



# Truro Select Board

Tuesday, December 7, 2021

Executive Session-4:30pm

Regular Meeting-5:30pm

## JOINT EXECUTIVE SESSION WITH ZONING BOARD OF APPEALS

<https://global.gotomeeting.com/join/978146413>

1-877-309-2073 Access Code: 978-146-413

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 (Cloverleaf Litigation), 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 not to reconvene in open session.*

## REGULAR MEETING

<https://global.gotomeeting.com/join/668103453>

1-877-309-2073 Access Code: 668-103-453

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: 668-103-453 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/668103453>**. 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

### 3. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

- A. Interview and Appoint: Priscilla Cornell-Cable and Internet Advisory Committee
- B. Interview and Appoint: Violet Rein Bosworth-Walsh Property Community Planning Committee
- C. Interview and Appoint: Clinton Kershaw-Climate Action Committee
- D. Interview and Appoint: Lindsey Wilson-Energy Committee

### 4. STAFF/ COMMITTEE UPDATES

- A. Board/Committee Report: Local Comprehensive Plan Committee

### 5. TABLED ITEMS

- A. Implementation of Hybrid Meetings for Multi-Member Body Meeting and Review and Discuss Policy 65:  
Hybrid Meeting Policy  
Presenter: Susan Areson, Clerk

**6. SELECT BOARD ACTION**

- A. Review and Approve Signature for Participation Agreement Opioid Litigation  
Presenter : Darrin Tangeman, Town Manager
- B. Review and Approve Denial letter, Babe's Bakery, Inc. Common Victualer's license  
Presenter : Barb Carboni, Town Planner & Land Use Counsel

**7. CONSENT AGENDA**

- A. Review/Approve and Authorize Signature:
  - 1. One Day Entertainment License-Truro Vineyards of Cape Cod
  - 2. Truro Water Service Application-405 Shore Road
- B. Review and Approve Appointment Renewals: None
- C. Review and Approve Select Board Minutes: Regular Meeting-11.9.2021

**8.** Select Board Reports/Comments

**9.** Town Manager Report

**10.** Next Meeting Agenda: Regular Meeting-December 14, 2021



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Noelle Scoullar, Executive Assistant

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Application to Serve

**EXPLANATION:** Priscilla Cornell has submitted an application to serve on the Cable and Internet Advisory Committee. There is a full, three-year term vacancy available. Should the Board appoint this applicant, the Cable and Internet Advisory Committee will have a full complement of members.

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

**IMPACT IF NOT APPROVED:** The applicant will not be able to participate as a voting member of the Cable and Internet Advisory Committee.

**SUGGESTED ACTION:** *Motion to appoint Priscilla Cornell to the Cable and Internet Advisory Committee for a three-year term expiring June 30, 2024.*

**ATTACHMENTS:**

1. Application to serve with Chair's comments

Truro

Application to Serve on a Board or Committee

Last Name Cornell

First Name Priscilla

Middle Initial B

Email Address [Redacted]

Phone Number [Redacted]

Address (Street) 76 Ryder Beach Rd  
Truro, MA 02666

Address (City) 29 Montgomery Lane  
Greenwich, Ct.

Address (State) 06830

Address (Zip Code) [Redacted]

mail

mail

Mailing Address (Please indicate box number and zip code)

Only full-time, registered Truro voters are able to serve on regulatory boards and commissions. All taxpayers/ residents are eligible to serve on non-regulatory boards and commissions.

RCUB 2021/04/15 09:09  
ADMINISTRATIVE OFFICE  
TOWN OF TRURO

Are you a full-time resident of Truro?

- Yes  
 No

Are you registered to vote in Truro?

- Yes  
 No

What Board/ Committee Are You Applying For?

Cable and Internet Committee (CAIC)

Briefly Describe Why You Wish to Serve on This Board or Committee:

I am interested in trying to help provide access to provide broadband and cell service to all Truro residents and beaches, primarily for safety concerns.

Have you attended a meeting of the committee listed above?

- Yes  
 No

Have you read the charge of the committee?

- Yes  
 No

Have you met with the chair of the committee?

- Yes  
 No

Are there other Boards/ Committees in which you are interested? Note: To be appointed to a regulatory board or committee, you must be a full-time resident and registered voter in Truro. Please list the Boards/ Committees names:

Briefly list your experience working on a committee or team. This can be professional, town, volunteer, charity, etc. I have served on several committees and boards:  
- ever -

Briefly list any other relevant experience such as professional work, training, education, etc. A resume is NOT required. If you choose to attach a resume, it will become a public document.

B.A. - Hunter College NYC

MSW - Fordham University - Clinical Social Work

I owned a flower shop and event business in NYC for 15 years, I then went back to get MSW and worked as a Clinical Social Worker with adolescents and families. I am now mostly retired and work part-time teaching therapeutic horse back riding and facilitate grief groups for young adults.

Date

Priscilla Cornell

11.10.2021

- Wm Woodward Jr. Nursery School NYC - Board member
- NY Theater Ballet Board member NYC
- Fairfield County Hunt Club - Board member Westport, Ct.
- Chair of Riding Activities Committee, FCHC: Westport, Ct.
- Pegasus Therapeutic Riding - Board member.
- Family Centers, Greenwich, Ct. 20 year volunteer group facilitator Den for Grieving Kids.

## Noelle Scoullar

---

**From:** Mary Abt [REDACTED]  
**Sent:** Monday, November 15, 2021 10:16 AM  
**To:** Noelle Scoullar  
**Subject:** Re: Application to Serve CAIC

Thanks, Noelle  
Priscilla was at our last meeting of the CAIC.  
and she would be a welcomed addition to the board.  
Mary

On 11/15/2021 8:46 AM Noelle Scoullar <nscoullar@truro-ma.gov> wrote:

Morning Mary!

Attached is an application to serve. Please respond with your comments.

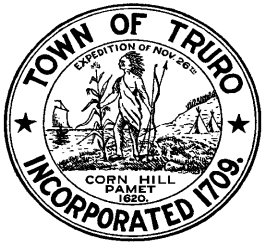
Thank you!

Noelle

**From:** scans@smtp.truro-ma.gov <scans@smtp.truro-ma.gov>  
**Sent:** Monday, November 15, 2021 8:26 AM  
**To:** Noelle Scoullar <nscoullar@truro-ma.gov>  
**Subject:** Message from Mail Room KM\_C458

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# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Noelle Scoullar, Executive Assistant

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Application to Serve

**EXPLANATION:** Violet Rein Bosworth has submitted an application to serve as a Student Liaison on the Walsh Property Community Planning Committee. If appointed, she would serve on the Committee as a non-voting representative of the student population. Ms. Rein Bosworth is a student at Nauset Regional High School.

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

**IMPACT IF NOT APPROVED:** Ms. Rein Bosworth will not be able to contribute as a non-voting member on the WPCPC.

**SUGGESTED ACTION:** *Motion to appoint Violet Rein Bosworth to the Walsh Property Community Planning Committee as a Student Liaison for a one-year term expiring October 13, 2022.*

**ATTACHMENTS:**

1. Application to Serve





# TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

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

RECEIVED NOV 18 2018  
ADMINISTRATIVE OFFICE

## APPLICATION TO SERVE ON THE WALSH PROPERTY COMMUNITY PLANNING COMMITTEE (WPCPC)

NAME: Violet Rein Bosworth HOME TELEPHONE: [REDACTED]

ADDRESS: 21 Holsberg rd., Truro MA WORK PHONE: [REDACTED]

MAILING ADDRESS: PO Box 688, Truro MA, 02666 E-MAIL: [REDACTED]

FAX: [REDACTED]

Which of the following demographics and perspective categories do you fit (can select one or more demographic characteristics, but no more than one primary interest/perspective):

- RESIDENCY:  year-round resident  seasonal  part-time (6 months or more)
- tradesperson
  - youth
  - student
  - young family
  - senior resident
  - local business owner
  - cultural or arts institution
  - abutter

Please rank in order of importance to you (1=most concerned about; 5=least concerned about)

- 1 primarily interested in housing/affordable housing opportunities
- 4 primarily interested in conservation and open space needs
- 3 primarily interested in the environment, habitat, and ecosystems
- 2 primarily interested in recreation opportunities
- 5 primarily interested in other development needs

Please describe how you meet the following criteria. You may complete your responses on additional sheets as necessary:

Please explain your ability to help represent the demographics and/or articulate the perspectives you selected

above:  
I was born and raised in Truro. I am a year round resident. I attend Nauset Regional High School.

Please explain your ability to engage in respectful and constructive dialogue with other participants, maintain an open mind, and seek creative options that respond to the interests of other participants as well as your own:

As a high school student I feel I can bring a new perspective to the committee. I can talk with my peers and bring their opinions as well as listen to other committee members points of view.

Please explain your contribution to the diversity of experience, knowledge, expertise, geography, and demographics:

I feel it is important to have a ~~youth~~ young person's perspective and input on a committee that will make recommendations that will effect generations to come.

Please explain your ability to attend all meetings, thoughtfully listen to public and constituent perspectives, and

participate actively in discussions: The meetings are held after school. I am available except for some exceptions during volleyball season.

Any Other Special Qualifications or Interests:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

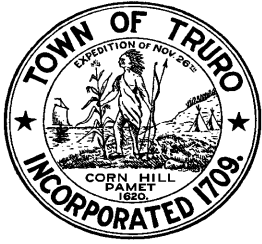
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: Violet Rein Bosworth DATE: 11/17/21

\*\*\*\*\*

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

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



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Noelle Scoullar, Executive Assistant

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Application to Serve

**EXPLANATION:** Clinton Kershaw has submitted an application to serve on the Climate Action Committee. There is a full, unexpired three-year term vacancy available. Should the Board appoint this applicant, the Climate Action Committee will have a full complement of members.

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

**IMPACT IF NOT APPROVED:** The applicant will not be able to participate as a voting member of the Climate Action Committee.

**SUGGESTED ACTION:** *Motion to appoint Clinton Kershaw to the Climate Action Committee filling an unexpired three-year term expiring June 30, 2022.*

**ATTACHMENTS:**

1. Application to serve with Chair's comments

**Truro**

*Application to Serve on a Board or Committee*

**Last Name**

*Kershaw*

**First Name**

*Clinton*

**Middle Initial**

**Email Address**

[REDACTED]

**Phone Number**

[REDACTED]

**Address (Street)**

*9B HIGHLAND AVE*

**Address (City)**

*North Truro*

**Address (State)**

*MA*

**Address (Zip Code)**

*02652*

**Mailing Address (Please indicate box number and zip code)**

*PO Box 909 02652*

Only full-time, registered Truro voters are able to serve on regulatory boards and commissions. All taxpayers/ residents are eligible to serve on non-regulatory boards and commissions.

RCVD 2021 NOV 15 AM 7:43  
ADMINISTRATIVE OFFICE  
TOWN OF TRURO

**Are you a full-time resident of Truro?**

Yes

No

**Are you registered to vote in Truro?**

Yes

No

**What Board/ Committee Are You Applying For?**

*Climate Action Committee*

**Briefly Describe Why You Wish to Serve on This Board or Committee:**

*I believe that action to affect climate change starts at home. Each one of us can take action to help this problem. I attended a public outreach session given by the CAC and am impressed with their breadth of knowledge and action. They are a group of people that want to accomplish something and they are doing the work that is necessary. I want to be a part of this group of people and believe I can bring another look and opinion to the table facilitating the conversation and actions of the CAC.*

**Have you attended a meeting of the committee listed above?**

Yes

No

**Have you read the charge of the committee?**

Yes

No

**Have you met with the chair of the committee?**

Yes

No

**Are there other Boards/ Committees in which you are interested? Note: To be appointed to a regulatory board or committee, you must be a full-time resident and registered voter in Truro. Please list the Boards/ Committees names:**

*Board of Health*

**Briefly list your experience working on a committee or team. This can be professional, town, volunteer, charity, etc.**

*I have served on boards in New York State. I have also served as a fire commissioner, helping to run my local department.*

**Briefly list any other relevant experience such as professional work, training, education, etc. A resume is NOT required. If you choose to attach a resume, it will become a public document.**

*I am a licensed Master Plumber by trade. My expertise is Plumbing and more importantly, sewage and septic system design, repair, installation, and troubleshooting. I have a lot of construction experience renovating and building houses, subdivisions, and energy efficiency.*

**Signature**

*Clint Kershaw*

**Date**

*Nov 12, 2021*

## Noelle Scoullar

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**From:** [REDACTED]  
**Sent:** Monday, November 22, 2021 4:00 PM  
**To:** Noelle Scoullar  
**Cc:** Nicole Tudor; Kaci Fullerton  
**Subject:** RE: Application to Serve on CAC

Hi, Noelle,

After much thought and discussion with others, I feel that this candidate is not a good match for the Climate Action Committee.

Let me know if you have any questions or need anything further from me.

Thanks,

Carol

**From:** Noelle Scoullar <nscoullar@truro-ma.gov>  
**Sent:** Wednesday, November 17, 2021 1:40 PM  
**To:** Carol Harris [REDACTED]  
**Cc:** Nicole Tudor <ntudor@truro-ma.gov>; Kaci Fullerton <kfullerton@truro-ma.gov>  
**Subject:** FW: Application to Serve on CAC

Hi Carol,  
I'm looking for comments on this applicants application to serve.

Thank you,  
Noelle

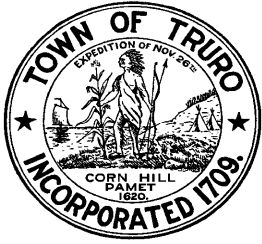
**From:** Noelle Scoullar  
**Sent:** Monday, November 15, 2021 8:08 AM  
**To:** Carol Harris [REDACTED]  
**Cc:** Nicole Tudor <[ntudor@truro-ma.gov](mailto:ntudor@truro-ma.gov)>; Kaci Fullerton <[kfullerton@truro-ma.gov](mailto:kfullerton@truro-ma.gov)>  
**Subject:** Application to Serve on CAC

Good Morning Carol,

Attached is an application to serve on the CAC. Please respond with your comments.

Thank you!  
Noelle

**From:** [scans@smtp.truro-ma.gov](mailto:scans@smtp.truro-ma.gov) <[scans@smtp.truro-ma.gov](mailto:scans@smtp.truro-ma.gov)>  
**Sent:** Monday, November 15, 2021 7:26 AM  
**To:** Noelle Scoullar <[nscoullar@truro-ma.gov](mailto:nscoullar@truro-ma.gov)>  
**Subject:** Message from Mail Room KM\_C458



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Noelle Scoullar, Executive Assistant

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Application to Serve

**EXPLANATION:** Lindsey Wilson has submitted an application to serve on the Energy Committee. There is an unexpired, three-year term vacancy available.

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

**IMPACT IF NOT APPROVED:** The applicant will not be able to participate as a voting member of the Energy Committee.

**SUGGESTED ACTION:** *Motion to appoint Lindsey Wilson to the Energy Committee to an unexpired three-year term ending June 30, 2023.*

**ATTACHMENTS:**

1. Application to serve with Chair's comments



**Truro**

*Application to Serve on a Board or Committee*

**Last Name**

*Wilson*

**First Name**

*Lindsey*

**Middle Initial**

**Email Address**

[REDACTED]

**Phone Number**

[REDACTED]

**Address (Street)**

*5 Fishermans Rd*

**Address (City)**

*Truro*

**Address (State)**

*MA*

**Address (Zip Code)**

*02666*

**Mailing Address (Please indicate box number and zip code)**

*PO Box 832, 02652*

Only full-time, registered Truro voters are able to serve on regulatory boards and commissions. All taxpayers/ residents are eligible to serve on non-regulatory boards and commissions.

RCVD 2021 NOV 22 09:02  
ADMINISTRATIVE OFFICE  
TOWN OF TRURO

**Are you a full-time resident of Truro?**

\* ] Yes

] No

**Are you registered to vote in Truro?**

\* ] Yes

] No

**What Board/ Committee Are You Applying For?**

*Energy*

**Briefly Describe Why You Wish to Serve on This Board or Committee:**

*To get involved in the community in an area that I am knowledgeable about*

**Have you attended a meeting of the committee listed above?**

\* ] Yes

] No

**Have you read the charge of the committee?**

\* ] Yes

] No

**Have you met with the chair of the committee?**

\* ] Yes

] No

**Are there other Boards/ Committees in which you are interested? Note: To be appointed to a regulatory board or committee, you must be a full-time resident and registered voter in Truro. Please list the Boards/ Committees names:**

**Briefly list your experience working on a committee or team. This can be professional, town, volunteer, charity, etc.**

I work as part of a team in various capacities in my professional career. I was also on many sports teams and I currently volunteer for the Truro Community Kitchen.

**Briefly list any other relevant experience such as professional work, training, education, etc. A resume is NOT required. If you choose to attach a resume, it will become a public document.**

I am a project manager in the energy efficiency field focused on existing commercial and multifamily building retrofits.

**Signature**

*Lindsey Wilson*

**Date**

*Nov 20, 2021*

## Noelle Scoullar

---

**From:** Brian Boyle [REDACTED]  
**Sent:** Wednesday, November 24, 2021 7:49 AM  
**To:** Noelle Scoullar  
**Cc:** Nicole Tudor; Kaci Fullerton  
**Subject:** Re: Application to Serve-Energy Committee

Hi Noelle,

Yes, I have met and interviewed Lindsey for membership on the Energy Committee. Her professional background and experience in the energy field will be a significant asset to the committee. We hope the Select Board will appoint her at the next opportunity to do so.

Brian

On Wednesday, November 24, 2021, 7:43 AM, Noelle Scoullar <nscoullar@truro-ma.gov> wrote:

Morning Brian,

Resending as this could have been lost in your email.

Please see below.

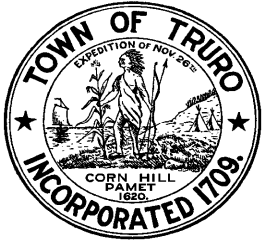
Thank you!

Noelle

**From:** Noelle Scoullar  
**Sent:** Monday, November 22, 2021 8:46 AM  
**To:** [REDACTED]  
**Cc:** Nicole Tudor <ntudor@truro-ma.gov>; Kaci Fullerton <kfullerton@truro-ma.gov>  
**Subject:** Application to Serve-Energy Committee

Morning Brian!

Attached is an application to serve. I've checked and you have one full member slot open (an unexpired 3-year term which expires June 30, 2023) for which this person could fill.



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Kristen Reed Vice-Chair and Susan Areson Clerk

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Committee Updates-Local Comprehensive Plan Committee

**EXPLANATION:** The Local Comprehensive Plan Committee Chair, Christopher Clark, will speak briefly with the Select Board Members on the board's questions.

*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:** Susan Areson, Clerk

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Implementation of Hybrid Meetings for Multi-Member Body Meeting and Review and Adopt Policy 65: Hybrid Meeting Policy

**EXPLANATION:** At the November 9, 2021 meeting, the Select Board reviewed a draft policy for the implementation of hybrid meetings. The Board discussed their concerns with the first draft and Sue Areson, Clerk, offered to revise the policy. Clerk Areson will present the revised policy for comment and potential approval by the Board.

The hybrid meeting policy will create parameters for boards/committees interested in holding hybrid meetings. Due to the resources and personnel required to hold a hybrid meeting, the policy will address bodies eligible to hold hybrid meetings and will provide uniformity in the decision-making process for holding hybrid meetings. Technical equipment required for offering a hybrid meeting option for multi-member bodies is installed and being tested.

Staff reviewed the costs (monetary costs and the cost of staff resources) of offering hybrid meetings, the availability of meeting space and trained personnel, and concerns related to adherence to Open Meeting Law requirements and proposed a draft policy that served as a starting point for the revised policy presented by Clerk Areson.

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

**IMPACT IF NOT APPROVED:** There will be no guidance allowing hybrid meetings for Town of Truro multi-member bodies.

**SUGGESTED ACTION:** *MOTION to accept Policy 65: Hybrid Meeting Policy and to allow hybrid meetings to begin as soon as January 1, 2022.*

**ATTACHMENTS:**

1. Draft Policy 65: Hybrid Meeting Policy



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004

Fax: 508-349-5505

## POLICY MEMORANDUM #65

Date: Adopted December 7, 2021

Subject: Hybrid Meeting Policy

This policy applies to all Truro boards/committees/commissions and their members. It aims to guide town resources in a deliberate manner and ensure public health is at the forefront of compliance with the state Open Meeting Law.

### I. BACKGROUND

Meetings prior to Covid-19 were held with the quorum guidance of both the Truro Charter and the state Open Meeting Law, which required that the majority of the body be physically present at the meeting location. Since the March 12, 2020 executive order from Governor Baker, meetings have been facilitated remotely or in a hybrid model.

Remote regulatory board/committee/commission meetings are held using an audio- and video-conferencing tool to both live-stream and record. Remote non-regulatory boards/committees/commissions are held using the same audio- and video-conferencing tool and the video recordings are later posted on TruroTV.

With Town Manager authorization, some non-regulatory boards/committees/commissions have had in-person meetings open to the public without live-streaming/recording. These meetings are held in ADA-compliant locations and minutes are taken for subsequent approval.

Support for hybrid meetings requires substantial economic commitment due to the need for a videographer with technical expertise necessary to live-stream and record the meetings and to troubleshoot problems. Videographer availability is limited. Other town staffers who help facilitate remote meetings have limited ability to be redirected toward supporting hybrid meetings.

### II. POLICY

For the purposes of this policy, the following definitions apply:

**In-person meeting:** All members of the public body and the public participate in person.

**Remote meeting:** All members of the public body and the public participate remotely, using Web-based video/audio-conferencing software. These meetings are posted on TruroTV. Regulatory board meetings are also live-streamed.



**Hybrid Meeting:** A combination of in-person and remote participation by members of the board and the public. These meetings, held in properly equipped town meeting rooms, are recorded and, if possible, are live-streamed.

The town manager has the discretion to approve a hybrid meeting or to determine that a specific meeting should be remote or in-person.

### III. CONDITIONS

1. Priority for hybrid meetings will be given to regulatory/high-engagement multi-member bodies. (Listed in Section VI)
2. Public bodies that request a hybrid meeting must do so at least two weeks in advance to allow for staff and video scheduling.
3. Boards/committees/commissions may request which meetings will be hybrid, in-person or remote. A minimum of the board/committee/commission quorum must attend in person for any hybrid meeting. If a quorum does not commit to in-person attendance, the meeting shall be remote.
4. The inability to achieve an in-person quorum for a scheduled hybrid meeting for three consecutive meetings will require town manager approval to schedule future hybrid meetings.
5. All boards/committees/commissions shall create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, and the decisions made and the actions taken at each meeting, including the record of all votes. Minutes must include a list of documents and other exhibits used at the meeting. Audio and video recordings of meetings are not acceptable as meeting minutes.
6. Minutes of all open and executive sessions shall be created and approved in a timely manner, typically within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay.
7. All boards/committees/commissions not up to date with minutes and approvals shall be required to hold remote meetings that are recorded and accessible to the public.

### IV. MEETING NOTICE

1. All public meeting agendas must be posted at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.
2. Remote meetings must be scheduled at least three days prior to the meeting, **EXCLUDING WEEKENDS AND HOLIDAYS**, using the town's virtual ID to host and record/stream the meeting.
3. Hybrid meetings must be scheduled at least two weeks in advance and will be assigned a meeting ID/link XX days in advance for those who participate remotely.

## **V. HEALTH REQUIREMENTS**

The Truro Community Center will serve as the primary location and the Select Board chambers as the secondary location for Hybrid Public meetings. As case counts are increasing in Town and on the Cape in general, the mitigations of masking, physical distancing and handwashing must be reinforced.

The square foot requirement for 6-foot physical distancing is 131 square feet per person; the community center is 1800 square feet - maximum capacity is therefore 13 persons.

As remote participation will still be allowed, there may be less demand/public participation than what we experienced pre-COVID.

Using the Select Board meeting as an example, the Town can expect: 3-5 Board members; 1-3 staff and IT support; with public participation therefore being capped at 5-9 participants.

Where there is greater demand than occupancy capacity, the Town would set up an area for the public to queue to make public comment, with the understanding that they would need to leave after their comment due to capacity limitations. All capacities would be set at one short of full capacity in order to allow for a one-for-one swap from a queuing area outside of the meeting room that would allow for public comment.

The Town would add properly marked spacing for those participants in the hallway for queuing. As a result, the Town may require additional staff to be present at the beginning of each meeting to ensure an efficient flow of participants for public comment and to ensure compliance with occupancy capacities.

## **VI. REGULATORY/HIGH ENGAGEMENT MULTI-MEMBER BODIES**

1. Select Board
2. Planning Board
3. Zoning Board of Appeals
4. Conservation Commission
5. Board of Health
6. Local Comprehensive Planning Committee
7. Walsh Property Community Planning Committee
8. Finance Committee
9. Budget Task Force

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Robert Weinstein, Chair

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Kristen Reed, Vice-Chair

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Susan Areson, Clerk

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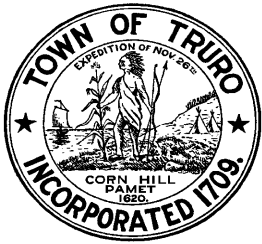
Stephanie Rein

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John Dundas

Select Board  
Town of Truro

DRAFT



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Barbara Carboni, Town Planner

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Participation Agreements for settlement in certain Opioid Litigation cases

**EXPLANATION:** At the February 27, 2018 meeting, the Select Board voted to join in a civil suit with a consortium of law firms, including KP Law, to assist in the recovery of municipal costs resulting from the opioid crisis. The Town entered into a civil suit against those legally responsible for the wrongful distribution of prescription opiates and damages caused thereby, and retained the legal services of the consortium on a contingent fee basis, to pursue all civil remedies against those in the chain of distribution of prescription opiates responsible for the opioid epidemic which is plaguing the town. Ultimately, the suit may result in the recovery of costs incurred in responding to opioid related medical calls and enforcement activities.

The consortium of lawyers representing plaintiffs, including governmental entities, have circulated a proposed Settlement in cases against certain defendants: Janssen/Johnson & Johnson and several distributors (AmerisourceBergen, Cardinal Health and McKesson). In agreeing to participate in the Settlement, a governmental entity releases all claims against the defendants in exchange for receiving an allocation of monies to be paid by Defendants as part of the Settlement. A governmental entity's participation in the settlement is conditioned on its entering into an Allocation Agreement with the Commonwealth of Massachusetts. In addition, the Participation Agreement will only be effective if government entities representing 95% or more of the population (combined) of government entities in Massachusetts elect to participate in the Settlement. There are two separate participation agreements, one relating to defendant Janssen/Johnson & Johnson, and one for the distributor defendants.

The Town Manager has previously been registered as the individual authorized to sign the Participation Agreements on behalf of the Town. The Board, on behalf of the Town, may

elect to participate in the Settlement by signing the two Participation Agreements. Town Counsel KP Law , working with Rodman, Rodman & Sandman, P.C., has requested that signed Participation Agreements be submitted no later than December 15, 2021. While actual settlement amounts due to specific towns are unclear at this time, the consortium of attorneys is working with Attorney General's Office to determine how money that is received by the State will be distributed to municipalities. The terms of the settlement dictate that payment will be made over a period of 9-18 years if there is sufficient participation of all municipalities nationwide.

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

**IMPACT IF NOT APPROVED:** Town would not be eligible for any monies obtained in settlement with these Defendants. Very small impact on count of participation by Massachusetts government entities representing 95% of population.

**SUGGESTED ACTION:**

*Motion to authorize the Town Manager to sign the two Participation Agreements on behalf of the Town and submit to lawyer consortium.*

**ATTACHMENTS:**

1. Distributor Participation Agreement
2. Janssen Participation Agreement

**Subdivision Distributor Settlement Participation Form**

Governmental Entity:	State: Massachusetts
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July, 2021 (“*Distributor Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Distributor Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Distributor Settlement, understands that all terms in this Participation Form have the meanings defined therein, and agrees that by signing this Participation Form, the Governmental Entity elects to participate in the Distributor Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity’s election to participate is specifically conditioned on participation by Litigating Subdivisions and Litigating Special Districts representing 95% or more of the population (combined) of Litigating Subdivisions and Litigating Special Districts in the State of Massachusetts. Should the combined population of the Litigating Subdivisions and Litigating Special Districts in the State of Massachusetts that participate be less than 95% of the population (combined) of the Litigating Subdivisions and Litigating Special Districts in the State of Massachusetts, this Election and Release shall be deemed void and no claims shall be released.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, secure the dismissal with prejudice of any Released Claims that is has filed.
4. The Governmental Entity agrees to the terms of the Distributor Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Distributor Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Distributor Settlement solely for the purposes provided therein.

7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to the court's role as provided in, and for resolving disputes to the extent provided in, the Distributor Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Distributor Settlement.
8. The Governmental Entity has the right to enforce the Distributor Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Distributor Settlement, including, but not limited to, all provisions of Part XI, and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Distributor Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Distributor Settlement shall be a complete bar to any Released Claim.
10. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Distributor Settlement.
11. In connection with the releases provided for in the Distributor Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

**General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release, and that if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may

exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Distributor Settlement.

12. Nothing herein is intended to modify in any way the terms of the Distributor Settlement, to which Governmental Entity hereby agrees. To the extent this Participation Form is interpreted differently from the Distributor Settlement in any respect, the Distributor Settlement controls.
  
13. This Participation Form is conditioned on the Governmental Entity identified above entering into an agreement with the State of Massachusetts (the "State") concerning the allocation of opioid settlements with the State (an "Allocation Agreement"). The effective date of this Participation Form shall be the date on which the State and the Governmental Entity identified above enter into an Allocation Agreement. In the event that the State does not enter into an Allocation Agreement with the Governmental Entity identified above, this Participation Form shall be null and void and shall confer no rights or obligations on the State of Massachusetts, the Released Entities (as defined in the National Settlement Agreement dated July 21, 2021), or the Governmental Entity.

I have all necessary power and authorization to execute this Participation Form on behalf of the Governmental Entity.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



**Subdivision Janssen Settlement Participation Form**

Governmental Entity:	State: Massachusetts
Authorized Official:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above (“Governmental Entity”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July 21, 2021 (“Janssen Settlement”), and acting through the undersigned authorized official, hereby elects to participate in the Janssen Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Janssen Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Janssen Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity’s election to participate is specifically conditioned on participation by Litigating Subdivisions and Litigating Special Districts representing 95% or more of the population (combined) of Litigating Subdivisions and Litigating Special Districts in the State of Massachusetts. Should the combined population of the Litigating Subdivisions and Litigating Special Districts in the State of Massachusetts that participate be less than 95% of the population (combined) of the Litigating Subdivisions and Litigating Special Districts in the State of Massachusetts, this Election and Release shall be deemed void and no claims shall be released.
3. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed.
4. The Governmental Entity agrees to the terms of the Janssen Settlement pertaining to Subdivisions as defined therein.
5. By agreeing to the terms of the Janssen Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
6. The Governmental Entity agrees to use any monies it receives through the Janssen Settlement solely for the purposes provided therein.
7. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as provided in, and for resolving disputes to the extent provided in, the Janssen Settlement.

8. The Governmental Entity has the right to enforce the Janssen Settlement as provided therein.
9. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Janssen Settlement, including but not limited to all provisions of Section IV (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Janssen Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Janssen Settlement shall be a complete bar to any Released Claim.
10. In connection with the releases provided for in the Janssen Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

**General Release; extent.** A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Janssen Settlement.
11. Nothing herein is intended to modify in any way the terms of the Janssen Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Janssen Settlement in any respect, the Janssen Settlement controls.
12. This Participation Form is conditioned on the Governmental Entity identified above entering into an agreement with the State of Massachusetts (the "State") concerning the

allocation of opioid settlements with the State (an “Allocation Agreement”). The effective date of this Participation Form shall be the date on which the State and the Governmental Entity identified above enter into an Allocation Agreement. In the event that the State does not enter into an Allocation Agreement with the Governmental Entity identified above, this Participation Form shall be null and void and shall confer no rights or obligations on the State of Massachusetts, the Released Entities (as defined in the National Settlement Agreement dated July 21, 2021), or the Governmental Entity.

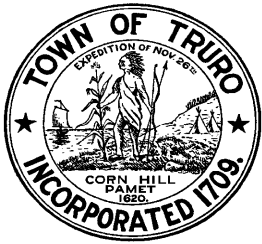
I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Barbara Carboni, Town Planner

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Denial letter, Babe's Bakery, Inc. Common Victualler's license

**EXPLANATION:** The Board held a hearing on November 16, 2021 on the application of Babe's Bakery, Inc., for renewal of its Common Victualler's License. Following the hearing, the Board voted to deny the renewal application. Although there is no statutory requirement of a written decision, it would be prudent to memorialize the Board's decision in a denial letter, stating grounds for the decision. Consistent with due process, the denial letter notes the Applicant's right to appeal the decision. A draft letter has been prepared citing the concerns articulated by Board members at the hearing. This draft may be edited as the Board sees fit. As preferred by the Board, the letter may go out under the signature of the Town Manager or the Board Chair.

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

**IMPACT IF NOT APPROVED:** The Board's grounds for denial are not memorialized in writing.

**SUGGESTED ACTION:** Review draft letter; edit as needed; determine whether letter should be signed by Town Manager or Chair.

*Motion to approve denial letter and authorize (the Chair or Town Manager) to sign.*

**ATTACHMENTS:**

1. Draft denial letter

**Agenda Item: 6B1**

December 7, 2021

Claudia Boespflug  
P.O. Box 352  
North Truro, MA 02652

Re: Common Victualer's License, Babe's Bakery, Inc.

Dear Ms. Boespflug,

Please be advised that the application of Babe's Bakery, Inc. for a seasonal Common Victualer's license for 2021 was denied by the Select Board following a hearing on November 16, 2021. This denial was based on the inability of the business to open due to the Applicant's acknowledgment the business could not open this year due to lack of staff and a lack of activity on the property for many years.

[DARRIN OR CHAIR]



# Truro Select Board

Tuesday, December 7, 2021

Regular Meeting-5:30pm

## 7. CONSENT AGENDA

A. Review/Approve and Authorize Signature:

1. One Day Entertainment License-Truro Vineyards of Cape Cod
2. Truro Water Service Application-405 Shore Road

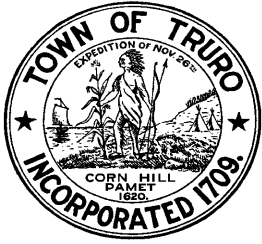
B. Review and Approve Appointment Renewals: None

C. Review and Approve Select Board Minutes: Regular Meeting-11.9.2021

8. Select Board Reports/Comments

9. Town Manager Report

10. Next Meeting Agenda: Regular Meeting-December 14, 2021



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Nicole Tudor, Executive Assistant

**REQUESTED MEETING DATE:** December

**ITEM:** Approval of Entertainment Licenses for Truro Vineyards of Cape Cod

**EXPLANATION:** MGL Chapter 140 § 181 provides local authority to license performance events. Entertainment Applications for review and approval are below:

- Friday, December 10<sup>th</sup> from 6-9 pm, Truro Vineyards of Cape Cod, 11 Shore Rd
- Friday, December 17<sup>th</sup> from 6-9 pm, Truro Vineyards of Cape Cod, 11 Shore Rd

The Entertainment Applications have been reviewed by the Chief of Police and approved.

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

**IMPACT IF NOT APPROVED:** Entertainment will not be held for these events.

**SUGGESTED ACTION:** *MOTION TO approve Entertainment Licenses for*

- Friday, December 10<sup>th</sup> from 6-9 pm, Truro Vineyards of Cape Cod, 11 Shore Rd
- Friday, December 17<sup>th</sup> from 6-9 pm, Truro Vineyards of Cape Cod, 11 Shore Rd

*And authorize the Chair to sign the applications.*

**ATTACHMENTS:**

1. One Day Entertainment Application



# TOWN OF TRURO

## Licensing Department

PO Box 2030, Truro, MA 02666

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

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

### 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 of Cape Cod  
 Name of Applicant Business/Organization Name  
 PO Box 834 North 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

Kristen Roberts [REDACTED] [REDACTED]  
 Contact Person Phone Number Email

#### INDIVIDUAL APPLICANT INFORMATION

Individual's Name Mailing Address  
 Phone Number Email Address

#### EVENT INFORMATION

December 10th and 17th Winter Concert  
 Day (s)/Date (s) of Event for License to be issued Purpose of Event (example: fundraiser)  
 Hours of Event (from - to) 6pm-9pm

11 Shore Road North Truro, MA 02652 Event is:  Indoor  Outdoor Event  
 Location (Must provide facility name, if any, street number and name) (Please check applicable box)

Kristen Roberts 11 Shore Road North Truro, MA 02652 [REDACTED]  
 Property Owner Name and Address Phone number

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

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) \_\_\_\_\_

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.

Signature

Date

11/18/2021

- 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

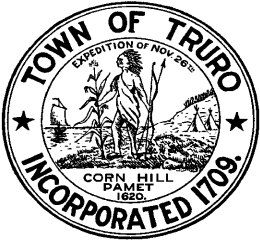
**APPROVAL**

License No \_\_\_\_\_

Select Board \_\_\_\_\_ Meeting Date \_\_\_\_\_

Police Department \_\_\_\_\_ Date 11/18/2021

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



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Health Department

**REQUESTOR:** Emily Beebe, Health and Conservation Agent

**REQUESTED MEETING DATE:** December 7, 2021

**ITEM:** Truro Water Service Application

**EXPLANATION:** An application has been submitted to provide new water service to 405 Shore Road (a single-family residence). The Board of Health has approved.

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

**IMPACT IF NOT APPROVED:**

**SUGGESTED ACTION:** *Motion to approve the water service application for 405 Shore Road and authorize the Chair to sign with a digital signature.*

**ATTACHMENTS:**

1. Truro Water Service Application

OCT 28 2021

RECEIVED BY:



# TOWN OF TRURO

## BOARD OF HEALTH

P.O. Box 2030, Truro MA 02666  
Tel: 508-349-7004 Fax: 508-349-5508

### TRURO WATER SERVICE APPLICATION FOR NEW OR EXPANSION OF EXISTING WATER SERVICE

#### APPLICANT INFORMATION

Date: 10-25-21 Name: Ken Shapiro  
Water Service Address: 405 Shore Rd Map/Parcel/Lot 018-005-000  
Mailing Address: 460 Hillside Ave City/State/Zipcode NEEDHAM, MA 02494  
Phone Number: [REDACTED] Email Address: [REDACTED]

#### EMERGENCY TELEPHONE NUMBERS

Plumber Name: Podany DeRosa Phone Number: [REDACTED]  
Property Manager: Ken Smith Phone Number: [REDACTED]  
Other Name & Phone Number: \_\_\_\_\_

#### TYPE OF SERVICE REQUESTED:

- New Water Service: Proposed Title 5 Design Flow: 110 G/P/D
- Expansion of Water Service:  
Existing Title 5 Design Flow: \_\_\_\_\_ Proposed Title 5 Design Flow: \_\_\_\_\_
- Water Service for Condominium Conversion (separate meters, tap etc.)

#### Type of Facility:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Single Family | <input type="checkbox"/> Condo           | <input type="checkbox"/> Multifamily Dwelling |
| <input type="checkbox"/> Restaurant               | <input type="checkbox"/> Motel           | <input type="checkbox"/> Other: _____         |
| <input type="checkbox"/> Retail                   | <input type="checkbox"/> Office Building | <input type="checkbox"/> Industrial: _____    |

Meter installations fifty (50) feet or greater from the curb stop must be in a meter pit adjacent to the curb top. Concrete meter pits are required in roads or driveways.

I hereby agree to abide by all the rules and regulations of the Provincetown Water Department now in force or to be established by the Water and Sewer Board and declare that there is no other means of supplying potable water on-site (e.g. private well).

Applicant Signature: [Signature]

ONCE TRURO & PROVINCETOWN OFFICIALS HAVE APPROVED THE APPLICATION, PLEASE SUBMIT A COPY TO THE TRURO HEALTH DEPARTMENT

**SIGNATURES OF APPROVAL \*\*\*\*\*OFFICIAL USE ONLY\*\*\*\*\***

*Tracy Rose*

**TRURO BOARD OF HEALTH**

*November 18, 2021*

**DATE OF APPROVAL**

**TRURO BOARD OF SELECTMEN**

**DATE OF APPROVAL**

**PROVINCETOWN WATER &  
SEWER BOARD**

**DATE OF APPROVAL**

# DRAFT

Consent Agenda Item: 7C

**Truro Select Board**  
**Tuesday, November 9, 2021**  
**5:00 pm**  
**Remote Meeting**

**Select Board Members Attending:** Robert Weinstein-Chair, Kristen Reed-Vice-Chair, Susan Areson-Clerk, Stephanie Rein, John Dundas

**Regrets:** None.

**Attending:** Town Manager Darrin Tangeman, Assistant Town Manager Kelly Clark, Cheryl Best, Chris Roberts, Library Director Tricia Ford, Robert Panessiti, Nancy Medoff, Anne Greenbaum, Debra Parker, Joan Holt, Brian Boyle, David Crocker, Kevin Kuechler, Jack Riemer, Chris Lucy, Martha Magane, Keith Althaus, Regan McCarthy.

## **TRURO SELECT BOARD REGULAR MEETING**

Select Board Chair Robert Weinstein opened the Select Board Meeting at 5:00 pm and provided remote meeting instructions.

### **Public Comment**

Jack Riemer asked if the Board would be allowing public comment during each of the agenda items. The Chair responded that brief public comment would be allowed.

Chris Lucy requested that the Town consider software similar to Provincetown's OpenGov platform to allow people to pay permit fees online 24/7. Town Manager Tangeman responded that the procurement process for a similar software is already underway.

### **Board/Committee/Commission Appointments**

*Clerk Areson recused herself from this portion of the meeting.*

David Crocker applied to serve on the Pamet Harbor Commission, noting his boating and Pamet Harbor experience and his education at Massachusetts Maritime. He responded to questions from the Board.

Member Stephanie Rein moved to appoint David Crocker to the Pamet Harbor Commission as a full member with a term expiring June 30, 2024. Vice-Chair Reed seconded. Roll Call: S. Rein, Aye; J. Dundas, Aye; K. Reed, Aye; R. Weinstein, Aye. S. Areson, Recused. Motion passes, 4-0-0.

Mr. Crocker explained his interest in joining an adjudicatory board and learning about the Zoning Board of Appeals. He fielded questions from Board and heard concerns about the need to recuse himself from issues as necessary.

Vice-Chair Reed moved to appoint David Crocker to the Zoning Board of Appeals as an alternate member with a term expiring June 30, 2022. Member John Dundas seconded. Roll Call: S. Rein, Nay; K. Reed, Nay; J. Dundas, Aye; R. Weinstein, Aye. S. Areson, Recused. Motion failed, 2-2-0. The appointment does not move forward.

*Clerk Areson rejoined the meeting.*

Christopher Roberts applied to serve on the Cable & Internet Advisory Committee. He provided information on his background and fielded questions from the Board related to his interests and initiatives that he would undertake.

Vice-Chair Reed moved to appoint Christopher Roberts to the Cable and Internet Advisory Committee for a three-year term expiring June 30, 2024. Member Dundas seconded. Roll Call: S. Rein, Aye; J. Dundas, Aye; J. Dundas; K. Reed, Aye; R. Weinstein, Aye. Motion passes, 5-0-0.

### **Staff/ Committee Updates**

Library Trustees Chair Martha Magane introduced Vice-Chair Keith Althaus and provided an overview of the Library Trustees' work. She further discussed accomplishments and goals and noted that the Trustees would be surveying the community in the future about what they want to see at the Library. She highlighted the great work of the Library staff.

### **Select Board Action**

*Implementation of Hybrid Meetings for Multi-Member Body Meeting and Review and Adopt Policy 65: Hybrid Meeting Policy*

Town Manager Tangeman provided an overview of the transition to remote meetings during the COVID-19 pandemic and the new ability to allow hybrid meetings. He outlined the draft policy and explained the rationale behind the various recommendations.

Clerk Areson felt the policy needed additional work to be more concise and clearer, and she volunteered to edit this language. Vice-Chair Reed offered concerns about the health and safety of the in-person meetings. The Board recognized the extensive resources required for hybrid meetings and the efficiencies and inefficiencies associated with hybrid meetings. There was consensus on the Board that tabling this item pending editing of the policy by Clerk Areson would be preferred.

Vice-Chair Reed moved to table this agenda item. Member Rein seconded. Roll Call: S. Rein, Aye; J. Dundas, Aye; S. Areson, Aye; K. Reed, Aye; R. Weinstein, Aye. Motion passes, 5-0-0. Item tabled.

*Discussion of Multi-Member Body Minute Compliance*

Town Manager Tangeman explained that the previous agenda item prompted this agenda item. It was noted that many committees are out of compliance with recording their minutes with the Town Clerk's Office. The Board discussed ways to address this issue and asked for clarification on the resources available to the committees. The Board requested that the dates of the missing minutes be forwarded to the Select Board liaisons, who, in turn, can contact the Chairs of the multi-member boards regarding the owed minutes.

*Discussion and Possible Approval of Town of Truro Public Communications Policy*

Town Manager Tangeman gave an overview of the intent of the policy. A discussion was held regarding the wording within the proposed policy and Chair Weinstein expressed numerous concerns about the content of the policy.

Vice-Chair Reed moved to table this item and bring it back to a future meeting when there has been time to review and improve upon the language. Clerk Areson seconded. Roll Call:

S. Rein, Aye; J. Dundas, Aye; S. Areson, Aye; K. Reed, Aye; R Weinstein, Aye. Motion passes, 5-0-0.

*Discussion of Town Meeting Article Regarding Making Town Charter Language Genderless*

Vice-Chair Reed introduced this article and noted other Massachusetts communities that have made similar Charter changes. There was some discussion on the difference between gender-neutral and genderless.

Member Rein moved to direct the Town Manager to work with Town Counsel to craft a 2022 Town Meeting article to present to the Board that would petition the General Court to pass a special act enabling the Town to make the language in the Town Charter genderless. Vice-Chair Reed seconded. Roll Call: S. Rein, Aye; J. Dundas, Aye; S. Areson, Aye; K. Reed, Aye; R Weinstein, Aye. Motion passes, 5-0-0.

*Discussion of Potential Town Meeting Articles for Charter Changes*

Charter Review Committee Chair Boyle gave an update on where the Committee stands in the work they've been engaged in. He summarized three Warrant articles for the Board. Board members asked questions of Charter Review Committee members addressing the length of terms for Planning Board members, the status of the survey sent to some boards and committees, and whether the Committee has reviewed the statutory requirements for certain regulatory boards. Vice-Chair Reed also noted the importance of identifying lead petitioners for articles and the Committee reported on their discussions on this matter and the number of signatures required for petitioned article.

*Discussion of Progress and Plan of Action for Addressing FY2022 Select Board Goals & Objectives*

Town Manager Tangeman provided an update on the FY2022 Goals & Objectives and provided recommended actions to move forward. Board members discussed the path ahead on each objective.

Questions were asked by citizens and answered by the Select Board, the Town Manager, and the Assistant Town Manager.

**Consent Agenda**

- A. *Review/Approve and Authorize Signature:*
  - 1. *HPC Contract*
  - 2. *Bond Request for Town Clerk Kaci Fullerton*
- B. *Review and Approve Appointment Renewals: None.*
- C. *Review and Approve Select Board Minutes: Regular Meeting 08.24.2021; Regular Meeting 09.28.2021*

Vice-Chair Reed moved to approve the consent agenda with the amendments to the minutes as specified. Member Rein seconded. Roll Call: S. Rein, Aye; J. Dundas, Aye; S. Areson, Aye; K. Reed, Aye; R. Weinstein, Aye. Motion passes, 5-0-0.

**Select Board and Town Manager's Reports and Next Meeting Agenda**

Clerk Areson noted that she heard from the public about communication regarding the recent Nor'easter. She requested that at the beginning of budget sessions explainers or definitions be provided to the public and suggested that pinning ceremonies be held for public safety appointments as they had in the past. Finally, she requested that all committee members receive the handbook created by the Select Board (or a link to it) as part of the swearing in process.

Member Dundas reported on the status of the Planning Board minutes. He also recommended that board/committee members receive cyber security training as part of their onboarding.

Vice-Chair Reed offered Bob Panessitti (Chair of the Economic Development Committee) an opportunity to report on the work of the Economic Development Committee.

Chair Weinstein thanked DPW for their recent work down at the Harbor and thanked staff for securing the presence of the County Dredge.

Town Manager Tangeman updated the Board on the status of the dredging and Nor'easter communications, and reviewed the agenda for the November 16, 2021 meeting.

### **Adjournment**

Select Board Chair Weinstein asked for a motion to adjourn. Vice-Chair Reed moved to adjourn the meeting at 9:17 pm. Member Rein seconded. Motion passes, 5-0-0. The meeting adjourned at 9:17 pm.

Respectfully submitted,

Kelly Clark, Assistant Town Manager

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

### **Public Records material of 11/09/2021**

1. Application to Serve and Chairs' Comments: Pamet Harbor Commission and Zoning Board of Appeals- David Crocker
2. Application to Serve and Chair's Comments: Cable & Internet Advisory Committee- Christopher Roberts
3. Draft Policy 65: Hybrid Meeting Policy
4. Draft Policy 66: Town of Truro Public Communications Policy
5. City of Corvallis Oregon "Charter Amendment: Removing Gender-Specific Pronouns throughout City Charter"
6. FY2022 Goals and Objectives Progress and Plan of Action
7. Agreement for Services for the Town of Truro and Homeless Prevention Council
8. Bond documents with CAN Surety



9. Minutes of August 24, 2021
10. Minutes of September 28, 2021