



Truro Select Board

Tuesday, April 13, 2021

Executive Session-4:30 pm

Regular Meeting-5:00pm

EXECUTIVE SESSION

<https://global.gotomeeting.com/join/140883701>

1-877-309-2073, Access Code: 140-883-701

This will be a remote meeting. The meeting will begin in open session solely for the purpose of moving, as set forth below, to enter into executive session. The meeting will be locked and closed to the public once the Board votes to enter into Executive Session.

Move that the Select Board enter into Executive Session jointly with the Zoning Board of Appeals, in accordance with the provisions of Massachusetts General Law, Chapter 30A, §21 (a) 3, to discuss strategy with respect to litigation (Appeal Cloverleaf Decision; Horton's Campground litigation-A/C Mobile Home Park v. Zoning Board of Appeals), whereas discussion of these matters in open session would have a detrimental effect on the litigating positions of the Town (and the Chair so declares it) and to reconvene in open session.

REGULAR MEETING

<https://global.gotomeeting.com/join/934020077>

1-877-309-2073, Access Code: 934-020-077

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 1-877-309-2073 and enter the following access code when prompted: 934-020-077 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/934020077>. 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. Transfer of Aquaculture Development Area Grants #16-20 from John Burns to Orion White of 27 Longnook Road

3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

- A. Interview and Appoint Amy Rolnick to the Historical Commission
- B. Interview and Appoint Lynn Williamson to the Truro Cultural Council
- C. Interview and Appoint Fred Gaechter to the Board of Assessors

4. STAFF/ COMMITTEE UPDATES

- A. COVID-19/Vaccine Updates: Emily Beebe, Health & Conservation Agent
- B. Shellfish Update: Tony Jackett, Harbormaster/ Shellfish Warden
- C. Board/Committee Report: Charter Review Committee and Finance Committee Chair

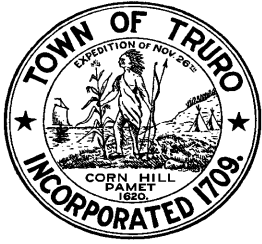
5. TABLED ITEMS NONE

6. SELECT BOARD ACTION

- A. Review and Vote on Town Meeting Articles
Presenter: Darrin Tangeman, Town Manager
- B. Discussion and Possible Vote to Change Annual Town Election Date
Presenter: Darrin Tangeman, Town Manager
- C. Discussion regarding American Rescue Act Funds Cape Cod Distribution
Presenter: Darrin Tangeman, Town Manager
- D. Dedication of a Proclamation to Truro Police Department Retiring Employee
Presenter: Jan Worthington, Select Board Member

7. CONSENT AGENDA

- A. Review/Approve and Authorize Signature:
 - 1. *Lower Cape Cod Community Development Corp. with Town of Truro-Housing Rehab*
 - B. Review and Approve 2021 Business Licenses: Top Mast Café-Common Victualer, North of Highland Camping Area and North Truro Camping Area-Transient Vendor, and Avenue D-Common Victualer License
 - C. Review and Approve One-Day Entertainment Licenses: Truro Vineyards
 - D. Review and Approve Application for Entertainment License: 20 Summers
 - E. Review and Approve Avenue D Renewal of 2021 Alcohol License
 - F. Review and Approve Avenue D Renewal and Approval of Use of Outdoor Area
 - G. Review and Approve Reappointment of Michael Kaelberer to the Truro Board of Registrars
 - H. Review and Authorize the Chair to Sign Membership Application for the Cape & Vineyard Electric Cooperative, Inc.
 - I. Review and Approve Select Board Minutes: February 16, 2021 and February 23, 2021
- 8.** Select Board Reports/Comments
- 9.** Town Manager Report
- 10.** Next Meeting Agenda: April 27, 2021



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Transfer of Aquaculture Development Area grant licenses

EXPLANATION: Under MGL Chapter 130, Section 57 and 58, the licensing authority may Transfer or Renew Shellfish Aquaculture Licenses. Orion Z. White, 27 Longnook Rd, submitted (February 11, 2021) an Aquaculture Development Area License Application to acquire ADA Grant locations #16 - #20, totaling 5 acres. He was on the waitlist for a year. These five-acre grants were held previously by John Burns, who had the grants since February 13, 2018. John Burns relinquished the grants to the Town February 8, 2021. Harbor Master/Shellfish Constable Tony Jackett reviewed Mr. White's application. The Shellfish Advisory Board reviewed the application March 3, 2021 and supported the application unanimously.

The Coordinates for the five-acre grants in the Truro bay are as follows:

Grant #16 - #20 (5 Acres) Coordinates:

NW 42° 2' 51.02" N / 70° 8' 28.02" W;

SW 42° 2' 47.6" N / 70° 8' 29.04" W;

NE 42° 2' 49.26" N / 70° 8' 20.16" W;

SE 42° 2' 45.9" N / 70° 8' 21.52" W

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The applicant will not have permission to use these grants for raising oyster seed.

SUGGESTED ACTION: *Motion to transfer ADA Grant locations #16, #17, #18, #19, and #20, totaling five-acres, from John Burns to Orion Z. White for a term of two years, expiring December 31, 2023.*

ATTACHMENTS:

1. Public Hearing Posting, Aquaculture License Application, Proposed Plan, Draft Shellfish Advisory Board Minutes
2. Aquaculture Development Area Regulations
3. John Burns License



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

TOWN OF TRURO PUBLIC HEARING AMENDED TRANSFER OF AQUACULTURE LICENSES

In accordance with an application filed on February 11, 2021 by Orion Z. White, 27 Longnook Road, Truro, for Shellfish Aquaculture Grants, pursuant to the Regulations for Aquaculture Licenses, the Select Board will conduct a public hearing on Tuesday, April 13, 2021 at 5:00pm. The proposed grants are for 5 acres total, located in the Aquaculture Development Area as shown on plans submitted with the application on file in the Select Board office.

Robert Weinstein, Chair
Select Board
Town of Truro

Office of Town Clerk Treasurer – Tax Collector
MAR 17 2021 2:30 PM
Received TOWN OF TRURO By: _____



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

AQUACULTURE LICENSE APPLICATION

NAME OF APPLICANT: Orion Z. White

STREET ADDRESS: 27 Longnook rd. Truro MA 02666

TELEPHONE: [REDACTED] E-MAIL ADDRESS [REDACTED]

PROPOSED LOCATION OF THE LICENSE SITE: Describe below the specific measurements in feet of the desired area using land boundaries, when possible. Attach a sketch of a locus map indicating said boundaries and total square feet.

Description: A.D.A. grant #16, #17, #18, #19, #20 totaling 5 acres.

PREVIOUS AQUACULTURE EXPERIENCE: 2 years of part time experience

at Field Point Oyster Farm in Wellfleet under Michael DeVasto, helping with planting, sorting, culling, harvesting, and gear removal. I have also held a recreational shellfishing license in Truro for the last several seasons.

PROPOSED DEVELOPMENT PLAN: Describe in detail, your plans for development of Aquaculture and/or licensed site over a one, two and three-year term. Include the number of rafts/racks/floats, size, construction material, and square feet working area needed in the aquaculture area. Plans shall include shellfish by species, amount and sizes intended to be introduced to the waters and/or substratum. This plan is to be submitted as part of your application.

TYPES OF SHELLFISH TO BE RAISED: Oysters

METHOD OF PROPAGATION: Oyster seed, floating cages, and square mesh bags

MEANS OF ACCESS: Boat

EQUIPMENT TO BE USED: Flow N Grow floating cages and Intermas
square mesh bags, anchors, and buoys.



Signature of Applicant

2-11-21
Date



Signature of Shellfish Constable

2-18-2021
Date

The following information must be included in this application in accordance with the Aquaculture Regulations:

1. Detailed site plan including latitude and longitude of corners (metes and bounds)
2. Geophysical characteristics
3. Benthic habitat conditions
4. Proposed species, quantities and densities
5. Proposed physical structures
6. Proposed method and details of access to the site

The following documents must be submitted with this application in accordance with the Aquaculture Regulations:

1. Copy of Notice of Intent submitted to the Conservation Commission, or Municipal Wetlands Permit or determination of non-applicability
2. Copy of application to the Corps of Engineers, Section 404 permit or Programmatic General Permit

Orion Z. White
27 Longnook rd
Truro, MA 02666
323-893-2800
lincolns_skull@yahoo.com

Esteemed Board Members,

I respectfully submit my application for aquaculture grants #16-#20 and am eager to begin cultivating oysters this season. I have two years of part time experience under Mike DeVasto at Field point Oyster Farm in Wellfleet. During that time I participated in the planting, grow out, and harvesting processes as well as gear removal at season's end. My goal is to produce the best possible oyster through proven methods, reasonable experimentation, and persistent efforts. I have held recreational shellfishing licenses in Truro for the last several seasons, as well.

I have been a domiciled resident of Truro since I relocated my family here in April of 2017. My grandparents built a house on Longnook rd in 1950. I have been visiting Truro and the Outer Cape off and on since 1978. I have always dreamt of raising my family here. My wife is a nurse at Outer Cape Health in Provincetown. Our two daughters attend Truro Central. Until January 2020 I served as a bartender and bar manager at The Well Tavern in Wellfleet. We could not be more pleased to be anywhere else on Earth. Being allowed an ADA grant would help provide economic stability for my family and allow us the opportunity to grow within the community of Truro for years to come.

Thank you for your time and consideration.

Sincerely,

Orion Z. White

Proposed Plan for Aquaculture Grants #16-#20

I would like to apply for permission to utilize aquaculture grants #16-#20 to begin farming oysters from seed using the Flow N Grow system. Utilization of the 5 acre grant would begin in the spring of the first year available. I will access the grant and tend to the Flow N Grow cages by boat. The cages will float through the spring, summer, and fall months maintaining an ideal depth of 6"-12". In the late fall and winter months the cages will be sunk to the bottom to protect against ice and rough waters, or removed. The Flow N Grow cages will be connected in 10 -15 cage trawls. Each cage will house 6 square mesh bags holding the oysters and eventually contain approximately 250 oysters.

Season 1:

- First year I plan on starting with between 10-20 cages
- Planting of 75k to 100k R6 oyster seed
- Sort and cull

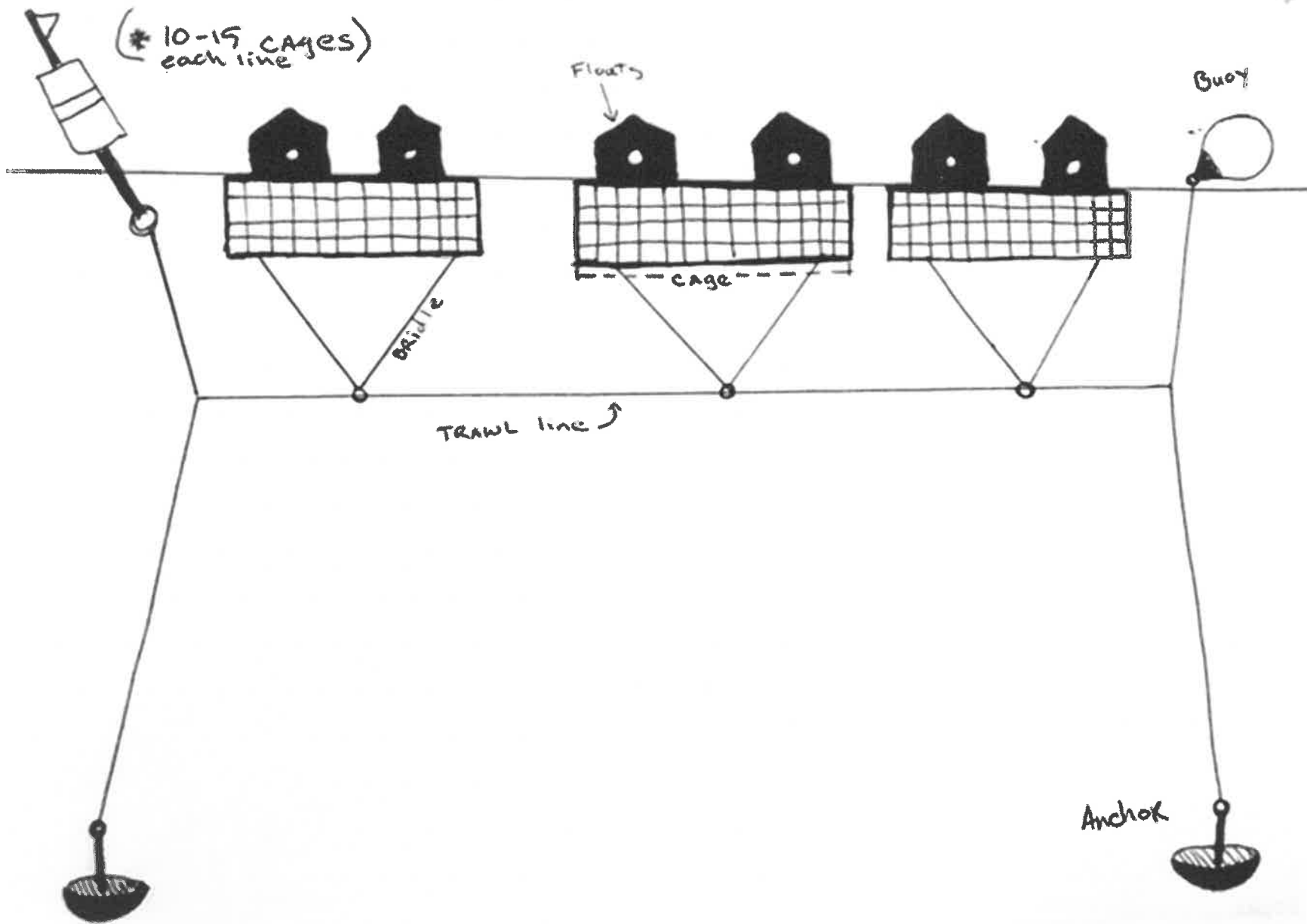
Season 2:

- Second year increase to 40-50 cages
- Plant new oyster seed, size and quantity determined by survival rates and growth rates
- Sort and cull

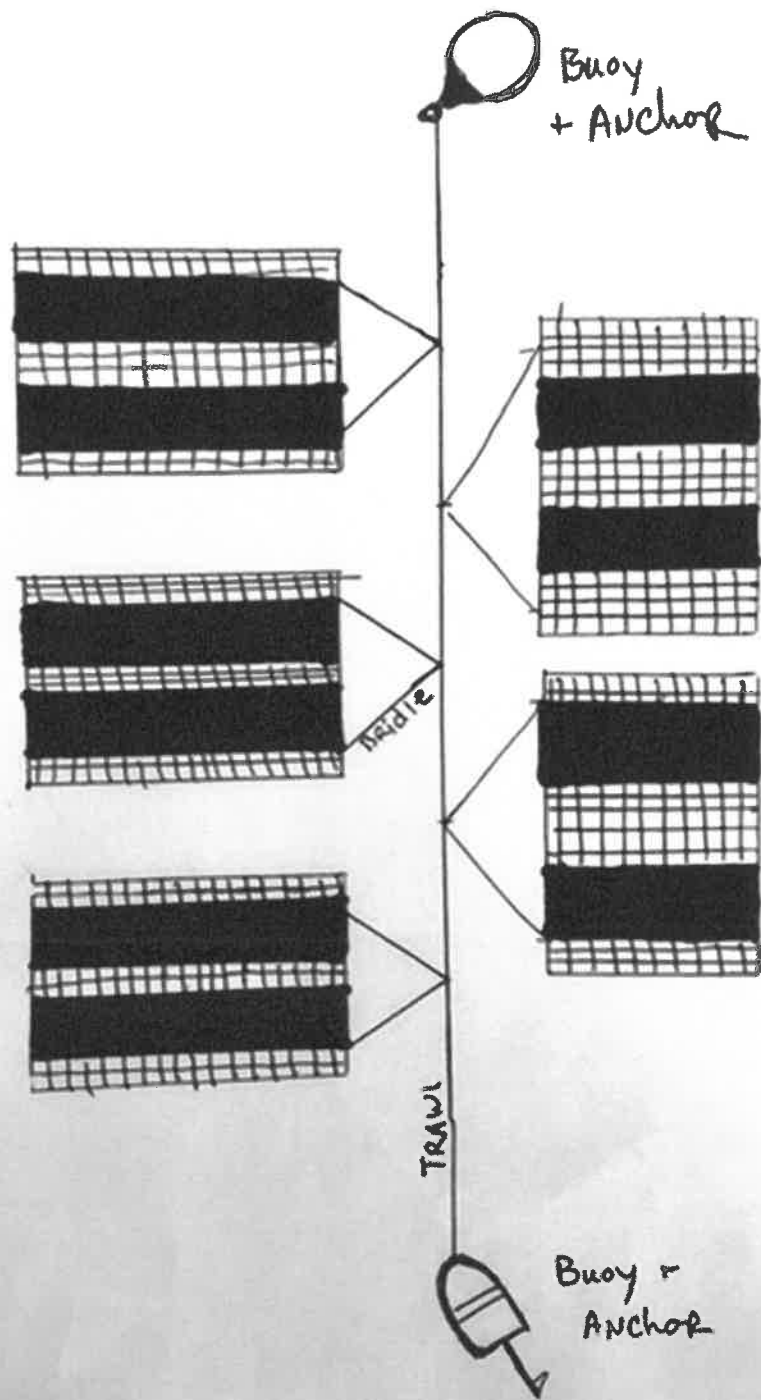
Season 3:

- Third year increase to 100-120 cages
- Plant new oyster seed, size and quantity determined by survival rates and growth rates
- Sort and cull
- Establish market/sales relationships and fill orders

If successful, I will have sellable oysters by the 3rd year depending of rate of growth. Over time my goal is to utilize each acre granted to its full capacity, and sell the best oysters possible.



Aerial view
GRANT PROPOSAL





TOWN OF TRURO
Shellfish Advisory Committee
P.O. Box 2030, Truro, MA 02666-2030

TRURO SHELLFISH ADVISORY COMMITTEE (SAC) MINUTES

THURSDAY MARCH 3, 2021 2:30 PM. VIDEO CONFERENCE

SAC MEMBERS PRESENT: Dan Smith (Vice Chair), Nick Brown, Mark Wisotzky, Gary Sharpless, Chris Clark (alternate), Steve Wisbauer (alternate)

SAC MEMBERS ABSENT: None

OTHERS PRESENT: Tony Jackett (Truro Shellfish Constable), Orion White and Mike Rego

CALL TO ORDER 2:35 pm

ROLL CALL: Dan Smith present, Nick Brown present, Mark Wisotzky present, Steve Wisbauer present, Gary Sharpless present, Chris Clark present

Vice Chair Dan Smith thanked former SAC chair Scott Lindell for his service. Nick Brown suggested that the SAC ask the Board of Selectman (BOS) issue a letter commending and thanking Scott for his past service. The SAC agreed and Dan will make the request to the BOS. Dan welcomed new SAC member Chris Clark.

REVIEW ADA GRANT APPLICATION: Applicant Orion White came before the SAC to present his application for A.D.A. grant #'s 16, 17, 18, 19 & 20 totaling 5 acres to grow oysters in floating cages. Mark moved to approve the application as submitted. Nick seconded the motion. The SAC was in unanimous support of the application Dan yes, Nick yes, Mark yes, Gary yes. Motion carries.

CONTINUE DISCUSSION ABOUT COMMERCIAL DREDGING IN TRURO WATERS: Mike Rego came before the SAC to discuss his proposal to commercially dredge for quahogs and scallops off the bayside shore of Truro. Town regulations currently prohibit such activity. Mike Rego described the proposed fishing as taking place November through March only using a dry dredge. Mike proposed conducting a test survey dredging of the area south of the Pamet to the Wellfleet line to see how much product is there and if it is economically feasible. The survey would be conducted at Mike's expense with Shellfish Constable Tony Jackett observing. All product would be thrown back. Mass. Division of Marine Fisheries would be notified. SAC Vice

Chair Dan Smith, Tony Jackett and Mike Rego will prepare a description of the proposed test dredge and present to the BOS at the next BOS meeting.

The SAC reviewed possible scenarios under which commercial dredging could be allowed which included 1) only south of the Pamet River to the Wellfleet town line. 2) only beyond 2500' from shore and away from eelgrass beds. 3) Only if the fishing does not interfere with the recreational shell fishing (beyond minimum 12' depth at low tide) and the spawn from the Pamet Harbor. The SAC will take up this discussion again after test dredging results are available.

ELECTION OF OFFICERS: Chair Scott Lindell has resigned leaving a vacancy. Vice Chair Dan Smith agreed to serve as chair through the end of Scotts term which is June 30, 2021. Dan proposed a calendar year term for officers and that the SAC meet every other month. Nick Brown moved to elect Dan Smith as Chair for a term expiring June 30, 2021. Gary seconded. Nick yes, Steve, yes, Mark yes, Gary yes. The motion carries. Nick moved to elect Gary Sharpless as Vice Chair for a term expiring June 30, 2021. Mark seconded. Dan yes, Nick yes, Mark yes, Chris yes. The motion carries.

UPDATE FROM SHELLFISH CONSTABLE TONY JACKETT: Tony will replace one buoy in the ADA. The ADA is now fully occupied. Truro continues to share the upweller in Provincetown. Tony anticipates obtaining remote set and relay stock again this spring. Last years efforts really paid off as the populations in the Pamet seems to be holding. Nick Brown observes a thinning of clam stock at the break by Mill Pond. Tony will distribute more relay stock in that area this spring. Timing of relay stocking is up in the air being dependent on availability. Lighted buoys will be going in this spring at the ADA.

AGENDA ITEMS FOR NEXT MEETING: Steve will report on disease and quahogs. Mike Rego dredging.

MOTION TO ADJOURN. 3:58 PM. Moved Nick, second Mark. Dan yes, Nick yes, Steve, yes, Mark yes, Gary yes, Chris yes. The motion carries.

Respectfully Submitted,

Mark Wisotzky, Secretary



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

REGULATIONS FOR AQUACULTURE LICENSES

Adopted by the Board of Selectmen March 20, 2012

with amendments through May 22, 2013; April 8, 2014; July 14, 2015

GENERAL

The following regulations are promulgated in compliance with MGL Ch 130 ss 57-68 for the establishment of Aquaculture License Sites within the boundaries of the Town of Truro. These regulations are in addition to other shellfish regulations approved by the Board of Selectmen (Board). Compliance with relevant statutes and regulations will ensure the orderly and successful implementation of the polices established by the Board in conjunction with the Massachusetts Division of Marine Fisheries (Division).

1. Shellfish licenses may be awarded to Truro residents who can show to the satisfaction of the licensing authority that they are bona fide domiciled residents of the Town of Truro.
2. Applications desiring a license shall be required to complete and submit all information required on the Town's approved application form.
3. License applications shall be considered on a first-come, first-served basis within the limitations of acceptable and available areas. The Harbor Master Shellfish Constable shall make recommendations to the Shellfish Advisory Committee on those areas. The Board of Selectmen may issue a moratorium on license approvals at any time this action is deemed appropriate and in the best interest of the town.
4. Licenses approved shall be subject to certification by the Division of Marine Fisheries in compliance with Chapter 130 of MGL and 322 CMR 7.01 (4) and be licensed by the Army Corps of Engineers in compliance with Section 404 of the Army Corp of Engineers.
5. When the ADA Grants are all allocated to license holders, a Waiting List will be established. The order of the list shall be determined by the date of acceptance of complete applications submitted to the Harbor Master/Shellfish Constable.

Interested parties must complete the Aquaculture License Application and pay the \$10.00 application fee in order to be considered and placed on the ADA Waiting List. As grant space becomes available, the Harbor Master/Shellfish Constable will notify the individual(s) on the Waiting List in sequential order. If an individual elects to not accept the opportunity to obtain a

Licensed Grant in the ADA, for whatever reason, they may elect to retain their order on the Waiting List and give the next individual on the Waiting List the current License.

All individuals who wish to remain on the Waiting List must pay the required annual fee of \$10.00 no later than January 1st of each calendar year in order remain on the Waiting List for the next year. (IE: Pay \$10.00 on Dec 28th 2015 for the 2016 calendar year Waiting List)

APPLICATION

Applications for aquaculture licenses shall be submitted on the Town's Application for Shellfish License form. Each application shall include, but not be limited to, the following items, as promulgated by the Division of Marine Fisheries:

1. Detailed site plan including latitude and longitude of corners (meters & bounds)
2. Geophysical site characteristics
3. Benthic habitat conditions
4. Proposed species, quantities and densities
5. Proposed physical structures
6. Proposed method and details of access to the site
7. Evidence of Municipal Wetlands permit or determination of non-applicability
8. Evidence of application for Corps of Engineers, section 404 Permit or Programatic General Permit

6. For the license application within the designated Aquaculture Development Area (ADA) designated by the Board of Selectmen the application shall provide the exact location of the individual one acre site or sites and acreage which is requested.

After consultation with the Shellfish Advisory Committee, the Harbor Master Shellfish Constable may recommend a different size grant than that for which an applicant has applied depending on the Harbor Master Shellfish Constable's assessment of the applicant's experience, resources, available time to farm and his/her best estimate of the overall demand for the sites. License sites will require approval from the Board of Selectmen.

7. Following receipt of the acceptable and complete license application, the Board of Selectmen shall establish a public hearing date. At least fourteen (14) days prior to the hearing the Board shall take necessary action to publish a legal notice before the hearing in a newspaper with local distribution. In addition, a hearing notice shall be posted at the Town Hall and two other places in Truro.

8. The license permit application may be subject to review by the Harbor Master Shellfish Constable, the Shellfish Advisory Committee and by the Truro Conservation Commission,

9. The Board of Selectmen shall hold a public hearing and either tentatively approve or deny the license.

A. If the license site has been inactive for a period of more than two years the Harbor Master Shellfish Constable shall make an inspection of the license area together with the Division of Marine Fisheries which shall prepare a written report on the standing shellfish within the license area in order to determine productivity of the site

B. If the license is approved, the Selectmen shall issue a license permit and license number in accordance with established regulations. Final location of the license is subject to decision by the Board.

10. In the event that an applicant is approved for a license, the initial period will be for two (2) growing seasons and expire on the 31st of December following the second growing season. The license holder shall comply will all Federal, State and Town regulations while holding the license. The license holder shall provide information related to activity on the license site at least annually. License renewals following the initial period may be applied for at anytime during year two. Established license holders with a five year period may apply for renewal at anytime during years four or five of the license period. License renewals following the initial two year period may be made for a period of five year period. In order to be reviewed and considered for renewal, the license holder must have complied with all of the following four items:

- a) All Town fees paid in full
- b) Compliance Bond must be current and in full force
- c) Evidence of Propagation Permit from DMF
- d) Compliance with Annual Activity Report Submission

If the license holder fails to comply with any or all of the items listed above, the license renewal will not be recommended by the Shellfish Advisory Committee or Harbor Master Shellfish Constable. All renewals shall be subject to approval by the Board of Selectmen with recommendations by the Harbor Master Shellfish Constable.

11. Annual reporting shall be completed on forms provided by the Harbor Master Shellfish Constable to each license holder on or before December 31 of each year for the previous year's effort. Within a reasonable amount of time, the Harbor Master Shellfish Constable shall review the license report submitted by the license holders and submit a copy of said report to the Board of Selectmen. The license holder shall produce documents at the request of the Harbor Master Shellfish Constable Harbor Master Shellfish Constable showing shellfish purchase and sales slips.

12. Each license shall be reviewed annually by the Board of Selectmen and the Harbor Master Shellfish Constable involving a review of the license holder's yearly production report. If it cannot be shown by the license holder that a reasonable amount of shellfish has been produced on the license area during the preceding year the license may be deemed forfeited by the Board of Selectmen. As a minimum for the purposes stated a reasonable amount shall not be less than the statutory requirements as set forth by Section 65 of MGL Chapter 130. Applicant shall be responsible for state reports.

REQUIREMENTS

13. Licenses shall not be transferred or sublet; the license is to be worked by the license holder and immediate family; exceptions may be permitted for reasons of hardship. Employees of the license holder may be permitted to conduct aquaculture operations with the permission of the Harbor Master Shellfish Constable .
14. It is the responsibility of the license holder to comply with all relevant sections of the General laws; Division of Marine Fisheries regulations and the Department of Public Health regulations regarding handling transport and sale of shellfish grown on the license site including permits for possession of seed and sale and processing as described in 105 CMR 533 and 322 CMR 15.
15. It shall be unlawful for the license holder to take seed shellfish from any waterway in the Town of Truro without written permission from the Board of Selectmen. {Amended 05-22-13}
16. It shall be unlawful for any license holder to transfer to or from the licensed site any contaminated shellfish. Any Shellfish transferred to a licensed site must come from the hatcheries certified by the Division as disease- free.
17. The Town Harbor Master Shellfish Constable shall be notified prior to any transfer of shellfish, stating that the location and name of the company from which the shellfish are purchased, the date of the transfer and proof of certification.
18. The Town of Truro reserves the right to obtain samples of any shellfish from the license area for the purpose of certified testing for disease.
19. The Harbor Master Shellfish Constable shall have authority to inspect the license area including the contents of all boxes or other containers at any time.
20. The license holder shall assume liability for all boxes, racks, etc. used in shellfish farming. If any boxes, rack, etc. are moved by a storm or other event to a location off the licensed site, it shall be the responsibility of the license holder to remove it. If within three weeks the license holder has not complied with this requirement, the Town, through the Harbor Master Shellfish Constable may cause such boxes, racks, etc. to be removed and may bill the license holder. For purposes of identification, each box, rack, etc. used by the individual license holder shall bear the Truro Aquaculture license site number. When a license is discontinued or terminated for any reason, the license holder shall be required to remove all boxes, racks, pens, boundary markers, etc. from the waters and substratum within thirty (30) days of the license expiration date. Any and all equipment not removed within thirty (30) days may be recovered by the Town through the Harbor Master Shellfish Constable at the license holder's expense.
21. License holders shall be responsible for affixing permanent markers to the four corners of their licensed site after the license is issued. Each marker shall display the number of the license site, as prescribed by the Board in compliance with the statutory requirements.

22. Inasmuch as this ADA lies within a Critical Habitat area for marine mammals all floating gear which is affixed to the bottom shall be in compliance with the provisions and requirements of the Massachusetts Division of Marine Fisheries. This shall include marker buoys, and their attachment lines. There shall be compliance with any Department of Marine Fisheries or NOAA Regulations promulgated in the future to further the goals of the Federal Marine Mammal Protection Act.

23. A five foot long sleeved enclosure shall be installed immediately below the buoy on any permanent mooring line and marker buoy lines (not gangions) to prevent entanglement with sea turtles between May 15th and December 31st.

24. For retrieving fixed gear on bottom one line per acre with a 600 lbs. breakaway link or ROABS (ropes of appropriate breaking strength per ALWTRP) to shellfish bags, cages, or containers at the shallowest depth of the lease for the purposes of retrieving marketable product.

25. An area of twenty five (25) feet inside the perimeter of the license site abutting another site shall remain unobstructed for passage of others.

26. Should license boundary disputes arise among license holders, they shall first take their dispute to the Harbor Master Shellfish Constable for resolution. Should this prove unresolved, the Board of Selectmen may require an engineered survey of the licenses in question. Such survey would be performed at the license holder's expense.

27. No persons may moor a vessel within twenty-five (25) feet, at rest, of a licensed site area.

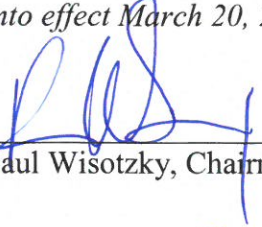
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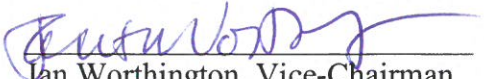
28. A \$25 application fee for the public hearing shall be payable at the time of submission of the application to the Board.


29. A fee of \$25 per acre or part thereof shall be payable at the time of license approval. An annual license fee of \$25.00 per acre shall be paid by the license holder, payable on or before January 1st of each year thereafter. If the fee is not paid within 6 months after it is due, the license shall be deemed forfeited.


30. The license holder shall post a Compliance Bond for the licensed area or part thereof to ensure compliance with Section 20 regulations. The bond amount shall be \$10,000.00 for licensed areas ranging from one to five acres. In the event a license holder has a licensed area in excess of five acres; the bond amount shall be increased to \$20,000.00. The license holder shall provide the Town of Truro a fully executed Surety Rider naming the Town as the Obligee. {Amended July 14, 2015}

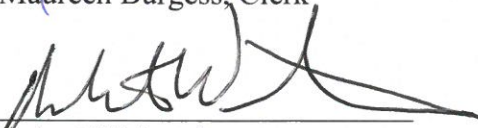
Submitted for consideration by Truro Shellfish Advisory Committee, February 21, 2012. Went into effect March 20, 2012; amended May 22, 2013; amended April 8th, 2014; July 14, 2015


Paul Wisotzky, Chairman


Jan Worthington, Vice-Chairman


Maureen Burgess, Clerk


Jay Coburn


Robert Weinstein

Town of Truro Board of Selectmen



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

AQUACULTURE LICENSE

Grant Number: 2020 16-20

We, the Truro Select Board, in accordance with the provisions of Chapter 130 of the General Laws, and all other powers thereto enabling, do grant to John Burns of Truro, Massachusetts, for the term of 5 years, beginning March 10, 2020 and expiring March 10, 2025 a license to plant, grow, cultivate and harvest shellfish at all times during the term of this license in and upon the flats and waters situated in Cape Cod Bay, on a certain parcel of land bounded and described as follows:

Grant #16 - #20 (5 Acres) Coordinates:

- NW 42° 2' 51.02" N / 70° 8' 28.02" W;
- SW 42° 2' 47.6" N / 70° 8' 29.04" W;
- NE 42° 2' 49.26" N / 70° 8' 20.16" W;
- SE 42° 2' 45.9" N / 70° 8' 21.52" W

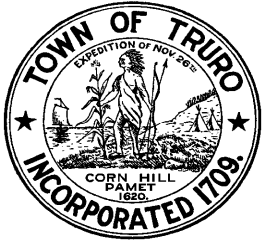
The above described parcel contains an area of 5 acres, more or less, and is shown on a plan dated January 5, 2018.

This license is granted under the provisions of MGL Chapter 130 and in accordance with the Aquaculture Regulations of the Town of Truro, the Conservation Commission Order of Conditions, and the conditions as noted in the correspondence from the US Army Corps of Engineers, and the Division of Marine Fisheries which are made a part hereof by reference and will be in compliance with any gear requirements that are promulgated by the Division of Marine Fisheries.

[Signature]
[Signature]
[Signature]
[Signature]

Select Board Members
Town of Truro

MARCH 10, 2020
Date of Approval



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: March 23, 2021

ITEM: Application to Serve-Historical Commission Appointment

EXPLANATION: Amy Rolnick, Truro Resident, applied to serve on the Historic Commission. The Chair, Matthew Kiefer, has spoken with Amy and endorses this appointment to fill a full member vacancy on the Historical Commission.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Vacancy will remain open on the Commission.

SUGGESTED ACTION: MOTION TO *appoint Amy Rolnick to the Historical Commission for a full member unexpired term ending June 30, 2023.*

ATTACHMENTS:

1. Application to Serve, Chair Comments, Resignation of former Member



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: Amy Rodnick HOME TELEPHONE: [REDACTED]

ADDRESS: 8 FISHER RD TRURO WORK PHONE : NA

MAILING ADDRESS: PO Box 676 Truro E-MAIL: [REDACTED]

FAX: NA MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: 02666

TRURO HISTORICAL COMMISSION

SPECIAL QUALIFICATIONS OR INTEREST: SEE BIO.

COMMENTS: _____

SIGNATURE: [Signature] DATE: 3/2/21

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

SIGNATURE: _____ DATE: _____

INTERVIEW DATE: _____ APPOINTMENT DATE (IF APPLICABLE): _____

Amy Rolnick

As a former librarian, research comes as second nature. I also served as a copywriter in the publishing industry. My family's connection to Truro dates back to the summer of 1958. In 1967, my parents bought the property we own on Fisher Road. Nine years ago I retired and began spending more time in Truro, including opening a gallery and shop "Accent on Design" in Truro Center behind Jams. I spent time researching the Old Colony Railroad (the embankment runs through our property), and hiking most of its length through Truro and Provincetown. Reading Shebnah Rich, Anthony Marshall, and Tom Kane all spurred further interest in Truro History. Being involved in thoughtful and pragmatic efforts to secure Truro's history and rich architectural heritage have encouraged me to apply for a position on the Truro Historical Commission.

My interest in historic preservation is informed by renovating a number of historic homes of different styles, including a Spanish Colonial revival in Miami, FL, a 1900 Greek revival row house in Savannah, GA, and a beautiful Mid-Century Modern house in Kingston, NY, which I found in dilapidated but rare original state. The need for modernization (systems, codes, and zoning, etc.) with efforts to preserve the intent of the style is always a challenging balancing act. I'm aware of Truro's rich treasure of Mid-Century Modern houses (our own on Fisher Road is included in the Commission's *Truro Modern House Report*, 2014) and am a member of the Cape Cod Modern House Trust as well as The Truro Historical Society.

From: [REDACTED]
To: [Nicole Tudor](#)
Cc: [REDACTED]
Subject: Truro Historical Commission
Date: Saturday, March 6, 2021 2:00:53 PM
Attachments: [TOWN OF TRURO.pdf](#)
[Amy Rolnick.pdf](#)

Nicole

I hope this finds you well.

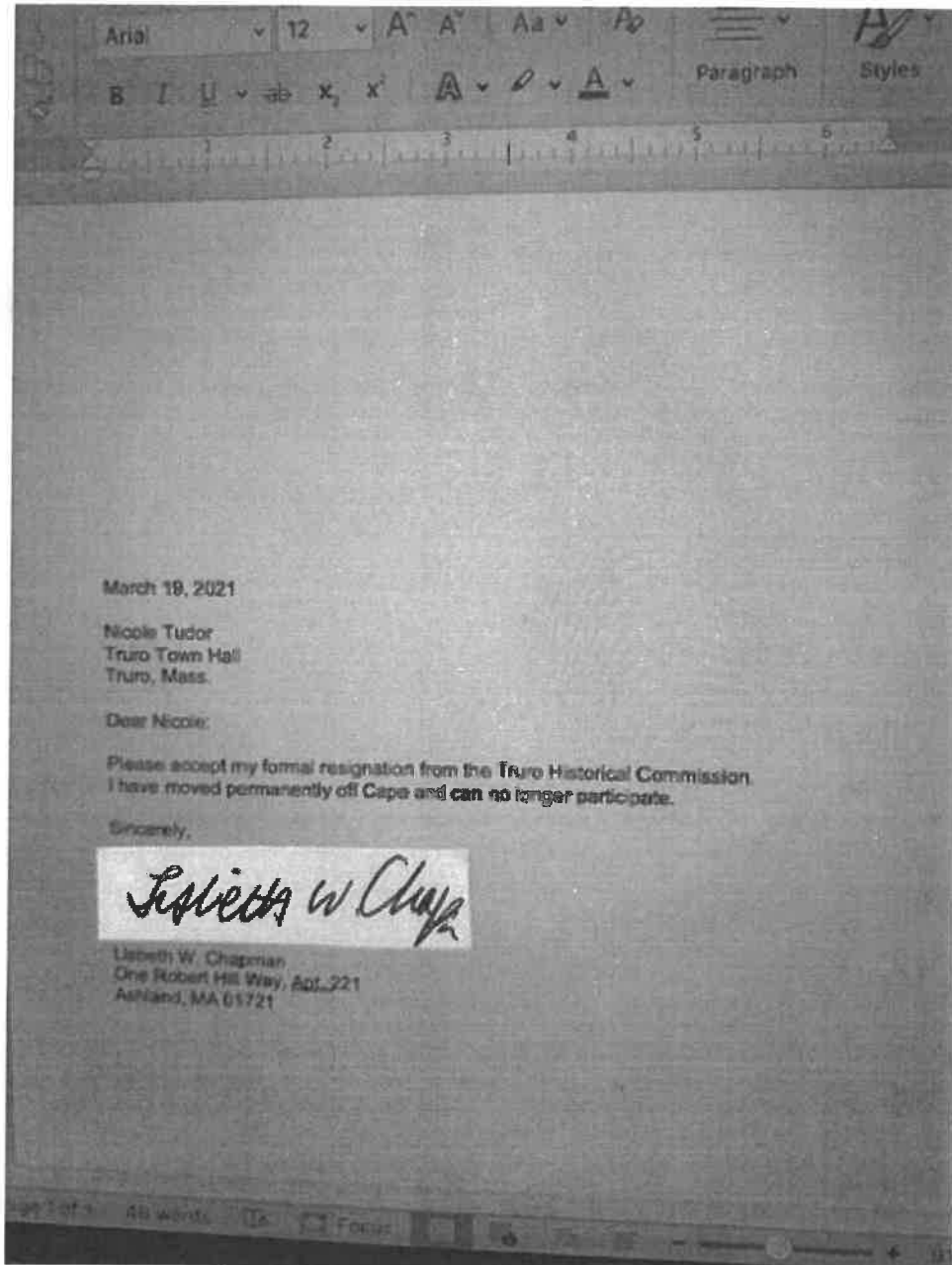
I'm pleased to forward the application of Amy Rolnick for the Historical Commission. Amy would fill the vacancy left when Beth Chapman moved from Truro and had to resign.

Chuck and I have both been in touch with Amy to learn more about her background and qualifications and to confirm her interest in serving. Amy has deep connections to Truro, and an interest in town matters generally and in Truro's heritage in particular. She also has experience in rehabilitating historic structures that would be beneficial to our work. We are pleased to recommend her highly for a seat on the Historical Commission.

Just let us--and Amy--know what further steps are required to put her application before the Select Board. Thanks for your help with this Nicole--

Matthew Kiefer
Chair, Truro Historical Commission
[REDACTED]

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



March 18, 2021

Nicole Tudor
Truro Town Hall
Truro, Mass.

Dear Nicole:

Please accept my formal resignation from the Truro Historical Commission. I have moved permanently off Cape and can no longer participate.

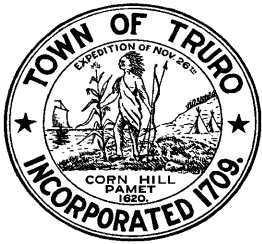
Sincerely,

Lisbeth W. Chapman
One Robert Hill Way, Apt. 221
Ashland, MA 01721

Office of Town Clerk
Treasurer - Tax Collector

MAR 19 2021

Received TOWN OF TRURO
By



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Application to Serve

EXPLANATION: Lynn Williamson has submitted an application to serve on the Truro Cultural Council. There is one full-member position available, and after appointment the Cultural Council will have a full complement of members. The Chair approves of this appointment.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: Applicant will not be able to participate on the Truro Cultural Council as a voting member.

SUGGESTED ACTION: *Motion to appoint Lynn Williamson to the Truro Cultural Council for a three-year term ending June 30, 2024.*

ATTACHMENTS:

1. Application to Serve and Chair's Approval



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

RCVD 2021 MAR 19 04:42
ADMINISTRATIVE OFFICE

NAME: Lynn Williamson HOME TELEPHONE: cell [REDACTED]

ADDRESS: 12 Priest Rd WORK PHONE: n/a

MAILING ADDRESS: PO 380 E-MAIL: [REDACTED]

FAX: _____ MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: TRURO Cultural Council

SPECIAL QUALIFICATIONS OR INTEREST: Retired nurse administrator
experience: application review, budgets, grant, strategic
planning, annual reports; accessibility.

Volunteer: BO Education strategic planning; non-profit fund
raising, scholarship committee- applications review.

COMMENTS: I believe change starts at local level. My hope for
Truro is environment where everyone is a life long
learner. I've benefited from Truro's rich cultural
opportunities: Sustainable Cape, Library, Payomet, Historical
Society to name a few.

SIGNATURE: Lynn Williamson DATE: 2/9/2021

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

I have worked with Lynn for several years & highly
recommend her as a strong addition to the Council.

SIGNATURE: [Signature] DATE: 3/15/21

INTERVIEW DATE: 2/15/21 APPOINTMENT DATE (IF APPLICABLE): _____

Noelle Scoullar

From: Angela Gaimari <[REDACTED]>
Sent: Wednesday, March 17, 2021 2:06 PM
To: Noelle Scoullar
Cc: Nicole Tudor
Subject: Re: Application to Serve-Truro Cultural Council

I approve! Thank you

On Wed, Mar 17, 2021, 12:58 PM Noelle Scoullar <nscoullar@truro-ma.gov> wrote:

Good Afternoon Angela!

We have an application to serve of the Truro Cultural Council from Lynn Williamson (attached). Please send your comments/approval and then I'll work to get this onto a Select Board agenda for appointment.

Thank you!
Noelle

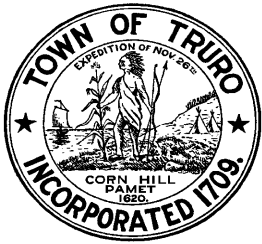
-----Original Message-----

From: scans@smtp.truro-ma.gov <scans@smtp.truro-ma.gov>
Sent: Wednesday, March 17, 2021 12:30 PM
To: Noelle Scoullar <nscoullar@truro-ma.gov>
Subject: Message from Mail Room KM_C458

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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Application to Serve-Board of Assessors

EXPLANATION: A vacancy has emerged on the three-member Board of Assessors for a term to expire June 30, 2022. Mr. Gaechter has submitted an application to serve on the Board of Assessors and, upon approval by the Select Board, will fill that vacancy until it expires on June 30, 2022. The Chair of the Board of Assessors has approved the application.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Board of Assessors will not have a full complement of three members, which could have impacts on meeting the quorum.

SUGGESTED ACTION: *Motion to Appoint Fred Gaechter to the Board of Assessors, filling an unexpired term which ends on June 30, 2022.*

ATTACHMENTS:

1. Application to Serve with Chair's comments.



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

RECEIVED 2021 APR 7 PM 1:07

ADMINISTRATIVE OFFICE
TOWN OF TRURO

NAME: Alfred Gaechter HOME TELEPHONE: [REDACTED]

ADDRESS: 12 Cormorant Road, N. Truro, MA WORK PHONE : N/A

MAILING ADDRESS: PO Box 729, N. Truro, MA 02652 E-MAIL: [REDACTED]

FAX: Same MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: _____

Board of Assessor's

SPECIAL QUALIFICATIONS OR INTEREST: My past positions on several Town Committees, including the Conservation Commission, and my service to several non-profits, e.g., Truro Conservation Trust and Outer Cape Health Services, has resulted in a working knowledge of Town land, properties, and houses that will help me on the Board. As an interest, I've always wanted to know much more about assessing.

COMMENTS: There is some synergy between serving on this Board, my current membership on both the Climate Change Action Committee and the Walsh Property Community Planning Committee, as well as my role as Chairman of the Truro Conservation Trust, which goes through several appraisals every year related to property acquisitions.

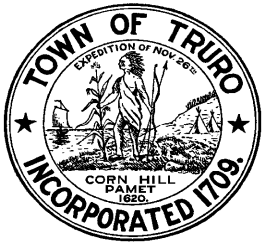
SIGNATURE: *Alfred Gaechter* DATE: April 6, 2021

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

I am delighted to welcome Fred Gaechter to the Truro Board of Assessors. Given Fred's many worthy civic contributions to Truro he will add a welcome addition to the Board.

SIGNATURE: *Alice Doleyn* DATE: 4/7/2021

INTERVIEW DATE: _____ APPOINTMENT DATE (IF APPLICABLE): _____



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Health Department

REQUESTOR: Emily Beebe, Health and Conservation Agent

REQUESTED MEETING DATE: April 13, 2021

ITEM: Update from the Health and Conservation Agent Emily Beebe

EXPLANATION: Health and Conservation Agent Emily Beebe will provide an update on Covid-19 and Vaccine distribution.

The eligibility schedule to receive the Covid-19 vaccine in Massachusetts is outlined below:

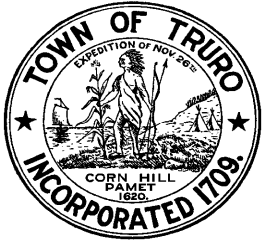
People who live or work in these categories can be vaccinated now:

LOW INCOME AND AFFORDABLE SENIOR HOUSING	CONGREGATE CARE SETTINGS	LONG TERM CARE FACILITIES
HEALTH CARE WORKERS	FIRST RESPONDERS	K-12 EDUCATORS, SCHOOL STAFF & CHILD CARE WORKERS
WORKERS IN CERTAIN CATEGORIES		

People in these age or medical categories are eligible now or soon:

PEOPLE AGE 75 AND OLDER	PEOPLE AGE 55-74	PEOPLE WITH 1+ CERTAIN MEDICAL CONDITIONS
PEOPLE WHO ARE HOMEBOUND	SOON: MONDAY, APRIL 19: PEOPLE AGE 16 AND OLDER	

SUGGESTED ACTION: Discussion only.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Tony Jackett, Harbor Master/Shellfish Constable

REQUESTED MEETING DATE: April 13, 2021

ITEM: Update on the Shellfish Department

EXPLANATION: Harbor Master/ Shellfish Constable Jackett will provide an update on the current status of the shellfish beds. He will note that Pamet Harbor is open until April 11th for soft shell clams only. Traditionally, shellfishing is closed the last Sunday in March. There is presently an abundance of soft-shell clams and so shellfishing for soft-shell clams only could continue until April 25th, the last Sunday in April.

SUGGESTED ACTION: Discussion only

ATTACHMENTS: None



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kristen Reed Vice-Chair and Susan Areson Clerk

REQUESTED MEETING DATE: April 13, 2021

ITEM: Committee Updates-Charter Review Committee and Finance Committee

EXPLANATION: The Charter Review Committee Chair, and Finance Committee Chair, Robert Panessiti 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:

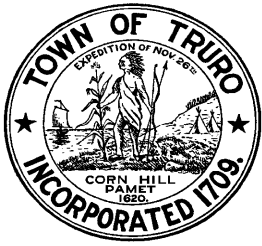
Goals for the next 12 months:

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: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: April 13, 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. 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	
Article 5: FY2022 Omnibus Budget Appropriation	
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	
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- Petitioned Article	
Article 10: Community Preservation Act SECTION 1: CONTRIBUTION TO THE AFFORDABLE HOUSING TRUST FUND SECTION 2: HOUSING CONSULTANT SECTION 3: PRESERVATION OF HIGHLAND HOUSE MUSEUM PERMANENT 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	
Article 11: Authorization to Transfer Town Property to the Truro Conservation Trust (Originally slated for 2020 Annual Town Meeting)	
Article 12: Accept Deed in Lieu of Foreclosure—135 South Pamet Road	
Article 13: 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 14: Amend General Bylaws, Chapter 3 Municipal Single-Use Plastic Bottle Ban (Originally slated for 2020 Annual Town Meeting—Modified after March 23, 2021 Meeting)	
Article 15: 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 16: Resolution in Support of Changing the State Flag & Seal of Massachusetts (Originally a 2020 Petitioned Article)	Select Board: 5-0-0
Article 17: Charter Amendment to Sections 3-1-1 and 6-4-2 (Originally a 2020 Petitioned Article)	
Article 18: Amend the Local Room Occupancy Excise Tax (Originally a 2020 Petitioned Article—Modified after March 16, 2021 Meeting)	
Article 19: 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)	
Article 20: Charter Amendment to Section 2-2-4 (Originally a 2020 Petitioned Article)	
Article 21: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit - Petitioned Article	
Article 22: Amend Zoning Bylaw §10.4 and §30.2 Food Truck Definition and Use and §30.9 Parking	
Article 23: Amend Zoning Bylaw §30.9 Parking, C. Off Street Parking Schedule	
Article 24: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, C. ADU Permit	
Article 25: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure	
Article 26: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure	
Article 27: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, D. Procedure	
Article 28: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, F. Findings of the Planning	
Article 29: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, H. Requirements for Tax Exemption and §10.4 Definitions	
Article 30: Amend Zoning Bylaw §70.3 Commercial Development	
Article 31: Amend Zoning Bylaw §70.4 Residential Development	
Article 32: Amend Zoning Bylaw §70.6 Recording of Decision	
Article 33: Amend Zoning Bylaw §70.9 Waiver of Site Plan Review	
Article 34: Amend Zoning Bylaw §40.6 Growth Management	
Article 35: Amendment to General Bylaws Ch 3—Add Municipal Single-Use Bottle Ban-Petitioned Article	
Article 36: Amendment to Charter Chap 3 & Chap 6—Make Zoning Board of Appeals	

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

All articles have been reviewed by Town Counsel, KP Law, for proper legal form. If the Board opts to not vote to recommend these articles tonight, they may opt to vote to recommend at a later meeting, however discussion on these articles is requested so that staff may make revisions to the Warrant or changes to the Annual Town Election date if the Board so requests. The articles needing guidance include:

- Article 9
- Article 14
- Article 18
- Article 19

In order for votes to recommend to be printed in the Warrant, the votes will need to be completed before the end of May. 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.

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 2020 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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 Article 19: To Establish an Affordable Housing Stabilization Fund and to Dedicate a Percentage of the Local Room Occupancy Excise Tax to Said Fund- Petitioned Article 36
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Article 38: Tax Transparency of Financial Articles in Excess of \$50,000.00- Petitioned Article 59

Article 39: Project Accounting & Quarterly Reporting on Total Expenditures over \$75,000.00- Petitioned Article 60

Article 40: Add New Section to General By-laws- Truro Clean Water Fund- Petitioned Article 61

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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

Message from State Senator Cyr

DRAFT

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			

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 fifty-five thousand, seven hundred ninety-eight dollars (\$21,663,538) 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	\$20,747,308
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
Transfer from Free Cash to Operating Capital (01013358)	\$220,000
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. This year’s Operating Budget includes the use of Free Cash as a funding source for the Operating Capital Budget (0103358), which includes such capital items as two (2) police cruisers, hydration stations and ice machine, a Fire/Rescue Department utility vehicle and Fire/Rescue Department extrication equipment. 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			

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			

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			

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			

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			

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			

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			

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			

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

PETITIONED FINANCIAL ARTICLES

Article 9: 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 Recommendation			
Select Board Recommendation			

DRAFT

COMMUNITY PRESERVATION ACT ARTICLES

Article 10: 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			
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			
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			
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			
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			
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			
Select Board Recommendation			
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			
Select Board Recommendation			
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			
Select Board Recommendation			
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			
Select Board Recommendation			
Community Preservation Committee Recommendation	6	0	0

DRAFT

LAND CONVEYANCE ARTICLES

**TWO-THIRDS
VOTE**

Article 11: 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			

Article 12: 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			

GENERAL BYLAW ARTICLES

Article 13: 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 14: 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			
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SELECT BOARD ARTICLES ORIGINATING FROM CITIZEN-PETITION

Article 15: 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 16: 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 17: 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			
Charter Review Committee Recommendation			

Article 18: 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			

DRAFT

**TWO-THIRDS
VOTE**

Article 19: 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			

TWO-THIRDS
VOTE

Article 20: 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 21: 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			
Planning Board Recommendation	0	6	0

DRAFT

**TWO-THIRDS
VOTE**

Article 22: 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			

DRAFT

**TWO-THIRDS
VOTE**

Article 23: 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			

**TWO-THIRDS
VOTE**

Article 24: 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			

**TWO-THIRDS
VOTE**

Article 25: 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			

TWO-THIRDS
VOTE

Article 26: 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			

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 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			

**TWO-THIRDS
VOTE**

Article 28: 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			

**TWO-THIRDS
VOTE**

Article 29: 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			

**TWO-THIRDS
VOTE**

Article 30: 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			

**TWO-THIRDS
VOTE**

Article 31: 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			

**TWO-THIRDS
VOTE**

Article 32: 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			

**TWO-THIRDS
VOTE**

Article 33: 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			

**TWO-THIRDS
VOTE**

Article 34: 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			

NEW PETITIONED ARTICLES

**Article 35: 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			
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TWO-THIRDS
VOTE

Article 36: 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 37: 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 38: 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			
Select Board Recommendation			

Article 39: 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 expenditure 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.

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			
Select Board Recommendation			

Article 40: 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			

Article 41: 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 42: 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 43: 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, MAY 11, 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, May 11, 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

DRAFT

APPENDIX A: OMNIBUS BUDGET- FISCAL YEAR 2022

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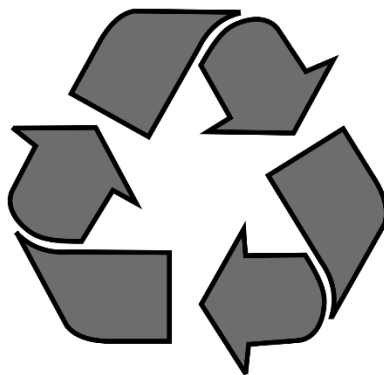
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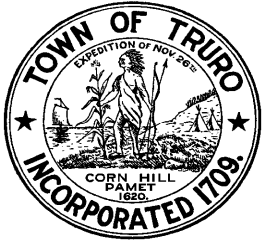
**APPENDIX B: CAPITAL IMPROVEMENT BUDGET OF PROJECTED CAPITAL NEEDS
FY2022- FY2026**

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Please consider recycling this document.





TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: April 13, 2021

ITEM: Annual Town Election Date

EXPLANATION: At the March 16, 2021 Select Board meeting, the Board voted to hold to the Annual Town Meeting on June 26, 2021. At that time there were no ballot questions planned for the Annual Town Election, and as such, the Election could be held prior to Town Meeting. Upon Town Counsel's review of the Town Meeting articles, Town Counsel noted that the Select Board could make a motion relative to Article 9 to raise and appropriate the sum contingent on an override vote. To do this, the Board will need to include a ballot question on the Annual Election Ballot or hold a special election.

Ballot questions must be added by a vote of the Select Board a minimum of 35 days before the election per MGL Chapter 54, Section 42c. Presently the Annual Town Election is scheduled for May 11, 2021 which is less than 35 days from today. The Select Board may either: (1) vote to move the Election under House Bill 73 "An Act Further Providing for Early Voting By Mail" which allows municipalities to postpone a municipal election currently scheduled to be held before June 30, 2021 to a date as late as August 1, 2021, or (2) call a special municipal election to be held by September 15, 2021. It is important to note that a special election would incur additional costs and would present an additional opportunity for COVID-19 transmission.

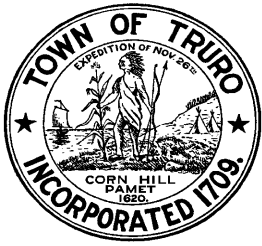
If the Board chooses to postpone the Annual Town Election and to add the ballot question related to Article 9, the recommended date for the Annual Town Election is June 29, 2021. If the Board chooses to wait until Town Meeting is held to determine if a special election should be held, the special election will need to be called for a date certain before September 15, 2021 by Select Board. A special election costs roughly \$4,200 for staffing, ballot printing, and voting by mail.

FINANCIAL SOURCE (IF APPLICABLE): Annual Town Elections are budgeted in 0162 Election/Registrar/Census budget. A Special Town Election was not budgeted for FY21 or FY22 and will likely require a Reserve Fund Transfer.

IMPACT IF NOT APPROVED: If not approved at tonight's meeting, the Election will have to be held on May 11, 2021 in accordance with the Town Charter 3-2-1.

SUGGESTED ACTION: *MOTION TO postpone the May 11, 2021 Annual Town Election to Tuesday, June 29, 2021 and to add a ballot question related to Article 9: Fund a Childcare Voucher Program that would allow voters to approve an override in the amount of \$150,000 for the purposes of early education and care.*

ATTACHMENTS: NONE



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: April 13, 2021

ITEM: Discussion regarding American Rescue Act Funds Cape Cod Distribution

EXPLANATION: President Biden's American Rescue Plan Act includes a State and Local Fiscal Recovery Fund to support state and local governments in addressing the unprecedented strain in the wake of the COVID-19. Preliminary estimates show that Truro will receive \$198,100 in direct funding, as funding is based on 2019 U.S. Census Population Data. Barnstable County is estimated to receive \$41,307,281.

With anecdotal knowledge that Truro has many more year-rounders living in Truro since the pandemic began and when considering that seasonal influxes were not necessarily considered when the funding calculations were made, it is critical for Truro to advocate for the County to use or distribute the funds in an appropriate way. Staff recommends that a member of the Select Board work with Town staff to develop recommended actions that may include a letter directed to the County Commissioners, representation at a County Commissioners meeting, or a proposed sub-committee to determine the best uses for the County's robust allocation of American Rescue Act Funds. The Select Board member and Town Manager Tangeman would present these recommended actions and supporting documents (letters, key issues to advocate for, etc.) at a subsequent meeting for the Board to discuss.

The Board is asked to share any feedback or ideas they have to inform the work of the Select Board member and Town staff.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Board will not advocate for use of the County's allocation of American Rescue Plan Act Funds in a way that best benefits Truro.

SUGGESTED ACTION: *MOTION TO authorize {insert Board Member's name here} to work with the Town Manager and staff to bring recommendations for action(s) regarding the American Rescue Act Funds distribution to the Select Board at a future meeting date.*



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Select Board

REQUESTOR: Jan Worthington, Select Board

REQUESTED MEETING DATE: April 13, 2021

ITEM: Review and Approve Proclamation for Retired Town of Truro Employee Jackie Mastrianna

EXPLANATION: The Truro Select Board would like to honor Jacquelyne “Jackie” Mastrianna for 40 years of dedicated service to the Truro Police Department with a Proclamation for her role as Administrative Assistant, Records Clerk, Firearms Licensing Agent, Computer Systems Manager, Leaps Representative, and Telecommunicator.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: There will be no proclamation for Jackie Mastrianna.

SUGGESTED ACTION: ***MOTION TO** approve and sign the proclamation for Jacquelyne “Jackie” Mastrianna for her 40 years of dedicated Service to the Truro Police Department.*

ATTACHMENTS:

1. Proclamation for Jackie Mastrianna

TOWN OF TRURO

Proclamation On The Occasion Of Jackie Mastrianna Retiring As Administrative Assistant from the Truro Police Department

WHEREAS, Jacquelyne Mastrianna, has been the Administrative Assistant and worked for the Town of Truro for the past 40 years, and is deserving of recognition for duty, reliably & dependably performed; and

WHEREAS, Jacquelyne Mastrianna, has served the Truro community with integrity, compassion, and the highest level of professionalism. She is a skilled and resourceful team member who has consistently demonstrated a commitment to the town's citizens, as well as her fellow department members and town staff. Throughout her career, Jackie has shown a genuine desire to help others. She is admired by all for her thoughtfulness, strong work ethic, and devotion to public service; and

WHEREAS, Jacquelyne Mastrianna, has worked effortlessly and faithfully with the Truro Police Chief, Truro Police Staff and Telecommunicators, Citizens of Truro, Truro Select Board and Committee members, Elected Officials, and Truro Employees for the general public health, safety and comfort of this community; and

WHEREAS, Jacquelyne Mastrianna, was integrally involved as the Police Department Records Clerk, Firearms Licensing Agent, Computer Systems Manager, and Leaps Representative, and Telecommunicator; and

PROCLAIMED by the Truro Select Board Tuesday, April 13th, 2021 as Jackie Mastrianna Day, is hereby recognized and commended for her many years of dedicated public service to the citizens of the Town of Truro; and

NOW, THEREFORE, BE IT KNOWN that we, the Select Board of the Town of Truro offer our sincerest appreciation and congratulations and express our very best wishes for health, happiness and continued success in all endeavors.

Robert Weinstein, Chair

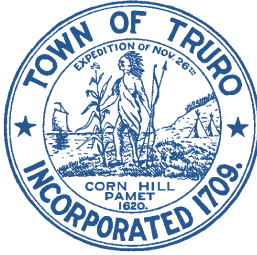
Kristen Reed, Vice-Chair

Susan Areson, Clerk

Jan Worthington

Stephanie Rein

Signed on this Thirteenth Day of April in the Year of our Lord Two Thousand and Twenty-One.
Select Board of the Town of Truro, Massachusetts



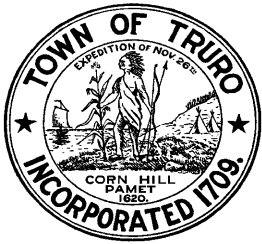
TOWN OF TRURO

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 and Authorize Signature:
 1. *Lower Cape Cod Community Development Corp. with Town of Truro-Housing Rehab*
- B. Review and Approve 2021 Business Licenses: Top Mast Café-Common Victualer, North of Highland Camping Area and North Truro Camping Area-Transient Vendor, and Avenue D-Common Victualer License
- C. Review and Approve One-Day Entertainment Licenses: Truro Vineyards
- D. Review and Approve Application for Entertainment License: 20 Summers
- E. Review and Approve Avenue D Renewal of 2021 Alcohol License
- F. Review and Approve Avenue D Renewal and Approval of Use of Outdoor Area
- G. Review and Approve Reappointment of Michael Kaelberer to the Truro Board of Registrars
- H. Review and Authorize the Chair to Sign Membership Application for the Cape & Vineyard Electric Cooperative, Inc.
- I. Review and Approve Select Board Minutes: February 16, 2021 and February 23, 2021



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: April 13, 2021

ITEM: Contract for FY20 CDBG Housing Rehab Sub-Grantee Contract

EXPLANATION: Attached for your review, approval and authorization for the Chair to sign, is the award of a contract to Lower Cape Community Development Corporation, dba Cape CDP, for the FY20 CDBG Housing Rehabilitation contract.

You will note that there were two bidders* to the RFP issued by Bailey Boyd Associates. The Town currently works with this company and their work has been exceptional. Bailey Boyd Associates recommends that the Truro Select Board award the FY20 CDBG Housing Rehabilitation contract to The Lower Cape Community Development Corporation.

*Pink & Co. dba Anser Advisory's price was \$149,775.

They have "0" traditional DHCD housing rehab experience but they do have DHCD NSP (Neighborhood Stabilization Program) experience. They usually work on a much larger scale renovating large projects, many urban, from \$2.6 - \$46.4 million.

FINANCIAL SOURCE (IF APPLICABLE): Funding through the CDBG program through an agreement with the Massachusetts Department of Housing and Community Development ("DHCD").

IMPACT IF NOT APPROVED: The funding from DHCD cannot be utilized until the Housing Rehabilitation Services contract is in place.

SUGGESTED ACTION: *MOTION TO approve the contract with Lower Cape Community Development Corporation (Cape CDP) for professional services for the FY20 CDBG Housing Rehabilitation Sub-Grantee Contract, and to authorize the Chair to sign.*

ATTACHMENTS:

1. Alice Boyd Grant Administrator Memorandum
2. CDP and Truro Agreement



MEMORANDUM

TO: DARRIN TANGEMAN, TRURO TOWN MANAGER
FROM: ALICE BOYD, GRANT ADMINISTRATOR *AWB*
CASSIE BOYD MARSH, GRANT ADMINISTRATOR
RE: FY20 TRURO HOUSING REHAB PROCUREMENT
DATE: MARCH 31, 2021

On Monday, March 29, 2021 at 2:00 PM the RFP responses for the Truro housing rehab subgrantee were due at our office. The bid opening was witnessed and recorded. The RFP used is the approved template provided by DHCD and will be monitored by them and Town of Truro auditors.

This year there were two bidders, the Lower Cape Community Development Partnership (CDP) of Eastham, MA, and Anser Advisory of Boston, MA.

The Housing Rehab RFP follows MA 30B, the Uniform Procurement Act, requiring an individually sealed "Technical Proposal" and a separate individually sealed "Price Proposal". This is specifically required in 30B and spelled out on page 2 and 3, 3C. and 3D. of the Truro Housing Rehab RFP.

The Lower Cape Community Development Partnership bid was found to be responsive and scored Highly Advantageous. The Anser Advisory bid was deemed to be non-conforming as the price proposal was not in a separate, sealed envelope as required in the RFP.

It is therefore our recommendation that the FY20 Truro Housing Rehab subgrantee contract be awarded to The Lower Cape Community Development Partnership (Cape CDP). The contract amount is \$169,000 for program delivery and \$830,500 for housing rehab loans.

I will draw up contracts with your approval.

References:

The Chapter 30B Manual, Legal Requirements, Recommended Practices, and Sources of Advice for Procuring Supplies, Services and Real Property. Commonwealth of Massachusetts Office of the Inspector General, 2011. Page 52.

"Proposal submission requirements. The RFP must specify when (date and time) and where sealed proposals must be delivered. You must require proposers to submit separate sealed price and non-price (or technical) proposals."

Truro RFP for Housing Rehabilitation Services

Pg 2 3c.

- C. Each proposal shall be submitted in a sealed envelope with the following marked on the outside: **"Proposal for 2020 CDBG – Truro Housing Rehabilitation Project." The proposal must be submitted in two individually sealed sections.** One section shall contain the completed "Price Proposal Form," and shall be entitled, "Price Proposal." The second section shall contain the rest of the proposal including complete answers to all evaluation questions, and shall be entitled, "Technical Proposal." All references to the proposal price shall be submitted on the form provided, with the proposal, but in a separate, sealed envelope marked "Price Proposal." No references to price shall be contained in the "Technical Proposal".
- D. **If the proposal is mailed, the Proposer shall enclose his/her sealed proposal in an outer envelope** and address it as follows:

AGREEMENT

BY AND BETWEEN

TOWN OF TRURO

AND

THE LOWER CAPE COD COMMUNITY DEVELOPMENT CORPORATION DBA COMMUNITY DEVELOPMENT PARTNERSHIP

THIS AGREEMENT, was made as of the 1st day of May, 2021 by and between the Town/City of Truro, Massachusetts (hereinafter referred as the MUNICIPALITY) and The Lower Cape Cod Community Development Corporation DBA Community Development Partnership hereinafter referred to as the CONSULTANT).

WITNESSETH THAT:

WHEREAS, the MUNICIPALITY of Truro has entered into an agreement with the Commonwealth of Massachusetts' (hereinafter "Commonwealth") Department of Housing and Community Development (hereinafter "DHCD"), Massachusetts Community Development Block Grant Program (hereinafter "Mass. CDBG") to undertake a community development program of housing rehabilitation and childcare subsidies (hereinafter "Program") pursuant to the Housing and Community Development Act of 1974 (hereinafter "Act"), as amended, and regulations thereunder, and

WHEREAS, professional services relating to the implementation and administration of the Program are sought to assist the MUNICIPALITY in the timely achievement of its Mass. CDBG Grant Program objectives.

NOW, THEREFORE, THE PARTIES HERETO DO AGREE AS FOLLOWS:

1. **ENGAGEMENT OF CONSULTANT:** The MUNICIPALITY hereby engages the CONSULTANT to perform the services set forth herein and the CONSULTANT hereby accepts the engagement.

2. **SCOPE OF SERVICES:** The CONSULTANT shall perform the necessary services as described in the approved proposal to the MUNICIPALITY of Truro, which is attached hereto and incorporated by reference herein as Attachment A as may be amended from time to time.

3. **RESPONSIBILITY OF THE MUNICIPALITY:** The MUNICIPALITY shall assume responsibility for assisting the CONSULTANT insofar as possible for the purpose of efficiency and furnishing the CONSULTANT with information needed to satisfactorily complete the services.

3.1 The MUNICIPALITY shall designate a project representative authorized to work with the CONSULTANT with respect to the project. The MUNICIPALITY'S representative is Alice Boyd, Grant Administrator, TELEPHONE 508-430-4499 x1.

4.1 **REPORTING:** The CONSULTANT will submit written reports to the MUNICIPALITY on the status of the professional services, according to the schedule and dates specified below, or at other times as required by an information request or reporting requirement of Mass. CDBG.

REPORT: Quarterly Reports
DATE DUE: Ten Days after the close of each quarter

5. SUBCONTRACTS: No subcontracts may be awarded by the CONSULTANT, the purpose of which is to fulfill in whole or in part the services required of the CONSULTANT, without prior written approval of the MUNICIPALITY and DHCD.

The CONSULTANT shall use its best efforts to ensure that it will not knowingly use funds under this contract to purchase, or enter into contracts to purchase, any equipment, services, or systems that use telecommunications equipment or services as a substantial or essential component of a system that is subject to 2 CFR § 200.216. In the event the CONSULTANT identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system that is subject to 2 CFR § 200.216, during Contract performance, the CONSULTANT shall alert the MUNICIPALITY as soon as possible and shall provide information on any measures taken to prevent recurrence.

6. TIME OF PERFORMANCE: The services of the CONSULTANT are to commence on or about May 1, 2021 and shall be undertaken and completed in sequence as to assure their expeditious completion.

6.1 All services required hereunder shall be completed by June 30, 2022.

7. PAYMENTS AND COMPENSATION: The MUNICIPALITY will pay the CONSULTANT a total fee in amount not to exceed One Hundred Sixty Nine Thousand Dollars (\$169,000), with no reimbursements for out-of-pocket expenses, and Eight Hundred Thirty Thousand Five Hundred Dollars for housing rehabilitation loans based on invoices submitted in a form approved by the MUNICIPALITY and according to the "Method and Schedule of Compensation," found as Attachment B.

8. GENERAL PROVISIONS:

8.1 RETENTION OF RECORDS: The CONSULTANT shall maintain in accordance with 2 CFR Part 200.333, and any Mass. CDBG regulations, procedures or guidelines, those books, records, and other documents, including but not limited to payroll records, and purchase orders that are sufficient to document that activities carried out were in accordance with this Agreement, and the primary objectives of the Act, and any other applicable laws and regulations. Such records shall contain all information pertaining to grant awards, authorizations, obligations, unobligated balances, assets, liabilities, outlays and income. The CONSULTANT shall maintain such records for a period of seven (7) years from the date of expiration of this Agreement, or if such records become the subject of audit findings, they shall be retained until such findings have been resolved, whichever is later.

8.1.1 Program Income: If the CONSULTANT's services under this Agreement includes the tracking, reporting, or utilizing of funds considered to be program income, CONSULTANT will track, report and utilize any and all such program income generated through CDBG funded activities as required by Mass. CDBG.

8.1.1. Photographic Documentation (for construction projects only): CONSULTANT shall submit photographs to the MUNICIPALITY of all construction projects assisted with CDBG funds, illustrating conditions prior to, during, and at completion of the project. Photographs are to be submitted at the time of project completion.

8.2 ACCESS TO RECORDS: The CONSULTANT shall make all books, accounts, records, reports, files, and other papers, things or property, that relate to its activities under this Agreement, available at all reasonable times for inspection, review, and audit by DHCD, their authorized representatives, authorized representatives of the U.S. Department of Housing and Urban Development (hereinafter "HUD"), the Inspector General of the United States, or of the Commonwealth, the Auditor of the Commonwealth, and the Attorney General of the United States, or of the Commonwealth reserves the right of the Governor or his designee, the Secretary of Administration and Finance, and the State Auditor and his designee, at reasonable times and upon reasonable notice, to examine the books, records, and other compilative data of the CONSULTANT which pertain to the performance of the provisions and requirements of this Agreement, as provided by Executive Order 195.

8.3. TERMINATION: The MUNICIPALITY may terminate the contract, for cause, upon fifteen (15) days written notice to the CONSULTANT. In case of termination, all finished and unfinished documents and records of the CONSULTANT relating to the Program shall become the property of the MUNICIPALITY. This Section 8.3 of this Agreement shall be superseded by federal HUD regulations and directives which outline provisions for termination for convenience and for termination in whole or in part pursuant to 2 CFR § 200.340.

8.3.1 In the event of termination, the CONSULTANT will be compensated for services provided to the date of termination, according to the "Method and Schedule of Compensation," Attachment B.

8.4 AMENDMENTS: This Agreement may be amended provided such amendment is in writing and executed by the parties to this Agreement and receives approval from DHCD prior to its effective date.

8.5 NON-DISCRIMINATION: The CONSULTANT shall adhere to the requirements set forth in Title VI of the Civil Rights Act of 1964 (Public Law 88-352), and the regulations issued pursuant thereto by HUD; Title VIII of the Civil Rights Act of 1968 (Public Law 90-284), as amended; section 109 of the Housing and Community Development Act of 1974, and the HUD regulations issued pursuant thereto (24 CFR 570.601); Federal Executive Order 11063, as amended by Executive Order 12259 and the HUD regulations issued pursuant thereto (24 CFR 107); The Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); Section 402 of the Veterans of the Vietnam Era Act (for projects of \$10,000 or more); Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); Massachusetts General Laws Chapter 151B Section 1 et seq.; State Executive Order 478; Mass. CDBG regulations, procedures or guidelines; and all other applicable federal and state laws, regulations, guidelines and executive orders.

The CONSULTANT shall not discriminate against any employee or applicant for employment because of race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, status as a veteran or any other basis prohibited by law. The CONSULTANT shall take affirmative action to ensure that qualified applicants for employment are employed, and that employees are treated during employment, without regard to their race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, status as a veteran or any other basis prohibited by law. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONSULTANT shall post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this non-discrimination clause. The CONSULTANT shall state that all qualified applicants will receive consideration for employment without regard to race, color, religious creed, national origin, sex, gender identity, sexual orientation, genetic information, ancestry, status as a veteran or any other basis prohibited by law.

8.6 PROCUREMENT STANDARDS: The CONSULTANT shall adhere to the requirements set forth in and Mass. CDBG regulations or the Massachusetts CDBG Program Operations Manual, as applicable, as well as procedures and guidelines with respect to standards governing procurement, and any applicable provisions of Commonwealth laws and regulations relative thereto, including Chapter 30, section 39M; Chapter 149, section 44A through 44J; Chapter 484 of the Acts of 1984; and Chapter 30B. All procurement transactions without regard to dollar value shall be conducted in a manner that provides maximum free and open competition. It is national and state policy that the recipient takes affirmative steps to award a fair share of contracts taken to assure that small and minority owned businesses are utilized when possible as sources of supplies, equipment, construction and services. The CONSULTANT shall maintain records sufficient to detail the process for procurement.

8.7 Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11478, "Further Amendments to Executive Order 11478, Equal Employment Opportunity in the Federal Government, and Executive Order 11246 Equal Employment Opportunity," and implementing

regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

8.8 EMPLOYMENT OPPORTUNITIES: Where applicable, the CONSULTANT shall comply with provisions of Section 3 of the Housing and Community Development Act of 1968 (12 U.S.C. 1701u) and the HUD regulations issued pursuant thereto (24 U.S.C. 135), which shall serve as guidance for the implementation of said section.

8.9 FAIR HOUSING: In addition to the laws and regulations set forth herein with respect to ensuring fair housing opportunities, the CONSULTANT shall adhere to the provisions of State Executive Orders 215 and 526.

8.10 LABOR STANDARDS: Where applicable, the CONSULTANT shall adhere to the provisions of Section 110 of the Act, and the Massachusetts General Laws Chapter 149 sections 26 to 27D inclusive (as amended by Chapter 484 of the Acts of 1984). In the case of the rehabilitation of commercial property, or rehabilitation of residential property designed for residential use of eight or more families, the CONSULTANT shall adhere to the Federal Labor Standards Provisions (HUD Handbook 1344.1), the requirements of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327 et. seq.) and the Copeland Anti-Kickback Act.

8.11 CONFLICT OF INTEREST: The CONSULTANT shall adhere to the mandates of the Massachusetts Conflict of Interest Statute, M.G.L. c.268A, the federal Conflict of Interest Provisions at 24 CFR 570.489 and the federal Hatch Act, 5 U.S.C. ss 1501 et seq.

8.12 DOMESTIC PREFERENCES FOR PROCUREMENTS: Pursuant to 2 CFR § 200.322, the CONSULTANT should, to the greatest extent practicable under this Agreement and as appropriate and to the extent consistent with law, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The CONSULTANT shall include this requirement in agreements with subgrantees, including all contracts and purchase orders for work or products under this Agreement.

8.13 COMPLIANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS, AND CDBG REGULATIONS, PROCEDURES, AND GUIDELINES: All activities authorized by this Agreement shall be subject to and performed in accordance with the provisions of the MUNICIPALITY’s Grant Agreement with DHCD and all its attachments (including, where relevant, Section 4.14, Flood Disaster Protection, 4.15, Historic Preservation, 4.16, Additional Environmental Requirements, 4.17, Lead Paint Hazards, and 4.18 Relocation Assistance), all applicable federal, state, and local laws and regulations, including but not limited to any applicable regulations issued by HUD published in 24 CFR Part 570, as may be amended from time to time. The CONSULTANT shall comply with the provisions of 2 CFR Part 200, “Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards,” and all applicable State and local laws and regulations, including but not limited to those specifically stated herein, any additional regulations, procedures or guidelines as may be established or amended by DHCD.

9. AVAILABILITY OF FUNDS: The compensation provided by this Agreement is subject to the continued availability of federal funds for Mass. CDBG, and to the continued eligibility of the Commonwealth and the MUNICIPALITY to receive such funds.

10. INDEMNIFICATION: The CONSULTANT shall indemnify, defend, and hold the MUNICIPALITY harmless from and against any and all claims, demand, liabilities, actions, causes of actions, cost and expenses caused by or arising out of the CONSULTANT’s breach of this Agreement or the negligence or misconduct of the CONSULTANT, or the agents or employees.

11. LICENSES: The CONSULTANT shall procure and keep current any licenses, certifications, or permits required for any activity to be undertaken as part of the Scope of Services, Attachment A, as required by federal, state or local laws or regulations, and shall comply with the provisions of 2 CFR Part 200.325 with respect to any bonding or other insurance requirements.

12. CONFIDENTIALITY: The CONSULTANT will protect the privacy of, and respect the confidentiality of information provided by, program participants, the MUNICIPALITY, and DHCD, consistent with applicable federal and Commonwealth laws and regulations, including M.G.L., C. 66A, regarding access to public records, M.G.L. c. 93H; M.G.L. c. 66 sec. 17A and any applicable regulations, including without limitation, 801 CMR 3.00: Privacy and Confidentiality and 201 CMR 17.00: Standards for the Protection of Personal Information of Residents of the Commonwealth.

The CONSULTANT certifies that the CONSULTANT has reviewed and shall comply with all information security programs, plans, guidelines, standards and policies that apply to the work to be performed under this Agreement, that the CONSULTANT shall communicate these provisions to and enforce them against its subcontractors, and that the CONSULTANT shall implement and maintain any other reasonable and appropriate security procedures and practices necessary to protect personal information to which the CONSULTANT is given access as part of this Agreement, from unauthorized access, destruction use, modification, disclosure, or loss.

The CONSULTANT understands and agrees that only those individuals who must access personal data for the performance of their job duties under CDBG are authorized to access such personal data. These authorized individuals shall not use or disclose this data for purposes other than those required to fulfill their job duties under CDBG. Pursuant to the above, the CONSULTANT acts as a holder of personal data and the CONSULTANT certifies that it and its authorized employees shall comply with all Federal and State laws and regulations applicable to the data, including but not limited to M.G.L. c. 66A, M.G.L. c. 93H, and M.G.L. c. 66 sec. 17A. The MUNICIPALITY and the CONSULTANT shall not use any of the foregoing data for any purpose described in Section 603(d)(1) of the federal Fair Credit Reporting Act (15 U.S.C. § 1681a(d)(1)) or in any manner that would cause DHCD, the MUNICIPALITY, or the CONSULTANT to be considered a "consumer reporting agency" under Section 603(f) of the federal Fair Credit Reporting Act (15 U.S.C. § 1681a(f)).

13. COPYRIGHT: No material prepared in whole or in part under this Agreement shall be subject to copyright in the United States of America or in any other country except with the prior written approval of Mass. CDBG.

14. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT: If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the MUNICIPALITY or the CONSULTANT wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the CONSULTANT will comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

15. CLEAN AIR ACT (42 U.S.C. 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. 1251-1387), AS AMENDED: If the amount of the contract or subgrant exceeds \$150,000, the CONSULTANT agrees to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency.

16. ENERGY POLICY AND CONSERVATION ACT (42 U.S.C. 6201): Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan must be issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6201).

17. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689): A contract (see 2 CFR 180.220) must not be made with parties listed on the government-wide Excluded Parties List System in the System for Award Management (hereinafter "SAM"), in accordance with the United States Office of Management and Budget guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR Part 1986 Comp., p. 189) and 12689 (3 CFR Part 1989 Comp., p. 235), "Debarment and Suspension." The Excluded Parties List System in SAM contains the names of parties debarred, suspended, or otherwise excluded by agencies, as

well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. The MUNICIPALITY is not currently debarred or suspended by the federal or state government under any law or regulation. The CONSULTANT certifies that neither it nor any of its subcontractors are currently debarred or suspended by the federal or state government under any law or regulation.

18. BYRD ANTI-LOBBYING AMENDMENT (31 U.S.C. 1352): Contractors, including both the MUNICIPALITY and the CONSULTANT, that request or receive an award of \$100,000 or more must file the required certification set out in Appendix A to 45 CFR Part 93. Each tier must certify to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award. The CONSULTANT shall herewith provide the MUNICIPALITY the certification set out in Appendix A to 45 CFR Part 93.

19. CLOSEOUT: The CONSULTANT shall follow such policies and procedures with respect to close-out of any associated grant as may be required by Mass. CDBG.

20. CERTIFICATE OF TAX COMPLIANCE: The following Certificate of Tax Compliance must be completed and submitted as part of this Agreement:

Certificate of Tax Compliance	
Pursuant to Massachusetts General Laws, Chapter 62C, Section 49A, I certify under the penalties of perjury that to the best of his/her knowledge and belief I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.	
Contractor: By: _____	_____
(signature of authorized representative & title)	(date)

21. SEVERABILITY: If any provision of this Agreement is held invalid, the remainder of this Agreement shall not be affected thereby, and all other parts of this Agreement shall nevertheless be in full force and effect.

IN WITNESS THEREOF, the MUNICIPALITY and the CONSULTANT have executed this AGREEMENT under seal in triplicate as of the date above written.

Approvals and Signatures

By: TOWN/CITY OF TRURO:	By: CONSULTANT
Authorized Signatory _____ Date _____	name _____ Date _____
<u>Certification as to Availability of Funds:</u>	<u>Approval of Contract as to Form:</u>
Town/City Accountant _____ Date _____	Town Counsel/City Solicitor _____ Date _____
Town/City Procurement Officer _____ Date _____	

ATTACHMENT A:

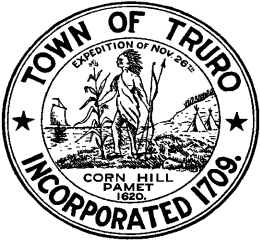
HOUSING REHABILITATION SCOPE OF SERVICES

The Sub-grantee shall perform the necessary project implementation services as presented in the Town's FY 20 CDBG Grant Application. These professional services will include:

- Oversight of all aspects of the housing rehabilitation program
- Preparation and on-time submission of all quarterly report documentation with photographs
- Preparation and submission of monthly draw down on the first day of each month based on invoices in hand
- Beneficiary qualification and full income documentation
- Individual environmental reviews of each property
- Procurement of federal lead paint risk assessor
- Procurement of licensed construction supervisor/rehabilitation specialist
- Qualifying and oversight of all contractors
- Completion of each project in a timely fashion
- Preparation of extensions to contracts when necessitated
- Contracting with homeowners
- Work write-ups, progress inspections, final inspections meeting DHCD requirements
- Processing of payment requests to contractors
- Management of construction escrow account in accordance with DHCD requirements
- Maintenance of all program files in accordance with DHCD guidelines
- Participation in DHCD program monitorings
- Coordination and monitoring with Grant Administrator
- Monthly reconciliation of housing rehab escrow account with Grant Administrator
- Consistent coordination with local Weatherization Assistance Program regarding cross-referral, cost sharing and joint scheduling of projects.
- Provide "before" and "after" photographs of each project.
- Timely completion of agency audit
- Participation in the "paperless" grant management process
- Weekly update of the program Matrix
- Maintain all program files on Dropbox with original signatures maintained in hard copy
- Creation and collection of windshield surveys, wait lists and application support materials
- All other responsibilities as itemized in the RFP and Bidder's Response

ATTACHMENT B: METHOD & SCHEDULE OF COMPENSATION

Compensation shall be provided on a cost reimbursement basis as stipulated by line item in the approved grant agreement. Invoices must be sent with all back up to the Grant Administrator on the first day of each month. Compensation relies upon the receipt of drawdowns from the funding source and payment via the Town fiscal office.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Approval of 2021 Seasonal License Renewals: Top Mast Café (209 Shore Road), North of Highland Camping Area (52 Head of the Meadow Rd), Avenue D (14 Truro Center Rd Unit C), North Truro Camping Area (46 Highland Road)

EXPLANATION: There are three 2021 seasonal license renewal applications and supporting documentation for review and approval by the Select Board as the Local Licensing Authority. There were no reported issues with these establishments in 2020. The Health Department License for Top Mast Café was issued 3/22 and 3/25/2021, Avenue D 4/2/2021, North of Highland Campground 4/1/2021 and North Truro Camping Area, 4/1/2021. If you approve these for renewal, the licenses will be issued only upon compliance with all regulations and upon receipt of the necessary documents and fees.

Mass General Law	Licenses & Permits Issued by Select Board	Names of Businesses
Chapter 140 §2	Common Victualer-Cook, Prepare & Serve Food	Top Mast Café Avenue D
Chapter 101 §2	Transient Vendor	North of Highland Camping Area North Truro Camping Area

IMPACT IF NOT APPROVED: The licenses will not be issued.

SUGGESTED ACTION: MOTION TO approve a 2021 Seasonal Common Victualer (food) for Top Mast Café and Avenue D, and North of Highland Camping Area and North Truro Camping Area Transient Vendor Licenses upon compliance with all regulations and receipt of the necessary documents and fees.

ATTACHMENTS:

1. Renewal Application for 2021: Top Mast Café
2. Renewal Application for 2021: Avenue D
3. Renewal Application for 2021: North of Highland Camping Area
4. Renewal Application for 2021: North of Truro Camping Area

Smoke exp: 12/22/21

Consent Agenda Item: 7B1

FS# 2021-067

HEALTH DEPARTMENT
TOWN OF TRURO

DEC 23 2020

RECEIVED BY:



Town of Truro
Board of Health

24 Town Hall Road, P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 131 Fax: 508-349-5508
Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

APPLICATION FOR FOOD SERVICE – COMMON VICTUALER

New Renewal

RCVD 2021 MAR 23 PM 02:04
ADMINISTRATIVE OFFICE
TOWN OF TRURO

Section 1 – License Type

Type of License: Food Service Common Victualer

Type of Food Service Establishment:

- Food Service (restaurant or take out)
- Retail Food (commercially prepared foods)
- Residential Kitchen
- Bed & Breakfast w/Continental Breakfast
- Catering
- Manufacturer of Ice Cream/Frozen Dessert
- Bakery

Section 2 – Business/Owner/Manger Information

Federal Employers Identification Number (FEIN/SS) [REDACTED]

Business Name: Top Mast Resort--dba Top Mast Cafe

Owner Name: Silva Family Heritage Trust Email Address: vacation@topmastresort.com

Mailing Address: P.O. Box 44, N. Truro, MA 02652

Phone No: [REDACTED]

Person Directly Responsible for Daily Operations: (Owner, Person In Charge, Supervisor, Manager)

Name: Jason Silva Email Address: [REDACTED]

Mailing Address: P.O. Box 84, N. Truro, MA 02652

Phone No: [REDACTED] 24 Hour Emergency: [REDACTED]

Section 3 – Business Operation Details

Number of Seats: Inside: 50 Outside: 22 Number of Employees: 8

Length of Permit: Annual Seasonal Operation

Hours of Operation: 7am To 11pm

Days Closed Excluding Holidays: None

If Seasonal: Approximate Dates of Operation: 04 /01 /21 To 10 /31 /21

Certified Food Manager(s) (attach copy): (at least 1 full-time equivalent PER SHIFT required)
Jason Silva

Allergen Awareness Certification (attach copy):
Jason Silva

Has your menu changed from last year? Yes No

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

Section 4 - Attestation

Attestation

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

Signature of Applicant:  **Date:** 12/22/20

Application Checklist:

- Food Service Permit Application**
- Smoke Detector/Fire Protection Certification**
- Workers Compensation Affidavit/Certificate of Insurance**
- Copy of Inspection of Kitchen Equipment: Commercial Hood and Ventilation System Report**
- Copy of Service report of mechanical washing equipment (Dishwasher)**
- Copy of ServSafe Certification and Allergy Awareness**
- Copy of Choke Saver (for food service establishment w/seating capacity of 25 or more)**

FOR HEALTH DEPARTMENT USE ONLY

Comments: _____

Review by _____ Date _____



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

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

Applicant Information

Please Print Legibly

Business/Organization Name: Top Mast Resort Inc.

Address: 217 Shore Rd

City/State/Zip: N.Truro, MA 02652

Phone: [REDACTED]

Are you an employer? Check the appropriate box:

1. I am a employer with 18 employees (full and/ or part-time).*
2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

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

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

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

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

Insurance Company Name: Associated Employers Insurance Company

Insurer's Address: 54 Third Ave.

City/State/Zip: Burlington, MA, 01803

Policy # or Self-ins. Lic. # WCC-[REDACTED] Expiration Date: 09/30/21

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

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

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

Signature: [Handwritten Signature]

Date: 12-22-20

Phone #: 508-487-1189

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

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

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

Contact Person: _____ Phone #: _____

**WORKERS COMPENSATION AND EMPLOYERS LIABILITY INSURANCE POLICY
INFORMATION PAGE**

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

NCCI NO 40959

POLICY NO.
PRIOR NO.

WCO
WCO

ITEM

1. The Insured: Topmast Resort Inc As Per Schedule
DBA:
Mailing address: 217 Shore Road Rte 6a
P O Box 44
North Truro, MA 02652

FEIN

Legal Entity Type: Corporation

Other workplaces not shown above: See Location

2. The policy period is from 09/30/2020 to 09/30/2021 12:01 a.m. standard time at the insured's mailing address.
3. A. Workers Compensation Insurance: Part One of the policy applies to the Workers Compensation Law of the states listed here: MA
B. Employers' Liability Insurance: Part Two of the policy applies to work in each state listed in item 3.A.

The limits of liability under Part Two are:

Bodily Injury by Accident	\$	<u>1,000,000</u>	each accident
Bodily Injury by Disease	\$	<u>1,000,000</u>	policy limit
Bodily Injury by Disease	\$	<u>1,000,000</u>	each employee

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

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

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

Classifications		Premium Basis	Rates	
	Code No.	Estimated Total Annual Remuneration	Per \$100 Of Remuneration	Estimated Annual Premium
INTRA	000032012			
INTER		SEE CLASS CODE SCHEDULE		

Minimum Premium \$301

GOV STATE	GOV CLASS
MA	9052

Total Estimated Annual Premium
Deposit Premium

State Assessments/Surcharges
\$7,479.00 x 3.5100%

This policy, including all endorsements, is hereby countersigned by



Authorized Signature

08/27/2020
Date

Service Office:
54 Third Avenue
Burlington MA 01803

Kaplansky Insurance
114 Harvard Street
Brookline, MA 02446

WC 00 00 01 A (7-11)

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



TRURO FIRE RESCUE
Truro Public Safety Facility
344 Route 6 Truro, MA 02666

**FIRE PROTECTION SYSTEMS
ANNUAL TEST REPORT**

BUSINESS NAME: Top Mast Resort & Cafe

OWNER/MANAGER: Silva Family Heritage Trust/Jason Silva

ADDRESS: 209 Shore Rd, N. Truro, MA 02652

PHONE #: [REDACTED] **NUMBER OF UNITS:** 77

CONTACT PERSON: Jason Silva [REDACTED]

ADDRESS: 209 Shore Rd, N. Truro, MA 02652

TESTING COMPANY: George Felton-Master Electrician

TESTING ELECTRICIAN/TECHNICIAN: Jamie White

COMPANY PHONE #: 508-487-3428 **HOME PHONE #:** _____

LICENSE #: 11223-B

The fire protection system (s) including, but not limited to, (Sprinkler Systems) (Range Hood Systems) (Fire Extinguishers) (Type I II III Fire Alarm Systems) (C.O. Detectors) at the above mentioned business address, were tested, (CERTIFIED) the add parts of the systems, were found to be, or corrected to be, fully operational.

COMMENTS: Fire Alarm Panels tested OK

DATE OF CERTIFICATION: 12-22-20 **BY:** [Signature]
Signature of Licensed Electrician

THIS REPORT MUST BE FILLED OUT AND SUBMITTED, PRIOR TO THE ISSUANCE OF, OR RENEWAL OF A LICENSE TO OPERATE WITHIN THE TOWN OF TRURO.

DO NOT REMOVE PER ORDER OF THE STATE FIRE MARSHAL

DATE OF
LAST SERVICE

JAN
 FEB
 MAR

APR
 MAY
 JUN

JUL
 AUG
 SEP

OCT
 NOV
 DEC

INTEGRITY

Total Service, LLC

219 Cotuit Road
Sandwich, MA 02563
(508) 309-9180

NEXT SERVICE
DUE IN

30 DAYS
60 DAYS
90 DAYS
120 DAYS
180 DAYS
365 DAYS
___ DAYS

This system has been Inspected Cleaned to comply with NFPA Code #96 and local fire codes. For additional information refer to applicable system service report.

SERVICED BY J. Naro
BFD or C OF C # 37



2019
2020
2021
2022
2023
2024

1	2	3	<input checked="" type="checkbox"/>	5	6	7	8	9	10	11	12	13	14	15	31
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	

HEALTH DEPARTMENT
TOWN OF TRURO

MAR 09 2021

RECEIVED BY:

ServSafe

National Restaurant Association

ServSafe® CERTIFICATION

JASON SILVA

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

[REDACTED]
CERTIFICATE NUMBER

10748

EXAM FORM NUMBER

3/4/2021

DATE OF EXAMINATION

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

3/4/2026

DATE OF EXPIRATION



#0855



Sheri L. Brown
Executive Vice President, National Restaurant Association Solutions



In accordance with ANSI Accredited Program #0855, this certificate is valid for 3 years from the date of issuance.

ANSI Accredited Program #0855 is a registered trademark of the American National Standards Institute. ServSafe logo are trademarks of the NRAEF, National Restaurant Association® and the arc design.

For more information, visit www.servsafecertification.com

© 2021

Contact us with questions at 233 S. Walker Drive, Suite 2600, Chicago, IL 60604-6383 or ServSafe@nsa-ista.org

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

JASON SILVA

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

██████████

CERTIFICATE NUMBER

5127

EXAM FORM NUMBER

3/16/2016

3/16/2021

DATE OF EXAMINATION

DATE OF EXPIRATION

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



#0655

Sherman L Brown

Sherman Brown
SVP, National Restaurant Association Solutions



In accordance with Maritime Labour Convention 2006, Resolution ADM M 068-2013 (Regulation 3.2, Standard A3.2)

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This document cannot be reproduced or altered.
14102901

v. 1401

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

HEALTH DEPARTMENT
TOWN OF TRURO

MAR 12 2021

RECEIVED BY:

Certificate of Completion

Be it known that

Jason Silva

*Has Satisfied the requirements for a Training course in
Adult/Child/Infant CPR*

Issued: 03/11/2021

Expiration date: 03/11/2023



Instructor



Student

Certificate ID: [REDACTED]

*This Student has Passed Basic Skills Evaluation in Accordance with the eCPRcertification.com Terms and Conditions.
This Certificate is issued by eCPRcertification.com, CustomerService@eCPRcertification.com 866-608-6129*

HEALTH DEPARTMENT
TOWN OF TRURO

MAR 09 2021

RECEIVED BY

CERTIFICATE OF ALLERGEN AWARENESS TRAINING

Name of Recipient: JASON SILVA

Certificate Number [REDACTED]

Date of Completion: 3/7/2021

Date of Expiration: 3/7/2026



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

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

Issued By:



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



NATIONAL RESTAURANT ASSOCIATION
800.763.2122
www.restaurant.org



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 10 or 24 Fax: 508-349-5505

TAX STATUS REQUEST FOR LICENSING

Date 3/26/2021

Request is coming from the Selectmen's Office X Health Office _____

Owner's Name Silva

Business Name TOP MAST

Residential Address 209 Shore Rd.

Map and Parcel 17-7-0

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

All set.

Molly Stevens
Tax Collector's Signature

3/26/2021
Date

Number: 2021-067A

Fee \$50.00

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

In accordance with provisions of Chapter 111, Section 127A of the Massachusetts General Laws, Regulations established by the Massachusetts Department of Public Health (105 CMR 590.00) and the provisions of Chapter 111, Section 31 of the Massachusetts General Laws, Regulations established by the Truro Board of Health (Section X) a permit is hereby issued to:

Albert Silva, mgr., d/b/a Top Mast Cafe

Whose place of business is : **209 Shore Road**

Type of business and any restrictions **Food Caterer**

To operate a food establishment in **Truro**

Permit Expires: **December 31, 2021**

Date Issued: *March 25, 2021*


Truro Board of Health Agent

Number: 2021-067

Fee \$75.00

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

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

Albert Silva, mgr., d/b/a Top Mast Cafe

Whose place of business is **209 Shore Rd**

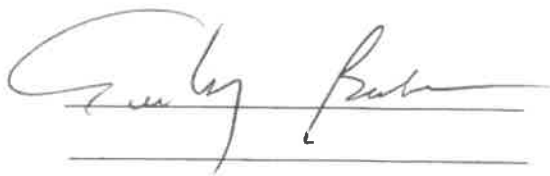
Type of business and any restrictions **Restaurant**

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

Permit Expires: **December 31, 2021**

Date Issued: *March 22, 2021*

Seating: 72



Truro Board of Health Agent

From: Jason Silva

Sent: Friday, March 26, 2021 2:17 PM

To: Nicole Tudor <ntudor@truro-ma.gov>

Subject: Re: Top Mast Cafe

Hi Nicole. It is looking more like May 1 at this point. I am going to be in contact with Tony, Who leases the Café from us, over the weekend as I know he may want to open a weekend or two earlier depending upon how busy it gets around here this spring.

Jason

On Mar 26, 2021, at 2:14 PM, Nicole Tudor
<ntudor@truro-ma.gov> wrote:

Hi Jason ,

Emily just signed off on your food service licenses.

We will add your Common Victualer license on April 13th.

We see that you have an opening date of April 1st, is that when the café is definitely opening?

Thank you, Nicole

Nicole Tudor

Executive Assistant

Administration and Select Board Office

Truro Town Hall | PO Box 2030 | 24 Town Hall Road | Truro, MA 02666

Direct Line: (508) 214-0925 | Extension: (508)349-7004 Ext 110 | Fax: (508)349-5505

Email: ntudor@truro-ma.gov

Number: 2021-076

Fee \$75.00

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

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

Ave D. Rosenthal, mgr., d/b/a. AVENUE D Inc.

Whose place of business is **14 Truro Center Rd**

Type of business and any restrictions **Wine Bar & Bistro**

To operate a food establishment in **Truro, MA**

Permit Expires: **December 31, 2021**

Date Issued: **4-2-2021**

17 SEAT MAX



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

HEALTH DEPARTMENT
TOWN OF TRURO

MAR 30 2021

RECEIVED BY:

CERTIFICATE OF ALLERGEN AWARENESS TRAINING

Name of Recipient: AVE ROSENTHAL

Certificate Number: 4984751

Date of Completion: 3/30/2021

Date of Expiration: 3/30/2026



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

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

Issued By:



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

NATIONAL
RESTAURANT
ASSOCIATION
800.765.2122
www.restaurant.org

FS#
2021-076



JAN 15 2021

RECEIVED BY:

Town of Truro
Board of Health

24 Town Hall Road, P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 131 Fax: 508-349-5508
Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

APPLICATION FOR FOOD SERVICE - COMMON VICTUALER

New Renewal

Section 1 - License Type

Type of License: Food Service Common Victualer

Type of Food Service Establishment:

- Food Service (restaurant or take out)
- Retail Food (commercially prepared foods)
- Residential Kitchen
- Bed & Breakfast w/Continental Breakfast
- Catering
- Manufacturer of Ice Cream/Frozen Dessert
- Bakery

Section 2 - Business/Owner/Manger Information

Federal Employers Identification Number (FEIN/SS) _____

Business Name: Avenue D

Owner Name: Ave D Rosenthal Email Address: _____

Mailing Address: PO Box 673, Truro, MA 02666

Phone No: _____

Person Directly Responsible for Daily Operations: (Owner, Person In Charge, Supervisor, Manager)

Name: Ave D Rosenthal Email Address: avedenise@gmail.com

Mailing Address: PO Box 673, Truro, MA 02666

Phone No: _____ 24 Hour Emergency: _____

Section 3 - Business Operation Details

Number of Seats: Inside: 20 Outside: _____ Number of Employees: 4-6

Length of Permit: Annual Seasonal Operation

Hours of Operation: 3:00 PM To 10:00 PM

Days Closed Excluding Holidays: none

If Seasonal: Approximate Dates of Operation: 05 / 01 / 21 To 11 / 30 / 21

Certified Food Manager(s) (attach copy): (at least 1 full-time equivalent PER SHIFT required)
Ave D Rosenthal _____

Allergen Awareness Certification (attach copy):
Ave D Rosenthal _____

Has your menu changed from last year? Yes No
If yes please attach copy of menu or provide description of food to be prepared and sold:

Section 4 - Attestation

Attestation

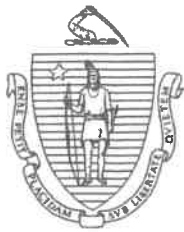
I, the undersigned, attest to the accuracy of the information provided in this application and further agree to allow the regulatory authority access to the food service establishment as specified under § 8-402.11. I affirm that the food establishment operation will comply with 105 CMR 590.000, Truro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

Signature of Applicant: *Ave D Rosenthal* **Date:** *January 13, 2021*

Application Checklist:

- Food Service Permit Application
- Smoke Detector/Fire Protection Certification
- Workers Compensation Affidavit/Certificate of Insurance
- Copy of Inspection of Kitchen Equipment: Commercial Hood and Ventilation System Report
- Copy of Service report of mechanical washing equipment (Dishwasher)
- Copy of ServSafe Certification and Allergy Awareness
- Copy of Choke Saver (for food service establishment w/seating capacity of 25 or more)

FOR HEALTH DEPARTMENT USE ONLY	
Comments: _____	
Review by _____	Date _____



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

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

Applicant Information

Please Print Legibly

Business/Organization Name: Avenue D Inc

Address: 14 C Truro Center Road

City/State/Zip: Truro, MA 02666 Phone #: [REDACTED]

Are you an employer? Check the appropriate box:

1. I am an employer with 4 - 6 employees (full and/ or part-time).*
2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

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

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

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

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

Insurance Company Name: Berkshire Hathaway GUARD Insurance Company

Insurer's Address: PO Box A-H , 39 Public Square

City/State/Zip: Willkes-Barre, PA 18703-0020

Policy # or Self-ins. Lic. # [REDACTED] Expiration Date: 07/24/2021

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

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

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

Signature: [Signature] Date: January 13 2021

Phone #: 508-237-4034

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

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

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

Contact Person: _____ Phone #: _____



Policy Information Page (AR)

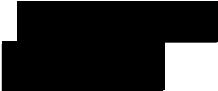
[1] Named Insured and Mailing Address

AVENUE D INC
 DBA/TA AVENUE D
 PO BOX 673
 TRURO, MA 02666

Agency

BENSON YOUNG & DOWNS INSURANCE AGENCY INC
 PO BOX 559
 Provincetown, MA 02657
 Agency Code: MABYDI11

Federal Employer's ID
Risk ID Number



Insured is Corporation

Additional Names of Insured

(N2) AVENUE D

Locations on Policy

(L2) 14 C TRURO CENTER ROAD , TRURO, MA 02666
 (07/24/2020 - 07/24/2021)

[2] Policy Period

From July 24, 2020 to July 24, 2021, 12:01 AM, standard time at the insured's mailing address.

[3] Coverage

- A. Workers' Compensation Insurance - **Part One** of this policy applies to the Workers' Compensation Law of the following states: Massachusetts
- B. Employer's Liability Insurance - **Part Two** of this policy applies to work in each of the states listed in item [3]A. The limits of our liability under Part Two are:

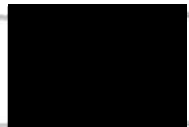
Bodily Injury by Accident - each accident	\$100,000
Bodily Injury by Disease - each employee	\$100,000
Bodily Injury by Disease - policy limit	\$500,000
- C. Refer to Residual Market Limited Other States Insurance Endorsement- WC200306B
- D. This policy includes these endorsements and schedules:
 See Extension of Information Page - Schedule of Forms

[4] Premium

The Premium Basis and, therefore, the premium will be determined by our Manual of Rules, Classifications, Rates, and Rating Plans. All required information is subject to verification and change by audit. (Continued on another page)

Total Estimated Policy Premium
Total Surcharges/Assessments
Total Estimated Cost

\$
 \$
 \$



INTERNAL USE XX
 MGA : R2WC121612
 Date : 07/23/2020
 MANOTE

HEALTH DEPARTMENT
TOWN OF TRURO

FEB 01 2021

RECEIVED BY



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

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

TAX STATUS REQUEST FOR LICENSING

Date 2/1/2021

Request is coming from the Selectmen's Office _____ Health Office X

Owner's Name: Ave' D. Rosenthal

Business Name Avenue D

Residential Address 14 Truro Center Rd

Map and Parcel 50-155.5

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

All set.

Molly Stevens

Tax Collector's Signature

2/1/2021

Date

Number: 2021-089

Fee:\$50.00 + \$150 late fee

Town of Truro Board of Health
24 Town Hall Road, Truro, MA 02666
Campground

This is to certify that

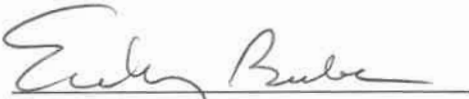
**Greg & Brandon Currier, mgrs., d/b/a North of Highland
Camping Area, LLC**
52 Head of the Meadow Rd

Has Been Granted A License to Operate **Recreational Camps, Overnight Camps or Trailer
Coach Parks**

This license is issued in conformity with the authority granted to the Truro Board of Health, by Chapter 140, Sections 32A, 32B, 32C, 32D, 32E as amended, and is subject to the provisions of the Laws of the Commonwealth of Massachusetts relating thereto, and upon such terms and conditions, and to the rules and regulations in regard to said Camps or Cabins so licensed as adopted by the Truro Board of Health and expires **December 31, 2021** unless sooner suspended or revoked.

Date *4-1-2021*

of units: **237 sites**



Emily Beebe, RS
Agent to the Truro Board of Health

Number: 2021-089A

Fee \$75.00

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

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

Gregory & Brandon Currier, mgrs., d/b/a North of Highland Camping Area

Whose place of business is **52 Head of the Meadow Rd**

Type of business and any restrictions **General Store**

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

Permit Expires: **December 31, 2021**

Date Issued:

4-1-2021



Emily Beebe, RS

Agent for the Truro Board of Health Agent

Smoke exp: 3/11/22

PAID \$50.00 + \$150.00 Late
3456
CAMP # 2021-089 ↓



TOWN OF TRURO PAID 3456

PO Box 2030, Truro MA 02666

Tel: 508-349-7004, Extension: 131 or 124 Fax: 508-349-5508

LICENSE APPLICATION: Condominiums, Cottage Colonies, Motels, Campgrounds, Lodging, Gas Station/Retail Service, Transient Vendor

Section 1 – License Type & Hours of Operation

Please check the appropriate box the best describes the license type(s).

New Renewal

FACILITY: # UNITS

HOURS OF OPERATION:

- Motel _____
- Cottage Colony _____
- Condominium _____
- Campground 237
- Lodging _____

- Annual Seasonal
- Opening Date: 05/28/2021
- Closing Date: 09/13/2021
- Days of the Week Open: ALL

✓ Transient Vendor PAID 3459

Gas Station (Please submit your Service Station Compliance Form & Third Part Underground Storage Tank Inspection Report (FP 289))

Section 2 – Business Information

Federal Employers Identification Number (FEIN/SS) [REDACTED]

GREGORY S. CURRIER NORTH OF HIGHLAND CAMPING AREA LLC
Print Name of Applicant Business Name

GREGORY S. CURRIER & BRANDON T. CURRIER
Owner Name

52 HEAD OF THE MEADOW RD PO BOX 297
NORTH TRURO, MA 02652 NORTH TRURO, MA 02652
Street Address of Business Mailing Address of Business

508-487-1191 [REDACTED]
Business Phone Number Business E-Mail Address

Section 3 - MANAGER INFORMATION

Check if New Manager (if checked, MUST submit Application to Name a Manager)

Name of Onsite Manager:

Name: BRANDON CURRIER Unit Number: 52 HEAD OF MEADOW RD

Mailing Address: PO BOX 297 NORTH TRURO, MA 02652

Phone: (24 Hour Contact): [REDACTED] Email Address: [REDACTED]

Brandon Currier

Manager's Signature (REQUIRED)

Name of Offsite Manager:

Name: _____ Business Name: _____

Business Address: _____

Phone: (24 Hour Contact): _____ Email Address: _____

Manager's Signature (REQUIRED)

Name of Co- Manager:

Name: GREGORY S. CURRIER Business Name: NORTH OF HIGHLAND CAMPING AREA LLC

Business Address: 52 HEAD OF THE MEADOW RD NORTH TRURO, MA 02652

Phone: (24 Hour Contact): [REDACTED] Email Address: [REDACTED]

Gregory S. Currier

Co-Manager's Signature (REQUIRED)

Section 4 - ATTESTATION

Pursuant to M.G. L. Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all local state taxes required under law and the information I have provided is true and accurate. Any misstatement in this application, or violation of state or applicable town bylaws or regulations, shall be considered sufficient cause for refusal, suspension or revocation of the license.

Gregory S. Currier
Signature of Applicant

GREGORY S. CURRIER
Print Name

03/04/2021
Date

Additional Applications & Documentation

REQUIRED FOR ALL MOTELS, COTTAGE COLONIES, CONDOMINIUMS & CAMPGROUNDS

- Smoke detector/fire protection certification
- IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance
- IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit
- Business certificate with the clerk's office

ADDITIONAL (SEPARATE) APPLICATIONS THAT MAY PERTAIN TO YOUR OPERATION

- Application for Pool or Hot Tub Permit
 - Application to Name a Manager
 - Entertainment License
 - Application to sell Tobacco
 - Application for Food Service Permit
- (rev 9/2017)



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

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

Applicant Information

Please Print Legibly

Business/Organization Name: NORTH OF HIGHLAND CAMPING AREA LLC

Address: 52 HEAD OF THE MEADOW RD

City/State/Zip: NORTH TRURO, MA 02652 Phone #: 508-487-1191

Are you an employer? Check the appropriate box:

1. I am an employer with 12 employees (full and/or part-time).* SEASONAL
2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

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

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

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

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

Insurance Company Name: MARKEL AMERICAN INSURANCE COMPANY

Insurer's Address: 4521 HIGHWOODS PARKWAY

City/State/Zip: GLEN ALLEN, VA 23060

Policy # or Self-ins. Lic. # [REDACTED] Expiration Date: 01/01/2022

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

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

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

Signature: [Signature] Date: 03-04-2021

Phone #: CELL: [REDACTED] INSEASON OFFICE: 508-487-1191

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

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

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

Contact Person: _____ Phone #: _____

FS# 2021-089A



Town of Truro Board of Health

24 Town Hall Road, P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 131 Fax: 508-349-5508
Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

PAID 3488

APPLICATION FOR FOOD SERVICE - COMMON VICTUALER

[] New [x] Renewal

Section 1 - License Type

Type of License: [x] Food Service [] Common Victualer

Type of Food Service Establishment:

- [] Food Service (restaurant or take out) [] Catering
[x] Retail Food (commercially prepared foods) [] Manufacturer of Ice Cream/Frozen Dessert
[] Residential Kitchen [] Bakery
[] Bed & Breakfast w/Continental Breakfast

Section 2 - Business/Owner/Manger Information

Federal Employers Identification Number (FEIN/SS) [REDACTED]

Business Name: NORTH OF HIGHLAND CAMPING AREA CAMP STORE

Owner Name: GREGORY S. CURRIER BRANDON T. CURRIER Email Address: [REDACTED]

Mailing Address: PO BOX 297 NORTH TRURO, MA 02652

Phone No: 508-487-1191

Person Directly Responsible for Daily Operations: (Owner, Person In Charge, Supervisor, Manager)

Name: GREGORY S. CURRIER Email Address: [REDACTED]

Mailing Address: PO BOX 297 NORTH TRURO, MA 02652

Phone No: [REDACTED] 24 Hour Emergency: [REDACTED]

Section 3 - Business Operation Details

Number of Seats: Inside: / Outside: / Number of Employees: 2

Length of Permit: [] Annual [x] Seasonal Operation

Hours of Operation: 8AM To NOON and 5PM TO 9PM

Days Closed Excluding Holidays: NONE - SEASONALLY

If Seasonal: Approximate Dates of Operation: 06/12/2021 To 09/06/2021

Certified Food Manager(s) (attach copy): (at least 1 full-time equivalent PER SHIFT required)

GREGORY S. CURRIER

Allergen Awareness Certification (attach copy):

GREGORY S. CURRIER

Has your menu changed from last year? Yes No N/A
If yes please attach copy of menu or provide description of food to be prepared and sold:

Section 4 - Attestation

Attestation

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

Signature of Applicant: [Signature] Date: 03-04-2021

Application Checklist:

- Food Service Permit Application
- Smoke Detector/Fire Protection Certification
- Workers Compensation Affidavit/Certificate of Insurance
- Copy of Inspection of Kitchen Equipment: Commercial Hood and Ventilation System Report
- Copy of Service report of mechanical washing equipment (Dishwasher)
- Copy of ServSafe Certification and Allergy Awareness
- Copy of Choke Saver (for food service establishment w/seating capacity of 25 or more)

FOR HEALTH DEPARTMENT USE ONLY	
Comments: _____	
Review by _____	Date _____



TRURO FIRE RESCUE
Truro Public Safety Facility
344 Route 6 Truro, MA 02666

**FIRE PROTECTION SYSTEMS
ANNUAL TEST REPORT**

BUSINESS NAME: NORTH OF HIGHLAND CAMPING AREA LLC

OWNER/MANAGER: GREGORY S. CURRIER & BRANDON CURRIER

ADDRESS: 52 HEAD OF THE MEADOW RD NORTH TRURO, MA 02652

PHONE #: 508-487-1191 NUMBER OF UNITS: 237 campsites

CONTACT PERSON: BRANDON CURRIER

ADDRESS: 52 HEAD OF THE MEADOW RD NORTH TRURO MA 02652

TESTING COMPANY: FORBES ELECTRIC

TESTING ELECTRICIAN/TECHNICIAN: _____

COMPANY PHONE #: 508-922-8811 HOME PHONE #: _____

LICENSE #: 14601A 28065 E

The fire protection system (s) including, but not limited to, (Sprinkler Systems) (Range Hood Systems) (Fire Extinguishers) (Type I II III Fire Alarm Systems) (C.O. Detectors) at the above mentioned business address, were tested, (CERTIFIED) the add parts of the systems, were found to be, or corrected to be, fully operational.

COMMENTS: _____

DATE OF CERTIFICATION: 3-11-21 BY: [Signature]
Signature of Licensed Electrician

THIS REPORT MUST BE FILLED OUT AND SUBMITTED, PRIOR TO THE ISSUANCE OF, OR RENEWAL OF A LICENSE TO OPERATE WITHIN THE TOWN OF TRURO.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/10/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Leavitt Recreation & Hospitality Insurance, Inc. 942 14th Street Sturgis SD 57785	CONTACT NAME: Terri Wedderburn	
	PHONE (A/C, No, Ext): (800) 525-2060	FAX (A/C, No): (866) 465-2797
E-MAIL ADDRESS: terri-wedderburn@leavitt.com		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Markel Insurance Company		38970
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		


COVERAGES **CERTIFICATE NUMBER:** 21/22 WC COI **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$	
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A		1/1/2021	1/1/2022	<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

Proof Of Insurance	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Jimmy Tumblin/ANSTAR 

ServSafe
National Restaurant Association

ServSafe® CERTIFICATION

GREGORY CURRIER


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



ANSI
ASTM E6859
Certification Issuer

10591
CERTIFICATION NUMBER

2/26/2018
DATE OF EXPIRATION
Local laws apply. Check with your local health department for recertification requirements.


Sherman
Executive Director

10591
EXAM FORM NUMBER

2/26/2023
DATE OF EXPIRATION

Association Solutions



In accordance with National Restaurant Association Solutions

The ServSafe logo are trademarks of the NRAEF, National Restaurant Association® and the arc design

Contact us with questions at 233 S. Wacker Drive, Suite 3600, Chicago, IL 60606-6383 or ServSafe@restaurant.org

CERTIFICATE OF ALLERGEN AWARENESS TRAINING

Name of Recipient: GREGORY CURRIER

Certificate Number: 3289365

Date of Completion: 3/5/2018

Date of Expiration: 3/5/2023



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

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

Issued By:



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

NATIONAL
RESTAURANT
ASSOCIATION
800.765.2122
www.restaurant.org



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 10 or 24 Fax: 508-349-5505

TAX STATUS REQUEST FOR LICENSING

HEALTH DEPARTMENT
TOWN OF TRURO

MAR 26 2021

RECEIVED BY:

Date 3/25/2021

Request is coming from the Selectmen's Office _____ Health Office X

Owner's Name: Currier

Business Name North of Highland Campground

Residential Address 52 Head of the Meadow Rd

Map and Parcel 33-32

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

Molly Stevens
Tax Collector's Signature

3/25/2021
Date

Number: 2021-04A

Fee: \$50.00

Town of Truro Board of Health
24 Town Hall Road, Truro, MA 02666
Campground

This is to certify that **Wayne Klekamp, mgr., d/b/a North Truro Camping Area**
46 Highland Rd

Has Been Granted A License to Operate **Recreational Camps, Overnight Camps or Trailer**
Coach Parks

This license is issued in conformity with the authority granted to the Truro Board of Health, by Chapter 140, Sections 32A, 32B, 32C, 32D, 32E as amended, and is subject to the provisions of the Laws of the Commonwealth of Massachusetts relating thereto, and upon such terms and conditions, and to the rules and regulations in regard to said Camps or Cabins so licensed as adopted by the Truro Board of Health and expires **December 31, 2021** unless sooner suspended or revoked.

Date

4-1-2021

of units: **330 sites**


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

Number: 2021-04B

Fee \$75.00

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

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

Wayne Klekamp, mgr., d/b/a Adventure Bound Camping
North Truro Camping Area

Whose place of business is **46 South Highland Rd**

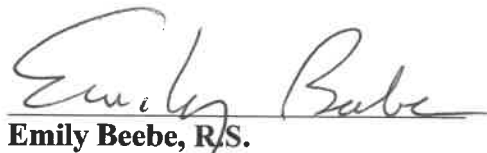
Type of business and any restrictions **General Store (prepackaged & microwave food items/dry goods)**

To operate a food establishment in **Truro**

Permit Expires: **December 31, 2021**

Date Issued:

4-1-2021



Emily Beebe, R/S.

Agent to the Truro Board of Health

Smoke exp:
10/1/21

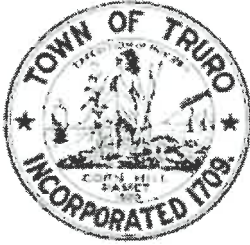
PAID
249

BUILDING DEPARTMENT
TOWN OF TRURO

OCT 26 2020

RECEIVED BY:

2021-09A



TOWN OF TRURO

PO Box 2030, Truro MA 02666

Tel: 508-349-7004, Extension: 131 or 124 Fax: 508-349-5508

LICENSE APPLICATION: Condominiums, Cottage Colonies, Motels, Campgrounds, Lodging, Gas Station/Retail Service, Transient Vendor

Section 1 – License Type & Hours of Operation

Please check the appropriate box the best describes the license type(s).

New Renewal

FACILITY: # UNITS

HOURS OF OPERATION:

Motel _____

Annual Seasonal

Cottage Colony _____

Opening Date: 04/01/2021

Condominium _____

Closing Date: 11/09/2021

Campground 218

Days of the Week Open: Mon - Sun

Lodging _____

Transient Vendor \$75.00

Gas Station (*Please submit your Service Station Compliance Form & Third Part Underground Storage Tank Inspection Report (FP 289)*)

Section 2 – Business Information

Federal Employers Identification Number (FEIN/SS) [REDACTED]

H. Wayne Klekamp

Adventure Bound Camping Resorts @ Cape Cod

Print Name of Applicant

Business Name

same

Owner Name

46 Highland Road North Truro, MA 02652 905 16th Place Vero BEach, FL 32960

Street Address of Business

Mailing Address of Business

Business Phone Number

Business E-Mail Address

Section 3 - MANAGER INFORMATION

Check if New Manager (if checked, MUST submit Application to Name a Manager)

Name of Onsite Manager:

James Bourne

Name: _____ Unit Number: _____

Mailing Address: PO Box 365 North Truro, MA 02652 _____

Phone: (24 Hour Contact): 210 542-0700 _____ Email Address: manager@abcapecod.com _____


Manager's Signature (REQUIRED)

Name of Offsite Manager:

Name: _____ Business Name: _____

Business Address: _____

Phone: (24 Hour Contact): _____ Email Address: _____

Manager's Signature (REQUIRED)

Name of Co- Manager:

Name: _____ Business Name: _____

Business Address: _____

Phone: (24 Hour Contact): _____ Email Address: _____

Co-Manager's Signature (REQUIRED)

Section 4 - ATTESTATION

Pursuant to M.G. L. Ch. 62C, sec. 49A, I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all local state taxes required under law and the information I have provided is true and accurate. Any misstatement in this application, or violation of state or applicable town bylaws or regulations, shall be considered sufficient cause for refusal, suspension or revocation of the license.

	H. Wayne Klekamp II	10/23/2020
Signature of Applicant	Print Name	Date

Additional Applications & Documentation

REQUIRED FOR ALL MOTELS, COTTAGE COLONIES, CONDOMINIUMS & CAMPGROUNDS

- Smoke detector/fire protection certification
- IF YOU HAVE EMPLOYEES- Workers Compensation Affidavit & Certificate of Insurance
- IF YOU DO NOT HAVE EMPLOYEES- Workers Compensation Affidavit
- Business certificate with the clerk's office

ADDITIONAL (SEPARATE) APPLICATIONS THAT MAY PERTAIN TO YOUR OPERATION

- Application for Pool or Hot Tub Permit
 - Application to Name a Manager
 - Entertainment License
 - Application to sell Tobacco
 - Application for Food Service Permit
- (rev 9/2017)

Smoke exp.
10/1/2021

PAID
5348
\$75.00

BUILDING DEPARTMENT
TOWN OF TRURO

OCT 26 2020

McC RECEIVED BY:
2021-04B



**Town of Truro
Board of Health**

24 Town Hall Road, P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 131 Fax: 508-349-5508
Email: ebeebe@truro-ma.gov or adavis@truro-ma.gov

APPLICATION FOR FOOD SERVICE – COMMON VICTUALER

New Renewal

Section 1 – License Type

Type of License: Food Service Common Victualer

Type of Food Service Establishment:

- Food Service (restaurant or take out)
- Retail Food (commercially prepared foods)
- Residential Kitchen
- Bed & Breakfast w/Continental Breakfast
- Catering
- Manufacturer of Ice Cream/Frozen Dessert
- Bakery

Section 2 – Business/Owner/Manger Information

Federal Employers Identification Number (FEIN/SS) [REDACTED]

Business Name: A/C Mobile Home Park Inc at Cape Cod

Owner Name: H. Wayne Klekamp Email Address: ap@abcamping.com

Mailing Address: 905 16th Place Vero Beach, FL 32960

Phone No: [REDACTED]

Person Directly Responsible for Daily Operations: (Owner, Person In Charge, Supervisor, Manager)

Name: James Bourne Email Address: manager@abcapecod.com

Mailing Address: 46 Highland Road North Truro, MA 02652

Phone No: 508-487-1847 24 Hour Emergency: _____

Section 3 – Business Operation Details

Number of Seats: Inside: 0 Outside: _____ Number of Employees: 0

Length of Permit: Annual Seasonal Operation

Hours of Operation: 8 To 8

Days Closed Excluding Holidays: none

If Seasonal: Approximate Dates of Operation: 04 / 01 / 2021 To 11 / 09 / 2021

Certified Food Manager(s) (attach copy): (at least 1 full-time equivalent PER SHIFT required)

Allergen Awareness Certification (attach copy):

Has your menu changed from last year? Yes No

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

Section 4 - Attestation

Attestation

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

Signature of Applicant: _____

Date: 10-23-2020

Application Checklist:

- Food Service Permit Application
- Smoke Detector/Fire Protection Certification
- Workers Compensation Affidavit/Certificate of Insurance
- Copy of Inspection of Kitchen Equipment: Commercial Hood and Ventilation System Report
- Copy of Service report of mechanical washing equipment (Dishwasher)
- Copy of ServSafe Certification and Allergy Awareness
- Copy of Choke Saver (for food service establishment w/seating capacity of 25 or more)

FOR HEALTH DEPARTMENT USE ONLY

Comments: _____

Review by _____

Date _____



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

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

Applicant Information

Please Print Legibly

Business/Organization Name: A/C Mobile Home Park, Inc at Cape Cod

Address: 46 Highland Road

City/State/Zip: North Truro, MA 02652 Phone #: 508-487-1847

<p>Are you an employer? Check the appropriate box:</p> <p>1. <input checked="" type="checkbox"/> I am an employer with <u>seasonal</u> employees (full and/ or part-time).*</p> <p>2. <input type="checkbox"/> I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]</p> <p>3. <input type="checkbox"/> We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**</p> <p>4. <input type="checkbox"/> We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]</p>	<p>Business Type (required):</p> <p>5. <input type="checkbox"/> Retail</p> <p>6. <input type="checkbox"/> Restaurant/Bar/Eating Establishment</p> <p>7. <input type="checkbox"/> Office and/or Sales (incl. real estate, auto, etc.)</p> <p>8. <input type="checkbox"/> Non-profit</p> <p>9. <input type="checkbox"/> Entertainment</p> <p>10. <input type="checkbox"/> Manufacturing</p> <p>11. <input type="checkbox"/> Health Care</p> <p>12. <input checked="" type="checkbox"/> Other <u>campground</u></p>
---	---

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.
 **If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

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

Insurance Company Name: National Casualty Company

Insurer's Address: 1100 Locust Street

City/State/Zip: Des Moines, IA 50391

Policy # or Self-ins. Lic. : [REDACTED] Expiration Date: 04/01/2021

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

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

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

Signature: [REDACTED] Date: 10.22.2020

Phone #: [REDACTED]

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

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

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

Contact Person: _____ Phone #: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
02/15/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER K&K INSURANCE GROUP, INC. P.O. BOX 2338 FORT WAYNE, IN 46801	CONTACT NAME: LEISURE PHONE (A/C No, Ext): 877-355-0315 FAX (A/C, No): 260-459-5990 E-MAIL ADDRESS:													
	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: NATIONAL CASUALTY COMPANY</td> <td>11991</td> </tr> <tr> <td>INSURER B: NATIONAL CASUALTY COMPANY</td> <td>11991</td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: NATIONAL CASUALTY COMPANY	11991	INSURER B: NATIONAL CASUALTY COMPANY	11991	INSURER C:		INSURER D:		INSURER E:		INSURER F:
INSURER(S) AFFORDING COVERAGE	NAIC #													
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INSURER C:														
INSURER D:														
INSURER E:														
INSURER F:														
INSURED H. WAYNE KLEKAMP, INC. (SEE SCHEDULE) DBA : ADVENTURE BOUND CAMPING RESORTS 905 16TH PL VERO BEACH, FL 32960														

COVERAGES **CERTIFICATE NUMBER: C116154** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> LIQUOR LIMITS - \$1,000,000/\$1,000,000 AGG GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:	Y		KKO0000023993400	4/1/2020 12:01 AM	4/1/2021 12:01 AM	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea Occurrence) \$300,000 MED EXP (Any one person) EXCLUDED PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$5,000,000 PRODUCTS - COMP/OP AGG \$5,000,000 LEGAL LIAB TO PARTICIPANTS PROFESSIONAL LIABILITY
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			[REDACTED]	4/1/2020 12:01 AM	4/1/2021 12:01 AM	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
A	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION			[REDACTED]	4/1/2020 12:01 AM	4/1/2021 12:01 AM	EACH OCCURRENCE \$3,000,000 AGGREGATE \$3,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		[REDACTED]	4/1/2020 12:01 AM	4/1/2021 12:01 AM	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
	PARTICIPANT ACCIDENT						AD&D Primary Medical Excess Medical Weekly Indemnity

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
CERTIFICATE HOLDER IS ADDED AS ADDITIONAL INSURED, BUT ONLY FOR LIABILITY CAUSED, IN WHOLE OR IN PART, BY THE ACTS OR OMISSIONS OF THE NAMED INSURED.
RE: CAPE COD-NORTH TRURO: 42-44-46-48 HIGHLAND ROAD, NORTH TRURO, MA & CAPE COD-HORTONS: 67-71 SOUTH HIGHLAND ROAD, NORTH TRURO, MA

CERTIFICATE HOLDER TOWN OF TRURO LICENSING DEPARTMENT PO BOX 2030 TRURO, MA 02666	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
--	---



TRURO FIRE RESCUE
Truro Public Safety Facility
344 Route 6 Truro, MA 02666

FIRE PROTECTION SYSTEMS
ANNUAL TEST REPORT

BUSINESS NAME: A/C Mobile Home Park, Inc at Cape Cod

OWNER/MANAGER: H. Wayne Klekamp

ADDRESS: 46 Highland Road North Truro, MA 02652

PHONE #: 508-487-1847 NUMBER OF UNITS: _____

CONTACT PERSON: James Bourne

ADDRESS: _____

TESTING COMPANY: Fire Equipment Inc

TESTING ELECTRICIAN/TECHNICIAN: _____

COMPANY PHONE #: _____ HOME PHONE #: _____

LICENSE #: _____

The fire protection system (s) including, but not limited to, (Sprinkler Systems) (Range Hood Systems) (Fire Extinguishers) (Type I II III Fire Alarm Systems) (C.O. Detectors) at the above mentioned business address, were tested, (CERTIFIED) the add parts of the systems, were found to be, or corrected to be, fully operational.

COMMENTS: _____

DATE OF CERTIFICATION: 10-01-2020 BY: see attached

Signature of Licensed Electrician

THIS REPORT MUST BE FILLED OUT AND SUBMITTED, PRIOR TO THE ISSUANCE OF,
OR RENEWAL OF A LICENSE TO OPERATE WITHIN THE TOWN OF TRURO.



**FIRE EQUIPMENT
INCORPORATED**

Protecting New England. Because so much is at stake.

MEDFORD • AGAWAM • HYANNIS • SMITHFIELD • MANCHESTER

Phone: 508-775-3473
www.feinewengland.com

Fax: 508-775-6110
hyaservice@feinewengland.com

INVOICE

INVOICE #	SIN117732
INVOICE DATE	10/01/2020
DUE DATE	10/31/2020

BILLING ADDRESS:

ADVENTURE BOUND
905 16TH PLACE
VERO BEACH, FL 32960

SHIPPING ADDRESS:

Adventure Bound
46 Highland Road
North Truro, MA 02652

WORK PERFORMED
Fire extinguishers inspection

CUSTOMER REFERENCE	WORK ORDER NUMBER	PURCHASE ORDER	WORK COMPLETED ON
advnbound	WO-00179528	T&M	10/01/2020

PRODUCT NAME	DESCRIPTION	QUANTITY	UNIT PRICE	NET VALUE
Portable Fire Extinguisher	1 - Annual - 626A - Extinguisher Inspection	1.00	\$0.00	\$0.00
Labor	Labor	1.00	\$42.00	\$42.00
Inspection of Fire Extinguishers	Inspection of Fire Extinguishers	9.00	\$6.00	\$54.00
Material	Material	9.00	\$0.00	\$0.00

NET TOTAL:	\$96.00
TAX TOTAL:	\$0.00
INVOICE TOTAL:	\$96.00
OUTSTANDING TOTAL:	\$96.00

REMIT TO: FIRE EQUIPMENT INC • PO BOX 423 • READING, MA 01867-0623



FIRE EQUIPMENT INCORPORATED

Protecting New England. Because so much is at stake.

MEDFORD · AGAWAM · HYANNIS · SMITHFIELD · MANCHESTER

Work Order Report

Work Order Details:

Account Name: Adventure Bound

Site Address: 46 Highland Road, North Truro, MA 02652

Work Order Number: WO-00179528

Products:

Product Name:	Equipment #:	Equipment Location:
Portable Fire Extinguisher	FE 00075201	Building

Description:

Purpose of Visit: PM Inspection

Worked Performed:

Work Performed: Fire extinguishers inspection

Technician Information:

Item	Technician Name	Hours
1	Hyannis Labor	1
2	Brian Bailey	1

Closed On: Oct 01, 2020

Signature:

Date: Oct 01, 2020

TOTAL # OF EXTINGUISHERS - 9

EXTINGUISHERS DUE SERVICE NEXT YEAR - 1-10lb

New Equipment -

DRY CHEM 2.5 ABC		DRY CHEM 5 ABC		DRY CHEM 10 ABC		DRY CHEM 20 ABC	
DRY CHEM 10 BC		DRY CHEM 20 BC		DRY CHEM 10 PK		DRY CHEM 20 PK	
CO2 5lb		CO2 10lb		CO2 15.5lb		CO2 20lb	
Pressurized Water		K Class		Halotron 2.5lb		Halotron 5lb	
Halotron 11lb		Halotron 15lb		Emergency Lights		Exit Lights	
Other							

Inspection/Recertification –

DryChem	9	KClass		Pressurized Water		Halotron	
CO2		Conductivity Test		Wheeled Unit		Emergency Light	
Exit Light		Other Insp					

Recharges –

Dry Chem 2 1/2 lb		Dry Chem 5 lb		Dry Chem 10lb		Dry Chem 20lb	
CO2 5 lb		CO2 10 lb		CO2 15 lb		CO2 20 lb	
Pressurized Water		K Class .61		2,5G		Halotron 2.5 lb	
Halotron 5 lb		Halotron 11 lb		Halotron 15.5 Lb		Conductivity Tests	

Service –

6 YR Maintenance Halotron		Hydrotest Dry Chem	
6 YR Maintenance Other		Hydrotest Other	

Parts –

Service Collar		O Ring		Check Stem		Pull Pin	
Vehicle Bracket		Heavy Duty Bracket		Batteries		Battery Disposal	
Wall Hook		M1 - 5lb		M2 -10lb		20lb	
Bulbs		Replacement Cover		Gauge		FEC Cover	
Other Parts		DOT		OSHA		PWM 90	
BL Series Vinyl		Type					
RP Series Plastic		Types					

FIRE EXTINGUISHERS ARE IN COMPLIANCE WITH NFPA 10 CODE –

Recommendations -

Comments - Email or mail James a inspection report please, thanks



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004, Extension: 10 or 24 Fax: 508-349-5505

TAX STATUS REQUEST FOR LICENSING

Date 10/30/2020

Request is coming from the Selectmen's Office _____ Health Office

Owner's Name Wayne H Klekamp

Business Name ABC Camping

Residential Address 46 Highland Rd

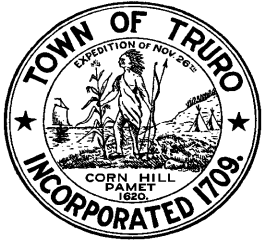
Map and Parcel 36-174

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

Molly Stevens
Tax Collector's Signature

10/30/2020
Date

All set through FY 2020.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Approval of a Sunday Entertainment License Monday May 31st, 2021 and Tuesday June 1st, 2021 from 6-10pm at Truro Vineyards of Cape Cod, 11 Shore Road.

EXPLANATION: MGL Chapter 140 § 181 provides local authority to license performance events. Nauset Regional High School would like to hold a two-night physically distanced outdoor senior prom at Truro Vineyards of Cape Cod, located at 11 Shore Road. 230 senior students would be divided into two evenings with teachers and chaperones. The Commonwealth presently allows for gatherings of up to 150 people in public outdoor spaces. Depending on the number of students who pre-purchase tickets, the event may be only one night.

Staff met with Kristen Roberts, Truro Vineyards Co-Owner, who outlined her plans for the event, which includes auxiliary parking at Atlantic Spice, police details on Shore Road to assist with pedestrians travelling from Atlantic Spice to the Truro Vineyard, and masks required at all times unless sitting at a table for dining or in the photobooth. The event will be held outdoors and a tent with no sides will be available for inclement weather.

There will be parking only onsite for 60 vehicles total and no parking on any of the adjacent side streets. The music will consist of a DJ with amplified music.

The Entertainment application has been reviewed by the Chief of Police.

Ms. Roberts is eager to offer the senior class an opportunity to celebrate their prom in a safe way and has been very flexible with the staff to meet any concerns.

IMPACT IF NOT APPROVED: Nauset Regional Highschool will not be able to hold their Senior Prom at Truro Vineyards, 11 Shore Road on Monday May 31st and Tuesday June 1, 2021.

SUGGESTED ACTION: *MOTION TO approve One Day Entertainment Licenses for the Nauset Regional Highschool Senior Prom Class of 2021 on Monday May 31st and Tuesday June 1, 2021 from 6-10pm at 11 Shore Road (Truro Vineyards of Cape Cod) and to authorize the Chair to sign the application.*

ATTACHMENTS:

1. One Day Entertainment Application
2. Memo from Kristen Roberts, of Truro Vineyards, and Application for an Entertainment License

RCVD 2021 MAR 9 PM 3:20

ADMINISTRATIVE OFFICE
TOWN OF TRURO

March 9, 2021

To the Truro Select Board:

I hope you all are well. I am writing because Nauset High School has approached us at Truro Vineyards in the hopes that we can host a socially distanced outdoor senior prom for their upcoming graduates, who like all of us have lost a lot in the last year. I would love the opportunity to do it for them and am requesting to come to your upcoming select board meeting to discuss the potential plan.

Right now Governor Baker has increased the limit for events to 150 people and has allowed dancing once more. Assuming those numbers stay the same or increase, our plan would be to hold a prom over 2 nights (Monday, May 31st and Tuesday, June 1st) from 6-10 pm. There are 230 graduating seniors so the school would come up with a system to divide the student body up to comply with the state limit. If this number increases we could look to move to one night and if it decreases we would have no choice but to cancel.

We would happily cover the cost of whatever police detail Chief Calise deemed necessary for the event(s) and the school will run a shuttle with spaced out seating like a school bus for students to travel safely to and from the high school.

With this letter is the application for an entertainment license for a DJ to play both nights. We will also, if the plan is approved, have American Tent and Table submit an application for a 40x50 tent with no sides in case of inclement weather. They have been very generous and have discounted the tent since the school has a small budget for the event.

We will have food available for the students from the Blackfish food truck and hope to find a local ice cream truck as well.

Thank you for your consideration of this request and I look forward to answer any questions you may have.

Sincerely,



Kristen Roberts



TOWN OF TRURO

Licensing Department

PO Box 2030, Truro, MA 02666

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

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

RCVD 2021 MAR 9 9:43:20

ADMINISTRATIVE OFFICE
TOWN OF TRURO

Application for an Entertainment License

Weekday Saturday Sunday

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

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

BUSINESS/ORGANIZATION INFORMATION

Kristen Roberts

Truro Vineyards

Name of Applicant

Business/Organization Name

PO BOX 834 N. Truro, MA 02652

Mailing Address of Business/Organization

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

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

Katie Pentedemos

508 487-6200

events@trurovineyards.com

Contact Person

Phone Number

Email

INDIVIDUAL APPLICANT INFORMATION

Individual's Name

Mailing Address

Phone Number

Email Address

EVENT INFORMATION

May 31 & June 1, 2021

Nauset High Senior Prom

Day (s)/Date (s) of Event for License to be issued

Purpose of Event (example: fundraiser)

Hours of Event (from - to) 6pm - 10:00pm

11 Shore rd. North Truro, MA 02652

Location (Must provide facility name, if any, street number and name)

Event is: Indoor Outdoor Event
(Please check applicable box)

Kristen Roberts

508.487.6200

Property Owner Name and Address

Phone number

Seating Capacity: N/A

Occupancy Number: N/A

Blackfish

Name of Caterer (if applicable)

Approximate number of people attending 125

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

Will an admission fee be collected? Yes No

Will there be a One Day Alcohol License Yes No

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

Will there be Police Traffic Control? Yes No if required by town

ENTERTAINMENT INFORMATION

Type of Entertainment: Please check the appropriate boxes.

Dancing: By Patron By Entertainers No Dancing

Music: Recorded Juke Box Live No Music

Number of Musicians & Instruments (Type) _____

Amplified System: Yes No

Shows: Theater Movies Floor Show Light Show
 No Show

Other: Video Games Pool/Billiard Tables (Please indicate quantity) _____

Applicant's Signature

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

Katifer...

3-4-2021

Signature

Date

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

Office Use Only

Fee \$50.00

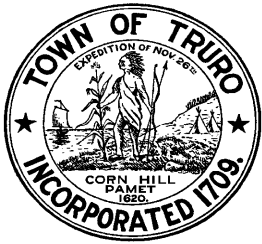
APPROVAL

License No _____

Select Board _____ Meeting Date _____

Police Department _____ Date _____

Restrictions/Conditions attached to the license by the Select Board or its Delegate: _____



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Application for an Entertainment License

EXPLANATION: Alice Gong, of 20 Summers, a 501c(3) non-profit arts organization in Provincetown, has submitted an application for five outdoor concerts to be held at Truro Vineyards. Dates are 7/16, 7/23, 7/30, 8/14, 8/28 from 5-10pm. Protocol around Covid-19 has also been attached. Both Health Agent and Police Chief have signed their approval.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: 20 Summers will not be allowed to hold their outdoor concerts at Truro Vineyards.

SUGGESTED ACTION: *Motion to approve 20 Summers application for entertainment at Truro Vineyards for 7/16, 7/23, 7/30, 8/14, and 8/28 and Authorize the Chair to Sign.*

ATTACHMENTS:

1. Application for an Entertainment License
2. Email containing Covid-19 protocol



TOWN OF TRURO

Licensing Department

PO Box 2030, Truro, MA 02666

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

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

RCVD 2021MAR29 AM 02:26
ADMINISTRATIVE OFFICE
TOWN OF TRURO

Application for an Entertainment License

Weekday Saturday Sunday

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

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

BUSINESS/ORGANIZATION INFORMATION

Alice Gong

20 Summers

Name of Applicant

Business/Organization Name

PO BOX 864, Provincetown, MA 02657

Mailing Address of Business/Organization

Is this a Non-profit or For-profit Entity (Check the appropriate box)

Yes

No

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

Alice Gong

Contact Person

Phone Number

Email

INDIVIDUAL APPLICANT INFORMATION

Individual's Name

Mailing Address

Phone Number

Email Address

EVENT INFORMATION

Fri 7/16, Fri 7/23, Fri 7/30, Sat 8/14, Sat 8/28

Outdoor Concert

Day (s)/Date (s) of Event for License to be issued

Purpose of Event (example: fundraiser)

Hours of Event (from - to) 5-10pm

Truro Vineyards 11 Shore Rd, North Truro, MA 02652

Location (Must provide facility name, if any, street number and name)

Event is: Indoor Outdoor Event
(Please check applicable box)

Kristen Roberts

Property Owner Name and Address

Phone number

Seating Capacity: n/a

Occupancy Number: n/a

Blackfish

Approximate number of people attending 100

Name of Caterer (if applicable)

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

Will an admission fee be collected? Yes No

Will there be a One Day Alcohol License Yes No

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

Will there be Police Traffic Control? Yes No

ENTERTAINMENT INFORMATION

Type of Entertainment: Please check the appropriate boxes.

Dancing: By Patron By Entertainers No Dancing

Music: Recorded Juke Box Live No Music

Number of Musicians & Instruments (Type) 1-3 on stage at a time _____

Amplified System: Yes No

Shows: Theater Movies Floor Show Light Show
 No Show

Other: Video Games Pool/Billiard Tables (Please indicate quantity) _____

Applicant's Signature

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

3/29/2021

Signature

Date

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

Office Use Only

Fee \$50.00

APPROVAL

License No _____

Select Board _____

Meeting Date _____

Police Department _____

Date

4/5/2021

Restrictions/Conditions attached to the license by the Select Board or its Delegate: _____

APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS & INSPECTIONS

Health/Conservation Agent Signature:  _____ Comments/Conditions: Permits/Inspections needed:	Building Commissioner Signature: _____ Comments/Conditions: Permits/Inspections needed:
Police Department Signature: _____ Comments/Conditions:	Fire Department Signature: _____ Comments/Conditions:
DPW Signature: _____ Comments/Conditions:	Harbormaster Signature: _____ Comments/Conditions:
Recreation & Beach Director: _____ Comments/Conditions:	OTHER: _____ Comments/Conditions:

Noelle Scoullar

From: Alice Gong [REDACTED]
Sent: Monday, March 29, 2021 2:20 PM
To: Nicole Tudor; Noelle Scoullar
Subject: Twenty Summers Concerts at Truro Vineyards 2021 Entertainment License Application
Attachments: 20S Concerts at Truro Vineyards Entertainment License App.pdf

Hello Town of Truro,

In this letter you will find additional information about Twenty Summers' proposed outdoor concerts at Truro Vineyards this summer.

Thank you!
Best,
Alice Gong
[REDACTED]

[Twenty Summers](#) is a 501(c)(3) non profit arts organization in Provincetown, founded to foster public engagement with art and artists, and to honor the legacy of art in Provincetown, and on the Outer Cape. Its efforts led to a full restoration of the historic Hawthorne Barn, where before COVID, Twenty Summers used to host a festival of concerts, conversations, artist residencies, and special events annually from mid-May to mid-June.

Twenty Summers Concerts at Truro Vineyards 2021

We want to mimic the intimacy of the Hawthorne Barn experience, set in the COVID-safe outdoor space of Truro Vineyards.

Overview

- 3 events, potential dates Fri 7/16, Fri 7/23, Fri 7/30, Sat 8/14, Sat 8/28
- 80 ticketed attendees per show

Venue

- Truro Vineyards has social-distanced seating for 100
- we will have a stage large enough for
 - 1) minimum 10 feet between performers
 - 2) minimum of 25 feet between performers and first row of the audience
- Truro Vineyards has 60 parking spots. Attendees will be notified that parking is limited, and COVID safe carpooling is encouraged.

Event

- 4:00 load-in
- 4:30 soundcheck
- 6:30 doors
- 7:00 show
- 9:30 end (10:30 noise curfew)

Food & Bev

- food must be consumed with alcohol per MA regs

Licensing

- 20S is applying for Entertainment Licenses
- Truro Vineyards holds all other necessary licenses

COVID Safety Plan

- Tables are spread 12-15 feet apart, cleaned and sanitized between seatings
- Bathrooms are cleaned and sanitized 3 times daily
- Sanitizer stations throughout Truro Vineyards property
- All persons must wear a mask, unless they are eating/drinking, or performing on stage
- All persons will remain 6 feet apart
- All staff and volunteers will be train to kindly enforce social distancing rules
- All persons' contact information will be collected for contact tracing

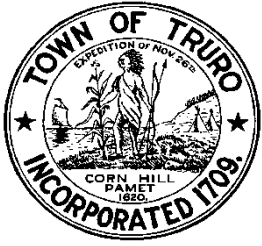
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Alice Gong

www.20summers.org



CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Licensing Department

REQUESTOR: Nicole Tudor, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Renewal of 2021 Seasonal Alcohol License- Avenue D (14 Truro Center Rd Unit C)

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. The Avenue D wine and malt license is before the Board for renewal for an opening May 1st. This business establishment has not opened since the public hearing approval April 9, 2019 and ABCC approval of April 25, 2019. There was an open building permit in 2019 and the owner chose not to open during the Covid-19 Pandemic in 2020.

The Select Board Local Licensing Authority can determine the language of the license based on the original ABCC Application for a proposed new business pouring license. The occupancy of the premises reflected in the ABCC application to the State lists 28 people total. The occupancy limit can be adjusted according to the LLA, based on the Building Certificate of Inspection of 25. Due to public water supply limitations, the property is limited to 17 customers/seats, per the Health and Conservation Agent.

IMPACT IF NOT APPROVED: The Seasonal Alcohol License will not be renewed for 2021 if not approved 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 renewal of the seasonal alcohol license for Avenue D, 4 Truro Center Rd Unit C with an occupancy limit of 17 and submission to the Alcoholic Beverages Control Commission.

ATTACHMENTS:

1. ABCC Seasonal License Holder's Application
2. 2020 Seasonal Alcohol License

© 1998 GDES 4350
All Rights Reserved

LICENSE ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF

The Town of Truro

MASSACHUSETTS

HEREBY GRANTS A

COMMON VICTUALER

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To Avenue D, Inc. dba Avenue D
Ave D. Rosenthal, Manager

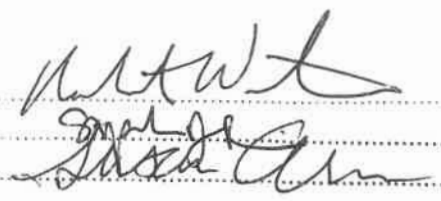
on the following described premises
The premises are on one floor; Main room (660 Sq ft) with banquette seating for 9 to 10 people. Bar will have 6 barstools.
Total occupancy 28 people. Total sq. ft. 1439, 1 Entrance, and 1 Exit.
Located at 14 Truro Center Road, Unit C, Truro.

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires January 15th 2021..., unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this 24th day of March, 2020

The Hours during which Alcoholic Beverages may be sold are

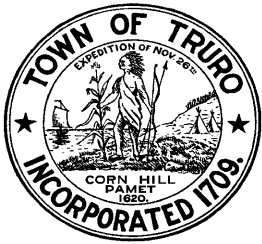
From Monday-Saturday
3:00PM-10:00PM
Sunday 3:00PM-10:00PM



ABCC LIC# 04845-RS-1292

LICENSING BOARD

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ



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



Select Board

Town of Truro

24 Town Hall Road
Truro, MA 02666
(508) 349-7004

Application for Temporary Outdoor Dining Areas in Accordance with COVID-19 Order No. 35

BASIC INFORMATION

1. Business name: Avenue D, Inc.
2. Business address: 14C Truro Center Road
3. Business phone number: 508-237-4034
4. Owner/manager: Ave D. Rosenthal
5. Owner/manager email address: avedenise@gmail.com
6. 24-hour contact number: 508-237-4034
7. Property Owner: Atlantis, Inc.
8. Business hours of operation: 3:00pm-10:00pm
9. Proposed seating capacity and occupancy: 6-8 max. outside, 10-12 inside, 18 total
10. Will you be serving alcohol in the outdoor dining area? YES NO

REQUIRED DOCUMENTS

Letter of Permission (if applicable) – If the proposed seating area is not owned by the restaurant, submit a letter of permission from the owner of the proposed seating area indicating permission to use it for outdoor dining.

Letter(s) of Acknowledgement (if applicable) – If other businesses and/or residents share the use of the proposed seating area, submit letter(s) of acknowledgement of this plan from all other users.

Plan – Submit a drawing showing the proposed outdoor dining area, including:

- a. Streets, property lines, and structures on the property;

- b. Parking areas, with total number of spaces;
- c. Locations of curb cuts to the parking lot;
- d. Changes to traffic patterns or parking configurations, including alternate parking (if applicable);
- e. Layout and dimensions of proposed seating area;
Include tables and chairs, host/bussing stations, walkways, and entrances and exits, with labels. Tables must be spaced to keep patrons 6' apart from other diners and high traffic areas (i.e. routes to bathrooms, entrances, etc.). Distancing should be measured from the back of one chair to the back of the chair at the next table. Include table dimensions and the number of seats (max. 6 seats per table). The outdoor dining area and barriers must be accessible and meet ADA and Massachusetts AAB regulations.
- f. Locations and specifications/photos of barriers to enclose the seating area; and
- g. Locations and specifications/photos of any outdoor lighting, overhead coverings, and/or heating devices.

Tents and heaters must be approved by the Building and Fire Departments.

David Rosenthal
 Signature of Applicant

4-02-2021
 Date

David Rosenthal
 Print Name

COMPLETED BY TOWN STAFF

Received by Town Clerk:

Approved by:

Building Commissioner

Health Agent

Fire Chief

Police Chief

Select Board

Office of Town Clerk
 Treasurer – Tax Collector
Molly Stefan
 APR - 2 2021
 Received TOWN OF TRURO
 By _____

Date: _____

Date: _____

Date: _____

Date: _____

Date: _____

- b. Parking areas, with total number of spaces;
- c. Locations of curb cuts to the parking lot;
- d. Changes to traffic patterns or parking configurations, including alternate parking (if applicable);
- e. Layout and dimensions of proposed seating area:
Include tables and chairs, host/bussing stations, walkways, and entrances and exits, with labels. Tables must be spaced to keep patrons 6' apart from other diners and high traffic areas (i.e. routes to bathrooms, entrances, etc.). Distancing should be measured from the back of one chair to the back of the chair at the next table. Include table dimensions and the number of seats (max. 6 seats per table). The outdoor dining area and barriers must be accessible and meet ADA and Massachusetts AAB regulations.
- f. Locations and specifications/photos of barriers to enclose the seating area; and
- g. Locations and specifications/photos of any outdoor lighting, overhead coverings, and/or heating devices.
Tents and heaters must be approved by the Building and Fire Departments.

David Rosenthal
 Signature of Applicant

4-02-2021
 Date

Ave D Rosenthal
 Print Name

COMPLETED BY TOWN STAFF

Received by Town Clerk:

Office of Town Clerk
 Treasurer - Tax Collector
Molly Stevens
 APR - 2 2021
 Received TOWN OF TRURO
 By _____

Approved by:

Building Commissioner

Date: _____

Health Agent

Date: _____

Fire Chief

Date: _____

Police Chief

Date: 4/8/2021

Select Board

Date: _____

- b. Parking areas, with total number of spaces;
- c. Locations of curb cuts to the parking lot;
- d. Changes to traffic patterns or parking configurations, including alternate parking (if applicable);
- e. Layout and dimensions of proposed seating area;
Include tables and chairs, host/bussing stations, walkways, and entrances and exits, with labels. Tables must be spaced to keep patrons 6' apart from other diners and high traffic areas (i.e. routes to bathrooms, entrances, etc.). Distancing should be measured from the back of one chair to the back of the chair at the next table. Include table dimensions and the number of seats (max. 6 seats per table). The outdoor dining area and barriers must be accessible and meet ADA and Massachusetts AAB regulations.
- f. Locations and specifications/photos of barriers to enclose the seating area; and
- g. Locations and specifications/photos of any outdoor lighting, overhead coverings, and/or heating devices.
Tents and heaters must be approved by the Building and Fire Departments.

Ave D Rosenthal
 Signature of Applicant

4-02-2021
 Date

Ave D Rosenthal
 Print Name

COMPLETED BY TOWN STAFF

Received by Town Clerk:

Approved by:

Building Commissioner

Health Agent

Fire Chief

Police Chief

Select Board

Office of Town Clerk
 Treasurer – Tax Collector
Molly Steiner
 APR - 2 2021
 Received TOWN OF TRURO
 By _____

Date: _____

Date: _____

Date: _____

Date: _____

Date: _____

Timothy Collins
Digitally signed by Timothy Collins
 DN: cn=Timothy Collins, o=Town of
 Truro, ou=Truro Fire Department,
 email=tcollins@truro-ma.gov, c=US
 Date: 2021.04.02 13:29:15 -0400

- b. Parking areas, with total number of spaces;
- c. Locations of curb cuts to the parking lot;
- d. Changes to traffic patterns or parking configurations, including alternate parking (if applicable);
- e. Layout and dimensions of proposed seating area;
Include tables and chairs, host/bussing stations, walkways, and entrances and exits, with labels. Tables must be spaced to keep patrons 6' apart from other diners and high traffic areas (i.e. routes to bathrooms, entrances, etc.). Distancing should be measured from the back of one chair to the back of the chair at the next table. Include table dimensions and the number of seats (max. 6 seats per table). The outdoor dining area and barriers must be accessible and meet ADA and Massachusetts AAB regulations.
- f. Locations and specifications/photos of barriers to enclose the seating area; and
- g. Locations and specifications/photos of any outdoor lighting, overhead coverings, and/or heating devices.

Tents and heaters must be approved by the Building and Fire Departments.

David Rosenthal
Signature of Applicant

4-02-2021
Date

David Rosenthal
Print Name

COMPLETED BY TOWN STAFF

Received by Town Clerk:

Approved by:

Building Commissioner

Health Agent

Fire Chief

Police Chief

Select Board

Office of Town Clerk
Treasurer - Tax Collector

Molly Stewart
APR - 2 2021

Received TOWN OF TRURO
By

Date: _____

Date: 4/8/2021

Date: _____

Date: _____

Date: _____

April 1, 2021


Avenue D Inc
14 C Truro Center Road
Truro, MA 02666

Attn: Avé D Rosenthal, President

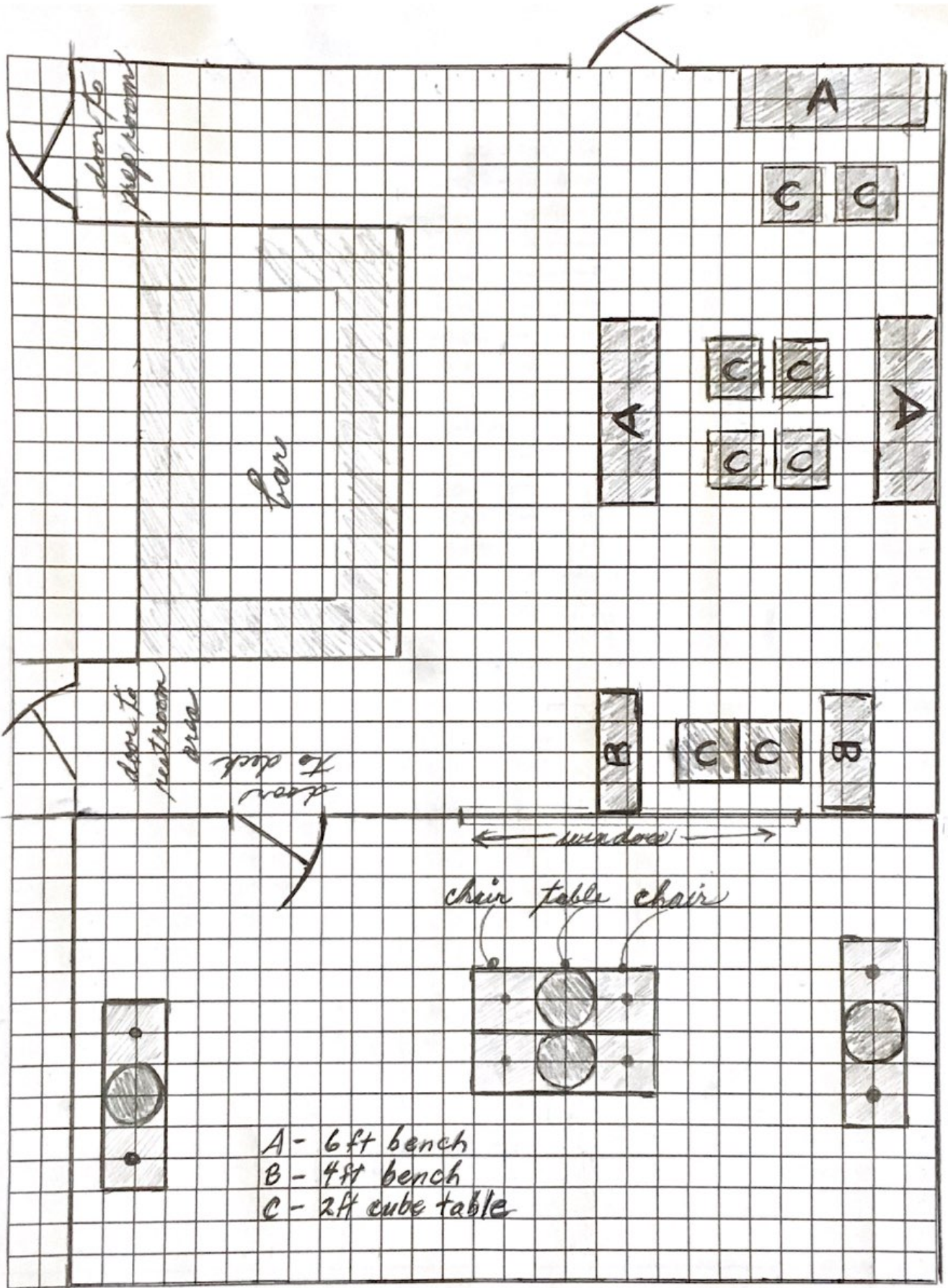
Dear Ms Rosenthal,

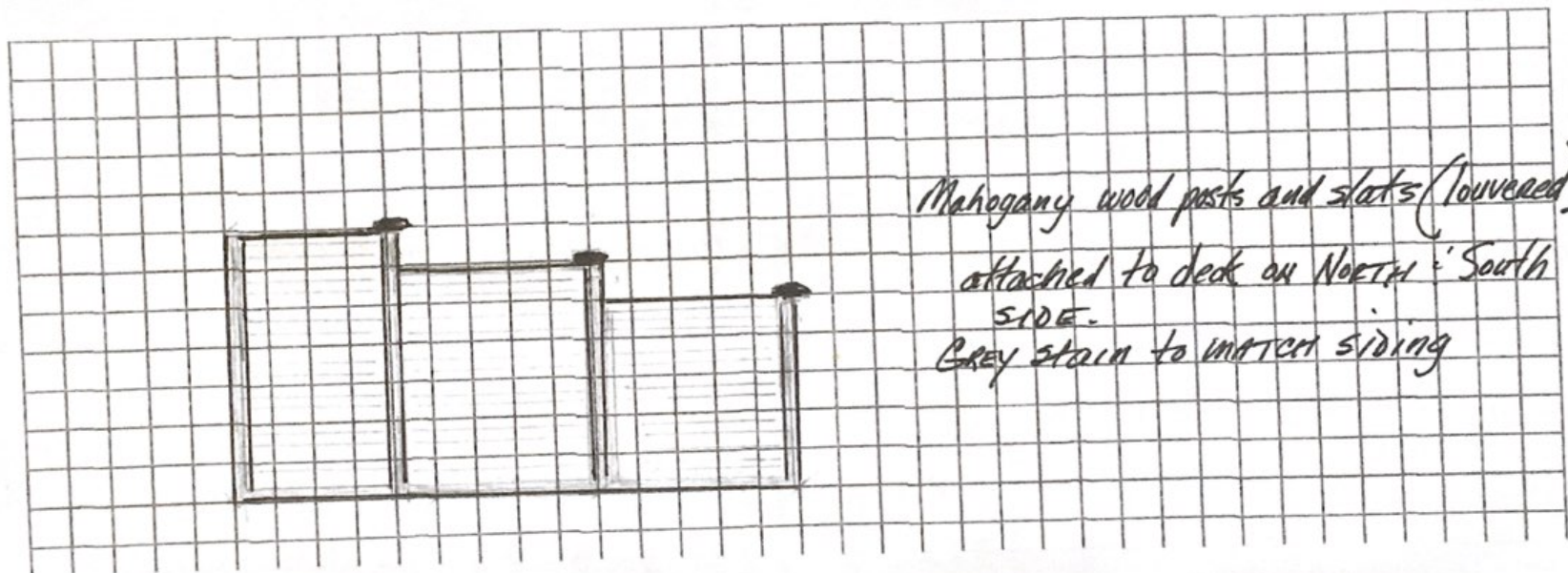
On behalf of Atlantis Inc. the owner of unit C in the Truro Center Condominium, you are hereby authorized and permitted to use the outdoor deck located to the rear of unit C for the service of food and alcohol beverages.

Very truly yours

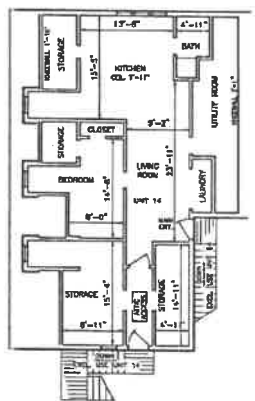


Avé D Rosenthal
President and Treasurer
Atlantis Inc.
Truro, MA 02666



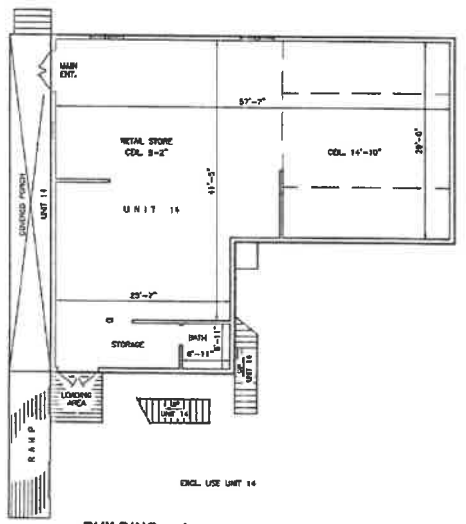


Mahogany wood posts and slats (louvered)
attached to deck on North - South
SIDE.
Grey stain to match siding



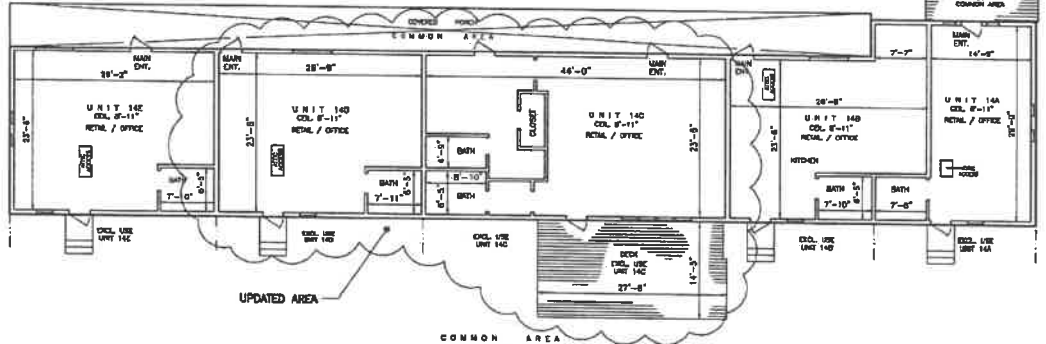
BUILDING 1
2nd. FLOOR

EXCL. USE UNIT 14



BUILDING 1
1st. FLOOR

EXCL. USE UNIT 14



BUILDING 2
1st. FLOOR



BUILDING 3
1st. FLOOR

I HEREBY CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LAYOUT, LOCATION, BUILDING FINISHES, UNIT NUMBER AND DIMENSIONS OF UNITS 14, 14A, 14B, 14C, 14D, 14E, AND 15.

DATE: _____ P.E.S.

I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE REQUIRY OF DEEDS REGULATING EFFECTIVE JANUARY, 1978, AND AS AMENDED JANUARY 7 1988.

DATE: _____ P.E.S.



UNIT AREA TABLE

UNIT 14	3,394± SF.
UNIT 14A	480± SF.
UNIT 14B	662± SF.
UNIT 14C	1,034± SF.
UNIT 14D	695± SF.
UNIT 14E	685± SF.
UNIT 15	1,749± SF.

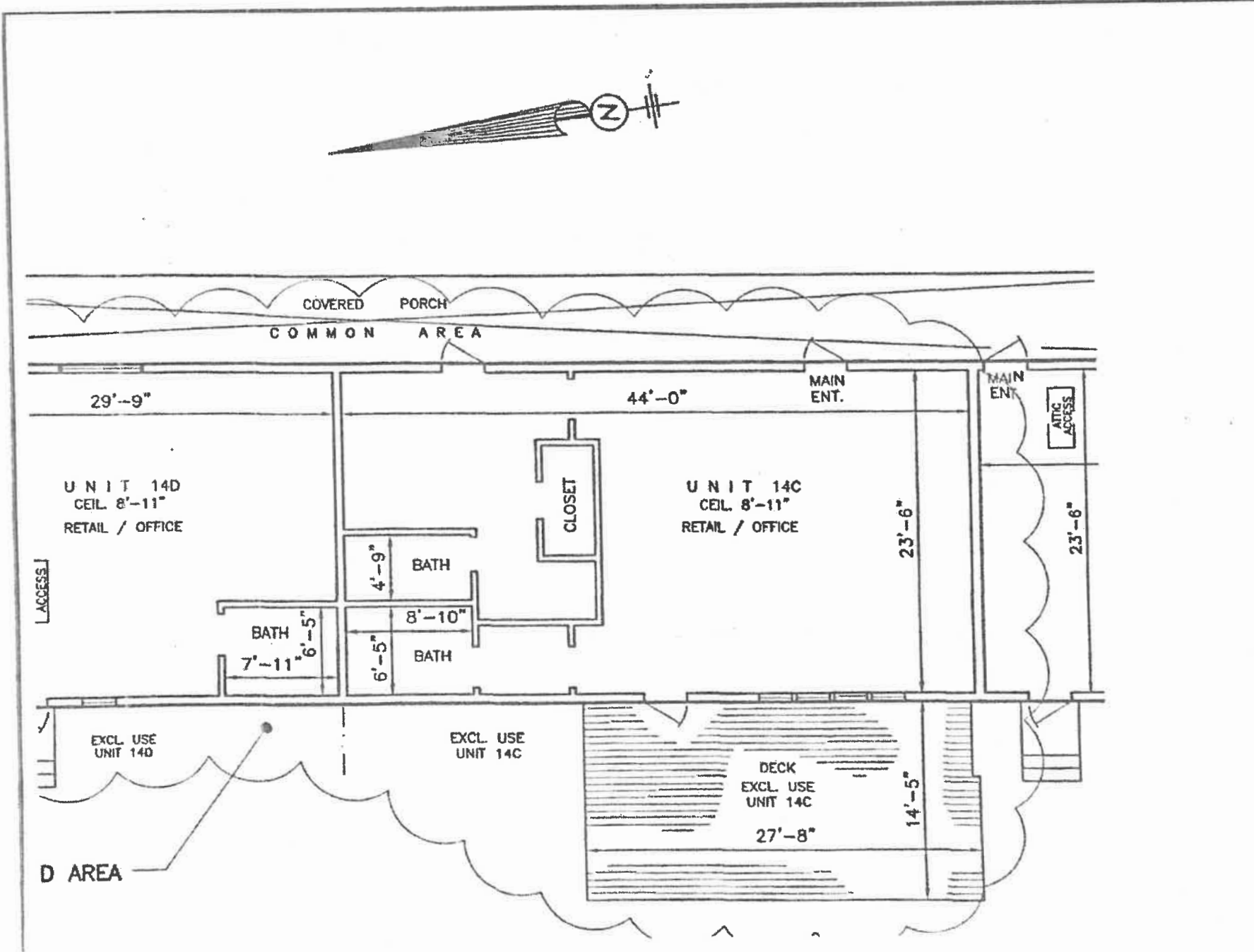
DATE	
SCALE	
BY	
CHECKED	
APPROVED	

THE TRURO CENTER CONDOMINIUM
TRURO, VA
1750 CENTER ROAD
SHEET TITLE
UPDATED FLOOR PLAN
UNITS 14C AND 14D

FOR REFRY USE

PROJECT: C18646-CON-2
DATE: 02-13-2020
DRAWN BY: JDM
CHECKED BY: JDM

C1.41
2 of 2 SHEETS
C18646.00



EXTERIOR LIGHTING

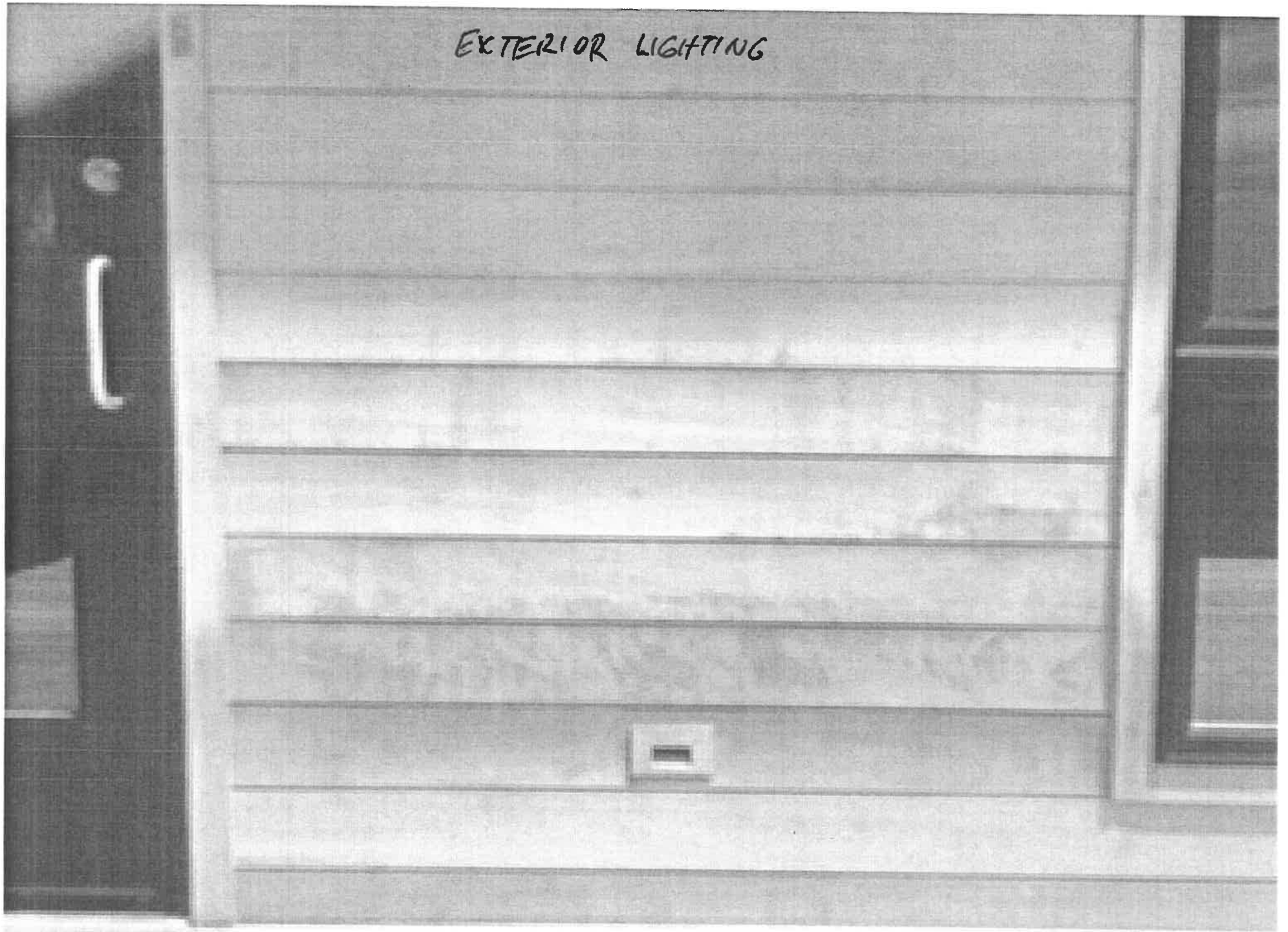
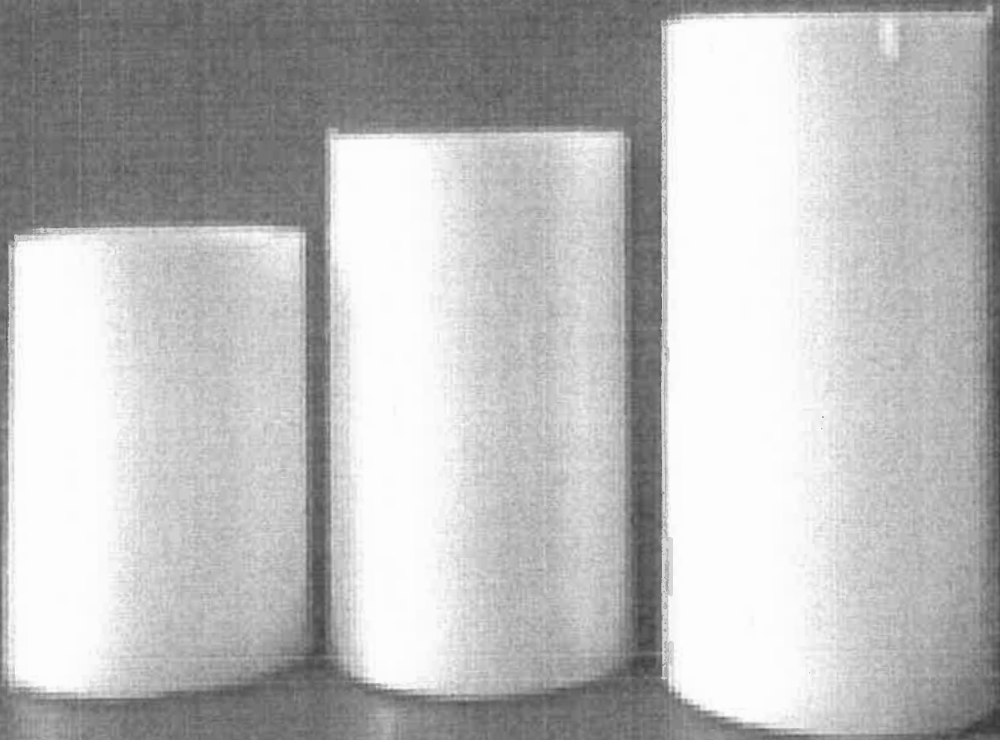


TABLE BATTERY
OPERATED CANDLES



Temporary Revised License

LICENSE

ALCOHOLIC BEVERAGES

THE LICENSING BOARD OF

The.....of.....

MASSACHUSETTS

HEREBY GRANTS A

COMMON VICTUALER

License to Expose, Keep for Sale, and to Sell

Wines and Malt Beverages

To Be Drunk On the Premises

To.....

on the following described premises

*Covid-19 Order No: 35; Sec: 4

This license is granted and accepted upon the express condition that the licensee shall, in all respects, conform to all the provisions of the Liquor Control Act, Chapter 138 of the General Laws, as amended, and any rules or regulations made thereunder by the licensing authorities. This license expires, unless earlier suspended, cancelled or revoked.

IN TESTIMONY WHEREOF, the undersigned have hereunto affixed their official signatures this.....day of

The Hours during which Alcoholic Beverages may be sold are

From.....

LICENSING BOARD

THIS LICENSE SHALL BE DISPLAYED ON THE PREMISES IN A CONSPICUOUS POSITION WHERE IT CAN EASILY BE READ



Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
95 Fourth Street, Suite 3
Chelsea, Massachusetts 02150

Jean M. Lorizio, Esq.
Chairman

**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY REGARDING
LOCAL LICENSING AUTHORITIES' APPROVAL OF OUTDOOR SEATING**

On June 1, 2020, Governor Charlie Baker issued an Order Clarifying the Progression of the Commonwealth's Phased Workplace Re-Opening Plan and Authorizing Certain Re-Opening Preparations at Phase II Workplaces, which, in part, details the process for reopening establishments for on-premises consumption. The text of the Governor's Order can be found [HERE](#).

When the Governor declares that the Commonwealth has entered Phase II of its reopening plan all licensees for on-premises consumption of alcohol may commence outdoor table service only. Indoor service will remain prohibited until further order from the Governor.

The Governor's Order also grants the local licensing authorities ("LLA") the authority to expand alcohol licensees' licensed premises for outdoor seating in an expedited process.

Pursuant to the Governor's Order, on application from a licensee that serves alcohol for on-premises consumption¹, the LLA may alter the description of the licensee's licensed premises to expand for outdoor seating that the LLA deems "reasonable and proper." The LLA does not need to comply with M.G.L. c. 138, § 15A, and therefore does not need to provide advance notice to abutters or hold a public hearing on the application. LLAs must continue to follow the ABCC's guidelines issued in 2015 for the approval of outdoor seating, which can be found [HERE](#).

ABCC approval is not required on these applications. Upon approval from the LLA the LLA may issue the amended license forthwith. The LLA must provide notice by mail to the ABCC on all application approvals. For further guidance on the process of approving and issuing these amended licenses LLAs should consult with their counsel.

Please be aware that all expanded premises approved pursuant to this Order are only effective through November 1, 2020, or until the Order is rescinded, whichever is sooner, and revert to their original licensed premises on that date.

The ABCC continues to retain supervision and oversight of all alcohol licensees, including those that expand their licensed premises pursuant to this Order. As always, all licensees must ensure that they comply with the laws of the Commonwealth of Massachusetts, and that sales of

¹ This includes restaurants, bars, hotels, general-on-premises, clubs, war veterans' clubs, continuing care retirement communities, pub-brewers (M.G.L. c. 138, §§ 12 and 19D), farmer-series pouring permits, and manufacturers' pouring permits (M.G.L. c. 138, §§ 19(b), 19B(n), 19C(n), and 19E(o)).

alcoholic beverages take place only as authorized by federal, state, and local law. All questions should be directed to Executive Director Ralph Sacramone at (617) 727-3040 x 731.

(Issued June 1, 2020)



OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE • BOSTON, MA 02133
(617) 725-4000

CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER CLARIFYING THE PROGRESSION OF THE COMMONWEALTH'S
PHASED WORKPLACE RE-OPENING PLAN AND AUTHORIZING
CERTAIN RE-OPENING PREPARATIONS AT PHASE II WORKPLACES**

COVID-19 Order No. 35

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 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 protecting oneself and others by minimizing personal contact with environments where this potentially deadly virus may be transmitted;

WHEREAS, on March 23, 2020, in order to restrict all non-essential person-to-person contact and non-essential movement outside the home as a means of combatting the spread of COVID-19 within the Commonwealth, I issued COVID-19 Order No. 13, which designated certain COVID-19 Essential Services, as defined in the Order, temporarily closed the brick-and-mortar premises of businesses and organizations that do not provide COVID-19 Essential Services, and prohibited gatherings of more than 10 people;

WHEREAS, on March 31, 2020, April 28, 2020, and May 15, 2020, I issued COVID-19 Orders No. 21, 30, and 32, respectively, which extended the period in which COVID-19 Order No. 13 would continue to restrict the operation of businesses and organizations that do not provide COVID-19 Essential Services;

WHEREAS, recent public health data indicate continued improvement in key areas of measurement as a result of the extraordinary efforts of health care providers in the Commonwealth and the public's unselfish compliance with the restrictions imposed in COVID-19 Order No. 13 and other measures implemented in response to the COVID-19 health crisis;

WHEREAS, on May 18, 2020, I issued COVID-19 Order No. 33, which authorized the re-opening of certain brick-and-mortar premises designated as "Phase I" workplaces ("Phase I enterprises"), subject to the requirement that all such workplaces comply with workplace safety rules and standards implemented to protect against the risk of the COVID-19 virus and which otherwise further extended the period in which COVID-19 Order No. 13 will continue to restrict the operations of businesses and organizations that do not provide Essential Services or that have not been designated as Phase I workplaces;

WHEREAS, a sustained trend of improvement in public health data will permit a continuing, carefully phased relaxation of certain restrictions that COVID-19 Order No. 13 has placed 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, and further provided that any adjustment must reflect the reality that the Commonwealth remains in the midst of a public health emergency, as demonstrated by reporting from the Department of Public Health that as of May 31, 2020, 1,824 persons remain hospitalized in the Commonwealth as a result of COVID-19 and 436 of these patients are receiving treatment in intensive care units;

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, transportation and travel by any means or mode, regulating the sale of articles of food and household articles, variance of the terms and conditions of licenses and permits issued by the Commonwealth or any of its agencies or political subdivisions, and policing, protection, and preservation of public and private property;

NOW, THEREFORE, I hereby order the following:

1. Advance Preparations by Phase II Enterprises

Beginning immediately, businesses and other organizations that are included within Phase II of the re-opening plan, as defined in Section 2 below, may open their physical workplaces and facilities ("brick-and-mortar premises") to workers for the purpose of preparing for a Phase II re-opening when authorized. In preparing their premises for re-opening, Phase II businesses and other organizations ("Phase II enterprises") must at all times comply with all generally applicable COVID-19 workplace safety rules and any relevant sector-specific COVID-

19 workplace safety rules issued pursuant to Section 2 of COVID-19 Order No. 33 or otherwise by the Department of Labor Standards (“DLS”), the Department of Public Health (“DPH”), or any other agency authorized to issue similar health and safety rules.

Phase II enterprises may not open their premises to customers and the public generally until authorized to do so by subsequent Order.

2. Designation of Phase II Enterprises

Phase II enterprises are businesses or other organizations that meet each of the following conditions:

They are

- not currently permitted to open their premises as an Essential Service or Phase I enterprise pursuant to Section 1 of COVID-19 Order No. 33;
- not closed by any COVID-19 Order separate from or in addition to COVID-19 Order No. 13;
- not excluded or excepted from the terms of this Order in Section 4; and
- not designated on the chart below as a Phase III or Phase IV enterprise.

	All Phase II, III, and IV enterprises will be required to comply with general and, where applicable, sector-specific COVID-19 workplace safety rules administered by DPL, DPH, and local boards of health. Workplace safety rules will 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 II	<p>Enterprises that meet all of the conditions specified above and including</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 • 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"> ○ Step 1: Services involving no close personal contact (photography, window washers, individual tutoring, home cleaning, etc.) ○ Step 2: 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

	<ul style="list-style-type: none"> • 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 ○ 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	<ul style="list-style-type: none"> • Post-Secondary/Higher Ed/Vocational-Tech/Trade/Occupational Schools—general operations • Casino gaming floors • Horse racing simulcast facilities (no spectators) • 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/shower rooms ○ excluding saunas, hot-tubs, steam rooms • Museums • Indoor historic spaces/sites • Aquariums • Outdoor theatres and performance venues of moderate capacity • Indoor theatres, concert halls, and other performance venues of moderate capacity • Sightseeing and other organized tours (bus tours, duck tours, harbor cruises, whale watching) • Fishing and hunting tournaments and other amateur or professional derbies • Weddings/events/gatherings in parks, reservations, and open spaces with allowance for moderate capacity • Overnight camps • Indoor non-athletic instructional classes in arts/education/life skills for persons 18 years or older • Indoor recreational businesses: batting cages, driving ranges, go karts, bowling alleys, arcades, laser tag, roller skating rinks, trampolines, rock-climbing <p>This listing is subject to amendment.</p>
Phase IV	<ul style="list-style-type: none"> • Amusement parks, theme parks, indoor or outdoor water parks • Saunas, hot-tubs, steam rooms at fitness centers, health clubs, and other facilities • Bars, dance clubs, and nightclubs—venues offering entertainment, beverages, or 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 • 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"> ○ Theaters and concert halls ○ Ballrooms ○ Stadiums, arenas, and ballparks ○ Dance floors ○ Exhibition and convention halls ● Private party rooms ● Street festivals and parades and agricultural festivals ● Road races and other large, outdoor organized amateur or professional group athletic events <p>This listing is subject to amendment.</p>
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3. Rules for Phase II Limited Organized Sports Activities and Programs

Amateur Sports: Effective immediately, organizers of sports activities and programs for youths and adults and facilities that host such programs or activities may open their premises to employees to begin preparations, consistent with the provisions of Section 1, for authorized Phase II activities. In addition to complying with generally applicable COVID-19 workplace safety rules, organizers of sports activities and programs for youths and adults and facilities that host such programs or activities shall be subject to the following directives during Phase II:

- a. Programs for contact sports must limit activities exclusively to no-contact drills and practices. Programs for no contact sports where ordinary play allows for social distancing may include ordinary play.
- b. Games, scrimmages, and tournaments shall not be permitted for any organized sports activities.
- c. Programs must separate participants into groups of no more than 10 participants, including coaches and staff.
- d. Indoor athletic facilities shall be open and available exclusively for the use of supervised sports programs, including sports camps, for youths under the age of 18.

The Secretary of the Executive Office of Energy and Environmental Affairs (“EEA”) shall issue guidance to implement these directives and all generally applicable COVID-19 workplace standards for organizers of youth and adult sports programs and operators of facilities that host those programs. Organizers of youth and adult sports programs shall follow the EEA guidance; provided, however, that when the program is governed by formal league rules or other binding agreements or affiliations, the organizer shall comply with any COVID-19 and other health and safety rules applicable under those authorities. The requirements of items (a) – (d) above shall apply in all circumstances.

Professional Sports: Effective immediately, professional sports organizations may open their premises to employees and other workers for the activities provided for in Section 1 and may also open their premises to employees for on-premises athletic practices and training,

subject to adoption of COVID-19 health and safety rules implemented under the authority of formal league rules or other binding agreements or affiliations.

Professional sports organizations may not engage in inter-team games within the Commonwealth and may not open any facilities within the Commonwealth to the public until further Order.

4. Preparations and Accommodation for Outdoor Restaurant Dining Service

Restaurants will be authorized to provide outdoor table service at the commencement of Phase II of the Commonwealth's phased re-opening of workplaces. If the public health data reflects continued positive progression, restaurants will be authorized at a later date and by a subsequent Phase II Order to commence indoor table service. In each case, restaurants will be required to comply with sector-specific COVID-19 workplace safety rules for restaurants.

"Outdoor table service" shall mean service that is provided outside the restaurant building envelope, whether on a sidewalk, patio, deck, lawn, parking area, or other outdoor space. Outdoor table service may be provided under awnings or table umbrellas or other cover from the elements, provided, however, that at least 50 percent of the perimeter of any covered dining space must remain open and unobstructed by any form of siding or barriers at all times.

Notwithstanding the provisions of 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, including in the description of licensed premises as described below. Prior to such approval, the mayor, select board, or chief executive as established by charter or special act, shall establish the process for approving such requests. Such process need not comply with the notice and publication provisions of section 11 of chapter 40A.

Any such approval may be exercised immediately upon filing of notice thereof with the city or town clerk, without complying with any otherwise applicable recording or certification requirements.

In order to provide improved opportunities for outdoor table service, for any type of license that permits the sale of alcoholic beverages for on-premises consumption, a local licensing authority ("LLA") may grant approval for a change in the description of the licensed premises for the purpose of permitting outdoor alcohol service as the LLA may deem reasonable and proper, and issue an amended license to existing license holders, without further review or approval by the Alcoholic Beverages Control Commission ("ABCC") prior to issuance. Upon approval of an amended license, the LLA shall provide notice of the amended license to the ABCC. Nothing in this Order shall prevent the ABCC from exercising its statutory or regulatory enforcement authority over any such amended license issued.

On November 1, 2020 or the date this Order is rescinded, whichever is sooner, 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 the approval of the change for expansion of outdoor table service or in the description of a licensed premises.

5. Sector-Specific Rules

The Director of Labor Standards and the Commissioner of Public Health shall issue, subject to my approval, COVID-19 workplace safety rules for certain, specific Phase II enterprise workplace sectors (“Sector-Specific Rules”) to address the particular circumstances and operational needs of those specific workplace sectors. These Phase II Sector-Specific Rules shall supplement the generally applicable COVID-19 safety rules applicable to all workplaces in the Commonwealth. Phase II enterprises shall adopt and comply with all Sector-Specific Rules applicable to their workplaces.

6. Limitations on Gatherings

A Phase II enterprise that is authorized to open its brick-and-mortar premises to workers under the terms of this Order shall not be subject to the 10-person limitation on gatherings established in Section 3 of COVID-19 Order No. 13 in its normal operations of those premises; provided, however, that Phase II enterprises must comply with the social distancing requirements in the Commonwealth’s generally applicable COVID-19 workplace safety rules, any more specific limitations on gatherings and meeting sizes included in any applicable Sector-Specific Rules, and any other similar restrictions specified in this Order.

Section 3 of COVID-19 Order No. 13 shall otherwise remain in effect for businesses or organizations not permitted to open their brick-and-mortar premises as COVID-19 Essential Services, or Phase I or Phase II enterprises.

4. Exceptions

This Order shall have no application to any of the following businesses, organizations, workplaces, or facilities:

- a. Any municipal legislative body, the General Court, or the Judiciary
- b. Federal governmental entities
- c. Any health care facility or provider licensed by the Department of Public Health or the Board of Registration in Medicine
- d. Any of the following workplaces or facilities with specialized functions and populations:
 - Public and private elementary and secondary (K-12) schools
 - Residential and day schools for special needs students

- Licensed, approved, or exempt child care programs and any emergency child care centers and emergency residential programs operating under emergency authorization
- Facilities operated by the Department of Correction or any Sheriff
- Facilities operated or licensed by the Department of Mental Health or the Department of Developmental Services
- And any other facilities or workplaces that the Commissioner of Public Health may in writing exempt from the terms of this Order

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 2:20 PM this 1st day
of June, two thousand and twenty



CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



The Commonwealth of Massachusetts

Town of Truro



New and Renewal Certificate of Inspection

In accordance with 780 CMR, Chapter 1 (*The Ninth Edition of the Massachusetts State Building Code*) and Chapter 304 of the Acts of 2004 (*an Act to further enhance fire and life safety*), this certificate of inspection is issued to the premise or structure or part thereof as herein identified.

Issued to	Identify Name of Establishment					Certificate No.
	Avenue D Wine Bar & Bistro					20-003
Located at	Identify property address including street number, name, city or town and county					Certificate Expiration
	14 Truro Center Rd, Unit C Map 50 Parcel 155					11/7/2020
Use Group Classification	Basement	First Floor	Second Floor	Third Floor	Fourth Floor	Other
		B				
Allowable Occupant Load		25				

This *certificate of inspection* is hereby issued by the undersigned to certify that the premise, structure or portion thereof as herein specified has been inspected for general fire and life safety features. This certificate shall be framed behind clear glass and/or laminated and posted in a conspicuous place within the space as directed by the undersigned. *Failure to post or tampering with the contents of the certificate is strictly prohibited.*

Name of Municipal Fire Chief	TIMOTHY COLLINS	Name of Municipal Building Inspector	RICHARD STEVENS	Date of Inspection	11/7/2019
Signature of Municipal Fire Chief		Signature of Municipal Building Inspector		Date of Issuance	11/7/2019

Consent Agenda Item: 7F6

From: [REDACTED]
To: [Nicole Tudor](#)
Subject: Motion to allow deck use 2020
Date: Tuesday, April 6, 2021 2:31:44 PM
Attachments: [From Lester J. Murphy, Jr. ljmurphy@verizon.net &.pdf](#)

Hi Nicole,

Please be sure this is with information to Select Board. Important to know that permission was granted already.

Thanks
Ave

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent from my iPhone

From: Lester J. Murphy, Jr. ljmurphylaw@verizon.net
Subject: Fw: Motion (June 23, 2020 Avenue D Agenda Item)
Date: June 26, 2020 at 8:08 AM
To: Ave Rosenthal avedenise@gmail.com



Lester J. Murphy Jr.
Attorney At Law
1380 Route 134
PO BOX 1388
East Dennis, MA. 02641
TEL: (508) 385-8313
FAX: (508) 385-7033
Email: ljmurphylaw@verizon.net

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From: [Nicole Tudor](#)
Sent: Thursday, June 25, 2020 6:21 PM
To: [Lester J Murphy Jr](#)
Cc: [Rae Ann Palmer](#) ; [Noelle Scoullar](#)
Subject: Motion (June 23, 2020 Avenue D Agenda Item)

Hello Attorney Murphy,

The draft Motion is as follows:

Select Board Member Areson moved to approve the temporary outdoor use of the deck until November 1, 2020 at Avenue D with the condition only until such time that Avenue D can accommodate their maximum capacity inside as the use of the deck is prohibited under the Planning Board order.

Seconded by Select Board Clerk Reed. Motion passes 5-0-0.

Thank you, Nicole

Nicole Tudor

Executive Assistant
Administration and Select Board Office
Truro Town Hall IPC Box 2030

Number: 2021-076

Fee \$75.00

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

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

Ave D. Rosenthal, mgr., d/b/a. AVENUE D Inc.

Whose place of business is **14 Truro Center Rd**

Type of business and any restrictions **Wine Bar & Bistro**

To operate a food establishment in **Truro, MA**

Permit Expires: **December 31, 2021**

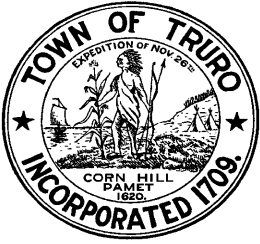
Date Issued: **4-2-2021**

17 SEAT MAX



Emily Beebe, R.S.

Truro Board of Health Agent



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: April 13, 2021

ITEM: Application to Serve-Michael Kaelberer, Truro Board of Registrars

EXPLANATION: Michael has reapplied to serve a full term on the Truro Board of Registrars.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Town will be short one member of the Truro Board of Registrars. In accordance with MGL C.51 Section 15, the Town should have a four (4) member Board.

SUGGESTED ACTION: *Motion to Appoint Michael Kaelberer to a three-year term on the Truro Board of Registrars expiring on March 31, 2024.*

ATTACHMENTS:

1. Application to Serve



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

RECEIVED 2021 APR 6 PM 2:42
ADMINISTRATIVE OFFICE
TOWN OF TRURO

NAME: MICHAEL Kaelberer HOME TELEPHONE: [REDACTED]

ADDRESS: 7 PINE RIDGE ROAD WORK PHONE: [REDACTED]

MAILING ADDRESS: P.O. BOX 89, TRURO, MA. E-MAIL: [REDACTED]

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

TRURO BOARD OF REGISTRARS

SPECIAL QUALIFICATIONS OR INTEREST: PRESENTLY EMPLOYED AS DPW

OFFICE MANAGER; FORMER TOWN ACCOUNTANT (1988-1994); I'VE BEEN
COUNTING ELECTION BALLOTS FOR THE PAST SIX YEARS.

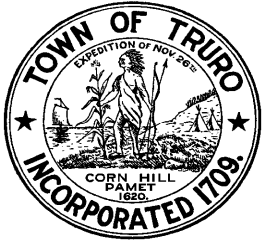
COMMENTS: I WAS APPOINTED IN NOVEMBER, 2020 TO THIS BOARD TO
SERVE OUT AN UNEXPIRED TERM, WHICH IS NOW UP. I'M REQUESTING
CONSIDERATION FOR A FULL TERM.

SIGNATURE: Michael Kaelberer DATE: APRIL 6, 2021

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL) _____
He has been an asset to the Board

SIGNATURE: Susan Joseph DATE: April 7th 2021

INTERVIEW DATE: _____ APPOINTMENT DATE (IF APPLICABLE): _____



TOWN OF TRURO

Select Board Agenda Item

BOARD/COMMITTEE/COMMISSION: Energy Committee

REQUESTOR: Kelly Clark, on behalf of Mark Farber and Brian Boyle of the Truro Energy Committee

REQUESTED MEETING DATE: April 13, 2021

ITEM: Review and Authorize the Chair to Sign Membership Application for the Cape & Vineyard Electric Cooperative, Inc.

EXPLANATION: The Truro Energy Committee requests that the Select Board approve Committee's request to join the Cape and Vineyards Electric Coop, authorize the payment of the associated \$25 fee, and appoint Mark Farber as Truro's representative of the Cape and Vineyard Electric Coop Board.

FINANCIAL SOURCE (IF APPLICABLE): 0192-Town Hall Operations

IMPACT IF NOT APPROVED: If not approved, the Town of Truro will not be a part of the Cape and Vineyards Electric Coop.

SUGGESTED ACTION: *Motion to submit the membership application and associated \$25 membership fee for the Cape and Vineyard Electric Cooperative, Inc. on behalf of the Town of Truro and to authorize the Chair to sign the application, and to appoint Mark Farber of the Truro Energy Committee to be Truro's representative of the Cape and Vineyard Electric Cooperative Board.*

ATTACHMENTS:

1. March 8, 2021 Memo from the Truro Energy Committee and associated documents.

MEMO

Date: March 8, 2021
To: Darrin Tangeman, Kelly Clark
From: Mark Farber, Truro Energy Committee
cc: Truro Energy Committee
Subject: Proposal to Join the Cape & Vineyard Electric Cooperative

The Energy Committee unanimously endorses the recommendation that Truro join the Cape & Vineyard Electric Cooperative (CVEC). This memo outlines the costs, benefits, and risks of membership.

In summary:

- The monetary and time costs of joining are minimal: a one-time fee of \$25 and participation in CVEC's Board.
- To reap benefits, we would need to participate in one of CVEC's optional programs. Joining CVEC will allow Truro to get to know the organization and be in a good position to participate in one or more of CVEC's optional programs if we so desire.
- We see little to no risk to Truro, particularly if we do not participate in any of CVEC's programs.

Background

CVEC was formed in 2007 from a strategic initiative by Cape Light Compact (CLC) with the primary goal of jointly developing solar projects for its Members as well as procuring off-Cape solar energy for Members unable or not wishing to host their own solar facilities.

CLC, of which Truro is a member, is a municipal aggregation of Cape towns that implements energy efficiency programs for the benefit of residential, commercial, and governmental customers and, at Members' and customers' option, buys and sells electricity for their benefit. The CLC towns also desired to jointly develop renewable energy projects. CLC cannot do that, hence CVEC was formed as a separate, similarly structured entity, but CVEC is an electric cooperative that can develop generation projects and enter into long-term power purchase agreements.

As of 2020, CVEC's members include the 21 towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Oak Bluffs, Orleans, Marion, Mashpee, Nantucket, Provincetown, Sandwich, Tisbury, West Tisbury, and Yarmouth; in addition, Nantucket, Barnstable, and Dukes Counties; and CLC.

CVEC's primary activities have been to construct a set of solar projects for Members. CVEC's aggregated procurement is intended to lower the cost, increase the quality, and

simplify the process relative to Members constructing solar on their own. As of late 2020, CVEC's joint procurements have completed 32 PV projects with a capacity of 34.5MW that have created \$17 million of savings to date. CVEC is currently developing several rounds of additional PV, many with energy storage. CVEC also facilitates the sale of Members' excess net metering credits, where possible, to other members; and it also has contracted directly with private solar and wind developers for net metering credits for Members.

CVEC plans additional activities related to clean energy. In 2019, CVEC launched an Electric Car Initiative. As of December 2020, 15 charging stations and 10 electric cars have been secured by CVEC for Members under a state incentive program.

Costs, Benefits, and Risks

The monetary and time **costs** of joining are small. Membership dues are \$25 one-time. In addition, each Member must designate an individual to serve on the Board of Directors. The Energy Committee offers to fill this position, with no cost to the Town other than perhaps incidental travel expenses.

The potential **benefits** include: participation in one or more of CVEC's joint solar developments; participation in electric vehicle programs; support in selling excess net metering credits from Truro's existing solar program; and outsourcing management of solar billing and contract management for that existing program. For example, if Truro did wish to develop solar on the closed landfill site or other town-owned land, doing so through CVEC might lower the cost and simplify the process. All the programs are optional, so Truro will only benefit by participating in one or more programs.

Most, perhaps all, of the Members have participated in one or more joint solar procurement projects, but there is no obligation to do so. Membership in CVEC does not preclude any Member from independently developing, owning, or contracting for solar projects and/or solar energy or related energy services.

Individual Members may also contract directly with CVEC for various services. For example, Truro could hire CVEC to manage net metering credits from its current supplier.

Some additional benefits of CVEC membership include potential eligibility for lower cost financing for renewable energy projects, such as through the United States Department of Agriculture's Rural Utilities Service.

In my non-legal opinion, the **risks** also appear small. The attached "Frequently Asked Questions" states that no individual Town may be financially indebted unless local approvals (Town Meeting or Town Council) are also obtained." CVEC indemnifies its Directors and Officers against liabilities and expenses and maintains Directors' and Officers' liability insurance. Members can terminate membership at any time for any reason.

Excerpts from Bylaws

Here are some paraphrased excerpts from CVEC's bylaws (full bylaws attached):

CVEC's purposes are to develop and/or own renewable and non-renewable electric generation facilities, and to procure and/or sell long term electric supply or other energy-related goods or services including renewable energy certificate contracts at competitive prices to Members.

CVEC is a Cooperative subject to (among others) the Massachusetts General Law Chapter 164, §136 (the "Electric Co-op Law"), which provides for the creation of energy cooperatives. CVEC can buy, sell, and resell "energy or energy-related services to wholesale or retail customers" subject to applicable state and federal law. It can own land and powerplants.

Its functions, policies, and goals include "exploring appropriate options for acquiring the best market rate for electricity supply; promoting and supporting the development of renewable energy resources; providing and enhancing consumer protection by improving quality of service and reliability; and utilizing and encouraging conservation and other forms of energy efficiency."

Members must be a municipality or county or political subdivision thereof. CVEC is tax-exempt.

Each Member can designate one Director to the Board of Directors, so large and small towns have equal votes.

Members are generally not liable for CVEC's debts. Section 2.10 states that "Except for debts lawfully contracted between a Member and the Cooperative, no Member shall be liable for the debts of the Cooperative to an amount exceeding the sum remaining unpaid on its membership fee." Section 10, however, states that the Cooperative can levy a financial assessment upon its members with the approval of two-thirds of the Board. This clause merits further investigation.

In summary, the Energy Committee recommends that Truro join CVEC to explore whether the Town might benefit from participating in any of its programs.

Attachments:

CVEC Bylaws

CVEC Annual Report FY2020

FAQs

Membership Application

BYLAWS
OF
CAPE & VINEYARD ELECTRIC COOPERATIVE, INC.
As amended March 26, 2020, September 20, 2018 and July 18, 2013

SECTION 1 - GENERAL PROVISIONS

1.1 Scope of Bylaws

These bylaws, the powers of the Cooperative and of its Directors and Officers, and all matters concerning the conduct and regulation of its business shall be subject to such provisions as are set forth in the Cooperative's Articles of Organization, c. 164, § 136 of the General Laws of the Commonwealth of Massachusetts, as now in force or as hereafter amended (the "Electric Co-op Law") and c. 156B of the General Laws of the Commonwealth of Massachusetts, as now in force or as hereafter amended (the "Mass. Corporation Law").

1.2 Name of the Cooperative

The name of the Cooperative shall be Cape & Vineyard Electric Cooperative, Inc., or such name as shall be set forth in the Cooperative's Articles of Organization which may be amended from time to time.

1.3 Place of Business

The principal office of the Cooperative shall be located in Barnstable County, Massachusetts, or at such place as the Board of Directors of the Cooperative may from time to time determine. The Board of Directors may from time to time establish and maintain additional offices at such other locations as it may determine.

1.4 Purposes

The purposes of the Cooperative are to develop and/or own renewable and non-renewable electric generation facilities, and to procure and/or sell long term electric supply or other energy-related goods or services including renewable energy certificate contracts at competitive prices to Members and, in furtherance of the foregoing purposes, to carry on any lawful business permitted for a corporation organized under the Electric Co-op Law and the Mass. Corporation Law. The Cooperative shall be organized and shall conduct its business primarily for the mutual benefit of its Members as patrons of the Cooperative.

1.5 Powers

The Cooperative may transact any lawful business associated with the purchase, acquisition, distribution, sale, resale, supply, and disposition of energy or energy-related services to wholesale or retail customers, subject to applicable federal and state laws and regulations.

The Cooperative shall have all of the powers of a natural person and all the powers set forth in the Electric Co-op Law, provided, however, that the Cooperative will not enter into any joint venture, partnership or other arrangement that will be treated as a partnership for Federal income tax purposes with any entity, unless that entity is a state or political subdivision of a state or is an exempt entity under Internal Revenue Code Section 115.

1.6 Functions, Policies and Goals

The Cooperative's functions, policies and goals shall include, without limitation: exploring appropriate options for acquiring the best market rate for electricity supply; promoting and supporting the development of renewable energy resources; providing and enhancing consumer protection by improving quality of service and reliability; and utilizing and encouraging conservation and other forms of energy efficiency.

SECTION 2 - MEMBERSHIP

2.1 Eligibility

Any municipality or county or political subdivision thereof, or body politic that meets the requirements of Internal Revenue Code Section 115, shall be eligible to apply for membership in the Cooperative, provided that the governing board of each Member has authorized its membership. All Members must agree to be bound by and to comply with all of the other provisions of the Cooperative's Articles of Organization and these bylaws, and all rules, regulations, program requirements and membership agreements as may be established by the Cooperative, as all the same then exist or may thereafter be adopted, repealed or amended (the obligations embodied in such instruments being hereinafter called "Membership Obligations").

2.2 Transfer

No membership shall be transferable.

2.3 Application for Membership

Application for membership shall be made in writing on such form as is provided therefor by the Cooperative. The membership application shall be accompanied by the membership fee provided for in Section 2.4 which fee shall be refunded in the event the application is denied by the Board of Directors in accordance with Section 2.5.

2.4 Membership Fee; Capitalization Obligations

The membership fee shall be as fixed from time to time by the Board of Directors. In accordance with Section 9 of these bylaws, from time to time, the Board of Directors may establish capitalization obligations for Members in its terms and conditions of membership. In addition, the Board of Directors may provide with respect to particular projects (as opposed to

funds intended to cover basic general operating expenses) that such terms and conditions take into account the nature, size, location and benefits and detriments of each project.

2.5 Initial Members; New Members; Acceptance into Membership

The Town of Barnstable, Barnstable County, and the Cape Light Compact shall comprise the initial members of the Cooperative (the "Initial Members"). The Board of Directors may by majority vote deny a potential membership applicant based upon its determination that the applicant is not willing or is not able to satisfy and abide by the Cooperative's terms and conditions of membership or that such application should be denied for other good cause as determined by the Board of Directors in its sole discretion, including, without limitation, the potential for loss of the tax-exempt status of the Cooperative. Upon complying with the requirements set forth in Section 2.1, new applicants shall become a Member as of the effective date in the Board of Directors' vote accepting such Member's application.

2.6 Member Suspension; Reinstatement

Upon the failure of a Member, after the expiration of the initial time limit prescribed either in a specific notice to the Member or in the Cooperative's generally publicized applicable rules and regulations, to pay any amounts due the Cooperative or to comply with the Member's Membership Obligations, membership shall automatically be suspended; and the Member shall not during such suspension be entitled to cast a vote at any meeting of the Members. In addition, the Board of Directors may deny suspended Members any other membership rights, benefits or privileges that it deems appropriate in its sole discretion. Payment of all amounts due the Cooperative, including any additional charges required for such reinstatement, and/or compliance with the Member's Membership Obligations within the final time limit provided in such notice or rules and regulations shall automatically reinstate the membership, in which the event the Member shall thereafter be entitled to vote at the meetings of its Members.

2.7 Termination by Withdrawal or Resignation

A Member may withdraw from membership at any time for any reason by sending a written notice of withdrawal to the Clerk of the Cooperative. The Board of Directors may adopt other rules and regulations pertaining to withdrawal, provided such rules and regulations are not inconsistent with these bylaws.

2.8 Effect of Termination

Upon the termination of a membership for any reason, the Member shall be entitled to such refund of the Member's membership fee as the Board of Directors may determine in its sole discretion, less any amounts due the Cooperative. Termination shall not release the Member from any debts or other obligations then remaining due to the Cooperative or to other parties.

2.9 Member Powers

Unless otherwise required by the Electric Co-op Law or other applicable law, Members shall only be entitled to vote on the election of Directors as set forth in Section 4.2 and Section 5.6.

2.10 Liability of Members

Except for debts lawfully contracted between a Member and the Cooperative, no Member shall be liable for the debts of the Cooperative to an amount exceeding the sum remaining unpaid on its membership fee.

2.11 No Stock

The Cooperative may not issue shares of stock to its Members.

2.12 Sponsors, Benefactors, Contributors, Advisors, Friends of the Cooperative

Persons or groups of persons designated by the Board as sponsor, benefactor, contributor, advisor or friend of the Cooperative or such other title as the Board deems appropriate shall, except as the Board shall otherwise determine, serve in an honorary capacity. In such capacity they shall not be treated as Members and they shall have no right to notice of or to vote at any meeting, shall not be considered for purposes of establishing a quorum and shall have no other rights or responsibilities.

SECTION 3 - MEETINGS OF MEMBERS

3.1 Place

All meetings of the Members shall be held at the principal office of the Cooperative or some other location within Barnstable County or Dukes County as shall be specified in the notice of meeting.

3.2 Annual Meeting

The annual meeting of the Members shall take place in September of each year, or at such other times as established by the Board of Directors

3.3 Special Meetings

The President and/or two or more Directors, when such person(s) deems it expedient and appropriate, may call a special meeting of the Members. At such special meeting, no business shall be considered or transacted other than as specified in the notice prescribed by Section 3.4.

3.4 Notice to Members of Regular and Special Meetings

Notice of each meeting of the Members shall be given at least ten (10) days prior to each regular meeting and at least forty-eight (48) hours, not including Sundays and legal holidays,

prior to a special meeting, by the Clerk of the Cooperative. Notice shall be in written or printed form and may be given by mail, facsimile, email or other delivery to each Member in person or addressed to the last known address or facsimile number of such Member. Whenever any notice is required to be given by law or by these bylaws, a waiver thereof in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent thereto and retained with the records of the meeting. Except as otherwise provided herein, a notice or waiver of notice of a regular or annual Members meeting need not specify the purposes of the meeting. Notice shall be deemed to be given at the time when the notice is mailed, transmitted or otherwise issued. Public notice of any regular or special meeting shall also be made in compliance with the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and other applicable law.

3.5 Conduct of Meetings

At each meeting of the Members, the President, or in the absence of the President, the Vice President, or in the absence of the Vice President, the Clerk shall act as presiding officer. The Clerk or the Assistant Clerk, or in his or her absence, another officer of the Cooperative, shall prepare or cause to be prepared minutes of all business transacted by the Members at each meeting.

3.6 Quorum

A majority of the Members shall constitute a quorum. If there is no quorum, the meeting shall be automatically adjourned without further notice. The affirmative vote of a majority of a quorum present at a meeting shall be necessary for any action taken by the Members.

SECTION 4 - DIRECTORS

4.1 Powers of the Directors

The Cooperative shall have a Board of Directors who shall have the powers and duties of a Board of Directors of a corporation incorporated under the Electric Co-op Law and the Mass. Corporation Law. The Board of Directors shall be responsible for the general management and supervision of the business and affairs of the Cooperative. The Board of Directors may exercise all the powers of the Cooperative.

4.2 Number, Qualifications and Term of Office

The Board of Directors shall consist of not fewer than three Directors. The Directors shall be elected by and from the Members of the Cooperative at the annual meeting of the Members or at a special meeting in lieu of an annual meeting. Each Member shall be entitled to representation on the Board of Directors by having the right to elect one Director. No Director shall hold more than one seat on the Board of Directors. Each Director shall hold office until his or her successor shall be elected and shall qualify.

4.3 Manner of Acting; Remote Participation

Provided there is a quorum physically present at the meeting, and except as specified elsewhere herein, the Board of Directors shall act by vote of a majority of the Directors present at the time of the vote. Directors may participate remotely in meetings and may vote in accordance with the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25 and the regulations promulgated thereunder. Directors participating in meetings remotely may vote and are to be considered present for voting purposes for purposes of these bylaws, provided that there is a quorum physically present.

4.4 Resignation

Any Director may resign at any time upon written notice to the remaining Directors, the President, any Vice President, Treasurer or Clerk. The resignation of any Director shall take effect upon receipt of notice thereof or at such later time as shall be specified in such notice, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

4.5 Removal

Any Director may be removed at any time with or without cause by the Member who elected him or her. Any Director may also be removed at any time with cause by a two-thirds vote of the Directors present at the meeting. A Director may be removed for cause only after a reasonable notice and opportunity to be heard before the body proposing to remove him or her. For cause removal shall include, but not be limited to, disclosure of documents exempt from disclosure under the Massachusetts Public Records Law, or disclosure of matters discussed during executive session prior to release of executive session minutes. A Director subject to removal may vote on such matter and shall be counted when calculating a quorum as set forth in Section 4.3. A Director who fails to attend at least half of the Directors' meetings annually (one of which must be the annual meeting of the Board of Directors) shall be automatically suspended, unless such Director has requested an exemption from this requirement due to special circumstances (i.e., prolonged illness, conflicting work/personal commitments). For purposes of this bylaw provision, annual attendance shall be calculated on a calendar year basis. The Clerk (or other officer of the Cooperative as may be designated by the Board of Directors) shall report on the annual attendance of Directors as requested by the Board of Directors. In each vote implementing the removal of a Director, the Board shall state an official suspension date, which shall generally take place within ninety to one hundred and eighty days in order to give the Member who appointed such Director an opportunity to replace such Director. A Member whose Director is suspended shall be given immediate notice of such removal. A Director who has been suspended or a Member whose Director has been suspended may petition the Board of Directors for reinstatement and he or she shall be given notice and an opportunity to be heard before the Board of Directors on such matter within ninety days of such request. The Board of Directors shall then take a vote as to whether cause exists for removal as provided in the second sentence of this Section 4.5.

4.6 Vacancies on the Board of Directors

Directors may act despite a vacancy in the Board of Directors and shall for this purpose be deemed to constitute the full Board. If there is a vacancy in the Board of Directors, the vacant seat shall not be counted towards a quorum of the Board as set forth in Section 4.3. Any vacancy in the Board of Directors shall be filled in the same manner as the position was originally filled. Each Director chosen to fill a vacancy on the Board of Directors shall hold office until the next annual election of the Board of Directors and until his or her successor shall be elected and qualify.

4.7 No Right to Compensation

Unless the Board of Directors in its discretion provides for compensation, Directors shall serve without compensation. No Director resigning, and (except where a right to receive compensation shall be expressly provided in a duly authorized written agreement with the Cooperative) no Director removed, shall have any right to any compensation as such Director for any period following his or her resignation or removal, or any right to damages on account of such removal, whether his or her compensation be by the month or by the year or otherwise.

SECTION 5 - COMMITTEES

5.1 Executive Committee

Subject to the limitations set forth in Section 55 of the Mass. Corporation Law and Section 5.6 below, the powers of the Board of Directors shall be delegated to the Executive Committee.

5.2 Executive Committee Membership

The Executive Committee shall have at least three but no more than five members. The initial membership shall consist of the Directors elected by the Initial Members. When the membership of the Cooperative consists of four or five Members, additional members shall be added to the Executive Committee and shall consist of the Directors elected by the fourth and fifth members of the Cooperative. When the membership of the Cooperative consists of six or more Members, the membership on the Executive Committee shall consist of the three Directors elected by the Initial Members and two committee members who shall be elected at large by the Members of the Cooperative. The two at large members of the Executive Committee shall be elected from the Board of Directors. If any of the Initial Members ceases to be a Member of the Cooperative, its representation on the Executive Committee shall become an at-large seat. No person may hold more than one seat on the Executive Committee.

5.3 Conduct of Business of Executive Committee.

The Executive Committee shall conduct its business so far as possible in the same manner as is provided by these bylaws for the Board of Directors. A majority of the Executive Committee shall constitute a quorum. The Executive Committee by majority vote shall determine the time and place of meetings and the notice required therefor. The Executive

Committee shall keep records of its meetings in form and substance as may be directed by the Board of Directors and in accordance with the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, and other applicable law.

5.4 Matters Requiring Review by Executive Committee

The Executive Committee may set its own agenda, but it shall be required to consider any matter or action as may be directed by the full Board of Directors from time to time.

5.5 Reports to Full Board

From time to time upon request and at each meeting of the Board of Directors, the Executive Committee shall make a full report of its actions and activities since the last meeting of the Board.

5.6 Right of Appeal to Full Board

If two members of the Executive Committee object to the affirmative action taken by the Executive Committee, they may appeal such decision within forty-eight hours of such action or vote by requesting a special meeting of the full Board of Directors in accordance with Section 6.4. At such special meeting, the Board of Directors may overturn the action or vote of the Executive Committee by a two-thirds vote. A vote by the Executive Committee to take no action (including, without limitation, a vote to take no action in connection with financial matters under Section 10 of these bylaws) cannot be appealed.

5.7 Other Committees, Commissions and Advisory Boards

Subject to the limitations set forth in Section 55 of the Mass. Corporation Law, the Board of Directors may create and appoint persons to a committee, commission, advisory board or other such body which may or may not have Directors as members, which body may not act on behalf of the Cooperative or bind it to any action but may make recommendations to the Board of Directors or to the Officers of the Cooperative. Committees, commissions and Advisory Boards that include Directors may be subject to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25.

SECTION 6 - MEETINGS OF THE BOARD OF DIRECTORS

6.1 Place

All meetings of the Board of Directors shall be held at the principal office of the Cooperative or some other location within Barnstable County or Dukes County as shall be specified in the notice of meeting.

6.2 Annual and Regular Meetings

The Board of Directors shall meet at least quarterly for the transaction of any lawful business of the Cooperative, or such other day, time and place as shall be designated in the notice of meeting prescribed by Section 6.4 hereof. The Board may determine to meet more or less frequently in its discretion. Any regular meeting of the Board may be dispensed with or rescheduled by the Directors at any prior meeting of the Board. The September meeting of the Board shall be considered the annual meeting of the Board of Directors for the purposes of these bylaws.

6.3 Special Meetings

The President and/or two or more Directors, when such person(s) deems it expedient and appropriate, may call a special meeting of the Board of Directors. At such special meeting, no business shall be considered or transacted other than as specified in the notice prescribed by Section 6.4.

6.4 Notice to Directors of Regular and Special Meetings

Notice of each meeting of the Board of Directors shall be given at least ten (10) days prior to each regular meeting and at least forty-eight (48) hours, not including Sundays and legal holidays, prior to a special meeting, by the Clerk of the Cooperative. Notice shall be in written or printed form and may be given by mail, facsimile, email or other delivery to each Director in person or addressed to the last known business, residential or email address, or facsimile number of such Director. Whenever any notice is required to be given by law or by these bylaws, a waiver thereof in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent thereto and retained with the records of the meeting. Except as otherwise provided herein, a notice or waiver of notice of a regular or annual Board of Directors' meeting need not specify the purposes of the meeting. Notice shall be deemed to be given at the time when the notice is mailed, transmitted or otherwise issued. Public notice of any regular or special meeting shall also be made in compliance with the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25 and other applicable law.

6.5 Conduct of Meetings; Executive Session

At each meeting of the Board of Directors, the President, or in the absence of the President, the Vice President, or in the absence of the Vice President, the Clerk shall act as presiding officer. The Clerk or the Assistant Clerk, or in his or her absence, another officer of the Cooperative, shall prepare or cause to be prepared minutes of all business transacted by the Board of Directors at each meeting. The meetings of the Board are subject to the Massachusetts law governing open meetings of governmental bodies and governmental boards and commissions, G.L. c. 30A, §§ 18-25 and G.L. c. 66, § 5A. The Board of Directors may adopt rules regarding the conduct of executive session meetings in accordance with applicable Massachusetts law. If a Director is participating remotely in a meeting in accordance with the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25 and the regulations promulgated thereunder, the remote participation procedures required by law (such as taking votes by roll call and the requirement that the person chairing the meeting be physically present) shall also apply.

6.6 **Quorum**

A majority of the Directors shall constitute a quorum. The presence of less than a quorum may adjourn any meeting from time to time without further notice. The affirmative vote of a majority of a quorum present at a meeting shall be necessary for any action taken by the Board of Directors. Suspended Directors shall not be factored in when determining a quorum.

6.7 **Conflict of Interest Law; Vote of Interested Director**

The Board, as it consists of county and municipal representatives is subject to the provisions of the Massachusetts Conflict of Interest Law, G.L. c. 268A, and shall act at all times in conformity therewith. Compliance with this Section 6.7 does not ensure compliance with such law.

In addition, a Director who himself or herself, has an immediate family member or partner who is a member, stockholder, trustee, director, officer, partner or employee of any firm, corporation or association with which the Cooperative contemplates contracting or transacting business shall disclose his or her relationship or interest to the other Directors acting upon or in reference to such contract or transaction. No Director so interested shall vote on such contract or transaction, but he or she may be counted for the purpose of determining a quorum. The affirmative vote of a majority of the disinterested Directors hereof shall be required before the Cooperative may enter into such contract or transaction.

In case the Cooperative enters into a contract or transacts business with any firm, corporation or association of which a Director is himself or herself, has an immediate family member or partner is a member, stockholder, trustee, director, officer, or employee, such contract or transaction shall not be invalidated or in any way affected by the fact that such Director may have interests therein which are or might be adverse to the interests of the Cooperative. No Director having disclosed such adverse interest shall be liable to the Cooperative or to any creditor of the Cooperative or to any other person for any loss incurred by it under or by reason of any such contract or transaction, nor shall any such Director be accountable for any gains or profits to be realized thereon.

SECTION 7 - OFFICERS

7.1 **Election**

At its first meeting and at its annual meeting thereafter, the Board of Directors shall elect a President, Vice President, Treasurer and Clerk and such other officers as the Board of Directors shall determine. The term of office for those so elected shall be one year and until their respective successors are elected and qualified.

7.2 **Qualifications**

Two or more offices may be held by the same person. The Clerk shall be a resident of Massachusetts unless a resident agent shall have been appointed pursuant to Massachusetts law.

7.3 Vacancies

Any vacancy occurring among the Officers, however caused, may be filled by the Board of Directors, for the unexpired portion of the term.

7.4 Removal

Any Officer of the Cooperative may be removed from office with or without cause by a majority vote of the Directors then in office at any annual or special meeting of the Board of Directors. An Officer may be removed for cause only after a reasonable notice and opportunity to be heard before the Board of Directors. An Officer who is removed from his or her office will at the same time be removed from his or her all of his or her other positions in the Cooperative.

7.5 Resignation

Any Officer may resign at any time by giving his or her resignation in writing to the President, Treasurer, any Vice President, Clerk or any other Officer or Director of the Cooperative. An Officer may resign as officer without resigning from other positions in the Cooperative, including the position of Director.

7.6 President and Vice Presidents

The President shall be the chief executive officer of the Cooperative and shall, subject to the direction of the Board of Directors, have general supervision and control of its business. The President shall not be a member of the Board of Directors unless he or she is independently elected to the Board of Directors in accordance with Section 4.2. Unless otherwise provided by the Board of Directors he or she shall preside, when present, at all meetings of the Board of Directors. In the absence or disability of the President, his or her powers or duties shall be performed by the Vice President, if any and, and if more than one, by the one designated for the purpose by the Board of Directors. Any Vice President shall have such other powers and shall perform such other duties as the Board of Directors may from time to time designate. If there is no Vice President, and the President is absent or disabled, his or her powers or duties shall be performed by the Treasurer.

7.7 Treasurer and Assistant Treasurer

The Treasurer shall, subject to the direction of the Board of Directors, have general charge of the financial affairs of the Cooperative and shall cause to be kept full and accurate books of account. He or she shall have custody of all funds, securities, and valuable documents of the Cooperative, except as the Board of Directors may otherwise provide. He or she shall render a statement of the financial affairs of the Cooperative at each annual meeting of the Board of Directors and to the President upon request. In the absence or disability of the Treasurer, his or her powers and duties shall be performed by the Assistant Treasurer, if only one, or, if more than one, the one designated for the purpose by the Board of Directors. Any Assistant Treasurer

shall have such other powers and perform such other duties as the Board of Directors may from time to time designate.

7.8 Clerk and Assistant Clerks

The Clerk shall keep a record of the meetings of Directors and shall give such notices of meetings as are required by these bylaws. In the absence of the Clerk from any meeting of the Board of Directors, an assistant clerk if one be elected, otherwise a temporary clerk designated by the person presiding at the meeting, shall perform the duties of the Clerk. An assistant clerk shall have such other powers and perform such other duties as the Board of Directors may from time to time designate.

7.9 Chief Procurement Officer

The Cooperative shall designate a Chief Procurement Officer who may be the same person as the President or other Officer of the Cooperative. The role of the Chief Procurement Officer, in accordance with applicable public procurement laws, shall be to select proposals for and facilitate the award of contracts on behalf of the Cooperative, with input from members of the Board, Cooperative staff, counsel and others, as such Chief Procurement Officer sees fit. Notwithstanding the foregoing, the Board may determine that the Cooperative, as long as consistent with applicable law, will select proposals and award contracts in another manner.

7.10 No Right to Compensation

Unless the Board of Directors in its discretion provides for compensation, Officers shall serve without compensation. No Officer resigning, and (except where a right to receive compensation shall be expressly provided in a duly authorized written agreement with the Cooperative) no Officer removed, shall have any right to any compensation as such Officer for any period following his or her resignation or removal, or any right to damages on account of such removal, whether his or her compensation be by the month or by the year or otherwise.

SECTION 8 - INDEMNIFICATION OF DIRECTORS AND OFFICERS; NO WAIVER OF IMMUNITY

The Cooperative shall, subject to the limitations set forth in Section 9 of G.L. c. 258 and to the extent legally permissible, indemnify any person serving or who has served as a Director or Officer of the Cooperative against all liabilities and expenses, including amounts paid in satisfaction of judgments, in compromise or as fines and penalties, and counsel fees, reasonably incurred by him or her, in connection with the defense or disposition of any action suit or other proceeding, whether civil or criminal, in which he or she may be involved or with which he or she may be threatened, while serving or thereafter, by reason of his or her being or having been such a Director, Officer, trustee, employee or agent, except with respect to any matter as to which he or she shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his or her action was in the best interests of the Cooperative; provided, however that as to any matter disposed of by a compromise payment by such Director, Officer,

trustee, employee or agent, pursuant to a consent decree or otherwise, no indemnification either for said payment or for any other expenses shall be provided unless:

- (a) Such compromise shall be approved as in the best interests of the Cooperative, after notice that it involves such indemnification by a disinterested majority of the Directors then in office; or
- (b) in the absence of action by disinterested Directors, there has been obtained at the request of a majority of the Directors then in office an opinion in writing of independent legal counsel to the effect that such Director or Officer appears to have acted in good faith in the reasonable belief that his or her action was in the best interest of the Cooperative.

Expenses including counsel fees, reasonably incurred by any such Director, Officer, trustee, employee or agent in connection with the defense or disposition of any such action, suit or other proceeding may be paid from time to time by the Cooperative in advance of the final disposition thereof upon receipt of an undertaking by such individual to repay the amounts so paid to the Cooperative if it is ultimately determined that indemnification for such expenses is not authorized under this Section. The right of indemnification hereby provided shall not be exclusive of or affect any other rights to which any such Director, Officer, trustee, employee or agent may be entitled. Nothing contained in this Article shall affect any rights to indemnification to which corporate personnel other than such Directors, Officers, trustees, employees or agents may be entitled by contract or otherwise under law. As used in this Article the terms "director," "officer," and "trustee," "employee" and "agent" include their respective heirs, executors and administrators, and an "interested" Director, Officer, trustee, employee or agent is one against whom in such capacity the proceedings in question or other proceedings on the same or similar grounds is then pending.

In addition, the Cooperative shall seek to obtain and maintain in full force and effect a policy of director's and officer's liability insurance (the "D&O Insurance") in commercially reasonable amounts from an established and reputable insurer. Notwithstanding the foregoing, the Cooperative shall have no obligation to obtain or maintain D&O Insurance if the Board of Directors determines in good faith that such insurance is not reasonably available, the premium costs for such insurance are disproportionate to the amount of coverage provided or the coverage provided by such insurance is so limited by exclusions that there is insufficient benefit from such insurance.

No portion of these bylaws shall be deemed to constitute a waiver of any common law or statutory immunities of the Cooperative, the Members or their directors, officers and employees. No portion of these bylaws shall be deemed to have created a greater duty of care which did not previously exist as a matter of common or statutory law with respect to any public employee.

SECTION 9 - NATURE OF COOPERATIVE

The Cooperative shall operate as an instrumentality of its government Members and shall at all times serve the needs and interests of such Members.

The Cooperative shall accept funds only from its Members or other sources that will not jeopardize its tax-exempt status.

The Cooperative shall be organized and shall conduct its business primarily for the mutual benefit of its Members as patrons of the Cooperative. Members shall have no individual or separate interest in the property or assets of the Cooperative except as provided herein.

The Cooperative must comply with all public procurement laws applicable to its Members.

SECTION 10 – FINANCIAL MATTERS

The Cooperative shall only levy a financial assessment upon its members, issue bonds, incur other borrowings or incur financial commitments upon obtaining the affirmative vote of a majority of the members of the Executive Committee at which there is a quorum present in accordance with Section 5.3 followed by a two-thirds vote of the Board of Directors present and voting at any meeting (or a higher threshold, if a higher threshold is required by applicable law). Issuance of bonds and other borrowings must be made in furtherance of the Cooperatives purposes, policies and goals as set forth in Section 1 of these bylaws.

SECTION 11 – DISSOLUTION and DISTRIBUTION OF EXXCESS CASH

In the event of excess cash as determined and defined by a two-thirds vote of the Board of Directors present in accordance with quorum specifications, the Board of Directors shall distribute said excess cash only to Members in a *pro rata* basis in proportion to their financial or in-kind contributions to, and/or pledges or guaranties on behalf of the Cooperative. The Board of Directors shall direct the *pro rata* distribution upon obtaining a two-thirds vote of the Board of Directors present (or a higher threshold, if a higher threshold is required by applicable law).

In the event of dissolution, any remaining assets after satisfaction of liabilities shall be distributed only to Members in a *pro rata* basis in proportion to their financial or in-kind contributions to, and/or pledges or guaranties on behalf of the Cooperative. The Board of Directors shall direct the *pro rata* distribution upon obtaining a two-thirds vote of the Board of Directors present (or a higher threshold, if a higher threshold is required by applicable law).

Title to all debt-financed property shall revert to the Member(s) on a *pro rata* basis in proportion to their financial or in-kind contributions to, and/or pledges or guaranties on behalf of the Cooperative. If it is in the best interest of the Cooperative or there are equitable interests to be taken into account, the Board may vary the post-dissolution allocation of debt-financed property among the Members.

Members shall have no individual or separate interest in the property or assets of the Cooperative except as provided herein.

SECTION 12 - MISCELLANEOUS

12.1 Corporate Records

The original, or attested copies, of the Articles of Organization, bylaws and records of all meetings of the incorporators and Directors shall be kept in Massachusetts at the principal office of the Cooperative, at an office of its Assistant Clerk, at an office of its attorney, or at such other location as the Board of Directors may designate. Said copies and records need not all be kept in the same office. They shall be available at all reasonable times for the inspection of any Member or Director for any proper purpose and as required by law. The records of the Cooperative shall be subject to the Massachusetts Public Records Act, G.L. c. 66, and shall be deemed public records, unless such records fall within the exemptions set forth in G.L. c. 4, § 7, including exemptions for development of inter-agency policy and trade secrets or commercial or financial information.

12.2 Fiscal Year

The fiscal year of the Cooperative shall begin on July 1 and end on June 30th, the same fiscal year as established by the General Laws for cities and towns in the Commonwealth.

12.3 Execution of Papers

All deeds, leases, transfers, contracts, bonds, notes, releases, drafts and other material obligations authorized to be executed on behalf of the Cooperative which obligate the Cooperative's resources in excess of one hundred-thousand dollars (\$100,000.00) shall be signed by at least two persons. Such persons shall either be an Officer of the Cooperative, or persons as the Board of Directors may generally or in particular cases otherwise determine.

All contracts on behalf of the Cooperative which obligate the Cooperative's resources for more than thirty-five thousand dollars (\$35,000.00) but less than one hundred-thousand dollars (\$100,000.00) shall be signed by a single person. Such person shall either be an Officer of the Cooperative or persons as the Board of Directors may generally or in particular cases otherwise determine.

All contracts on behalf of the Cooperative which obligate the Cooperative's resources for less than thirty-five thousand dollars (\$35,000.00) shall be signed by a single person. Such person shall either be an Officer of the Cooperative, the Cooperative's Manager, [the Cooperative's Executive Director](#) or persons as the Board of Directors may generally or in particular cases otherwise determine.

Checks may be signed by a single Officer of the Cooperative, or persons as the Board of Directors generally or in particular cases otherwise determine.

12.4 Evidence of Authority

A certificate by the Clerk or Assistant or Temporary Clerk as to any matter relative to the Articles of Organization, bylaws, records of the proceedings of the incorporators, Board of Directors, or any committee of the Board of Directors, or as to any action taken by any person or

persons as an Officer or agent of the Cooperative, shall as to all persons who rely thereon in good faith be conclusive evidence of the matters so certified.

12.5 Limitations on Compensation

Reasonable compensation may be paid to individuals for services rendered. No part of the net earnings of the Cooperative may inure to the benefit of any Director, Officer or other individual.

12.6 Services Furnished by Members

Members may provide services to the Cooperative and may receive reasonable compensation for such services.

12.7 Reports; Financial Audits

The Cooperative shall prepare an annual report which shall be provided, without charge, to each of its Members at the annual meeting of the Members, or at such other time as the Board of Directors may determine. External financial audits will be conducted on a regular and recurring basis by a C.P.A. in accordance with generally accepted accounting practices (“GAAP”) or such other standard as the Board of Directors shall determine.

12.8 Amendments

These bylaws may be altered, amended or repealed, in whole or in part, by the affirmative vote of eighty percent (80%) of the Directors present and voting at any meeting, the notice of which contains a statement of the proposed alteration or amendment.

12.9 Shared Legal Representation Involving Members or Other Public Entities; Official Duties of Cooperative Counsel

The purpose of this bylaw is to allow the Cooperative from time to time to retain counsel who may also represent its Members or other public entities in matters in which the Cooperative has a direct or substantial interest without violating G.L. c. 268A, § 11(a) and (c). Such dual or common representation allows the Cooperative to pool resources for a common purpose, develop mutual interests, and preserve scarce Cooperative funds. Pursuant to this bylaw, the official duties of Cooperative counsel include, but are not limited to, representing Members or other public entities in (i) administrative and judicial proceedings in which the Cooperative is also a party; (ii) contract negotiations or project development matters in which the Cooperative or its Members have an interest, and (iii) other matters in which the Cooperative has a direct or substantial interest, provided that in each instance, such dual or common representation would not cause a violation of rules governing attorney conduct. Cooperative counsel shall discharge such duties only when requested in writing by the Cooperative’s Board of Directors. Prior to making such a request, the Cooperative’s Board of Directors shall determine whether the interests of the Cooperative would be advanced by such dual or common representation and shall evaluate if actual or potential conflicts of interest exist. If any conflicts are identified, they shall

be described in the written request. Counsel shall then make its own determination whether such dual or common representation would not cause a violation of rules governing attorney conduct.

12.10 Executive Director/**General Manager/Administrator/Manager**

The administrative and day-to-day operation of the Cooperative may be the responsibility of an employed chief staff head or firm engaged by and responsible to the Board of Directors. The employed staff head or, in the case of a firm, chief staff executive retained by the firm shall have the title of "Executive Director", "General Manager," "Administrator," "Manager" or other such title as may be designated by the Board of Directors. The Executive Director/General Manager/Administrator/Manager shall have the authority to execute contracts on behalf of the Cooperative subject to the restrictions set forth in paragraph 12.3 in these bylaws, and as may be approved by the Board of Directors from time to time. The Executive Director/General Manager/Administrator/Manager shall carry out such other duties as may be specified by the Board of Directors or the President.



Cape & Vineyard Electric Cooperative

Annual Report FY 2020

FY 20 HIGHLIGHTS



Savings to date of over \$16.9 M to participating Cape & Islands Towns, Counties & Districts



By 2023, CVEC renewables to total ~ 54MW



Critical carbon offsets for a climate-challenged region



CVEC PROVIDES



Solar Photovoltaics (PV)



Battery storage

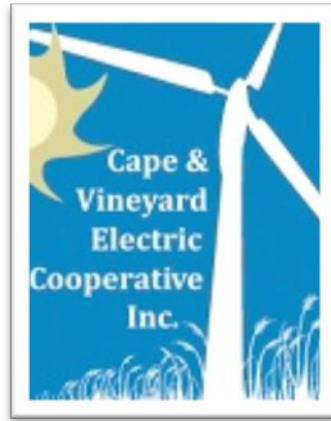


Assistance with Electric Vehicles & Stations



Electric Account & NMC Management





Cape & Vineyard Electric Cooperative, Inc.
ANNUAL REPORT FISCAL YEAR 2020
July 1, 2019 - June 30, 2020

Prepared September 2020

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I. EXECUTIVE SUMMARY

Since its organization in 2007, the Cape & Vineyard Electric Cooperative, Inc. (“CVEC” or the “Cooperative”) has worked to develop renewable energy projects in support of CVEC’s goals and objectives of developing and/or owning renewable electric generation facilities and procuring and/or selling long-term electric supply or other energy-related goods or services at competitive prices to help stabilize electric rates for CVEC member communities. This Annual Report summarizes CVEC’s activities and operations in fiscal year (“FY”) 2020.

II. INTRODUCTION

A. Organizational History

CVEC was formed out of a strategic planning process commissioned and undertaken by the Cape Light Compact (“CLC”). CVEC was organized in 2007 with three members: CLC, Barnstable County, and the Town of Barnstable. Currently, CVEC has 24 members consisting of 21 towns, Nantucket, Barnstable and Dukes County, and the CLC. CVEC was formed under Massachusetts General Laws Chapter 164, §136. This statute provides for the establishment of energy cooperatives. Section 136 cooperatives can, among other things: (1) purchase and own generation, transmission and other projects and property; (2) enter into contracts and incur liabilities; (3) borrow money, issue notes and bonds; (4) enter into private/public collaboration (contractual); (5) purchase, sell and distribute energy; and (6) sell electricity to any consumer within CVEC member communities.

CVEC’s goals and objectives include developing and/or owning renewable electric generation facilities and procuring and/or selling long term electric supply or other energy-related goods or services including renewable energy certificate contracts at competitive prices to member communities.

A SAMPLING OF CVEC ACHIEVEMENTS OVER THE YEARS

2013	Awarded Outstanding Environmental Achievement by the Environmental Business Council (EBC) for CVEC’s capped landfill PV
2014	Awarded \$1.4M Community Clean Energy Resilience Initiative grant from DOER
2018	As Rate Case Intervenor, averted utility devaluation of Net Metering Credit value
2019	Produced Cape Cod’s first Electric Car Show at Hyannis Airport with CapeAir
2020	Provided cumulative to-date savings of \$16.9M to participating towns, schools, counties and districts



B. Current CVEC Members

Since its inception CVEC has grown from its three founding members (County of Barnstable, Cape Light Compact, and Town of Barnstable) to its 24 members as of June 30, 2020. The subsequent CVEC members include Dukes County, and the Towns of Aquinnah, Bourne, Brewster, Chatham, Chilmark, Dennis, Eastham, Edgartown, Falmouth, Harwich, Oak Bluffs, Orleans, Marion, Mashpee, Nantucket, Provincetown, Sandwich, Tisbury, West Tisbury, and Yarmouth.

III. OFFICERS, BOARD OF DIRECTORS AND STAFF

Listed below are the Directors and Staff as of the end of FY20, June 30, 2020. Directors who joined CVEC during the course of FY20 are so noted with an asterisk (*).

A. Officers (As of June 30, 2020)

Leo Cakounes, Harwich, President
 Jennifer Rand, West Tisbury, Vice-President
 Robert Wirtshafter, Chatham, Treasurer
 Charles Hanson, Brewster, Clerk

B. Board of Directors (As of June 30, 2020)

Austin Brandt, Cape Light Compact
 William Lake, Aquinnah*
 Stephen Lewenberg, Chilmark
 Rosemary Dreger-Carey, Falmouth
 Ron Collins, Orleans
 Wayne Taylor, Mashpee*
 Lauren Sinatra, Nantucket*
 Bill Saltonstall, Marion*
 Steve Gavin, Yarmouth
 Vacant, Dennis
 Robert Wirtshafter, Chatham
 Vacant, Tisbury
 Richard Toole, Oak Bluffs
 Tain Leonard-Peck, Duke's County
 Lydia Hamnquist, Provincetown
 Vacant, Sandwich
 Adam Prince, Eastham



Alan Strahler, Edgartown*
 Ron Beaty, Barnstable County*
 Janice Marks, Bourne

C. Executive Committee (As of June 30, 2020)

Leo Cakounes, Harwich
 Charles McLaughlin, Barnstable
 Ron Beatty, Barnstable County
 Austin Brandt, Cape Light Compact
 Jennifer Rand, West Tisbury

D. Finance Committee (As of June 30, 2020)

Charles McLaughlin, Barnstable
 Leo Cakounes, Barnstable County
 Bob Wirtshafter, Chatham
 Steve Gavin, Yarmouth
 Chuck Hanson, Brewster

E. Staff (As of June 30, 2020)

Liz Argo, Executive Director



Figure 1. CVEC Board Meeting September 2019. Left to right. Lydia Hamnquist, Bill Saltonstall, Wayne Taylor, Ron Collins, Charles McLaughlin, Jr., Leo Cakounes, CVEC Exec Dir, Liz Argo, Ron Bergstrom, Austin Brandt, Greg Rounseville, Bob Wirtshafter, Office Services Administrator, Tatsiana Nickinello, and Lauren Sinatra

IV. FISCAL YEAR 2020 ACCOMPLISHMENTS

A. CVEC's Initial Initiative, Round 1, Round 2 and Round 3

CVEC continues to manage its portfolio of photovoltaic (PV) renewable energy projects built through direct CVEC efforts. At the end of FY20, CVEC's renewable energy projects had provided \$16,911,987 in savings to its towns and governmental participants. The commensurate greenhouse gas reduction of 140,353 metric tons is significant as well as critical to a region already impacted by climate change.

Thirty-two projects are now in service as a result of CVEC's 2010 Initial Round, CVEC's 2013 Round 1, CVEC's 2014 Round 2 PV, and CVEC's 2019 Round 3 Initiatives. Together the installations have a capacity of 29.5 megawatts (MW). The total net metered energy value in FY20 from the Initial Round (CVEC-7) and CVEC's Rounds 1 through 3 is \$3,099,143, slightly below last year's savings of \$3,378,807. The decrease is attributable to weather and a decline in the net metering credit value in FY20. These savings and earnings from CVEC's 30.5 MW portfolio benefitted 21 governmental entities located on Cape Cod and Martha's Vineyard, including nineteen municipalities, one water district and two school districts.



Figure 2. The Provincetown Veterans Memorial Community Center PV installed under CVEC R3 PV Initiative. *Photo courtesy of Maxwell Wagner. 2020*

B. CVEC's Round 4 PV/Storage Initiative

In the winter of 2019, CVEC advertised its Round 4 PV/Storage Initiative. By April, three developers had been selected from the nineteen respondents, and contracting was completed over the summer of 2019. Round 4 will consist of seventeen photovoltaic installations ranging from capped landfill installations to solar canopies to roof mounted installations. Nine of the seventeen projects are to have battery storage included as part of the energy system. Round 4 is estimated to have a total capacity of 12 megawatts. As of the close of FY20, all seventeen CVEC projects had been registered in the state's incentive program called the Solar Massachusetts Renewable Target (SMART). The first project, which is to be installed on the roof of Monomoy High School, is slated for ground breaking in September 2020.

C. CVEC's Round 5 PV/Storage Initiative

Building on the success of CVEC's PV/Storage Initiative Round 4, CVEC advertised its Round 5 PV/Storage Initiative Request for Proposals in December 2019. Four developers responded and three developers were selected to develop twenty-two photovoltaic projects, thirteen of which will include battery storage. The Round 5 projects include a landfill project, a dual-use agricultural solar ground mount, twelve parking lot solar canopies, and eight roof mounted photovoltaic projects. Contracting is well underway with completion expected before the end of 2020.

D. CVEC's Round 6 PV/Storage Initiative

CVEC is now collecting PV/Storage installation proposals from regional governmental entities and, after assessment, will package and advertise a CVEC PV/Storage Initiative Round 6 in late 2020/early 2021.

E. CVEC's Sharing of Net Metering Credits

In addition to providing renewable energy for Cape Cod and Martha's Vineyard's municipalities through project development, CVEC further supports its communities through a unique net metered energy revenue sharing mechanism developed by CVEC to

allow shared benefits. For example, the CVEC Harwich Capped Landfill PV project was built to its fullest capacity with the knowledge that total PV production would exceed Harwich’s total kilowatt hour (“kWh”) usage. Through the Cooperative, the Harwich Capped Landfill PV project’s excess energy is allocated to off-taker participants like Barnstable County and the Town of Provincetown. In this way, Cooperative participants, unable to host large renewable energy projects on their own municipal lands, can lower their electric costs through the purchase of excess net metering credits from their neighbors.

The list of towns or other governmental entities participating as off-takers of CVEC’s net metered energy are Barnstable County, Dukes County, Brewster, Chatham, Chilmark, Oak Bluffs, Monomoy Regional School District, Provincetown and Yarmouth.

F. CVEC’s Purchase of Net Metered Power

On behalf of CVEC’s pool of off-takers, CVEC has leveraged its position as an energy cooperative by contracting to purchase net metering credits from various off-Cape non-CVEC projects. The purchases include 3 MW of net metered energy from an 8MW wind project known as Future Generation Wind (“FGW”) located in Plymouth County. Participation in the wind project brought the Cooperative closer to its goal of managing a diversified portfolio of distributed generation projects on behalf of its member towns.



Figure 3. Photo of FGW wind turbines in Plymouth, MA.
Photo courtesy of Future Generation Wind

In FY17, FY18, and FY19 CVEC negotiated five additional Power Purchase Agreement (PPA) contracts with two off-Cape developers to bring added net metering credits to Cape & Vineyard governmental entities. CVEC’s three contracts with Nexamp, LLC for net metering credits from its 6-megawatt solar farm located in Dartmouth, Massachusetts will allow CVEC to distribute over 4,236,953 kilowatt hours of net metering credits to CVEC’s pool of offtakers as well as to three new beneficiaries; the Sandwich Water

District, the Harwich Water Department, and the Upper Cape Regional Water Cooperative.



Figure 4. Photo of anchors being installed in preparation for solar racking installation at Dartmouth Farms Solar. Photo courtesy of Nexamp LLC.

CVEC’s FY17 contract with Syncarpha LLC on behalf of two additional regional governmental offtakers, the Centerville, Osterville, Marson Mills Fire District (COMM), and the Cotuit Fire District Water Department, allows CVEC to distribute net metering credits to those entities, with cumulative savings to them of \$469,098 as of the end of FY20.

G. Battery Storage

As noted, where appropriate, CVEC’s PV/Storage Initiatives Rounds 4 and 5 will include battery storage systems.

In addition, CVEC continues to move forward on a battery back-up system to be located at the Dennis Yarmouth (“DY”) High School Regional Emergency Shelter in conjunction with existing PV installed in 2015. The energy storage system will utilize a \$1.4 million grant awarded to CVEC in 2014 by the Massachusetts Department of Energy Resources under the Community Clean Energy Resilience Initiative (“CCERI”).

CVEC, in partnership with Clean Energy States Alliance (“CESA”) and Sandia National Laboratories, completed a Request for Proposals in FY18. In early 2019 CVEC selected Massachusetts developer, Ameresco, as the winning developer to, first, provide an economic analysis of their proposed battery design, and second, to contract for the proposed turn-key system for DY High’s Emergency Shelter.

In February 2020, CVEC and Ameresco completed the Feasibility Study for the Dennis-Yarmouth High School Battery Energy Storage System, which can be found along with the study supplements on CVEC’s website at <http://www.cvecinc.org/wordpress/cvec-bess-at-dy-high-school/>.

H. CVEC Consultant Services and Training Sessions

The Town of Dennis, a CVEC member, continues to use CVEC’s net metering expertise and services to manage the distribution of the Town’s net metering credits from their Dennis capped landfill PV system, a PV system not installed under CVEC management.

Another CVEC member, the Town of Provincetown, also utilizes CVEC’s management services to delineate benefits from their Transfer Station PV system, a system installed by CVEC to operate both Behind-the-Meter and as a net metering credit exporter.

In FY18, the Town of Sandwich contracted with CVEC to utilize CVEC’s administrative services to manage the transactions relative to a Town of Sandwich 4 megawatt PV system not installed under CVEC management.

In FY19, the Town of Yarmouth also engaged CVEC’s management services. The Yarmouth management is extensive, with CVEC responsible for payment of all electric charges through the town’s MUNIS platform, review and analysis of electric charges, and a full accounting of all net metering credit transactions.

The Cooperative invites all members and participants to use CVEC’s management services to aid their processes.

In addition to offering CVEC management services, CVEC seeks to aid town staff, board members and town administrators understand the complexities of net metering credit transactions, by providing training sessions with CVEC staff. The sessions offer opportunity to get answers to specific questions. The annual training sessions are coined “Celebrations” and result in attendees receiving CVEC “Survivor’s Awards”.



Figure 5. CVEC Survivors Celebration Training event. August 2019



I. CVEC's Electric Car Initiative

Recognizing that 40% of greenhouse gas emissions is attributable to the transportation sector, in March of 2019, CVEC initiated its Electric Car Initiative in association with the Cape Light Compact.



Figure 6. Chatham's administrator's electric vehicle parked under the CVEC-installed PV on the Fire Station roof. From left to right, Chief Dave DePasquale, CVEC Executive Director, Liz Argo, Chatham Principal Projects and Operations Administrator, Terry Whalen, Chief Peter Connick, and the CVEC Representative from Chatham, Robert Wirtshafter. September 2019.

Through the efforts of CVEC's Project Coordinator, Evan Melillo, the towns of Aquinnah, Bourne, Chatham, Oak Bluffs, Yarmouth, as well as Barnstable County and Nauset Regional School District submitted applications to the MassEVIP grant program and received grants for electric cars and charging stations.

In September 2019, CVEC combined forces with Cape Air to stage the Cape's first Electric Vehicle (EV) Show. Sponsors included the Cape Light Compact, the Cape Cod Chamber of Commerce, and Green Energy Consumers Alliance.

The EV Car Show was hosted at the Hyannis Barnstable Municipal Airport and was organized as the premier regional event for National Drive Electric Week. Cape Cod auto dealers showcased their electric and plug-in hybrid models and offered test drives of nine

different EVs to the several hundred attendees. Private owners also brought an additional 22 EVs in 13 different makes and models.



Figure 7. Cape Cod's First Electric Vehicle Car Show, produced by CVEC and Cape Air. September 2019.



J. CVEC Operational Administrative Adder

To support CVEC's operations, CVEC routinely imposes a CVEC Operational Administrative Adder. The Adder is included in costs collected to pay project developers' Power Purchase Agreement (PPA) fees. The Adder ranges from \$0.015 to \$0.005 per kilowatt hour.

In one case, however, no Adder existed. Eight Round 1 PV Initiative projects were

designated to go operational with no Adder imposed. In late 2014 CVEC recognized it could not maintain financial and operational services for all participants at the current level without an Adder also collected on the Round 1 projects. After two years of negotiations, in early 2017, CVEC reached agreements with all Round 1 participants on an Adder of \$0.005 (half a penny) per kilowatt hour of production with all fifteen participants in the Round 1 projects. The income from the Round 1 Adder of just over \$100,000 eliminated a previous gap between CVEC income and expenses.

In 2019 CVEC lowered the Round 1 Adder to \$0.0025 (a quarter penny) per kilowatt hour of production. Thanks to the support from all fifteen towns and participants benefitting from the Round 1 projects, the Round 1 Adder at the reduced rate was extended through FY21.

K. Legislative Action

In FY19, Charles McLaughlin, Esq., the CVEC Director representing the Town of Barnstable, led a critical effort on behalf of CVEC to file legislative relief for CVEC ground-mounted projects burdened by the collection, and then prompt reimbursement, of property taxes. As a result, Senator Julian Cyr filed Senate Bill 1632, a bill seeking to give a property tax exemption directly for projects within Dukes and Barnstable Counties on the basis that “it is foolish for a municipality to tax a solar installation when it is receiving the substantial benefits of that clean energy”.

In June 2020, however, H Bill 1632 was abandoned in favor of adding language to House Bill 1763. H Bill 1732 seeks to impose property taxes on ground-mounted solar projects. With the addition of the CVEC language, “A municipality may opt out of the provisions of this clause by an affirmative vote of their chief executive authority”, municipalities will have the option as to taxing their public solar installations.

While House Bill 1763 was not taken up in the legislative session that closed at the end of July 2020, CVEC is working to have the bill taken up by the legislature in the near future.

L. Business Activities

In business news, CVEC renewed its contract for another year of energy consultant services provided by Peregrine Energy Group of Boston, Massachusetts and another year of accounting services provided by Glivinski and Associates of South Yarmouth, Massachusetts.

As expected, the Corona virus crisis affected CVEC in FY20 as it did every organization across the globe. CVEC's Executive Director and CVEC's Office Services Administrator moved to work out of their home locations in March, 2020. On July 1st, the work returned to the CVEC office space.

Following a Board vote to hire a CVEC Deputy Director, in June of 2020, Maria Marasco, Esq. joined the CVEC staff. Maria previously led the Fall River Redevelopment Authority. Having additional staff will allow CVEC to further expand its efforts to bring forward additional renewable energy and storage as well as to focus on the development of electric vehicle resources for our members.

In January 2020, the firm Clifton Larsen Allen (CLA) completed CVEC's FY19 audit. The conclusions from CLA included the following comments: "We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion. In our opinion, the financial statements referred to...present fairly, in all material aspects, the financial position of the Cape & Vineyard Electric Cooperative, Inc. as of June 30, 2019." The Statement of Net Position as per the CLA audit is below.

**CAPE & VINEYARD ELECTRIC COOPERATIVE, INC.
STATEMENT OF NET POSITION
JUNE 30, 2019**

ASSETS

CURRENT ASSETS

Cash	\$ 572,180
Restricted Cash	100,239
Investments	150,000
Accounts Receivable:	
Members - Energy Sales	435,585
Prepaid Expenses	9,697
Total Current Assets	<u>1,267,701</u>

LIABILITIES

CURRENT LIABILITIES

Accounts Payable and Accrued Expenses	503,956
NMC Pass-Through	93,743
Other Liabilities	140,699
Total Current Liabilities	<u>738,398</u>

NET POSITION

Unrestricted	<u>\$ 529,303</u>
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In other business news, as a member of the Cooperative Finance Corporation (CFC), CVEC was invited to attend the CFC annual forum held in New York City in June of 2019. CFC provides financing and industry-leading financial products to America's 900-plus local, not-for-profit, consumer-owned electric cooperatives and rural utility systems in 49 states, the District of Columbia and two U.S. territories. CVEC's Executive Director, Liz Argo, spent 4 days in intensive training alongside members of CFC attending from around the country.



Figure 8. The Cooperative Finance Corporation Forum 2019. From left to right. Former White House Press Secretary Ari Fleischer and former White House Chief of Staff and Homeland Security Secretary Gen. John F. Kelly. NYC, July 2020.

M. Outreach Activities

CVEC continues to contribute to the Cape Climate Change Collaborative as an Advisory Committee member. Other organizations participating in the Cape Cod Climate Change Collaborative include the Cape Light Compact, the Center for Coastal Studies, the Association to Preserve Cape Cod, Cape Cod 350.org, and the Cape Cod Commission.

Also in FY20, CVEC continued its spearheading of the bi-annual “Energy Committees of the Cape & Islands” meetings. Twenty-five energy committee members from twelve towns, including the town of Nantucket, assembled at the Cape Light Compact offices for updates from CVEC, the Cape Cod Climate Change Collaborative, the Cape Cod Commission and the Cape Light Compact. Attendees then networked, discussed prospects, coordinated efforts and compared accomplishments.

Due to the Corona Virus crisis, the usual meeting in June was cancelled with hopes that meetings will be resumed in FY21.



Figure 9. Energy Committees of the Cape & Islands Meeting. November 2019

Following another invitation, CVEC’s Executive Director, Liz Argo, again participated as a panelist in the 10th Massachusetts Sustainable Communities and Campuses Conference held on Friday June 26, 2020. This was the third year that CVEC was invited to present.

Finally, as previously reported in the FY20 Annual Report, CVEC’s annual Survivor’s Meeting, an opportunity for town staff and CVEC members to learn everything and more about Net Metering Credits and renewable energy, took place again at the SeaDog in Yarmouth in June FY20 with 8 training session “Survivors” awarded their certificates.

V. DATA REVIEW: PREVIOUS YEARS & FY19 REVIEW

A. Energy Benefits

Annual production from CVEC’s 39 existing PV projects continues to exceed contracted guaranteed annual outputs. FY20 production totaled 33,888,147 kWh, slightly over the FY19 kWh total of 33,682,311. For further details see Attachments A – E at the rear of the FY20 Annual Report.

At the end of FY20, total to date savings from all 39 CVEC-installed projects totaled \$15,942,317 with FY20 savings from CVEC-installed projects alone totaling \$2,836,593.

In addition to CVEC’s project benefits, FY20 saw benefits from the off-Cape projects from which CVEC buys net metering credits in the amount of \$262,550. Participating entities receiving benefits from the Future Generation Wind Project, the Syncarpha Marie’s Way project and the Nexamp Dartmouth 1 project include fourteen CVEC town members, as well as the Barnstable Fire District, the Monomoy School District, the Dennis-Yarmouth Regional School District (“DYRSD”), the Centerville, Osterville, Marston Mills Fire District (COMM) and the Cotuit Fire District Water Department.

With the addition of purchased Net Metering Credits from the above named off-Cape developments, total to date savings to CVEC participants in FY20 equaled \$16,911,987 with FY20 savings alone totaling \$3,099,143.

B. Environmental Benefits

CVEC's projects, both those CVEC has installed and those from which CVEC purchases net metering credits, deliver 35.4 MW of renewable power. The renewable energy from CVEC's PV Initiatives provides not only financial benefits but educational and environmental benefits to the 21 participating municipal and governmental hosts and off-takers.

Environmental benefits from the 35.4 MW of solar energy are estimated to offset over 60 million pounds of carbon equivalent annually. A carbon offset of this size is equal to eliminating 363 tanker trucks of gasoline or 67million miles driven by a passenger vehicle or taking 5,825 cars off the road each year. It is also equal to powering 4,784 homes every year.

FY20 Carbon Offsets Equal

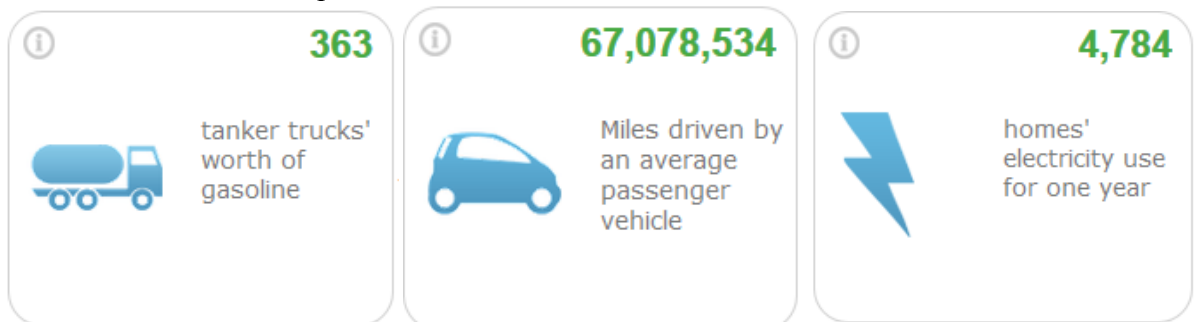


Figure 10. Equivalency calculations from EPA Energy Resources Calculator

* <http://www.epa.gov/cleanenergy/energy-resources/calculator.html#results>

VI. SUMMARY

In FY20 CVEC delivered over \$3,099,143 in savings and earnings to CVEC members and participants. When CVEC's Rounds 4 and 5 go online over the course of the next three years, CVEC will double its existing project portfolio and add battery storage, critical to grid stabilization with additional associated benefits to the ratepayers in the communities CVEC serves.



Figure 11. Group Photo at Earth Day 2015 Celebration for Completion of CVEC Round 1 & 2 Initiatives held at the CVEC Barnstable Municipal Airport PV installation. Photo courtesy of Sarah Coleman and Amar Rambhadjan

CVEC Projects in Review

Table 1. CVEC Project FY19 Benefits (using a NMC value of ~ \$0.17 or cost of electricity of \$0.20) * Equivalency calculation from EPA Energy

Initiative Project Group	Name Plate Rating for Initiative	kWh Production in FY20	kWh Production in FY19	Net Savings in FY20**	Net Savings in FY19
Round 1 (8 projects)	16,205 kW (16 MW)	18,808,248	19,261,806	\$1,511,020	\$1,681,260
Round 2 (6 projects)	9,453 kW (9.5 MW)	11,500,647	10,535,967	\$984,315	\$1,003,456
Round 2 Small BTM (11 projects)	2,144 kW (2.14 MW)	2,244,149	2,874,132	\$234,858	\$298,782
ConEdison Solutions (7 projects)	760.67 kW (.76 MW)	988,032	891,321	\$64,716 (\$0.20**)	\$58,380 (\$0.20**)
Round 3 (7 projects)	948 kW (.95 MW)	347,071		\$41,683 (\$0.20**)	
Future Generation Wind (4 turbines)	3,000 kW (3MW)	2,205,358	2,194,648	\$86,474	\$110,443
Syncarpha - Marie's Way (1 project)	2,176 kW (2.18 MW)	2,657,652	2,292,594	\$134,495	\$139,908
Nexamp Dartmouth 1 (1 project)	717 kW (.717 MW)	832,118	746,225	\$41,581	\$45,289
FY20 TOTALS (32 CVEC Projects)	34.5 MW	39,583,275 kWh in FY20	39,492,292 kWh in FY19	\$3,099,143 Savings in FY20	\$3,378,807 Savings in FY19
TOTALS to DATE	34.5 MW	198,507,216 kWh to date		\$16,911,987 to date	



Resources Calculator: <http://www.epa.gov/cleanenergy/energy-resources/calculator.html#results>
**(using cost of electricity for BTM or annual NMC for Virtual Metering)



Photo courtesy of Sandy Cashen

Figure 12. Station Avenue School Children pose with CVEC PV installation at DY High School Ground Mount.

VII. FISCAL YEAR 2020 FINANCIALS

A. CVEC Unaudited Preliminary Balance Sheet for FY 2020

	<u>Jun 30, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
10006 · TD Bank- LOC Account	100,306.32
10005 · TD Money Market	25.00
10000 · Clearing	(140,699.17)
10001 · Century Control 7499	405,680.68
10002 · Century Checking 1992	96,696.73
10004 · CC5 Checking 6865	<u>327,934.28</u>
Total Checking/Savings	789,943.84
Accounts Receivable	
11000 · Accounts Receivable	106,485.50
11100 · Accounts Rec - Pass-through	<u>687,585.00</u>
Total Accounts Receivable	794,070.50
Other Current Assets	
12200 · CFC Commercial Paper Investment	150,000.00
12800 · Rent Deposit	1,500.00
12000 · Undeposited Funds	83,996.10
12500 · Accrued Revenue	9,571.00
12700 · Prepaid Insurance	7,533.96
12710 · Prepaid Expenses	<u>650.02</u>
Total Other Current Assets	253,251.08
Total Current Assets	1,837,265.42
TOTAL ASSETS	<u>1,837,265.42</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · Accounts Payable	281,368.82
21000 · Accounts Payable - Pass through	<u>781,329.00</u>
Total Accounts Payable	1,062,697.82
Credit Cards	
20100 · Century Bank Credit Card	134.06
20200 · US Bank CC	<u>19.93</u>
Total Credit Cards	153.99
Other Current Liabilities	
21001 · Other Accd Exp & AP	9,570.00
22000 · Accrued Liabilities	<u>7,595.20</u>
Total Other Current Liabilities	17,165.20
Total Current Liabilities	1,080,017.01
Total Liabilities	1,080,017.01
Equity	
32000 · Unrestricted Net Assets	529,303.62
Net Income	<u>227,944.79</u>
Total Equity	757,248.41
TOTAL LIABILITIES & EQUITY	<u>1,837,265.42</u>



B. CVEC Unaudited Income & Expenses for FY 2020

Ordinary Income/Expense	
Income	
44451 · Forward Capacity Market	145,683.56
40000 · Project Income	4,407,757.04
44100 · Membership Fees	100.00
44300 · Services Income	31,930.00
44450 · On Peak Hours Resources Income	32,314.42
45000 · Operational Adders	251,380.35
45100 · Electric Vehicle Initiative	1,200.00
Total Income	4,870,365.37
Gross Profit	4,870,365.37
Expense	
6732 · Forward Capacity Market Expense	25,000.00
63800 · Food (Board lunches, etc.)	739.27
63750 · Internet, Telephone & IT	3,203.29
64500 · One Time Non-Recurring Expenses	3,500.00
63790 · CCERI Grant Expense Acct	27,863.68
60000 · Project Expense	4,407,757.04
62790 · Payroll Expenses	96,904.15
62710 · Legal Fees	(23,308.37)
62700 · Audit Fees	16,000.00
62720 · Consultant Costs	59,181.26
62730 · Bank Fees	1,890.88
62735 · Conference Expense	45.00
62744 · Filing Fees	110.00
62750 · Insurance Expense	13,896.98
62760 · Travel Expense	4,817.14
63000 · Misc. Office Operating Expenses	(3,750.43)
63600 · Office Rental	9,720.00
64000 · Professional Development	455.34
Total Expense	4,644,025.23
Net Ordinary Income	226,340.14
Other Income/Expense	
Other Income	
44500 · Interest Income	1,154.26
31200 · Other Income	906.39
Total Other Income	2,060.65
Other Expense	
81000 · State Income Tax	456.00
Total Other Expense	456.00
Net Other Income	1,604.65
Net Income	227,944.79



Attachment A

CVEC INITIAL INITIATIVE (CVEC-7) PROJECTS' DETAILS

SITE	Name plate in Kilowatts	Output in Kilowatt hours FY20	Commercial Operation Date	Estimated Behind the Meter Savings since 2010
Barnstable High School	131	175,229	August 23, 2010	\$ 70,317
Eddy Elementary School (Brewster)	100.98	137,895	July 16, 2010	\$ 54,303
Stoney Brook Elementary School (Brewster)	100.98	134,563	July 16, 2010	\$ 54,969
Eastham Elementary School	100.8	122,066	February 27, 2010	\$ 50,623
Eastham DPW	80.4	92,083	February 25, 2010	\$ 40,607
Bourne Middle School	142.56	187,975	April 30, 2010	\$ 79,702
Harwich Elementary School	103.95	138,221	July 22, 2010	\$ 56,577
TOTAL	760.67	988,032		\$ 407,097

Table 1. Table Describing CVEC Solar PV Initial Initiative



Attachment B

CVEC ROUND 1 PROJECTS' DETAILS

SITE	Name plate in Kilowatts	Estimated Annual Output in Kilowatt hours (EAO)*	Commercial Operation Date	Savings FY20 (NMC \$\$ less Costs)	Savings to Date
Barnstable Landfill	4,171	4,814,040	September 15, 2014	\$ 415,250	\$ 2,143,839
Brewster Landfill	1,231	1,364,580	September 15, 2014	\$ 106,104	\$ 529,995
Chatham Landfill	1,837	1,749,600	September 29, 2014	\$ 192,064	\$ 898,425
Eastham Landfill	587	563,876	April 23, 2014	\$ 41,102	\$ 436,376
Edgartown's Nunnepog	1,442	1,459,802	June 6, 2014	\$ 75,827	\$ 628,014
Edgartown's Katama Farm	1,271	988,020	June 6, 2014	\$ 93,877	\$ 728,993
Harwich Landfill	4,492	5,265,717	August 1, 2014	\$ 499,701	\$ 2,452,179
Tisbury Landfill	1,174	1,217,332	July 29, 2014	\$ 87,096	\$ 544,243
TOTAL	16,205	17,422,967		\$ 1,511,020	\$ 8,852,176

Table 2. Table Describing CVEC Solar PV Initiative Round 1

* Estimated Annual Outputs ("EAOs") as per recent project owner calculations (not per contractual obligations)



Attachment C

CVEC ROUND 2 PROJECTS' DETAILS

*(BTM stands for Behind the Meter)

SITE	Name plate in Kilowatts	Estimated Annual Output in Kilowatt hours (EAO)**	Commercial Operation Date	Savings FY20 (NMC \$\$ less Costs)	Savings to Date (Estimates for BTM projects)
Barnstable Airport	5,735	6,968,400	April 3, 2015	\$ 623,591	\$ 2,863,572
Barnstable Fire District	934	1,098,478	April 21, 2015	\$ 83,874	\$ 422,540
Barnstable Senior Center (BTM)*	136	163,206	December 2, 2014	\$ 15,219	\$ 78,393
Barnstable High School (BTM)*	463	417,578	October 8, 2014	\$ 46,617	\$ 205,275
West Villages Elementary School, Barnstable (BTM)*	39	44,538	October 8, 2014	\$ 4,209	\$ 18,989
Bourne Community Center (BTM)*	37	40,732	August 30, 2014	\$ 5,312	\$ 21,719
Chatham Police Station (BTM)*	22	27,417	August 30, 2014	\$ 3,431	\$ 13,762
Chatham Town Hall Annex (BTM)*	22	28,953	August 30, 2014	\$ 3,475	\$ 14,646
DY High School Roof, Yarmouth	590	513,808	March 6, 2015	\$ 47,743	\$ 227,915
DY High School Ground, Yarmouth	690	815,444	April 14, 2015	\$ 63,796	\$ 294,032
Ezra Baker School, Dennis (BTM)*	71	68,647	August 30, 2014	\$ 8,569	\$ 35,470
M.E. Small School Ground, Yarmouth	832	991,740	February 27, 2015	\$ 94,056	\$ 422,618
Mattacheese School Roof, Yarmouth (BTM)*	209	227,225	December 16, 2014	\$ 24,715	\$ 123,558
Wixon School Ground, Dennis (BTM)*	403	458,335	December 8, 2014	\$ 51,471	\$ 232,704
Orleans Capped Landfill	554	697,104	May 15, 2015	\$52,240	\$ 230,797
Provincetown Transfer Station (BTM)*	152	214,667	December 15, 2014	\$24,099	\$ 110,104
West Tisbury Capped Landfill	708	897,661	January 5, 2015	\$66,758	\$ 337,452
TOTAL	11,597	13,673,933		\$ 1,219,173	\$ 5,653,545

Table 3. Table Describing CVEC Solar PV Initiative Round 2 (*BTM stands for Behind the Meter)

** Estimated Annual Outputs (“EAOs”) as per recent project owner calculations, (not per contractual obligations).



Attachment D

PARTICIPANT REPORT FOR ALL CVEC INITIATIVES & POWER PURCHASES

(Participants are both Offtakers and Hosts)

CVEC Net Metering: FY 2020 Report

Totals by Year

	kWh	Avg NMC Rate	NMC/ BTM credit	Developer Cost	CVEC Admin Cost	Net Benefit
FY 2017	38,621,219	\$0.15	\$5,902,115	(\$2,972,222)	(\$188,134)	\$2,741,759
FY 2018	37,226,654	\$0.17	\$6,213,182	(\$2,905,677)	(\$280,157)	\$3,026,954
FY 2019	39,586,723	\$0.17	\$6,796,549	(\$3,103,004)	(\$306,105)	\$3,387,441
FY 2020	39,583,274	\$0.16	\$6,456,440	(\$3,093,060)	(\$263,293)	\$3,099,143

FY 2020 by Participant

Participant	kWh	NMC/ BTM credit	Developer Cost	CVEC Admin Cost	Revenue Sharing	Net Benefit	
Airport	1,364,243	\$219,415	(\$85,197)	(\$14,488)	\$251,931	\$371,666	Host with Offtaker (Barnstable)
Barnstable	11,373,120	\$1,853,708	(\$778,084)	(\$78,991)	(\$251,931)	\$744,702	Host and Offtaker from Airport
Barnstable County	1,176,817	\$188,351	(\$102,616)	(\$5,764)	(\$32,648)	\$47,322	Offtaker
Barnstable Fire Dist..	359,876	\$57,737	(\$21,977)	(\$5,733)	\$26,923	\$56,956	Host with Offtakers
Bourne	232,900	\$46,580	(\$28,486)	(\$469)	\$0	\$17,625	Host
Brewster	2,493,854	\$410,532	(\$228,457)	(\$7,402)	(\$19,953)	\$154,720	Host and Offtaker
Chatham	2,735,846	\$443,909	(\$202,908)	(\$8,905)	(\$8,613)	\$222,533	Host and Offtaker
Chilmark	62,427	\$10,005	(\$5,161)	(\$422)	(\$1,721)	\$2,701	Offtaker
COMM FD	2,253,689	\$361,958	(\$225,369)	(\$22,537)	\$0	\$114,052	Offtaker
Cotuit	403,963	\$64,879	(\$40,396)	(\$4,040)	\$0	\$20,443	Offtaker
Dukes County	71,821	\$11,516	(\$5,374)	(\$369)	(\$2,887)	\$2,887	Offtaker
DYRSD	1,324,236	\$239,007	(\$92,733)	(\$20,772)	\$82,424	\$207,922	Host with Offtaker (Yarmouth)
Eastham	634,636	\$110,823	(\$58,766)	(\$1,191)	\$5,481	\$56,341	Host with Offtakers
Edgartown	1,998,077	\$318,609	(\$185,493)	(\$4,995)	\$20,792	\$148,913	Host with Offtakers
Harwich	3,523,373	\$567,633	(\$250,160)	(\$8,808)	\$95,518	\$404,183	Host with Offtakers
Monomoy Schools	1,479,827	\$241,539	(\$156,587)	(\$9,025)	(\$13,065)	\$62,862	Offtaker
Oak Bluffs	456,643	\$75,716	(\$39,431)	(\$2,402)	(\$9,943)	\$23,941	Offtaker
Orleans	646,224	\$102,794	(\$43,691)	(\$6,863)	\$0	\$52,240	Host
Provincetown	1,383,171	\$230,646	(\$118,720)	(\$8,436)	(\$25,965)	\$77,525	Host and Offtaker
Tisbury	1,148,585	\$184,172	(\$104,866)	(\$2,871)	\$5,330	\$81,765	Host with Offtakers
West Tisbury	696,525	\$110,369	(\$45,086)	(\$7,397)	\$4,436	\$62,321	Host with Offtakers
Yarmouth	3,763,421	\$606,542	(\$273,500)	(\$41,413)	(\$126,111)	\$165,518	Offtaker
Grand Total	39,583,274	\$6,456,440	(\$3,093,060)	(\$263,293)		\$3,099,143	

Participants include hosts of solar projects and oftakers of net metering credits from solar projects hosted by others.



Attachment E

ANNUAL COMPARISONS FOR ALL CVEC INITIATIVES & POWER PURCHASES

Net Benefits By System

Round	System Name	FY 2017	FY 2018	FY 2019	FY 2020	
1	Barnstable Landfill 1	\$225,650	\$242,036	\$244,589	\$255,892	
	Barnstable Landfill 2	\$156,955	\$175,911	\$196,612	\$159,358	
	Brewster Landfill	\$97,612	\$97,469	\$117,366	\$106,104	
	Chatham Landfill	\$183,613	\$145,561	\$208,398	\$192,064	
	Eastham Landfill	\$43,694	\$48,518	\$66,588	\$41,102	
	Harwich Landfill	\$451,160	\$459,819	\$545,486	\$499,701	
	Katama Farm	\$73,385	\$69,101	\$105,585	\$93,877	
	Nunnepeg Well	\$77,176	\$86,611	\$92,002	\$75,827	
	Tisbury Landfill	\$189,267	\$161,552	\$104,634	\$87,096	
2	Airport - Section 2	\$541,007	\$631,446	\$686,062	\$623,591	
	Barnstable Fire District	\$79,598	\$95,397	\$102,502	\$83,874	
	Barnstable HS	\$39,901	\$42,450	\$51,454	\$46,617	
	Barnstable Senior Ctr	\$19,447	\$19,428	\$22,028	\$15,219	
	Bourne Community Ctr	\$4,203	\$4,217	\$5,035	\$5,312	
	Chatham Annex	\$2,173	\$2,853	\$3,570	\$3,475	
	Chatham Police Station	\$2,726	\$2,702	\$3,031	\$3,431	
	DY High Roof Mount	\$59,026	\$39,401	\$53,268	\$47,743	
	DYHS Ground Mount	\$53,760	\$64,854	\$68,957	\$63,796	
	Ezra Baker School	\$7,039	\$6,761	\$8,285	\$8,569	
	Marguerite Small School	\$81,318	\$88,508	\$94,767	\$94,056	
	Mattacheese School	\$21,872	\$21,950	\$25,081	\$24,715	
	Orleans Landfill	\$50,524	\$57,879	\$48,907	\$52,240	
	Provincetown Transfer ..	\$24,744	\$23,175	\$22,510	\$24,099	
	West Tisbury Landfill	\$62,479	\$78,054	\$65,146	\$66,758	
	West Villages School	\$3,695	\$4,527	\$3,620	\$4,209	
	Wixon School	\$40,510	\$41,217	\$55,448	\$51,471	
	3	Chatham Fire Station				\$6,253
		Eastham Library				\$6,700
Oak Bluffs Fire Station					\$7,918	
Provincetown Water Tr..					\$6,111	
Yarmouth Fire Station 1					\$4,647	
Yarmouth Fire Station 3					\$10,053	
CVEC-7	Barnstable HS (CVEC-7)	\$8,637	\$8,097	\$10,582	\$11,478	
	Bourne MS (CVEC-7)	\$8,206	\$8,724	\$11,664	\$12,312	
	Eastham DPW (CVEC-7)	\$4,193	\$4,473	\$5,942	\$6,032	
	Eastham ES (CVEC-7)	\$5,333	\$5,760	\$7,551	\$7,995	
	Eddy School (CVEC-7)	\$5,514	\$5,846	\$8,587	\$9,032	
	Harwich ES (CVEC-7)	\$6,101	\$6,346	\$8,750	\$9,053	
	Stoney Brook School (C..	\$4,638	\$6,243	\$8,267	\$8,814	
Other	First Generation Wind	\$57,768	\$110,960	\$124,569	\$86,474	
	Nexamp		\$25,151	\$49,180	\$41,581	
	Syncarpha	\$48,837	\$133,955	\$151,415	\$134,495	
Grand Total		\$2,741,759	\$3,026,954	\$3,387,441	\$3,099,143	

Net Benefits By Participant

Participant	FY 2017	FY 2018	FY 2019	FY 2020
Airport	\$322,440	\$376,342	\$408,893	\$371,661
Barnstable	\$672,852	\$747,552	\$806,055	\$744,703
Barnstable County	\$40,539	\$51,741	\$58,090	\$47,323
Barnstable Fire District	\$54,047	\$64,775	\$69,599	\$56,950
Bourne	\$12,409	\$12,942	\$16,700	\$17,625
Brewster	\$133,771	\$143,548	\$172,380	\$154,720
Chatham	\$199,212	\$167,690	\$236,037	\$222,538
Chilmark	\$1,625	\$2,341	\$3,114	\$2,702
COMM FD	\$41,418	\$113,607	\$128,400	\$114,052
Cotuit	\$7,418	\$20,348	\$23,015	\$20,443
Dukes County	\$2,739	\$2,954	\$3,293	\$2,887
DYRSD	\$194,002	\$184,388	\$221,347	\$207,925
Eastham	\$50,359	\$52,282	\$71,201	\$56,348
Edgartown	\$129,399	\$131,963	\$172,359	\$148,912
Harwich	\$364,921	\$371,925	\$441,216	\$404,183
Monomoy Schools	\$38,808	\$65,942	\$80,439	\$62,862
Oak Bluffs	\$12,359	\$16,749	\$19,607	\$23,941
Orleans	\$50,524	\$57,879	\$48,907	\$52,240
Provincetown	\$59,346	\$72,577	\$81,063	\$77,524
Tisbury	\$177,684	\$151,665	\$98,231	\$81,765
West Tisbury	\$58,327	\$72,867	\$60,817	\$62,322
Yarmouth	\$117,561	\$144,878	\$166,677	\$165,518
Grand Total	\$2,741,759	\$3,026,954	\$3,387,441	\$3,099,143

There was a modest decline in net benefits in FY 2020 compared to FY 2019 due to a slight decline in kWh production (for most systems) and a decline in the average net metering rate from \$0.17 to \$0.16 per kWh.

Thank You.



FREQUENTLY ASKED QUESTIONS CAPE & VINEYARD ELECTRIC COOPERATIVE, INC.

Who is eligible for membership in the Cape & Vineyard Electric Cooperative, Inc.?

The Cape & Vineyard Cooperative, Inc.'s (Cooperative) Articles of Incorporation and Bylaws (Governing Documents) limit membership to any municipality or county or political subdivision thereof, or any entity that is exempt from federal income tax under Code section 115(1). Membership is limited to public entities to preserve the tax exempt status of the Cooperative because its income and assets must accrue to the benefits of its members. No part of the income and earnings of the Cooperative may benefit any private interest. As a result, residents and businesses of a Town are not directly eligible for membership in the Cooperative. Their interests will be represented by their Town.

What are the specific benefits of the Cooperative?

The statutory authority of the Cooperative is broad, and the Cooperative brings the following benefits to its Members: (1) financing large scale power generation facilities that will not burden a Member Town's debt capacity; (2) access to lower cost tax-exempt financing through federal and state government programs; (3) stabilized electric rates, will be available to its Members and to consumers living in all the Cooperative member towns. The Cooperative Bylaws further provide that the Cooperative can promote the development of renewable energy resources, provide and enhance customer protection by improving the quality and reliability of service; and utilize and encourage conservation and other forms of energy efficiency.

What steps are necessary to join?

In accordance with the Cooperative's bylaws, qualified public entities may apply for membership in the Cooperative after its governing board has authorized its membership. All Members must agree to be bound by and to comply with the Cooperative's Articles of Organization, Bylaws, and all rules, regulations, program requirements and membership agreements as may be established by the Cooperative from time to time.

If a potential member requests it, the Cooperative will: (1) hold a meeting with Town Administrators/Managers and Town legal counsel to review Cooperative documents; (2) informational meetings with Selectmen and members of the public; and (3) assist Towns with appropriate forms of authorization for joining the Cooperative.

Who are the current members of the Cooperative and are other Towns in the process of joining?

The Town of Barnstable, Barnstable County and the Cape Light Compact formed the Cooperative on September 12, 2007. There are currently nineteen members, Town of Barnstable, Barnstable County, Cape Light Compact, Town of Brewster, Town of Harwich, Town of Bourne, Town of Dennis, Town of Tisbury, Town of Eastham, Dukes County, Town of Falmouth, Town of Chatham, Town of Edgartown, Town of Provincetown, Town of Mashpee, Town of Sandwich, Town of Orleans, Town of West

Tisbury, and Town of Yarmouth. As of June 2010, two towns (Aquinnah and Truro) have authorized their Selectmen to negotiate membership in CVEC.

What is the commitment term?

Membership in the Cooperative is on-going provided it complies with the Cooperative's Articles of Organization, Bylaws, and all rules, regulations, program requirements and membership agreements and pays any amounts due the Cooperative.

A Member may withdraw its membership from the Cooperative at any time for any reason.

How would a member Town be represented?

Each Member is required to appoint a Director to the Board of Directors. The appointment is made by the Member's governing board, such as: Board of Selectmen, Town Council, etc.

Can a Town by way of a Cooperative have an energy generating facility without hiring an operator or contractor to run it?

The Cooperative will be responsible for construction, operation and maintenance of the energy facilities it owns and develops.

Can a group of Towns share the operating, managing and maintaining aspects of an energy generating facility?

Under the Cooperative model this question is not applicable. If Towns pursue development of energy generating facilities independent of the Cooperative, projects would have to be operated, managed and maintained consistent with Massachusetts law.

Is there a model that will help us visualize how a Town can own/operate a power generation facility to lower rates for its citizens?

Statutory authority for the creation of the Cooperative is found in Massachusetts General Laws, Chapter 164, Section 136. The Cooperative has the ability to own/operate power generation facilities and distribute the benefits, stabilized electric rates, to its Members and rate payers.

Is the net metering law required for a Cooperative wind project to be viable?

The Cooperative can pursue wind projects with or without a net metering law; however, net metering improves the pro forma for wind projects. The Cooperative does not intend to pursue wind, or other energy generating projects, that are not financially viable.

Would a Town be able to offset its entire municipal load, or only its share, based on the number of Cooperative member Towns?

As proposed in the Cooperative's Rights and Obligations of Membership, a Member is entitled to net meter 90% of the energy output from any projects located on municipal land against such Member's municipal accounts up to limit of project output or municipal load. The Rights and Obligations of Membership requires 10% of the energy output be allocated to the Cape Light Compact to benefit all electric rate payers.

Who would develop the Cooperative's project?

Similar to the formation of the Cape Light Compact, the Cooperative would hire professional and technical staff and utilize expert consultants, engineers and legal professionals.

Would the Town have liability for Cooperative projects?

The Cooperative generally limits Member liability exposure to member pledge or capitalization. The Cooperative is a separate and distinct legal entity from the Town.

Can the Cooperative own land?

Yes, Massachusetts law allows the Cooperative to, among other things: purchase and own generation, transmission and other projects and property.

How can a member Town assure itself that it cannot become financially indebted without the Town's formal approval?

Each Town will have a Director representing the Town on the Cooperative Board. All votes regarding financial commitments are to be conducted consistent with the Cooperative's Governing Documents. If a financial commitment of Cooperative members is required, each Director will be afforded the opportunity to vote. Further, no individual Town may be financially indebted unless local approvals (Town Meeting or Town Council) are also obtained. Any financial commitments will be based on a pro rata basis net of any accumulated equity, grants or other financial instruments.

Can the Cooperative incur debt?

Yes, the Cooperative can incur debt.

CAPE & VINEYARD ELECTRIC COOPERATIVE, INC.

MEMBERSHIP APPLICATION

1. Name:

2. Contact Information:

- a. Representative:
- b. Mailing Address:
- c. Phone/Fax:
- d. Electronic Mail:

3. Proposed Admission Date:

(Note: Unless a later date is requested, new applicants shall become a Member as of the effective date in the Board of Directors' vote accepting such Member's application).

4. Representations, Warranties and Covenants of Potential Member:

a. The undersigned represents and warrants to the Cooperative that it is a municipality or county or political subdivision thereof, or body politic that meets the requirements of Internal Revenue Code Section 115.

b. The undersigned, upon request, shall furnish proof to the Cooperative that its representative to the board of directors of the Cooperative has been elected by its governing body.

c. The undersigned covenants and agrees to be bound by and to comply with all the provisions of the Cooperative's Articles of Organization and its bylaws, and all rules, regulations, program requirements and membership agreements as may be established by the Cooperative, as all the same now exist or may thereafter be adopted, repealed or amended.

d. The undersigned agrees to the Terms and Conditions of Membership as set forth on Exhibit A to this application.

5. Membership Fee. This membership application shall be accompanied by a \$25 membership fee which fee shall be refunded in the event the application is denied by the Board of Directors.

Name/Title:

for [town/district]

EXHIBIT A

Terms and Conditions of Membership

1. Each Member agrees to be bound by and to comply with such other Terms and Conditions of Membership as may be established by the Cooperative from time to time.

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

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

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

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

Public Comment:

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

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

Approve and Sign Comcast Agreement

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

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

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

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

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

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

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

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

More discussion regarding language of the renewal license was had.

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

Member Areson seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Chair Weinstein-Aye

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

Staff/Committee Updates

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

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

Member Worthington had a few questions.

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

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

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

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

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

Health/Conservation Agent Beebe explained that they are prioritizing the older citizens and reaching out to them. If someone has not been contacted and they do not have a shot they should contact the COA.

Chair Weinstein noted he raised the issue with Senator Cyr that Barnstable County has close to 70,000 individuals between the age of 65 and up. He rounded up the number of doses the County is currently receiving. If the County is receiving roughly 1,000 doses per week it would take approximately 70 weeks to distribute the vaccine, which is completely unacceptable. Senator Cyr indicated that he was informed by the Baker Administration that there was no plan for a site like Gillette Stadium to happen in Barnstable County. Barnstable County has been ignored in the needs of the elderly population.

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

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

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

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

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

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

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

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

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

Select Board Action

Further Discussion of Multi-member Bodies Recruitment and Handbook

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

Discussion continued regarding different portions of the handbook.

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

Town Meeting Planning and Vote to Approve Town Meeting Date

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

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

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

Member Reed seconded.

Roll Call Vote:

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Member Rein-Aye

Chair Weinstein-Aye

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

Discussion of Preliminary Article List for Annual Town Meeting

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

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

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

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

Consent Agenda

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

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

Member Reed seconded.

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

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

Member Reed seconded.

Roll call vote:

Member Rein-Aye

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Chair Weinstein-Aye

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

Select Board Reports/Comments

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

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

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

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

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

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

Chair Weinstein virtually attended the monthly meeting of the Metropolitan Planning Organization.

There are two projects that most likely will be going forward in the next five years:

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

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

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

Town Manager Report

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

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

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

Next Meeting Agenda: March 9

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

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

Member Rein seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Worthington-Aye

Member Reed-Aye

Chair Weinstein-Aye

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

Respectfully submitted,

Noelle L. Scoullar, Executive Assistant

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

Public Records material of 02/23/2021

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

**TRURO SELECT BOARD WITH
THE FINANCE COMMITTEE
WORK SESSION**

**Tuesday, February 16, 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; Finance Committee Chair Robert Panessiti, and Members Steven Roderick, Richard Wood; Recreation and Beach Director Damion Clements; DPW Director Jarrod Cabral, Health and Conservation Agent, Emily Beebe; and Library Director Tricia Ford.

Select Board Chair Robert Weinstein opened the Select Board Meeting at 10:00AM. He introduced the Board and guests to the meeting.

Finance Committee Chair Bob Panessiti introduced the Finance Committee members in attendance.

1. REVENUE UPDATE

2. DISCUSSION OF FY 2022 BUDGET

- a) Overall Budget—Revenue and Expenditure Recap**
- b) Personnel Requests**
- c) Credit Card Fees**
- d) Line Items Requiring Further Discussion**

Town Accountant Trudi Brazil reported that the free cash certification from the DOR has not been received yet, but she believed that the Town will come in at or slightly above last year's certification which will be revisited when the figures are certified. She explained where the local revenues come from (Beach, Harbor, Recreation, Conservation Commission receipts, etc.) which are currently down. She spoke of the detailed amounts of how much the departments were down. The receipts-reserved is only \$418,000 and the State Aid projection is \$610,000.

The free cash includes a million dollars against the tax rate. There is an estimated levy capacity of 18 million. She reported that they are not balanced at this time. She added that the CPA is still finalizing their figures. There is a 3% tax levied on real estate property, but she will wait until the Committee comes in with their recommendations. Select Board Chair Weinstein asked for a definition of the Free Cash. Town Accountant Brazil responded that each year there is an estimate of the local revenues and from that projection the tax rate is set.

Finance Committee Chair Panessiti explained that Free Cash is not uncommitted capital. Select Board Chair Weinstein asked about the revenue for the rental occupancy tax and the funds from

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the Klein property. Town Accountant Brazil responded that the rental tax for Fiscal Year 20 was \$560K which goes towards the General Fund. Monies that come in the current fiscal year cannot be spent for use in the current fiscal year as they need to be certified. The Dennis Family Gift Account (Klein Property) receives \$250K each year, for 10 years, and is not a dedicated revenue stream. The use of the funds is discussed with the Select Board Members.

Select Board Clerk Areson asked how much of the funds are remaining for the Walsh Property interest. Town Accountant Brazil responded that \$124,550K was committed at Annual Town Meeting. Town Accountant Brazil reviewed the Budget Summary Recap expenditures. They are recommending that the expenditures be subject to exclusion (as Capital Items). There would be a one-year override to increase the tax capacity for those projects. The DPW tractor was deferred and then failed on the Ballot question on Election Day. It will be revisited again this year. Capital Maintenance at the Truro Central School of \$228K is being requested, there is a request for additional personnel which is subject to an override. This would increase our Levy Capacity to fund these personnel. Town Accountant Brazil explained the costs for the personnel in the Health and Conservation Department and Library. She then reviewed the expenditures not appropriated at Annual Town Meeting.

Town Accountant Brazil then reviewed the Revenues on the budget summary. She reported that the difference between revenue and expenditures is \$409,953. Select Board Clerk Areson asked for clarification on whether the Town will have a Recreation program in 2021. Town Accountant Brazil responded that the presentation assumes the program is running in 2021. Select Board Chair Weinstein asked if the expenditures for the department personnel will remain an ongoing cost to the Town. Town Accountant Brazil agreed, it would be.

Town Manager Tangeman stated staff's approach to the Budget, noting that they went through the major variances, and evaluated and looked for efficiencies. Town Accountant Brazil noted the 2.71% increase to the principal and long-term debt, due to being in the 3rd year of short-term borrowing for the Walsh property, East Harbor debt, and the previously approved purchase of a fire apparatus. Finance Committee Chair Panessiti spoke of upcoming long-term projects facing the town in the next couple of years.

Select Board Clerk Areson noted that the group health insurance has increased. Town Accountant Brazil replied that the Town has accounted for the mid-year qualifying events, personnel changes, and built-in rate increase assumptions. The vacancies are budgeted at the most expensive family plans as the Town does not know what a prospective employee will select for their health care program, explained the Assistant Town Manager Kelly Clark. Finance Committee Chair Panessiti reminded the Task Force and the viewers that the Town cannot deficit spend except in the case of snow and ice removal so all other expenditures must be addressed.

Town Manager Tangeman displayed a spreadsheet with the current vacancies for Town positions, stating that the Town has to budget for the maximum insurance needs for these vacancies. Finance Committee Member Steven Roderick asked if the Town has looked outside of the Cape Cod Municipal Health Care for coverage. Town Manager Tangeman responded that there are penalty fees for leaving and there would have to be a pretty significant policy decision

to leave. Town Accountant Brazil commented that there are not enough members to accommodate better rates.

Town Manager Tangeman said that staff reviewed the budget to see where the large variances were within the Budget. He went through each line item for the various departments.

Health and Conservation Personnel Requests

Emily Beebe, Health and Conservation Agent explained that her department is requesting a full-time Health and Conservation Assistant. She broke down the duties and tasks within her office and the role of the new position.

Health Agent Beebe touched on the changes in the department within the last year, with real estate, redevelopment, and water/wastewater. She next explained the position of the part-time Office Assistant. She spoke of the importance of having the part-time position overlap (Health/Conservation and Building) to make things run smoothly, especially if someone is out of the office.

Select Board Vice-Chair Reed asked if the part-time Office Assistant position's tasks could be facilitated to use public awareness and communication through the website. Town Manager Tangeman explained that there are some opportunities for organizational changes that would help facilitate the need for outreach and better communication with the public. Health Agent Beebe felt that any improvement with sharing information with the public is welcomed. Town Manager Tangeman spoke of the importance of engaging the public.

Finance Chair Panessiti commented that the demands on this department are going to grow, as well as the demands on the Building department and the importance of providing a healthy environment for everyone. Select Board Member Worthington felt the positions were warranted but had concerns about if the Town could afford the positions. She stated concern over the increased budget over the years affecting year-round homeowners in the long run. Finance Chair Panessiti countered with the cost of not addressing issues in the current years and the increase in cost for the same items if not addressed. He felt that these positions were more of a preventative measure.

Select Board Member Stephanie Rein echoed her colleagues statements and voiced her support of the additional personnel.

Finance Committee Member Wood agreed that the increases happen especially with the environmental projects and felt that it is up to the Select Board to give direction to the Town Manager. Select Board Clerk Areson fully recognized the Health Agent's need for assistance and supported the request. She wondered if once they are past the workload associated with the pandemic if work will slow down some for the staff. She felt that a top-down review of the departments could expose where there are synergies.

Finance Committee Member Steve Roderick asked if there is an opportunity for revenue through an increase in Title V inspections. Health Agent Beebe responded that the department is revamping the inspection process. He agreed that the department is understaffed, and it is

important to keep these departments from burnout and continue to explore sources of revenue versus increases in cost.

Finance Committee Chair Panessiti asked when the last time the fees were reviewed. Health Agent Beebe noted that fees are looked at regularly for the transfer station, but they will look at Conservation fees again. Finance Committee Chair Panessiti was concerned with things that take up staff time without additional fees added. He added that he looks forward to an Economic Development plan for the Town to reduce the tax rate.

Select Board Chair Weinstein wondered whether the current Assistant and other staff have the necessary qualifications. He commented that he wants to make sure that staff that Truro currently has is being utilized efficiently and is competent to fulfill those roles.

Health Agent Beebe commented that her department has skilled staff and training is ongoing. She is concerned about continuing to operate with current staff levels. Select Board Chair Weinstein felt that it is important that the Community understands the weight of their office work and hopes people pay attention to her explanation.

Select Board Vice-Chair Reed commented on the Health Agent's narrative of the workload. Finance Committee Chair Panessiti said that there is a policy in place for adding positions. He spoke to infrastructure breakdowns, work not being completed, stress on staff, and cautioned the domino effect of bad short-term decisions. Select Board Vice-Chair Reed added there is also the importance of compliance, and when the Town is not in compliance can also have liability costs. Select Board Chair Weinstein also agreed that there are necessary tasks that need to be addressed by staff and the Finance Committee Chair's comments address that.

Town Manager Tangeman stated that the priority would be fund the Assistant position, followed by the OA2 position.

Library Personnel Requests

Town Manager Tangeman spoke to the request from the Library for the summer clerk position. The position will be an override. Library Director Tricia Ford highlighted the limited services that the Library has provided during Covid. This summer she anticipates the Library being open only for the Grab and Go program in which a patron is in the library for an hour. She anticipates the Library Trustees' support of this position. Select Board Vice-Chair Reed thanked the Library Director for her mindfulness of this request. Select Board Chair Weinstein asked if she could speak to the position not being filled.

Library Director Ford commented that there are too many people through the library in the summer which burdens the staff. However, if the library is not open full hours to the public, the staffing would be sufficient without the summer clerk addition. She said she would be requesting this for the next budget. Select Board Chair Weinstein asked his colleagues for their input. Finance Committee Chair Panessiti agreed that the library use has increased over the years, and especially this year, and cautioned against not filling the needs of the departments.

Credit Card Fees

Assistant Town Manager Kelly Clark, at the request of the Budget Task Force, reached out to other Cape communities regarding their credit card fees. Due to Covid many towns have increased credit card transactions. There is no consistency with the fees for each town. She noted the increase in fees for the Town of Truro from 2019 to 2020. The total fee requests for FY2022 is \$21,500.00. Staff recommends adding the ability of ACH (e-check payment), passing the fees along to the consumer, with the exception of transfer station permits, if the software allows. Staff is working to streamline the credit card providers as well as providing greater efficiency for the Accounting department on the fee transactions.

Town Manager Tangeman said that the Board needs to consider the impacts if the fees are passed on to the consumer. Transfer Station permit credit card fees could have an impact. Select Board Member Worthington agreed with excluding the Transfer Station customers from paying the fees and possibly the Beach sticker customers and asked what the fee would be to the consumer. The percentage will vary depending on the company and the specific credit card used. Town Accountant Brazil explained to Vice-Chair Reed payments can be made online for property taxes for a percentage.

Select Board Worthington felt there would be an issue adding the fee to using credit cards. Select Board Vice-Chair Reed reiterated that there are other payment options. Town Accountant Brazil explained that cash is not accepted at the Transfer Station. Town Manager Tangeman hoped to bring as many options as possible back to the Board from the credit card vendor. Town Accountant Brazil felt that the use of credit card payment, does have a processing component and explained that process. Finance Committee Member Roderick felt that the fees should be charged as credit cards are used widely. Finance Committee Member Wood felt that the fee should be on the user.

Finance Committee Chair Panessiti felt that the fee is a service fee that will not burden people. Select Board Chair Weinstein noted the people using credit cards are paying for convenience. Select Board Vice-Chair Reed agreed to passing the credit card fee on to the user. Finance Committee Chair Panessiti expressed concern over the Town covering the cost of the credit card fees.

Town Accountant Brazil explained to Board Member Rein that checks will still be accepted at the Transfer Station. Chair Weinstein felt that there was consensus to pass the credit card fees on to the users.

Town Manager Tangeman noted the Chamber of Commerce Budget changed to \$37,975 (reduced by 2.5%). Finance Committee Chair Panessiti said it seemed reasonable but deferred to others that understand the Chamber. Steve Roderick, speaking on behalf of the Chamber, commented that they will budget this year instead for the amount of \$29,145.00, with some changes they would make with respect to data collection and transparency of their budget. Select Board Worthington felt that there needs to be a discussion on assisting the Chamber. Select Board Clerk Areson felt more data will help make a better assessment. Select Board Chair Weinstein agreed that the data collection will better inform them in the future.

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Town Manager Tangeman stated that there might be the addition of Free Cash that can go towards the Reserve Fund and the advantages of this recommendation. This would be advantageous in helping with unanticipated issues that come up during the year. Finance Committee Chair Panessiti commented on the budgeting parameters of the Reserve Fund. Town Manager Tangeman asked for feedback from the rest of the Budget Task Force Members noting a policy regarding Reserve Funds should be in place.

Select Board Clerk Areson felt that there should be preparation for an explanation to taxpayers on moving funds from Free Cash to the Reserve Fund. Town Manager Tangeman contributed that any requests of the funds go to the Finance Committee. Town Accountant Brazil added that any funds expended from this account must be extraordinary and unforeseen. Finance Committee Chair Panessiti said as the budget increases potentially more things can go wrong and more unanticipated expenses can come up. Select Board Chair Weinstein reiterated that the Reserve Fund has Statutory requirements. Town Manager Tangeman stated that they will work on a policy to bring back to the Board.

Town Manager Tangeman highlighted the Capital Exclusion for a school project of \$228,200. This was a collaborative decision between the Town and the School Committee. The project is for windows and siding that needs to be done. The next item is the Fire and Rescue Analysis to be completed in FY 2022 with a possible override in FY23 budget. Town Manager Tangeman spoke of FEMA funding of 3-year positions through grants to offset the upfront costs but then those municipalities must absorb those funds.

Select Board Member Worthington asked about regionalization being a part of the analysis. Select Board Vice-Chair Reed spoke of the department needing personnel as it relates to Lower Cape Ambulance. Town Manager Tangeman replied to the Fire Chief's desire to have the adequate number of personnel on a rescue call. Select Board Member Worthington noted that the staff levels must meet the needs of the community if the Town no longer contracted with Lower Cape Ambulance. Finance Committee Chair Panessiti spoke of the changing demographics, and the importance of the many factors involved. Select Board Clerk Areson stated that timing will be critical in informing the public of the needs of staffing.

Town Manager Tangeman backed the one full-time position but stated concern over the part-time employee being increased to fulltime during Covid for Health and Conservation. The Town is currently looking for assistance to all the regulatory Boards for minutes which the department does need help with to keep current. Select Board Members Reed, Areson and Rein appreciated the Town Manager's input on the positions in that department and supported the one full-time position. Finance Committee Chair Panessiti noted the need for the public to be aware of the entire situation. He added that synergies should be looked at between departments.

Town Manager Tangeman stated that the WROC budget would be placed in the Health and Conservation department. Select Board Member Worthington worried this would eliminate the public from speaking on the water issues. Town Manager Tangeman felt that the line items were more appropriate in the Health and Conservation department. Select Board Clerk Areson had no issue with this request. Select Board Member Rein reported that WROC had not met in 2020.

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Select Board Chair Weinstein spoke of the Chair of the Board of Health stating that WROC fulfilled the objectives of its charge.

Town Manager Tangeman next reviewed the Council on Aging request to change the FY22 request for programs to \$22,500. Next item was a discussion on the desire to use the Dennis Family Gift Account for the principal or interest on the Walsh Property. The interest and principal total is \$275,750. With interest through January, there is \$1,165,152.78 in the Dennis Family Gift Account. Select Board Member Worthington felt that it was a good use of the money due to the relationship between the properties. Finance Committee Chair Panessiti spoke of the debt and whether there was a better way to spend the funds.

Select Board Clerk Areson asked if this goes to Town Meeting, is it a separate Article? Town Accountant Brazil responded it would be listed as it was last year. The issue with taking the debt out of the Article, is that if it is voted down, the debt still needs to be paid. Select Board Member Worthington said that it is important to continue to have trust from the Community. Town Accountant Brazil commented that they cannot permanently bond the acquisition.

Town Accountant Brazil stated that the acquisition was excluded and that once the Town knows what is being done with the property, then we will be raising the tax rate to pay that year's portion of principal and interest on the debt. Chair Weinstein also spoke of there not being a bond until there is a dedicated use of the property.

Town Manager Tangeman stated that there is a vacancy of the Assistant Beach and Recreation Director but also a lack of programming due to Covid. He suggested that they keep the position but hold off as long as they can to hire. He noted concern that if the position is eliminated there would be a reduction in programming. He asked that any decision be made after the pandemic. Select Board Clerk Areson felt that they need more information on programming, but she was alright with temporarily filling the position and then coming back to the Board with recommendations.

Select Board Member Reed thanked staff for their efforts and the visual aids. Next steps would be an updated budget. Assistant Town Manager Clark said that they would bring the budget back to the Board in March. Town Manager Tangeman said he would be working on the policy for Reserve Funds and Town Accountant Brazil is working on the Certification for Free Cash. Select Board Member Worthington asked for better understanding of the budget for defense of it and stated concern that they may be running out of time to review these things due to Town Charter requirements. Once there is certification of the Free Cash, the Board will have a better understanding of the Revenue- Expenditure gap.

A date of February 23, 2021 for submission of the Budget to the Select Board will not be met, the Select Board Chair Weinstein stated. Finance Committee Chair Panessiti didn't see any issues so far. Finance Committee Member Wood thanked the staff for the process. Select Board Clerk Areson also thanked staff.

Adjournment

Select Board Clerk Areson made a Motion to adjourn. Select Board Vice-Chair Reed seconded the Motion. Motion passes, 5-0-0.

The meeting was adjourned at 2:02pm.

Respectfully submitted,

Nicole Tudor, Executive Assistant

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

Public Records material of 2/16/2021

1. Budget Presentation Slideshow