chap 3 & Chap 6—Make Zoning Board of Appeals an Elected Board- Petitioned Article

To see if the Town will vote, pursuant to G.L. c.43B §10(b), to amend sections 3-1-1 and 6-4-2 of the Town Charter, as set forth below, with ~~strike through~~ text to be deleted and **underline** text to be inserted, or take any other action relative thereto:

3-1-1 The membership of the following multi-member bodies shall be elected as follows:

A moderator shall be elected for a three-year term.

A Board of Selectmen [Select Board] of five members.

A School Committee of five members.

A Planning Board of seven members.

A Zoning Board of Appeals of five members.

A Board of Library Trustees of five members, notwithstanding the provisions of Section 10 of Chapter 78 of the General Laws.

A Housing Authority of four members in accordance with the General Laws.

A fifth member of the Housing Authority shall be appointed by the Commonwealth.

A Cemetery Commission of three members.

6-4-2 The regulatory multi-member bodies listed below shall be appointed by the Board of Selectmen [Select Board] in accordance with sections 4-3-2 and 6-2-6 of this Charter.

Board of Health

Board of Assessors

Conservation Commission

Zoning Board of Appeals

Requested by Citizen Petition

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

Petitioner’s Comment: The request to make the Zoning Board of Appeals an elected board is intended to enhance the democratic principles of representation by making it directly accountable to Truro voters. The Planning Board, which has duties and authorities that complement those of the Zoning Board of Appeals, is an elected board. Making the Zoning Board of Appeals an elected board would eliminate an inconsistency in how the two related boards are constituted.

Charter Review Committee Recommendation			
Select Board Recommendation			

TWO-THIRDS
VOTE

Article 38: Amendment to Charter Chap 3 & Chap 6—Make Board of Health an Elected Board- Petitioned Article

To see if the Town will vote, pursuant to G.L. c.43B §10(b), to amend sections 3-1-1 and 6-4-2 of the Town Charter, as set forth below, with ~~strike through~~ text to be deleted and **underline** text to be inserted, or take any other action relative thereto:

3-1-1 The membership of the following multi-member bodies shall be elected as follows:

- A moderator shall be elected for a three-year term.
- A Board of Selectmen [Select Board] of five members.
- A School Committee of five members.
- A Planning Board of seven members.
- A Board of Library Trustees of five members, notwithstanding the provisions of Section 10 of Chapter 78 of the General Laws.
- A Housing Authority of four members in accordance with the General Laws.
A fifth member of the Housing Authority shall be appointed by the Commonwealth.
- A Cemetery Commission of three members.
- A Board of Health of five members.**

6-4-2 The regulatory multi-member bodies listed below shall be appointed by the Board of Selectmen [Select Board] in accordance with sections 4-3-2 and 6-2-6 of this Charter.

- Board of Health
- Board of Assessors
- Conservation Commission
- Zoning Board of Appeals

Requested by Citizen Petition

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

Petitioner’s Comment: The request to make the Board of Health an elected board is intended to enhance democratic principles of representation by having it selected directly by the voters of Truro. The Board of Health adopts and enforces regulations pertaining to the health and safety of all residents of Truro and should, therefore, be directly accountable to Truro voters.

Charter Review Committee Recommendation			
Select Board Recommendation			

Article 39: Tax Transparency of Financial Articles in Excess of \$50,000.00- Petitioned Article

To vote requesting that all financial warrant articles, outside the omnibus budget, which could incur expenditures in excess of \$50,000.00 be required to delineate their cost and the estimated tax impact (rate change or annual dollar increase) on an average home (assessed at a value of \$500,000 before any exemptions), thereby transparently informing voters as to the estimated and ongoing tax costs they will incur in relation to their votes; or to take any other action relative thereto.

Requested by Citizen Petition

Select Board Comment: This article was submitted by petition for consideration at Town Meeting can be considered by Town Meeting as a non-binding advisory vote.

Petitioner’s Comment: The above is a citizens’ petition requesting the fiscally responsible requirement that financial warrant articles going to a town vote, and costing the town in excess of approximately \$50,000.00, include an estimated budget and the tax impact for an average assessed home in Truro. At the annual Town Meeting, the good and caring citizens of Truro are often asked to approve numerous financial warrant articles in addition to approving the annual town budget. These petitions and articles, which the citizens have little time to research prior to voting, have a substantial impact on the ongoing budget of the town and therefore on their ongoing tax burden. However, these tax impacts are not transparent to voters, warrant articles currently have no requirement of stating their tax impacts. Consequently, taxes can increase in Truro at an alarming rate in response to costly citizen petitions that get included on the town warrant along with town-initiated projects. In responsible fiscal management, proposed projects require budgets. So too should costly warrant articles, which are funded by tax dollars from the townspeople, who are asked to vote on them.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 40: Project Accounting & Quarterly Reporting on Total Expenditures over \$75,000.00- Petitioned Article

To see if the Town will vote to require that the Select Board authorize the Town Manager to implement Project Accounting methods to be used to make public by written report those expenditures that have exceeded or are proposed to exceed a total expenditure of \$75,000 or more on each specific project, regardless of duration. These project expenditures will be reported along with other summary reports commonly provided by town management so that voters can have a clear and timely understanding of town expenditures by project, posted no less frequently than quarterly on the Town of Truro website, or to take any other action relative thereto.

Requested by Citizen Petition

Select Board Comment: This article was submitted by petition for consideration at Town Meeting can be considered by Town Meeting as a non-binding advisory vote. The Select Board agrees with the intent of the article, but not with the way this article is worded.

Petitioner’s Comment: The purpose of this article is to provide the public with quarterly accounting for projects or other town programs with expenditures exceeding \$75,000. Currently there is no requirement or mechanism in place to report on large financial undertakings to voters outside of Annual Town Meeting. These quarterly reports will serve to keep Truro taxpayers informed on a regular basis about significant financial outlays of taxpayer funds for Town-operated and for Town-supported projects carried out by third parties, including but not limited to capital and infrastructure projects. This will also reduce the need for and frequency of public information and public records requests and promote financial transparency.

Finance Committee Recommendation	0	5	0
Select Board Recommendation	0	0	5

Article 41: Add New Section to General By-laws- Truro Clean Water Fund- Petitioned Article

To see if the Town will vote to add Section XXX to the Truro General Bylaws to establish the Truro Clean Water Fund to operate under the purview of the Water Resources Oversight Committee (WROC) and to implement and commit to future funding at levels to be determined by future Town vote in order to encourage, facilitate, and support the upgrade, improvement and replacement of cesspools and other non-Title V compliant waste systems as well as private well water filtration as needed.

Truro Clean Water Fund monies will be used to support and sustain the ability of residential properties to have safe drinking water and to produce wastewater effluence that is safe and healthy for Truro community members and for Truro natural waterways. Truro Clean Water Fund monies will be used to provide grants and/or low interest loans to property owners to subsidize cost of qualifying septic upgrades; to monitor levels of nitrates and other contaminants in ground water, runoff, and effluence; to fund pilot testing of new small wastewater and septic technologies in Truro; and to support other activities to ensure safe drinking water and discharge into groundwater and surface water in Truro.

It will operate at the discretion of the Water Resources Oversight Committee, an existing Committee whose members are appointed by the Select Board. The Truro Clean Water Fund will be allocated funds within the Omnibus Budget annually, commencing in FY23, and may be initiated and increased through payments made by developers pursuant to the Town’s inclusionary zoning by-laws, donations, and contributions from other public and private sources, including other Truro funds created to serve those in need; or to take any other action relative thereto.

Requested by Citizen Petition

Select Board Comment: This article was submitted by petition for consideration at Town Meeting, however, as written, it is not in proper legal form.

Petitioner’s Comment: The purpose of this article is to ensure that the recent decision of the Truro Board of Health to require conversion of all cesspools to Title V Septic systems by 2023 is financially feasible and that those homeowners who can demonstrate financial hardship to meet this requirement have financial assistance in order to comply; and to ensure that all Truro residents, property owners, and visitors have access to safe drinking water and will discharge effluence through their activities that is safe for humans and other living things found in Truro’s land, air and waters. As the last rural Town on the Cape, the health and beauty of our environment are inextricably linked to our daily activities and choices. We need tools and resources to ensure we make informed choices and have the means to implement them to the benefit of our community.

Finance Committee Recommendation	0	5	0
Select Board Recommendation	0	5	0

Article 42: Special Act to Create a Year-round Rental Housing Trust- Petitioned Article

To see of the Town will vote to direct the Select Board to prepare and file a home rule petition, in the form and manner outlined below, with the General Court that would create a Year-Round Rental Housing Trust; provided that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition; or to take any other action relative thereto.

The Home Rule Petition would read:

SECTION 1: There shall be a municipal trust to be known as the Truro Year-round Market Rate Rental Housing Trust. The trust is established to create and preserve year-round rental units in the town of Truro including, but not limited to, market rate units, for the benefit of residents of the town.

SECTION 2:

- (a) The trust shall be managed by a 5 member board of trustees. In selecting members of the board of trustees, the board of selectmen shall:
- (i) designate 1 of its members to serve on the board of trustees;
 - (ii) appoint at least 1 member of the public at large, preferably a resident who lives in year-round market rate rental housing in the town, to serve on the board of trustees; and;
 - (iii) consider a broad range of expertise, including education and experience in real estate development and financing, in appointing the 3 remaining members to the board of trustees.
- (b) Members of the board of trustees shall be sworn to the faithful performance of their official duties. A majority of the 5 members shall constitute a quorum for the transaction of any business. The board of trustees shall elect from among its members a chairman, vice-chairman, clerk and other officers as it finds necessary and determine their duties.
- (c) The original members of the board of trustees shall be appointed within 60 days following the effective date of this act. Of the members of the board of trustees first appointed, 1 member shall be appointed to serve for a term of 1 year, 2 members for a term of 2 years and 2 members for a term of 3 years. The initial appointments may be adjusted to coincide with the regular appointment cycle of the town. All terms thereafter shall be for 3 years. In the event of a vacancy on the board of trustees, a successor member shall be appointed to complete the unexpired term.
- (d) Any member of the board of trustees may be removed by the board of selectmen for cause after reasonable notice and public hearing by the board of selectmen, unless the notice and hearing are expressly waived in writing by the member subject to removal.
- (e) The members of the board of trustees shall not receive compensation for the performance of their duties, but each member shall be reimbursed by the trust for expenses incurred in the performance of the member's duties. Documentation related to such reimbursement shall be open to public inspection from and after the requisition thereof.

SECTION 3:

- (a) There shall be a trust fund to be known as the Year-round Market Rate Rental Housing Trust Fund. The fund shall be separate and apart from the General Fund of the town of Truro.
- (b) The town treasurer shall be the custodian of the trust fund.
- (c) The trust fund shall receive and hold all gifts and grants made to the trust fund as well as money appropriated by the town to the trust. The trust fund shall also receive all revenues from the sale or lease of trust property and any rental income generated from properties in the custody of the trust.
- (d) Money in the trust fund shall be available for expenditure by the trust for the purposes set forth in this act without the need for further appropriation by town meeting
- (e) By a 2/3 vote, the town may borrow money in aid of the trust, in accordance with chapter 44, to be used by the trust for any capital related purpose consistent with this act and for which the town is authorized to borrow.
- (f) Funds previously appropriated by the town for the creation of year-round rental housing prior to the effective date of this act shall, by operation of law, be automatically transferred into the trust fund.

SECTION 4:

- (a) The trust, by and through its board of trustees, may:
 - (i) accept and receive real property, personal property or money, by gift, grant, contribution, devise or transfer from any person, firm, corporation or other public or private entity or any other source;
 - (ii) purchase and retain real or personal property including, but not limited to, investments that yield a high rate of income or no income;
 - (iii) sell, lease, exchange, transfer or convey personal, mixed or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertaking relative to trust property as the board deems advisable notwithstanding the length of any such lease or contract;
 - (iv) execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to a transaction in which the board engages for the accomplishment of the purposes of the trust;
 - (v) employ advisors and agents, such as accountants, appraisers and lawyers, as the board deems necessary;
 - (vi) pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the board deems advisable;
 - (vii) apportion receipts and charges between incomes and principal as the board deems advisable, amortize premiums and establish sinking funds for such purpose and create reserves for depreciation depletion or otherwise;
 - (viii) participate in reorganization, recapitalization, merger or similar transactions, give proxies or powers of attorney with or without power of substitution to vote any securities or certificates of interest and consent to a contract, lease, mortgage,

- purchase or sale of a property, by or between a corporation and another corporation or person;
- (ix) deposit any security with a protective reorganization committee and delegate to the that committee such powers and authority with relation thereto as the board may deem proper and pay, out of trust property, the portion of expenses and compensation of such committee as the board may deem necessary and appropriate;
 - (x) carry property for accounting purposes other than acquisition date values;
 - (xi) borrow money on such terms and conditions and from such sources as the board deems advisable, and mortgage and pledge trust assets as collateral;
 - (xii) make distributions or divisions of principal in kind;
 - (xiii) comprise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the trust, including claims for taxes, accept any property, either in total or partial satisfaction of any indebtedness or other obligation and, subject to this act, continue to fold the same for such period of time as the board may deem appropriate;
 - (xiv) manage or improve real property and abandon any property which the board determines is not worth retaining;
 - (xv) hold all or part of the trust property uninvested for such proposed and for such time as the board may deem appropriate; and
 - (xvi) extend the time for payment of any obligation to the trust.
- (b) General revenues appropriated into the trust become trust property and may be expended without further appropriation. All money remaining in the trust at the end of a fiscal year, whether or not expended by the board within 1 year of the date the money was appropriated into the trust, shall remain trust property.
 - (c) The trust is a public employer and the members of the board are public employees for the purposes of chapter 258 of the General Laws.
 - (d) The trust shall be deemed a municipal agency and the trustees special municipal employees, for the purposes of chapter 268A of the General Laws.
 - (e) The trust is exempt from chapters 59 and 62 of the General Laws, and from any other General Law concerning payment of taxes based upon or measured by property or income imposed by the commonwealth or a political subdivision of the commonwealth.
 - (f) The books and records of the trust shall be audited annually by an independent auditor in accordance with generally accepted accounting practices.
 - (g) The trust is a public body for the purposes of sections 18 to 25, inclusive, of chapter 30A of the General Laws.
 - (h) The trust is a board of the town for the purposes of chapters 30B and section 15A of chapter 40 of the General Laws; provided, however, that agreements and conveyances between the trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the town shall be exempt from said chapter 30B.
 - (i) The trust may procure insurance against loss in connection with its properties and other assets and operations in such amount and from such insurers as it deems desirable.
 - (j) The trust may act and do things necessary or convenient to carry out the powers expressly granted in this act.
 - (k) The board of trustees shall be considered a town board subject to the charter and by-laws of the town except as may be otherwise expressly provided in this act. The

members of the board of trustees shall be considered municipal employees for the purposes of the General Laws.

SECTION 5: A year-round market rate rental housing project shall not be undertaken by the trust until a public hearing relating to the project has been held by the board of trustees after due notice. Further, after due notice, the board of trustees shall hold at least 1 public hearing annually to receive comments about its management and operations. Due notice of public hearing shall be given by the trust to the general public through a legal notice in 2 newspapers having a general circulation in the town published not later than 2 weeks prior to the hearing date.

SECTION 6: The financial records of the trust shall be subject to control and oversight by the town’s finance department and subject to yearly audits by the accounting firm employed by the town for the purposes of the regular town audit.

SECTION 7: Year-round market rate rental units shall be rented giving the maximum preference allowed by law to: (i) current residents of the town of Truro; (ii) municipal employees; (iii) employees of local businesses; and (iv) households with children attending schools in the town of Truro. If there are more eligible applicants than available year-round market rate rental units, the trust shall utilize a lottery system to select tenants. The trust may enact regulations establishing additional preference criteria based on income eligibility. For the purposes of this act, the term “market rate” shall mean rental housing that is not restricted to occupancy by low or moderate income households, as those terms are defined in section 38D of chapter 121B of the General Laws; provided, however, that market rate housing may be available for occupancy by households with gross income greater than 80 per cent by not more than 200 per cent of the area median household income as most recently determined by the United States Department of Housing and Urban Development, adjusted for household size. The trust may enact regulations establishing alternative or additional definitions for “market rate”.

SECTION 8: This act, being necessary for the welfare of the commonwealth and the town of Truro and its inhabitants, shall be liberally construed to effect its purpose.

SECTION 9: This act shall take effect upon its passage.

Requested by Citizen Petition

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

Finance Committee Recommendation	5	0	0
Select Board Recommendation			

ADVISORY ARTICLES

Article 43: Reduction of Truro’s Net Greenhouse Gas Emissions to Zero by 2050

To see if the Town will vote to adopt the following policy objective:

Be it resolved that the Town of Truro recognizes that the climate emergency is leading to rising seas, deadly storms, floods, dangerous heat waves, prolonged droughts, wild fires, ocean warming and acidification, and other adverse consequences. This poses a threat to the health, safety, and economic security of the Town and its residents. The Town of Truro therefore adopts as its policy the objective of reducing Truro’s net greenhouse gas emissions to zero by 2050 at the latest, and requests the Select Board to direct all officers and departments of the Town to take such immediate measures within the scope of their respective responsibilities and authority as may be necessary and prudent to implement this policy,

or to take any other action relative thereto.

Requested by the Climate Action Committee

Climate Action Committee Comment: This policy builds on climate resolutions passed at the 2013 Annual Town Meeting (“The citizens of Truro commit ourselves to meeting our individual and collective responsibility in the face of the increasing climate crisis by adopting energy efficiency and conservation practices”), and at the 2019 Annual Town Meeting, establishing a Town of Truro Climate Action Committee.

Reaching net zero emissions is defined as eliminating all greenhouse gas emissions by all known means, and capturing the remaining emissions by various means, such as planting species known for their ability to capture and sequester these emissions.

Achieving net zero emissions will require all sectors of our community—government, businesses, and citizens—to work together toward that goal.

Select Board Comment: This was submitted by the Climate Action Committee for consideration at Town Meeting and can be considered by Town Meeting as a non-binding advisory vote.

Select Board Recommendation	5	0	0
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Article 44: Advisory Vote on the Use of Automated Tabulator

To see if the Town will vote to recommend to the Select Board to discontinue the use of the hand crank ballot box system and begin using the ImageCast Precinct Optical Scan Tabulator, or to take any other action relative thereto.

Requested by the Select Board

Explanation: The Select Board is soliciting a recommendation from Town Meeting voters regarding the discontinuance of the hand crank ballot box and the use of an automated tabulator at future elections. This vote can be considered by Town Meeting as a non-binding advisory vote and will inform the Select Board so that they may vote on the method of vote counting in accordance with M.G.L. Chapter 54, Section 34. The ImageCast Precinct Optical Scan Tabulator is an automatic counting machine that will accept voters' hand-completed ballots and will tally votes for Election Officials. The tabulator provides a printed report of the votes, to be added to write in votes and unreadable ballots, prior to transmission by the current practices and certification of election results.

Select Board Recommendation	5	0	0
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**ANNUAL TOWN ELECTION
TUESDAY, JUNE 29, 2021
TRURO COMMUNITY CENTER – 7 Standish Way, North Truro, MA 02652
7:00 AM – 8:00 PM**

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 29, 2021 from 7:00 am to 8:00 pm for the following Town offices and questions:

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

POSTING OF THE WARRANT

In conformity with Section 2.3.5 of the Truro Town Charter, 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, fourteen days, at least, before the date of said meeting.

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 25th day of May in the Year of our Lord, Two Thousand and Twenty-One.

We, the members of the Select Board of the Town of Truro, have read the warrant for Annual Town Meeting to be held at 10:00am on June 26, 2021, at the Truro Central School.

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

Robert M. Weinstein, Chair

Kristen M. Reed, Vice-Chair

Susan H. Areson, Clerk

Janet W. Worthington

Stephanie J. Rein

A true copy, attest:

Susan A. Joseph
Temporary Town Clerk, Town of Truro

Sirs: I have served this warrant by posting duly attested copies thereof at the following places: Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.

Constable

Date

APPENDIX A: OMNIBUS BUDGET- FISCAL YEAR 2022

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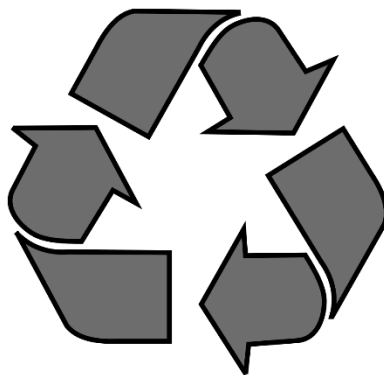
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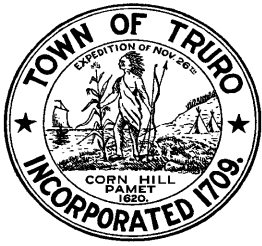
APPENDIX B: CAPITAL IMPROVEMENT BUDGET OF PROJECTED CAPITAL NEEDS
FY2022- FY2026

PROJECTED CAPITAL NEEDS		ANTICIPATED FISCAL YEAR BUDGET CYCLE				
Department:	Item or Project Descriptions:	FY '22	FY '23	FY '24	FY '25	FY '26
IT	Annual Hardware replacement program	17,200	17,500	17,750	18,000	18,250
	Replace aging Server and internet hardware (PD)	7,000				
	Subtotals:	24,200	17,500	17,750	18,000	18,250
RECREATION AND BEACH	Generator for Beach Office	10,000				
	Snow's Field: General Improvements (Pickleball court, grading, gate, parking lot,)		80,000			
	Vehicle Replacement (UTV)		25,000			
	Corn Hill Beach, Head of the Meadow - Power, Phone, Internet	40,000				
	Mobi Mat Replacements			15,000		
Subtotals:	50,000	105,000	15,000	0	0	
POLICE DEPARTMENT	***Fire/Police/Dispatch Radios Move to Cap Stab Fund '20 - \$100k Free Cash		100,000	100,000	100,000	100,000
	(2 SUV) 1 car was funded for FY21	100,000	100,000	100,000	100,000	100,000
	Subtotals:	100,000	200,000	200,000	200,000	200,000
FIRE DEPARTMENT	Replace Utility Truck (480)	65,000				
	Replace Ambulance 486 Remove \$350K - Debt Exclusion FY21		350,000			
	Replace Engine 485			500,000		
	Safety Extraction Equipment	35,000				
	Monitor Defibrillator (2)				60,000	
	Replace Engine 483					500,000
Subtotals:	100,000	350,000	500,000	60,000	500,000	
DEPARTMENT OF PUBLIC WORKS	One ton Pick-up Truck with Plow & sander			58,000	80,000	
	Machines & Trucks Long-term maintenance components					30,000
	Road Maintenance Program (every other year)	65,000		65,000		65,000
	Excavator		170,000			
	Equipment Trailer					50,000
	Paint the loader	15,000				
	Zero-turn Lawn Mower			15,000		
	Chipper				40,000	
	Heavy Duty Tracker (Truck) replacement: \$170K Capital Exclusion					
	Water buffalo (Disaster Prep)				20,000	
Subtotals:	80,000	170,000	138,000	140,000	145,000	
PUBLIC BUILDING MAINTENANCE	Library Acoustic work for circulation area		17,000			
	Police Department interviewroom compliance improvements	20,000				
	Community Center Siding					100,000
	Library, and Safety Facility Siding, Trim, and Windows		200,000			
	Library Main lobby Carpet, Youth Services carpet, and lower level carpet		90,000			
	Town Hall Boiler controls, and pumps				50,000	
	Community Center Carpet Replacement		20,000			
	Library, and Community Center exterior door replacement			50,000		
Subtotals:	20,000	327,000	50,000	50,000	100,000	
TRANSFER STATION	Closed top ejector trailer (Partially funded via DEP Grants in 2022 \$24,300)	45,700			70,000	
	Subtotals:	45,700	0	0	70,000	0
TRURO CENTRAL SCHOOL	Technology Upgrade	25,000	25,000	25,000	25,000	25,000
	Security System Upgrade				30,000	10,000
	Window Replacement; Shingle/Siding/Trim Repairs: Capital Exclusion	228,200				
	Exterior Painting					12,000
	Roof Gutter Maintenance			10,000		25,000
	Floor (Lamenate w/ Area Rugs)		20,000	24,000	12,000	
	Electrical Upgrades	10,000	10,000			
	Interior Painting		15,000	15,000		15,000
	Kitchen Appliances				10,000	
	Refrigeration Inside/Outside Components Compressor/Fans		10,000		10,000	
	Playground Soft Surfacing	40,000				
	Baseball Field, Seating					12,500
Parking lot sealcoating		10,000				
Subtotals:	75,000	90,000	74,000	102,000	99,500	
LIBRARY	*Consultant for Reconfiguring library space		15,000			
	Subtotals:	0	15,000	0	0	0
ENVIRONMENTAL (Borrowing/ Exclusion)	Pamet:Ballston, TCR Culvert - Borrowing Authorize Request FY 2023 \$675,000					
	Eagle Neck Creek - Borrowing Authorized FY 2012 & FY 2020 \$1,150,000					
	East Harbor - Borrowing Authorized FY 2018: \$3,700,000					
	Little Pamet - Evaluation on going					
DPW Facility	Mill Pond Culvert - Engineering funding available with D.E.R. FY 23					
Walsh Property	Relocation & Development - Feasibility Study Complete - Estimate \$17,982,000					
Pond Village	Future Engineering & Study					
	Engineering for waterline and stormwater management infrastructure - Estimate	80,000				
GRAND TOTALS:		574,900	1,274,500	994,750	640,000	1,062,750

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TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Town Manager

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: May 25, 2021

ITEM: Leases for Two (2) Telecommunications Towers

EXPLANATION:

At the September 27, 2020 Annual Town Meeting (Article 5: Authorization to Lease Land for Cellular Tower), voters authorized the Select Board to negotiate and enter into lease agreements for the cellular towers located at the Public Safety facility at 344 Route 6, North Truro and the Truro Landfill Site at Route 6, South Truro. The current leases for the towers expired May 15, 2021.

Town Counsel assisted staff with the Request for Proposal process to solicit proposals for the leases. Truro received two proposals in response to the RFP for the "Lease of Land to Install and Operate Wireless Service Towers and Communications Facilities." SBA Communications Corporation submitted a proposal for the Transfer Station site and Crown Castle International Corporation (CCATT) submitted a proposal for the Public Safety Facility site. Both proposers are the current lessors of these respective sites. The team reviewing both proposals recommend approving both leases with one caveat: although required by the RFP, neither proposer included a 4% year-over-year increase to sublessor rent. The team's interpretation is that this is a 'minor informality' or oversight on the part of the proposers. Both leases presented to you *include* this mandatory requirement.

The two leases are under review by Town Counsel and will be available just prior to the Select Board's meeting on May 25, 2021.

FINANCIAL SOURCE (IF APPLICABLE) Monies received from the cellular tower leases go into the Town's General Fund.

IMPACT IF NOT APPROVED: The Town will not have active leases on the two cellular towers in Truro, where cellular service and the public safety radio system are maintained.

SUGGESTED ACTION: (Two Motions)

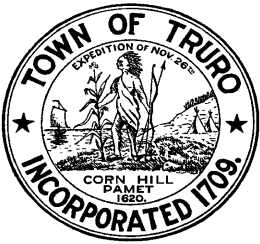
Motion to approve and execute the twenty-year lease agreement between the Town of Truro and SBA for the telecommunication tower and facilities at the South Truro Transfer Station location.

Motion to approve and execute the twenty-year lease agreement between the Town of Truro and Crown Castle for the telecommunication tower and facilities at the North Truro Public Safety Facility location.

ATTACHMENTS:

20-year lease agreement between the Town of Truro and SBA for the telecommunication tower and facilities at the South Truro Transfer Station location **(TO BE PROVIDED PRIOR TO THE MEETING)**

20-year lease agreement between the Town of Truro and Crown Castle for the telecommunication tower and facilities at the North Truro Public Safety Facility location **(TO BE PROVIDED PRIOR TO THE MEETING)**



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: May 25, 2021

ITEM: Multi-Member Bodies Consolidation/ Dissolution

EXPLANATION: In an effort to find ways for the Town of Truro to operate efficiently, for multi-member bodies to be most effective, and to address continuing challenges of volunteer recruitment and engagement, the Board held a Work Session on April 29, 2021 to discuss the consolidation of multi-member bodies and relevant issues. At that Work Session, the Board identified the following defunct multi-member bodies to dissolve:

- Part Time Resident Advisory Committee—This Committee last met in October 2018. Presently four of the seven memberships on the Committee are listed as “vacant.” The remaining three memberships expire June 30, 2021. It is recommended to dissolve this Committee.
- Herring River Restoration Committee—Prior to the most recent Memorandum of Understanding, this Committee included members from Truro and Wellfleet. Truro’s representatives include Susan Areson, Robert Weinstein and Rae Ann Palmer. This Committee no longer meets in light of the newest Memorandum of Understanding so it is recommended that this Committee is no longer listed as a Town of Truro multi-member body.
- Smart/PAYT Ad-Hoc Committee—This Committee was identified as an Ad Hoc Committee and per Truro Town Charter 6-4-4, the Committee’s appointment should not exceed two years, unless reappointed for an additional one-year period. Presently only the Board of Health Representative is listed as a member. It is recommended that this Committee no longer be listed as a Town of Truro multi-member body.

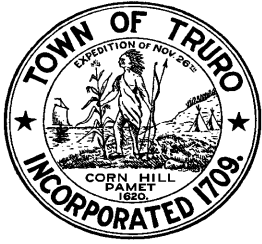
6-4-4 The Town Meeting or the Board of Selectmen may from time to time establish other multi-member bodies for particular purposes. The appointment of ad hoc committees by the Board of Selectmen shall be made only for specific and immediate purposes, and any such committee shall be appointed for a definite period of time, **not to exceed two years**. Should the particular purpose for which an ad hoc committee was created not be resolved at the expiration of the two-year appointment, such committee may be reappointed for an additional one-year period.

FINANCIAL SOURCE (IF APPLICABLE): N/A

SUGGESTED ACTION: *Motion to dissolve and remove from the list of Town of Truro Multi-Member Bodies the Part Time Resident Advisory Committee, the Herring River Restoration Committee, and the Smart/ Pay As You Throw Ad Hoc Committee effective immediately.*

ATTACHMENTS:

None



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kristen Reed, Vice Chair, and Susan Areson, Clerk

REQUESTED MEETING DATE: May 25, 2021

ITEM: Letter to Committee Chairs Regarding Upcoming Multi-Member Consolidation and Charge Revision Discussion

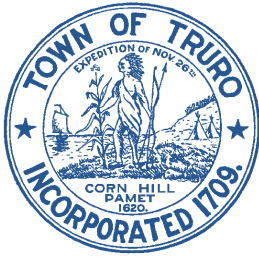
EXPLANATION:

Vice Chair Kristen Reed and Clerk Sue Areson have drafted a letter to send to the chairs of multi-member bodies to inform them of the Board's recent work session discussions regarding committee consolidations and charge revisions. They will present the letter and any other recommendations related to the process moving forward.

SUGGESTED ACTION: **MOTION TO** *send the letter to multi-member body chairs as proposed.*

ATTACHMENTS:

1. Draft letter to chairs of multi-member bodies



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

To: All appointed members of Truro boards, committees, commissions

From: The Truro Select Board

Re: Vacancies and review of committee structures

We would like to thank the many volunteers who serve as appointees to Truro's multi-member committees, which provide an important advisory role for all Truro residents. Truro has been undergoing changing demographic shifts and a diminishing full-time resident population over the last ten years, which has affected the Town's ability to attract, hire, and retain volunteers on our multi-member bodies. Simultaneously, the number of multi-member committees appointed by the Select Board in the Town has risen.

The Select Board has struggled for years, with varying degrees of success, to fill membership on these committees, and now sees a need to review and update each committee's entire structure and mandate. In many cases, the mandates for our committees have been unchanged by the Select Board for as long as 28 years, while our Town Charter has significantly changed organizational responsibilities and the method in which we provide services.

For context, Truro has 39 boards and commissions, the vast majority of which are appointed by the Select Board. Currently, there are more than 40 vacancies on those named boards. This is not sustainable in an era where our citizens are busier than ever and less people volunteer. It puts a strain on those who do volunteer, resulting in resignations and an inability to attract, retain committee members or be able to work with a quorum.

Some boards with important missions have no members and are unable to operate. Some of the boards have out-of-date charges that need to be updated to represent current issues.

We'd like your assistance in conducting our analysis, either in writing, through a discussion with your Select Board liaison, or through attending a public meeting where we'll be reviewing possible changes.

In our study, we are concentrating on boards that can cover similar topics. We're considering the level of staff support required and budgetary implications. We have also asked town staff who work with boards to offer their suggestions as well.

Our objective is to consolidate some town boards while keeping their missions intact. We do not plan to dismiss any current board members, however we will extend the group's responsibilities. Some committees will need to expand in order to meet the new responsibilities.

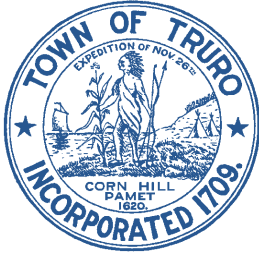
This is a complex process which will take time to complete. However, as the appointing body, the Select Board recognizes that our existing structure is ineffective. The Select Board needs your support in providing input, analysis, data, and possible solutions to this growing problem as part of this process. The Select Board will be providing a survey so you can provide insight for this study as part of the multi-member body's advisory responsibilities.

Here are some workshop dates and committee topics we want to discuss:

June 1: Beach and Recreation Commission, Bike & Walkways

Month, Day: Board of Health, Recycling Committee, Water Resources Oversight Committee

Month, Day: Harbor Commission and Shellfish Advisory



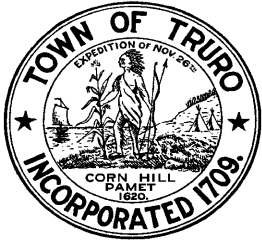
TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

7. **CONSENT AGENDA**

- A. Review/Approve Corrected Motions for Avenue D and Terra Luna Outdoor Dining and Seasonal Alcohol License
- B. Review and Approve Select Board Minutes: March 9, 2021



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Town Planner and Land Use Counsel Barbara Carboni

REQUESTED MEETING DATE: May 25, 2021

ITEM: Review/Approve Corrected Motions for Avenue D and Terra Luna Outdoor Dining and Seasonal Alcohol License

EXPLANATION: At the April 13, 2021 Select Board Meeting, the Board approved the temporary outdoor dining area request by Ave Rosenthal on behalf of Avenue D, Inc. for the use of the deck at the rear of the Avenue D wine/malt bar located at 14 Truro Center Road Unit C for food and wine/malt service per the Town of Truro's policy regarding temporary outdoor dining areas adopted in accordance with **COVID-19 Order No. 35** subject to the following condition(s) and submission to the Alcoholic Beverages Control Commission:

- 1) Favorable review, as indicated by the process, by Town Staff.
- 2) With occupancy of 10-12 inside, 8-10 maximum outside, total occupancy limited to 17 people.
- 3) The use of outdoor deck space shall end when the Commonwealth of Massachusetts Covid -19 order No. 35 is rescinded.
- 4) No amplified music is permitted on the deck area.

At the May 11, 2021 Select Board Meeting, the Board approved the temporary outdoor dining area request by Anthony Pasquale on behalf of Stostef Inc. dba Terra Luna Restaurant for the use of the outdoor space near the front entrance, side entrance by the kitchen door, and side yard of Terra Luna Restaurant located at 104 Shore Rd for food and all alcohol service per the Town of Truro's policy regarding temporary outdoor dining areas adopted in accordance with **COVID-19 Order No. 35** subject to the following condition(s) and submission to the Alcoholic Beverages Control Commission:

- 1) Favorable review, as indicated by the process, by Town Staff.
- 2) With occupancy of 32 maximum inside, 22 maximum outside, total occupancy limited to 54 people.
- 3) The use of outdoor space shall end when the Commonwealth of Massachusetts Covid -19 order No. 35 is rescinded.
- 4) No amplified music is permitted in the outside area.

And at the May 11, 2021 Select Board Meeting, the Board approved the 2021 temporary revised seasonal alcohol license for the outdoor sale and service of all alcohol for Terra Luna Restaurant 104 Shore Rd with an occupancy limit of 22 outside maximum, 32 inside maximum for a total occupancy limit of 54 and submission

to the Alcoholic Beverages Control Commission. The explanation for this agenda item referenced COVID-19 Order No. 35.

Staff identified that the references to COVID-19 Order No. 35 were incorrect, as the authority to approve outdoor dining requests in 2021 fall under **COVID-19 Order No. 50**. COVID-19 Order No. 35 was the 2020 version of the Order and COVID-19 Order No. 50 addresses these approvals in 2021.

To ensure that the approvals be granted appropriately, staff is requesting that Board correct the motions as recommended below.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED:

The status of Terra Luna and Avenue D's use of their outdoor dining areas may be unclear. Approval of this item will correct and clarify that the approvals issued by the Board on April 13, 2021 and May 11, 2021 will expire 60 days after the State of Emergency, or August 15, 2021, unless further legislative action allows for an extension.

SUGGESTED ACTION: (three motions)

MOTION TO *approve the temporary outdoor dining area request by Ave Rosenthal on behalf of Avenue D, Inc. for the use of the deck at the rear of the Avenue D wine/malt bar located at 14 Truro Center Road Unit C for food and wine/malt service per the Town of Truro's policy regarding temporary outdoor dining areas adopted in accordance with **COVID-19 Order No. 50** subject to the following condition(s) and submission to the Alcoholic Beverages Control Commission:*

- 1) *Favorable review, as indicated by the process, by Town Staff.*
- 2) *With occupancy of 10-12 inside, 8-10 maximum outside, total occupancy limited to 17 people.*
- 3) *The use of outdoor deck space shall end in accordance with COVID-19 Order No. 50.*
- 4) *No amplified music is permitted on the deck area.*

MOTION TO *approve the temporary outdoor dining area request by Anthony Pasquale on behalf of Stostef Inc. dba Terra Luna Restaurant for the use of the outdoor space near the front entrance, side entrance by the kitchen door, and side yard of Terra Luna Restaurant located at 104 Shore Rd for food and all alcohol service per the Town of Truro's policy regarding temporary outdoor dining areas adopted in accordance with **COVID-19 Order No. 50** subject to the following condition(s) and submission to the Alcoholic Beverages Control Commission:*

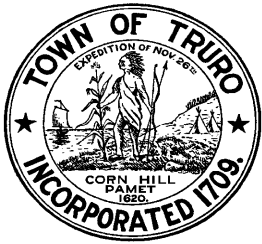
- 1) *Favorable review, as indicated by the process, by Town Staff.*
- 2) *With occupancy of 32 maximum inside, 22 maximum outside, total occupancy limited to 54 people.*
- 3) *The use of outdoor space shall end in accordance with COVID-19 Order No. 50.*
- 4) *No amplified music is permitted in the outside area.*

MOTION TO *approve the 2021 temporary revised seasonal alcohol license for the outdoor*

*sale and service of all alcohol for Terra Luna Restaurant 104 Shore Rd with an occupancy limit of 22 outside maximum, 32 inside maximum for a total occupancy limit of 54 and submission to the Alcoholic Beverages Control Commission, subject to the conditions of **COVID-19 Order No. 50**.*

ATTACHMENTS:

1. April 13, 2021 Agenda Request for Approval of Temporary Outdoor Dining Area – Avenue D (wine/malt bar), 14 Truro Central Road Unit C
2. May 11, 2021 Agenda Request for Approval of Temporary Outdoor Dining Area – Terra Luna Restaurant, 104 Shore Road
3. May 11, 2021 Agenda Request to Review and Approve Temporary Revised 2021 Seasonal Alcohol License- Terra Luna Restaurant, 104 Shore Road
4. COVID-19 Order No. 50



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Ave Rosenthal, Owner and Manager, Avenue D, Inc.

REQUESTED MEETING DATE: April 13, 2021

ITEM: Approval of Temporary Outdoor Dining Area – Avenue D (wine/malt bar), 14 Truro Center Road Unit C

EXPLANATION: Avenue D wine and malt license is before the Board for a request for the ability to use the deck at the rear of the property for food and wine/malt service per the Town policy regarding temporary outdoor dining areas adopted in accordance with COVID-19 Order No. 35 issued by Gov. Baker on June 1, 2020.

The temporary outdoor seating request was granted on June 23, 2020 for Avenue D until November 1, 2020 unless otherwise modified and approved by the Select Board. The owner did not open in 2020.

Due to Covid-19 Restrictions the capacity limit for season 2021, per the request of the owner, will be 10-12 people indoors, 8-10 people maximum outside on the deck for a total occupancy limit of 18. Staff have reviewed the application with the exception of the Building Commissioner. His review will be completed before the meeting. The property due to public water supply limitations is limited to 17 customers/seats, per the Health and Conservation Agent.

The temporary revised license in accordance with the Policy of the Truro Select Board Temporary Outdoor Dining Areas in Accordance with Covid-19 Order No. 35 will list the Occupancy limit for indoor, and outdoor seating and the total limit.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED:

The Avenue D wine/malt bar was limited to indoor seating by the Truro Planning Board during permitting and therefore is prohibited from using the existing deck as a dining/service area. This also means the business would be limited to indoor occupancy only until such time the Governor lifts social distancing restrictions on indoor dining at restaurants imposed during the COVID-19 State of Emergency.

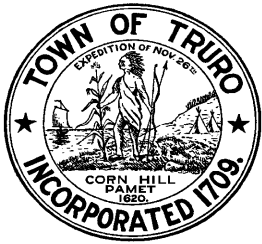
SUGGESTED ACTION:

1. **MOTION TO** *approve the temporary outdoor dining area request by Ave Rosenthal on behalf of Avenue D, Inc. for the use of the deck at the rear of the Avenue D wine/malt bar located at 14 Truro Center Road Unit C for food and wine/malt service per the Town of Truro's policy regarding temporary outdoor dining areas adopted in accordance with COVID-19 Order No. 35 subject to the following condition(s) and submission to the Alcoholic Beverages Control Commission:*

- 1) *Favorable review, as indicated by the process, by Town Staff.*
- 2) *With occupancy of 10-12 inside, 8-10 maximum outside, total occupancy limited to 17 people.*
- 3) *The use of outdoor deck space shall end when the Commonwealth of Massachusetts Covid -19 order No. 35 is rescinded.*
- 4) *No amplified music is permitted on the deck area.*

ATTACHMENTS:

1. 2021 Application for a Temporary Outdoor Dining Area
2. 2021 Temporary License with Extension of Outdoor Area
3. Advisory regarding LLA Approval of Patios
4. Commonwealth of MA Covid -19 No. 35 Section 4
5. Building Certificate of Inspection
6. Email from Owner Re: SB Motion from 2020
7. Food Service Permit-Seating Capacity



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant on behalf of Tony Pasquale, Terra Luna Restaurant

REQUESTED MEETING DATE: May 11, 2021

ITEM: Approval of Temporary Outdoor Dining Area – Terra Luna Restaurant, 104 Shore Rd

EXPLANATION: Anthony Pasquale, Owner and Manager of Terra Luna Restaurant, is requesting to use outdoor space at Terra Luna Restaurant, located at 104 Shore Rd for food and all alcohol service per the Town policy regarding temporary outdoor dining areas adopted in accordance with COVID-19 Order No. 35 issued by Gov. Baker on June 1, 2020.

Due to Covid-19 Restrictions, the capacity limit for season 2021, per the request of the owner, will be 22 outside maximum, 32 inside maximum for a total occupancy limit of 54. Staff have reviewed the application.

The temporary revised alcohol license in accordance with the Policy of the Truro Select Board Temporary Outdoor Dining Areas in Accordance with Covid-19 Order No. 35 will list the occupancy limit for indoor, and outdoor seating and the total limit.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED:

Terra Luna restaurant would be limited to indoor occupancy only, resulting in a decreased capacity due to current COVID-19 capacity restrictions.

SUGGESTED ACTION:

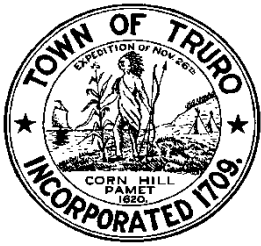
1. **MOTION TO** *approve the temporary outdoor dining area request by Anthony Pasquale on behalf of Stostef Inc. dba Terra Luna Restaurant for the use of the outdoor space near the front entrance, side entrance by the kitchen door, and side yard of Terra Luna Restaurant located at 104 Shore Rd for food and all alcohol service per the Town of Truro's policy regarding temporary outdoor dining areas adopted in accordance with COVID-19 Order No. 35 subject to the following condition(s) and submission to the Alcoholic Beverages Control Commission:*

- 1) *Favorable review, as indicated by the process, by Town Staff.*

- 2) *With occupancy of 32 maximum inside, 22 maximum outside, total occupancy limited to 54 people.*
- 3) *The use of outdoor space shall end when the Commonwealth of Massachusetts Covid -19 order No. 35 is rescinded.*
- 4) *No amplified music is permitted in the outside area.*

ATTACHMENTS:

1. 2021 Application for a Temporary Outdoor Dining Area
2. Advisory regarding LLA Approval of Patios
3. Commonwealth of MA Covid -19 No. 35 Section 4
4. Building Certificate of Inspection



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: May 11, 2021

ITEM: Review and Approve Temporary Revised 2021 Seasonal Alcohol License-Terra Luna Restaurant, 104 Shore Rd

EXPLANATION: Every March the review and approval of the Seasonal alcohol licenses comes before the Local Licensing Authority, the Select Board, for restaurants and package stores for an opening date that can commence April 1st and run until January 15. Terra Luna Restaurant Seasonal All Alcohol license was approved March 23rd.

The Terra Luna Restaurant alcohol license is before the Board for revision of the license for the outdoor area. The owner is proposing the sale and service of alcohol near the front entrance (2-four top tables) and side entrance by the kitchen door (4-two top tables) and side yard (1-6-person table).

The temporary revised alcohol license in accordance with the Policy of the Truro Select Board Temporary Outdoor Dining Areas in Accordance with Covid-19 Order No. 35 will list the Occupancy limit for indoor, and outdoor seating and the total limit.

The owner chose not to open during the Covid-19 Pandemic in 2020 and will be doing takeout only until Memorial Day Weekend.

IMPACT IF NOT APPROVED: The temporary revised seasonal alcohol license will not be approved for the sale and service of all alcohol in the approved outdoor area by the Local Licensing Authority for submission to the Alcohol Beverages Control Commission (ABCC). The Licensee could appeal to the Alcohol Beverages Control Commission Board.

SUGGESTED ACTION: *MOTION TO approve the 2021 temporary revised seasonal alcohol license for the outdoor sale and service of all alcohol for Terra Luna Restaurant 104 Shore Rd with an occupancy limit of 22 outside maximum, 32 inside maximum for a total occupancy limit of 54 and submission to the Alcoholic Beverages Control Commission.*

ATTACHMENTS:

1. ABCC Seasonal License Holder's Application
2. 2020 Seasonal Alcohol License
3. 2021 Temporary License with Extension of Outdoor Area



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COMMONWEALTH OF MASSACHUSETTS
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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

ORDER MAKING CERTAIN PHASE III ADJUSTMENTS

COVID-19 Order No. 50

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”);

WHEREAS, on March 11, 2020, the COVID-19 outbreak was characterized as a pandemic by the World Health Organization;

WHEREAS, the Federal Centers for Disease Control and Prevention (“CDC”) have advised that COVID-19 is spread mainly by person-to-person contact and that the best means of slowing the spread of the virus is through practicing social distancing and by minimizing personal contact with large groups and with environments where this potentially deadly virus may be transmitted including, in particular, spaces that present enhanced risks because of the large number of persons present or passing through the area who may spread the virus through respiratory activity or surface contacts;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact, non-essential movement outside the home, and reduce opportunities for spreading the COVID-19 virus within the Commonwealth, I issued COVID-19 Order No. 13, which temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services;

WHEREAS, in response to gradual improvements in the public health data, on May 18, 2020, June 6, 2020, and July 2, 2020, I issued COVID-19 Orders No. 33, 37, and 43, respectively, which designated certain businesses and other organizations as Phase I, II, III, or IV

enterprises and initiated a progressive, phased plan for re-opening workplaces and other facilities across the Commonwealth;

WHEREAS, the Commonwealth has maintained a continuing trend of improvement in public health data during the phased re-opening of workplaces and other facilities, which permits continuing, gradual relaxation of restrictions on businesses and other organizations, provided that any adjustment can only be maintained or expanded on the basis of continuing improvements in the public health data;

WHEREAS, expanded opportunities for outdoor dining, as approved by local authorities, have provided valuable support to restaurants and a popular amenity to the public that should be permitted to continue during the state of emergency without interruption or undue complication;

WHEREAS, the CDC, the Department of Public Health, and other public health authorities continue to improve their understanding of how COVID-19 is spread, where the risk of spread is greatest, and how best to mitigate the risk of transmission which permits periodic adjustments to safety measures addressing commercial, recreational, and social activities; and

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise any and all authority over persons and property necessary or expedient for meeting a state of emergency, including but not limited to authority over assemblages in order to protect the health and safety of persons, variance of the terms and conditions of licenses, permits, and certificates of registration issued by the Commonwealth or by any of its agencies or political subdivisions, and regulation of the sale of articles of food and household articles;

NOW, THEREFORE, I hereby Order the following:

1. Extension of Outdoor Dining Provisions

Notwithstanding chapter 40A of the general laws, or any special permit, variance or other approval thereunder, or any other general or special law to the contrary, a city or town may approve requests for expansion of outdoor table service or extensions of earlier granted approvals, including a local licensing authority (“LLA”) approving a request for a change in the description of licensed premises for the purpose of permitting outdoor alcohol service, until a date beyond November 1, 2020, as specified in this Section. For the purposes of this Order, “outdoor table service” shall mean restaurant service that includes food prepared on-site and under food permits issued by municipal authorities pursuant to 105 CMR 590.00 that is served to seated diners outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space.

Before approving any request made under this Order or extending a prior approval issued pursuant to Section 4 of COVID-19 Order No. 35, a city, town, or LLA may modify the scope of any prior approval issued pursuant to Section 4 of COVID-19 Order No. 35 as the city, town, or LLA deems proper and appropriate including, without limitation, modifying the terms of an earlier granted approval to address potential issues with snow removal, pedestrian traffic, or similar concerns.

The provisions of Section 4 of COVID-19 Order No. 35 shall apply to any request for an extension of an earlier granted approval or an expansion of outdoor table service or for approval of a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service made pursuant to this Section except that (i) the definition of outdoor table service adopted in paragraph 1 of this Section shall apply; and (ii) such approvals may extend until the date specified below.

Any approval issued under this Section shall remain in effect until 60 days past the end of the state of emergency or such earlier date the city or town establishes in granting the approval, whichever is sooner, at which time any approval issued under this Section, including any amended license issued by an LLA as a result of this Order, shall automatically revert back to its status prior to any approval issued under either this Section or Section 4 of COVID-19 Order No. 35.

Any approval issued under Section 4 of COVID-19 Order No. 35 for expanded outdoor table service, including any amended license issued by an LLA changing the description of the licensed premises for the purpose of permitting outdoor alcohol service as a result of COVID-19 Order No. 35 shall remain in effect until November 1, 2020, unless the city or town approves a request to extend such approval pursuant to this Order or otherwise deems such approval automatically extended consistent with all other provisions of this Order.

2. Opening of Indoor and Outdoor Gaming Arcades

Effective at 12:01 am on September 17, 2020, indoor and outdoor gaming arcades may open their brick-and-mortar premises to workers, customers, and the public, and restaurants, indoor and outdoor recreational facilities, and other enterprises with gaming devices on their premises may permit these devices to be used by patrons. Schedule A to COVID-19 Order No. 43 is hereby amended, as attached, to reflect this adjustment.

The Director of the Department of Labor Standards (“DLS”) shall issue, subject to my approval, COVID-19 workplace safety rules to address the particular circumstances and operational needs of indoor and outdoor gaming arcades and other enterprises with gaming devices on their premises that are made available for use by patrons. These rules shall serve as “Sector-Specific Rules” for such activities and facilities as that term is defined in Section 4 of COVID-19 Order No. 43.

The provisions of Sections 4 and 5 of COVID-19 Order No. 43 (and Section 4 of COVID-19 Order No. 37 as incorporated in COVID-19 Order No. 43), which set requirements for compliance with generally applicable and Sector-Specific COVID-19 safety rules and mechanisms for enforcement for all Phase III enterprises shall apply to indoor and outdoor gaming arcades and other enterprises with gaming devices on their premises that are made available for use by patrons pursuant to this Order. Any penalty issued in an enforcement action shall be administered as provided in COVID-19 Order No. 48.

This Order is effective immediately and shall remain in effect until rescinded or until the state of emergency is ended, whichever occurs first.

Given in Boston at 2:15 AM/PM this
10th day of September, two thousand and
twenty



CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts

Schedule A to COVID-19 Order No. 43
as revised by COVID-19 Order No. 50, effective September 17, 2020

	All Phase I, II, III, and IV enterprises are required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DPL, DPH, EEA, and local boards of health. Workplace safety rules include a variety of mandatory context-specific COVID-19 safety measures such as occupancy limitations, operational modifications, social distancing rules, and specialized cleaning requirements.
Phase I	<p>As specified in COVID-19 Order No. 33:</p> <ul style="list-style-type: none"> • Businesses and other organizations providing products and services identified as “COVID-19 Essential Services” in COVID-19 Order No. 13 • Manufacturing • Construction • Places of Worship • Firearms retailers and shooting ranges • General Use Offices • Car Washes • Hair Salons and Barber Shops • Pet Groomers • Drive-In Movie Theaters • Laboratories • Certain Outdoor Recreational Facilities and Activities as specified in <u>Exhibit 1</u> to COVID-19 Order No. 33
Phase II	<p>As specified in COVID-19 Order No. 37 and including specifically:</p> <ul style="list-style-type: none"> • Retail Stores including stores in enclosed shopping malls • Restaurants providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000, including beer gardens/wineries/distilleries meeting these criteria <ul style="list-style-type: none"> ○ <u>Step 1</u>: outdoor table service ○ <u>Step 2</u>: indoor table service • Hotels, motels, inns, and other short-term lodgings (no events, functions, or meetings) • Limited organized youth and adult amateur sports activities and programs—no contact and no games or scrimmages, and indoor facilities limited to youth programs • Professional sports practice and training programs--no inter-team games and no admission for the public • Personal Services provided at a fixed place of business or at a client location <ul style="list-style-type: none"> ○ <u>Step 1</u>: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.) ○ <u>Step 2</u>: Services involving close personal contact (massage, nail salons, personal training for individuals or no more than 2 persons from same household, etc.) • Non-athletic instructional classes in arts/education/life skills for youths under 18 years of age in groups of fewer than 10 • Driving schools and flight schools • Outdoor historical spaces—no functions or gatherings and no guided tours • Funeral homes—increased capacity to permit 40% occupancy for one service at a time within the facility • Warehouses and distribution centers • Golf facilities including outdoor driving ranges • Other outdoor recreational facilities <ul style="list-style-type: none"> ○ pools, playgrounds and spray decks

	<ul style="list-style-type: none"> ○ mini golf, go karts, batting cages, climbing walls, ropes courses ● Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools <ul style="list-style-type: none"> ○ for the limited purposes of permitting students to complete a degree, program, or prerequisite for employment, or other similar requirement for completion, for summer youth programming including athletic facilities, and any necessary supporting services ● Day Camps including sports and arts camps ● Public libraries
Phase III	<p><u>Step 1</u></p> <ul style="list-style-type: none"> ● Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations ● Casino gaming floors ● Horse racing tracks and simulcast facilities ● Indoor recreational and athletic facilities for general use (not limited to youth programs) ● Fitness centers and health clubs including <ul style="list-style-type: none"> ○ cardio/weight rooms/locker rooms/inside facilities ○ fitness studios (yoga, barre, cross-fit, spin classes, general fitness studios) ○ indoor common areas ○ indoor swimming pools ○ indoor racquet courts and gymnasiums ○ locker rooms ○ excluding saunas, hot-tubs, steam rooms ● Museums ● Indoor historic spaces/sites ● Aquariums ● Outdoor theatres and other outdoor performance venues not designated as Phase IV enterprises ● Movie theatres ● Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching) ● Motion picture, television, and video streaming production ● Fishing and hunting tournaments and other amateur or professional derbies ● Outdoor event spaces used for gatherings and celebrations including those in parks, reservations, and other outdoor spaces not designated as Phase IV enterprises ● Indoor event spaces such as meeting rooms, ballrooms, and private party rooms--only when used for functions or events permitted under Sector-Specific Rules for Indoor and Outdoor Events ● Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older ● Indoor recreational activities with low potential for contact: batting cages, driving ranges, go karts, bowling alleys, rock-climbing walls ● Indoor and outdoor gaming arcades and associated gaming devices [a] <p><u>Step 2</u></p> <ul style="list-style-type: none"> ● Indoor performance venues used for live performances such as concert halls, theaters, and other indoor performance spaces not designated as Phase IV enterprises ● Indoor recreational activities with greater potential for contact: laser tag, roller skating, trampolines, obstacle courses
Phase IV	<ul style="list-style-type: none"> ● Amusement parks, theme parks, indoor or outdoor water parks and indoor or outdoor ball pits [a] ● Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities ● Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or

	<p>dancing and not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000</p> <ul style="list-style-type: none">• Beer gardens/breweries/wineries/distilleries not providing seated food service prepared on-site and under retail food permits issued by municipal authorities pursuant to 105 CMR 590.000• Large capacity venues used for group or spectator sports, entertainment, business, and cultural events including<ul style="list-style-type: none">○ Stadiums, arenas, and ballparks○ Dance floors○ Exhibition and convention halls• Street festivals and parades and agricultural festivals• Road races and other large, outdoor organized amateur or professional group athletic events• Overnight camps (Summer 2021) <p>This listing is subject to amendment.</p>
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Note: Amendment from the version of Exhibit A adopted in COVID-19 Order No. 43 (July 2, 2020) designated by the marker “[a].”

DRAFT

**Truro Select Board
March 9, 2021
Remote Meeting**

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

Attending: Town Manager Darrin Tangeman; Assistant Town Manager Kelly Clark; Town Accountant Trudi Brazil, Town Moderator Monica Kraft, DPW Director Jarrod Cabral, Finance Committee Chair Robert Panessiti, Community Preservation Committee Chairs Deb McCutcheon and Mary Rose, Truro Residents: Kaitlin Blehm, Chris King, Jeff Souza, Ray Sturdy, Bob Palheiro, and Todd Silva.

TRURO SELECT BOARD Regular Meeting

Public Comment

Kaitlin Blehm, Truro resident, expressed concerns about the pre-school program at the Truro Central School and the placement process. She also stated that Truro parents' needs are not being met as Truro does not have school vouchers.

Chris King, Truro business owner, thanked the Town Manager, Assistant Town Manager, Select Board Member Worthington and his colleagues for meeting to discuss the situation at Provincetown's MacMillan Pier. He highlighted the importance of the Pier to Truro, with not less than 30 businesses using the pier. The fee increase announced by the Pier Corp would be detrimental to these businesses. Truro is a part of the Provincetown fishing fleet and he hoped in the future that Truro would have a representative on the Pier Corporation.

Truro residents and fishermen, Jeff Souza, Bob Palheiro, Ray Sturdy, and Todd Silva, Truro Resident, thanked the Board and staff for hearing their concerns about the Pier Corp's rate increases and for taking action.

Public Hearings-None

Board/Committee Commission Appointments-None

Committee Updates

Covid-19 Update

Health Agent Emily Beebe explained that on March 22nd the Governor's Reopening Plan will move to Phase 4 Step I. She noted the changes in this new phase and provided some sector-specific guidance regarding capacity changes. The State's travel guidance is still in place with five locations that are now considered higher- risk. She noted that the Outer Cape Vaccine Clinic will be operating the following week and she hopes we can get more vaccines locally. If the public has questions about the vaccine, they should contact the Health Agent or the Council on Aging.

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Town Meeting Planning

Town Manager Tangeman and Moderator Kraft updated the Board on Town Meeting planning. There are concerns about the weather impacting the outdoor Town Meeting.

An update to Chapter 45 of the Acts of 2020 is being passed by the House, and considered by the Senate which would allow for the Annual Town Election date to be postponed. Once approved the Select Board may determine if they want to change the dates of the Election and Town Meeting. Select Board Clerk Areson asked if changing the date would impact the deadline for nomination papers.

Moderator Monica Kraft noted that the Town Meeting would start at 10am and check-in would open at 9am. Town Manger Tangeman stated that the Meeting could potentially go until dusk considering the number of articles on the Warrant.

Committee updates- CPC

Deborah McCutcheon, Chair, provided an update on the Community Preservation Committee, its work and complicated nature of the grant process. Select Board Vice-Chair Reed asked what the Board could do to assist the CPC. Chair McCutcheon stated that for committees that are labor intensive and are complicated regulatory systems, there should be some kind of compensation for their work through a stipend or health insurance. Co-Chair Mary Rose felt that the work is very involved, and she was grateful for Chair McCutcheon's knowledge and her willingness to consult.

Tabled Items- None

Action Items

Discussion and Possible Action Regarding Provincetown Public Pier Corporation

Select Member Worthington thanked the individuals that spoke during public comment. She added that no less than 24 vessels and no less than 6 charter boats at the Provincetown Pier are owned by people who live in Truro. She explained the fee issues and regulation changes and their impacts.

Select Board Vice-Chair Reed noted the blue economy being an economic engine behind various small businesses. She encouraged Eastham and Wellfleet to write letters similar to Truro's letter.

Select Board Member Rein moved to electronically sign and send the proposed letter to the Provincetown Select Board and the Provincetown Pier Corps and authorize a particular member to represent if requested by the Provincetown Pier Corps and or the Provincetown Select Board and ask Wellfleet and Eastham to send the letter to them. Select Board Member Worthington seconded the motion. Roll Call Vote: Stephanie Rein-Aye;

Select Board Member Areson, suggested Jan Worthington's name be added as the representative. Susan Areson-Aye; Jan Worthington-Aye; Kristen Reed-Aye; and Robert Weinstein-Aye. Motion passes 5-0-0.

DRAFT

Community Preservation Fiscal Year 2022 Articles

Community Preservation Committee Chair Deborah McCutcheon provided an overview of the Annual Town Meeting Community Preservation Act articles. Select Board Vice-Chair Areson questioned the Payomet CPC grant request. Mary Rose Co-Chair of the CPC stated that it is a great project for the Community. Projects are thoroughly examined by the Committee and are monitored through the whole process.

FY22 Budget Presentation

Town Manager Tangeman provided an update on the budget and highlighted the reduction to the Chamber of Commerce's request, the recommendation to increase the Reserve Fund, and the recommendation for the school siding project to be a Free Cash Transfer article. The full-time Assistant Health and Conservation Agent will be included in the FY22 Budget. The Council on Aging programming request was scaled back to \$22,500. The Dennis Family Gift Account is included as a funding source for Walsh Property Principal and Interest. Credit Card fees will be directed towards the customers. He presented the simple recap.

Town Manager Tangeman reviewed the financial articles including the transfer of funds from free cash. He explained that getting the school on a yearly maintenance schedule was important. DPW Director Cabral added that there was a remodeling project done between 1989-91, with a little more siding done in 2010. Director Cabral noted that the east side of the building needs window replacement.

Town Accountant Brazil stated that generally big-ticket items like the tractor trailer are an exclusion vote which temporarily increases the tax rate for a one-time purchase. By using the free cash to purchase items, we are reducing what we would be taxing.

Finance Committee Chair Panessiti stated that they worked on the budget with the Task Force and noted that the Town is relying more and more on property taxes to support the budget.

Review Select Board Policy Memorandum 42: Policies Regarding Free Cash, Stabilization and Capital Improvement Funds

Town Manager Tangeman stated that this Policy was last updated 2009. The primary intent now is to include a policy for the reserve fund. He explained the various sections of the draft policy memorandum. Town Accountant Brazil emphasized the auditor's recommendations to have these items in a written policy.

Select Board Vice-Chair Reed made a Motion to accept proposed revisions for Policy #42 Policies regarding Reserve Fund, Free Cash, General Stabilization and Capital Expenditures Stabilization Funds. Select Board Member Rein Seconded the Motion. Roll Call Vote: Susan Areson, Aye; Stephanie Rein, Aye; Kristen Reed, Aye; Jan Worthington, Aye; Robert Weinstein, Aye. Motion Passes: 5-0-0.

DRAFT

Accept Petitioned Zoning Bylaw Article and Refer to Planning Board for Public Hearing

Anne Greenbaum, Planning Board Chair stated that there are thirteen articles for the Warrant before the Board for referral. Twelve of the articles were from last year. She reviewed the articles from last year and then explained the new article pertaining to the Growth Management Bylaw.

Vice-Chair Reed asked about the number of permits per year that have been issued over the last three years. Chair Greenbaum replied that the number has not approached forty. She explained that the Growth Bylaw exempts the housing units that are deed restricted so there is no hamper on deed restricted affordable housing. Vice-Chair Reed stated concern with the Growth Bylaw's impacts on the Walsh property.

Clerk Areson moved to refer the proposed bylaw amendments to the Planning Board to begin the necessary public hearing process pursuant to MGL Ch. 40A Sec. 5. Vice-Chair Reed Seconded the motion. Roll Call Vote: Susan Areson, Aye; Stephanie Rein, Aye; Kristen Reed, Aye; Jan Worthington, Aye; Robert Weinstein, Aye. Motion Passes: 5-0-0.

Petition Zoning Bylaw Article

Town Manager Tangeman reported that before the Board is a petitioned article to amend Section 40.2 of the Accessory Dwelling Unit of the Zoning Bylaws. In summary, the petitioned article would give property owners the right to have Accessory Dwelling Units (Use by Right). The Chair stated that he and the Moderator signed the petitioned article and commented that he can speak to the article in a neutral position. There was a brief discussion on the procedural process.

Vice-Chair Reed made a motion to refer the certified petitioned amendment to the Zoning bylaws Section 40.2 Accessory Dwelling Unit to the Planning Board for Public Hearing. Seconded by Clerk Areson. Roll Call Vote: Susan Areson, Aye; Stephanie Rein, Aye; Kristen Reed, Aye; Jan Worthington, Aye; Robert Weinstein, Aye. Motion Passes: 5-0-0.

Review and Possible Vote on Town Meeting Articles

Assistant Town Manager Kelly Clark explained that per the Charter, financial articles must be heard first at Town Meeting and that the remaining order is determined by the Board. She mentioned one article was added after the packet completion regarding 135 South Pamet Rd *Acceptance of Deed in lieu of Foreclosure*. The articles can be voted on tonight or at the next two meetings. Select Board Worthington asked to vote at the next meeting. Vice-Chair Reed asked to wait to vote at the next meeting but asked to proceed with the decision on the order. Clerk Areson stated that the Finance Committee will be meeting Thursday to vote on the finance articles.

Chair Greenbaum asked that the zoning articles be moved up near the petitioned articles. Vice-Chair Reed explained that the order was to help keep the quorum of people through the entire length of Town Meeting. Town Manager Tangeman explained that proposed order for articles

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and then reviewed the articles. The Board discussed the merits of placing the articles in various areas of the Warrant.

Vice-Chair Reed made a motion to approve the order of the Articles as they were presented (at the meeting March 9, 2021). Seconded by Select Board Member Rein. Roll Call Vote: Stephanie Rein, Aye; Susan Areson, Aye; Kristen Reed, Aye; Jan Worthington, Nay; Robert Weinstein, Aye. Motion Passes: 4-1-0.

7. CONSENT AGENDA

- A. Review/Approve and Authorize Signature: None
- B. Review and Approve 2021 Business Licenses: None
- C. Review and Approve Seasonal Alcohol Licenses: None
- D. Review and Approve Select Board Minutes: February 8, 2021 Budget Task Force

Vice-Chair Areson made a motion to approve the Minutes of the Budget Task Force from Monday February 8, 2021. Select Board Member Rein Seconded the Motion. Roll Call Vote: Stephanie Rein, Aye; Sue Areson, Aye; Jan Worthington, Aye; Kristen Reed, Aye; Robert Weinstein, Aye. Motion Passes: 5-0-0.

Select Board Reports/Comments

There were no Select Board reports. Chair Weinstein expressed gratitude for work on the letter directed to Provincetown Pier Corp.

Town Manager Report

Town Manager Tangeman thanked the Assistant Town Manager for the work crafting the letter for the Provincetown Pier Corp. He also announced that Truro was awarded the DLTA funds for Local Comprehensive Plan (LCP) facilitation. This will assist the Town Planner on the LCP. Truro will also be a partner in a Cape- wide survey for second homeowners to get a better understanding of the changes to population that occurred during Covid with second homeowners. Truro was also awarded a partial DLTA grant of \$20K for an analysis of regional solutions if Lower Cape Ambulance were to be dissolved. Town Manager Tangeman will reach out to the new Provincetown Town Manager and collaborate between Wellfleet, Truro, and Provincetown after the new fiscal year.

Next Meeting Agenda: Regular Meeting March 16, 2021; Regular Meeting March 23, 2021

Town Manager Tangeman reviewed the upcoming agendas.

Select Board Vice-Chair Reed made a Motion to Adjourn. Seconded by Select Board Clerk Areson. Roll Call Vote: Stephanie Rein, Aye; Jan Worthington, Aye; Sue Areson, Aye; Kristen Reed, Aye; Robert Weinstein, Aye. Motion Passes: 5-0-0. The Remote Meeting Adjourned at 8:17pm.

DRAFT

Respectfully submitted,

Nicole Tudor, Executive Assistant

Darrin Tangeman, Town Manager
Under the Authority of the Truro Select Board

Public Records Material of 03/02/2021

1. Cape Cod Regional Vaccine Consortium
2. Town Meeting Map
3. Provincetown Pier Corp Letter
4. Town Meeting 2021 Articles for CPA
5. Copy of Preliminary FY2022 CPA Revenue Projection
6. CPC Grant Applications FY22
7. 03.09.2021 Simple Budget
8. 03.09.2021 Simple Recap
9. Policy #42 Regarding Free Cash
10. Draft Revised Policy #42 Free Cash
11. Planning Board Proposed Zoning Bylaw Amendment Petitioned Article
12. Certified Petitioned Article Amend Zoning Bylaw Sec. 40.2
13. ATM Articles to KPLaw
14. Warrant Table of Contents
15. Draft 02.08.2021 Budget Task Force Minutes