



Truro Select Board Remote Meeting

Tuesday, March 14, 2023

Regular Meeting-5:00pm

Executive Session-To Immediately Follow Regular Session

REGULAR MEETING

<https://meet.goto.com/889221901>

1-877-309-2073 Access Code: 889-221-901

A QUORUM OF THE FINANCE COMMITTEE MAY BE PRESENT FOR SELECT AGENDA ITEMS

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: 889-221-901 or you may join the meeting from a computer, tablet or smartphone by entering the follow URL into your web browser:**

<https://meet.goto.com/889221901> 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—NONE

3. INTRODUCTION TO NEW EMPLOYEES—NONE

4. BOARD/COMMITTEE/COMMISSION APPOINTMENTS

A. Interview and Possible Appointment-Barbara Bond and Kevin Grunwald, Council on Aging Board

5. STAFF/ COMMITTEE UPDATES

- A. Charter Review Committee Report: Nancy Medoff, Chair of Charter Review Committee
- B. Depot Road Safety and Traffic Discussion: Jarrod Cabral, Public Works Director

6. TABLED ITEMS—NONE

7. SELECT BOARD ACTION

- A. Discussion and Possible Vote to Prepare Articles Recommended by the Charter Review Committee
Presenter: Nancy Medoff, Charter Review Committee Chair and Darrin Tangeman, Town Manager
- B. Discussion and Vote to Recommend Community Preservation Act Articles as Recommended by the Community Preservation Committee
Presenters: Mary Rose and Jim Summers, Community Preservation Committee Co-Chairs
A quorum of the Finance Committee May be Present for this Agenda Item
- C. Discussion and Vote to Recommend Town Meeting Articles
Presenter: Darrin Tangeman, Town Manager
A quorum of the Finance Committee May be Present for this Agenda Item
- D. Appointment of Jonathan D. Witten as Special Counsel
Presenter: Barbara Carboni, Town Planner and Land Use Counsel



8. CONSENT AGENDA

- A. Review/Approve and Authorize Signature: None
- B. Review and Approve Appointment Renewals: None
- C. Review and Approve Select Board Minutes: Regular Select Board Minutes of 11.15.2022; Regular Select Board Minutes of 12.13.2022; Regular Select Board Minutes of 12.20.2022

9. Select Board Reports/Comments

10. Town Manager Report

11. Next Meeting Agenda: March 21, 2023; March 28, 2023

EXECUTIVE SESSION *to immediately follow the regular meeting*

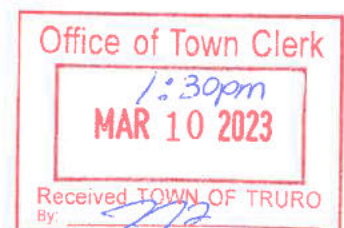
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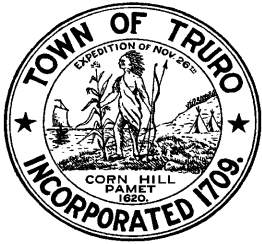
1-877-309-2073 Access Code: 313-953-093

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 for the following purposes:

- (1) in accordance with the provisions of Massachusetts General Law, Chapter 30A, §21 (a) 6, to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and the chair so declares;*
- (2) in accordance with the provisions of Massachusetts General Law, Chapter 30A, §21 (a) 3, to discuss strategy with respect to collective bargaining (Truro Permanent Firefighters, Local 5281) and the chair so declares;*
- (3) in accordance with the provisions of Massachusetts General Law, Chapter 30A, §21 (a) 7 to comply with, or act under the authority of, any general or special law (Massachusetts General Law, Chapter 30A, §22 (f)(g)(Open Meeting Law), specifically, to review and approve and determine whether continued nondisclosure of the following executive session meeting minutes is warranted: January 10, 2023, February 8, 2023, and February 14, 2023; and not to reconvene in open session.*





TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Noelle Scoullar, Executive Assistant

REQUESTED MEETING DATE: March 14, 2023

ITEM: Two Applications to Serve on the Council on Aging Board; Barbara Bond and Kevin Grunwald

EXPLANATION: Barbara Bond and Kevin Grunwald have submitted applications to serve on the Council on Aging Board. A third applicant is unavailable for interview presently and will notify Town staff when she is available.

The Council on Aging Board has three vacancies:

- One (1) full member term which expires June 30, 2024
- One (1) full member term which expires in three years on June 30, 2026
- One (1) alternate one-year term which will end June 30, 2023.

The Chair of the Council on Aging Board has commented on both applicants, and his comments are attached to each application.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: The Council on Aging Board will continue to have vacancies and may have difficulty obtaining a quorum.

SUGGESTED ACTION: Two Motions:

1. *Motion to Appoint XXXX to the Council on Aging Board to fill a full membership term which expires June 30, 2024.*
2. *Motion to Appoint XXXX to the Council on Aging Board to fill a full membership term*

which expires June 30, 2026.

3. *Motion to Appoint XXXX to the Council on Aging Board to fill an alternate membership term which expires June 30, 2023.*

ATTACHMENTS:

1. Application to Serve-Barbara Bond, with Chair's comments.
2. Application to Serve-Kevin Grunwald, with Chair's comments.

Truro

Application to Serve on a Board or Committee

Last Name

Bond

First Name

Barbara

RCVD 2023JAN19 am 11:33

Middle Initial

E.

ADMINISTRATIVE OFFICE

TOWN OF TRURO

Email Address

Phone Number

Address (Street)

22 Gospel Path

Address (City)

Truro

Address (State)

Mass

Address (Zip Code)

02666

Mailing Address (Please indicate box number and zip code)

Box 547

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.

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?

Council on Aging

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

I am a retired social worker and have spent most of my adult life working in social services and developing programs on behalf of children and adults. As the manager of the Truro Food Pantry, I am at the COA several days a week. The space there is wonderful and it is crying out for more and more varied use. I want to use my skills to bring more life into the world of Truro's seniors.

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

Have you read the Select Board's current Goals and Objectives?

Yes

No

Do you have any questions or concerns about any Select Board Goals that are relevant to the board/committee on which you are applying to serve?

[] Yes

[*] No

If you have any questions or concerns about any Select Board Goals that are relevant to the board/committee on which you are applying to serve, please elaborate.

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:

Not at this time.

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

1. Member of Board of Brockton Neighborhood Health Center. 2. Associate Professor, Department of Social Work, Bridgewater State University; Member, Tenure Committee. Member Peer Evaluation Committee. Member Curriculum and Training Committee. 3. Faculty Associate, Division of Diversity and Inclusion, Bridgewater State University. 4. Oncology Social Worker, New England Medical Center, Social Work Department. 5. Team Leader, School Consultation and Treatment Program, Boston, MA. 6. Education and Language Specialist, Brookside Park Family Life Center, Jamaica Plain, MA.

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 the manager of the Truro Food Pantry, one of 8 food pantries on Cape Cod. I order supplies, recruit and train volunteers, advertise the pantry to Truro residents and help clients feel comfortable in the pantry.. > I have worked with people from diverse cultural and racial groups and promoted inclusion and diversity in all work and social environments. > My membership in community boards and community agencies has taught me to relate to and work with people from all age groups, backgrounds, educational levels and perspectives.

-

Signature

(Electronic) Barbara E. Bond

Date

Noelle Scoullar

From: Nicole Tudor
Sent: Thursday, January 19, 2023 11:32 AM
To: Noelle Scoullar
Subject: FW: Application to Serve Council on Aging

From: Daniel Schreiner
Sent: Tuesday, January 17, 2023 11:49 AM
To: Nicole Tudor <ntudor@truro-ma.gov>
Cc: Noelle Scoullar <nscoullar@truro-ma.gov>; Damion Clements <DClements@truro-ma.gov>
Subject: Re: Application to Serve Council on Aging

Hi Nicole,

Both I and Sue have spoken with Barbara. I believe she will be a good addition to the COA Board and approve her application and review with the Select Board.

Enjoy the day, Dan

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

From: Nicole Tudor <ntudor@truro-ma.gov>
To: Daniel Schreiner
Cc: Noelle Scoullar <nscoullar@truro-ma.gov>; Damion Clements <DClements@truro-ma.gov>
Sent: Tue, Jan 17, 2023 11:35 am
Subject: Application to Serve Council on Aging

Hello Dan,

I hope you are doing well.

Attached please find an Application to Serve on the Council on Aging Board from Barbara Bond, 22 Gospel Path.

Please provide any commentary you wish on Barbara's appointment that will be provided to the Select Board when the applicant is interviewed.

Thank you, Nicole



Nicole Tudor

Executive Assistant - Administration and Select Board Office

Phone 508-349-7004 Ext. 110 [Direct Line 508-214-0925](tel:508-214-0925)

Web www.truro-ma.gov Email ntudor@truro-ma.gov

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

Truro

Application to Serve on a Board or Committee

Last Name

Grunwald

First Name

Kevin

Middle Initial

Email Address

Phone Number

Address (Street)

1 Longnook Drive

Address (City)

Truro

Address (State)

MA

Address (Zip Code)

02666

Mailing Address (Please indicate box number and zip code)

PO Box 259

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.

RCUT 2023 JAN 10 PM 1:33
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?

Council on Aging

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

I feel that the COA is at a critical point and I'm excited about the leadership role that this board has assumed during this transition period. I have a Master's degree in Social Work and worked at the Harwich COA for five years. Prior to that I was the director of Human Services for the Town of Mansfield, CT, supervising the Senior Services program along with others. I feel that my professional experience will offer much to this board.

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

Have you read the Select Board's current Goals and Objectives?

Yes

No

Do you have any questions or concerns about any Select Board Goals that are relevant to the board/committee on which you are applying to serve?

Yes

No

If you have any questions or concerns about any Select Board Goals that are relevant to the board/committee on which you are applying to serve, please elaborate.

Not at this time.

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:

No.

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

I participated in many committees and teams during my career. I have served as Truro's representative to the Cape Cod Commission since 2013, and I am currently on the Executive Committee of the Commission. I have also chaired the Truro Housing Authority for the past five years.

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.

For several years I was an adjunct faculty member at the University of Connecticut in the department of Human Development and Family Studies, teaching a core curriculum course on "Planning and Managing Human Service organizations." I also served as the Vice Chair of the Cape Cod Hoarding Task Force.

Signature

Kevin Grunwald

Date

Jan 10, 2023

Noelle Scoullar

From: Daniel Schreiner
Sent: Tuesday, January 10, 2023 1:53 PM
To: Noelle Scoullar
Cc: Nicole Tudor
Subject: Re: Application to Serve-Kevin Grunwald

Hi Noelle,

My only comment is that I believe Kevin will be a great addition to the COA Board, and I approve his application.

Much appreciated, Dan

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

From: Noelle Scoullar <nscoullar@truro-ma.gov>
To:
Cc: Nicole Tudor <ntudor@truro-ma.gov>
Sent: Tue, Jan 10, 2023 1:35 pm
Subject: Application to Serve-Kevin Grunwald

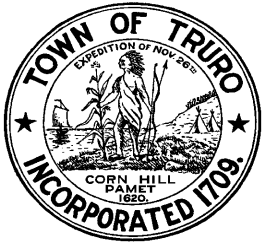
Hi Dan,

Kevin Grunwald submitted an application to serve on the COA Board. Please reply back to this email with your comments/approval and I will schedule a good date for Kevin to be interviewed by the Select Board.

Thank you,
Noelle

This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use the information. Also, please indicate that to the sender and delete the copy you received. When writing or responding, please remember that the Secretary of State's Office has determined that email is a public record. Please take notice: All e-mail communications sent or received by persons using the Town of Truro network may be subject to disclosure under the Massachusetts Public Records Law (M.G.L. Chapter 66, Section 10) and the Federal Freedom of Information Act

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TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Public Works

REQUESTOR: DPW Director, Jarrod J. Cabral

REQUESTED MEETING DATE: March 14, 2023

ITEM: Depot Road Safety and Traffic Discussion

At the March 8, 2023 Public Meeting on the Mill Pond Salt Marsh Restoration Project and the new DPW facility project, concerns were raised about the safety of Depot Road. Director Cabral will lead a discussion on traffic calming measures that could be implemented to improve safety.

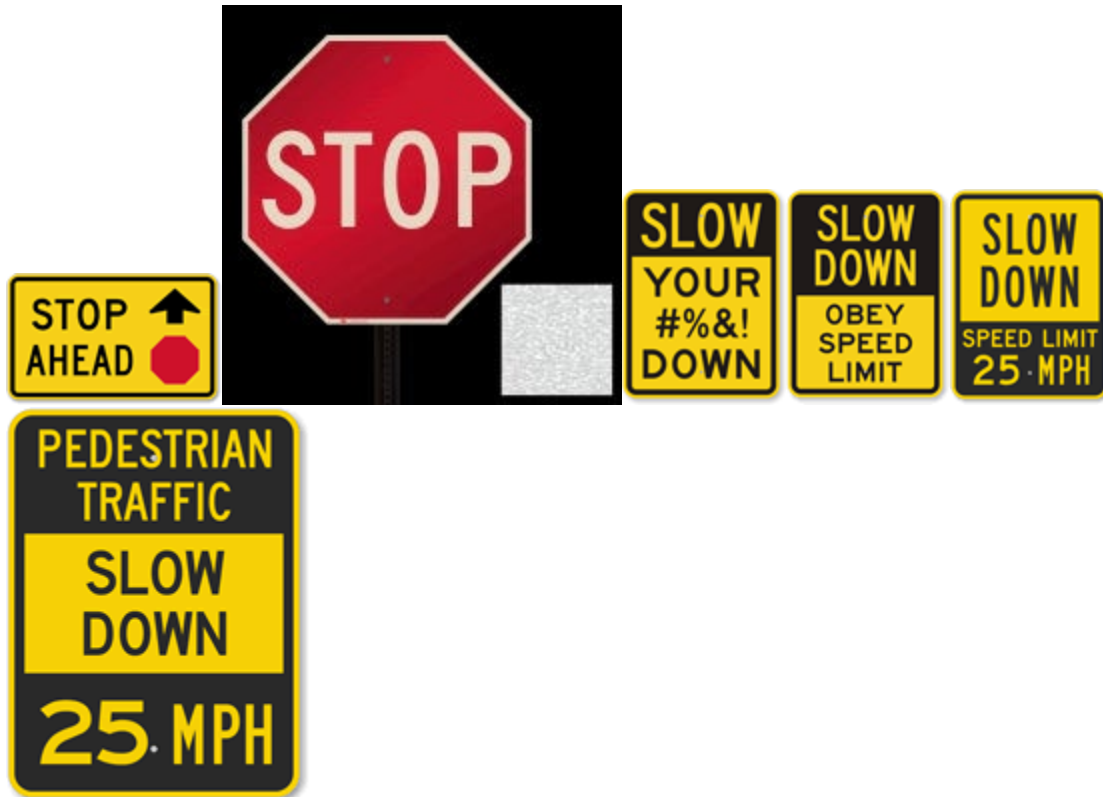
FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: *Discussion Only.*

ATTACHMENTS:

1. Sample traffic calming measures



Possibilities

Stop sign installed at the North bound intersection of Old County Road and Depot Rd accompanied by a stop sign ahead just prior to the stop.

Slow down sign could be installed on the North bound lane on Old County Road to slow motorist approaching Depot Road.

Additional speed limit signs can be added to Depot, along with share the road signs for bikers.

Illuminated speed signs with radar noting your speed.

Road deflectors can be added to either side of the road to assist in encouraging folks to stay in the center of the lanes.

Speed reduction on Old County Road

Cape Cod Commission will be conducting speed study on Old County Road, Depot Rd, and Mill Pond Rd this Summer.





YOUR SPEED

50

Figure 3.1 –Pole Mounted Speed Display Sign



Description

A **Pole Mounted Speed Display (PMSD) Sign** combines the regulatory speed limit sign with a radar speed feedback sign that displays the real-time speed of an approaching vehicle which tends to make motorists reduce their speed.

FIGURE 4.1 –Additional \$200 Fine Sign



Description

The **Additional \$200 Fine Signs**, when properly implemented and posted on a residential street, impose a \$200 fine for speeding in addition to the typical fine.

Vertical Devices –Speed Hump

FIGURE 5.1 –Speed Hump



Description

A **Speed Hump** is a vertical device with a raised parabolic shaped area in the roadway, extending across the road at right angles to the traffic. The raised surface is higher, and occurs over a shorter travel distance than for other vertical devices. Speed humps are the most commonly used traffic calming devices.

Figure 7.1 - Speed Table



Description

Speed Tables are similar to speed humps except they incorporate a flat “table” and thus provide an overall gentler transition than the speed hump. The top “flat area’ is sized to accommodate the most typical vehicle wheelbase (usually a passenger car) entirely on the top, but can be extended to accommodate other vehicles if desired.

Placement

TRAFFIC CALMING FOR NEIGHBORHOOD STREETS

Striping pavement for a bike lane

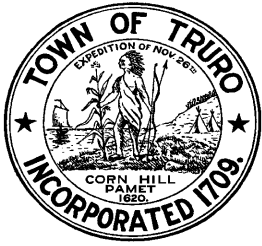


Description

The **pavement marking** options are used in various ways to narrow the vehicle travel lanes, which tends to make motorists drive slower. These include striping the shoulder and/or centerline to narrow the travel lanes (per north and south legs of intersection in Figure 2.1) or adding parking and/or bicycle lanes (per east and west legs of intersection in Figure 2.1 and depicted in Figure's 2.2 – 2.4). The addition can have a pronounced effect on speed, particularly on a narrow two-way street.

Note: On local streets, bicyclists are considered a normal part of the vehicle mix.





TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Nancy Medoff, Charter Review Committee Chair, and Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: March 14, 2023

ITEM: Discussion and Possible Vote to Prepare Articles Recommended by the Charter Review Committee

EXPLANATION: Nancy Medoff, Chair of the Charter Review Committee, presented the Charter Review Committee's report which included recommendations to the Select Board to propose the amendment of terms of the Planning Board and Housing Authority to three-years, and to propose or adopt requirements that boards and committees annually hold meetings on goals, objectives, and progress updates. Also, discuss the possibility of updating the CRC charge to include voting on all articles (including citizen petitioned articles) before going to Town Meeting.

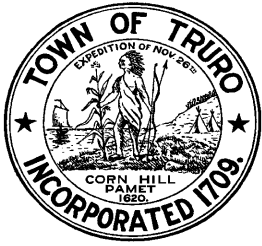
Staff requests that the Select Board provide direction to the staff as to which Town Meeting articles or charge changes should be prepared. In determining the path forward, it is important to note that the Planning Board was established under MGL c.41, s.81 at the 1954 Annual Town Meeting and the five-year terms were established within the same article. MGL c.41, s.81a prescribes three-year or five-year terms for planning boards. Additionally, MGL c.121B, s.5 prescribes five-year terms for housing authority members.

FINANCIAL SOURCE (IF APPLICABLE): N/A

IMPACT IF NOT APPROVED: N/A

SUGGESTED ACTION: *MOTION TO direct staff to prepare {Town Meeting Article; charge changes} to {propose changes to the terms of the Planning Board to three-years; propose changes to the terms of the Housing Authority to three-years; amend committee charges to include requirements to hold meetings on goals, objectives and progress updates; propose changes to the Charter that would require regulatory boards to annually hold meetings on goals, objectives and progress updates}*

OR OTHER



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Kelly Clark, Assistant Town Manager, on behalf of Mary Rose and Jim Summers, Co-Chairs of the Community Preservation Committee

REQUESTED MEETING DATE: March 14, 2023

ITEM: Discussion and Vote to Recommend Community Preservation Act Articles as Recommended by the Community Preservation Committee

EXPLANATION: Attached for review, discussion, and possible vote to recommend are articles prepared by the Community Preservation Committee for the 2023 Annual Town Meeting warrant. This year the Community Preservation Committee prepared 11 articles for Community Preservation Act appropriations. KP Law Attorney John Giorgio has performed a preliminary review of the articles and made slight amendments to them. He is continuing his review and any additional amendments will be provided to the Board.

Mary Rose and Jim Summers, Co-Chairs of the Community Preservation Committee, will be present to answer the Board's questions related the articles. The Board may wish to take votes to recommend each of the articles at tonight's meeting. If the Board needs more time to consider an article, the article can be postponed for consideration at a subsequent Select Board meeting.

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 draft Warrant. Article numbers will be assigned as the Warrant is finalized.

FINANCIAL SOURCE: Community Preservation Act Surcharge

SUGGESTED ACTION:

Motion to recommend {insert article title here} as printed.

ATTACHMENTS:

1. Draft Community Preservation Act 2023 Annual Town Meeting Articles

COMMUNITY PRESERVATION ACT ARTICLES

Article X: Community Preservation Act: Contribution to the Affordable Housing Trust Fund

(Community Housing)

To see if the Town will vote to appropriate \$545,174.85 from projected Community Preservation Act Projected FY24 Surcharge Charge Revenue and \$204,825.15 from the Community Preservation Undesignated Fund Balance for a total of Seven Hundred Fifty Thousand dollars and no cents (\$750,000.00) to contribute to the Truro Affordable Housing Trust Fund, 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 on behalf of the Affordable Housing Trust

Explanation: The Housing Trust money has been depleted during the past year. Funds were used for the purpose of providing a local match for the cost of the Cloverleaf housing project; the Emergency Rental Assistance Program; updating the Housing Production Plan and Housing Needs Assessment; and moving two buildings to be used for employee housing to a Town-owned lot. Having a fund of money immediately available allows the Housing Authority 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.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: 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 the Community Preservation Act Undesignated Fund Balance 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 have 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.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: Regional Contribution for 3 Jerome Smith Way, Provincetown

(Community Housing)

To see if the Town will vote to appropriate the sum of One Hundred Thousand dollars and no cents (\$100,000.00) from the Community Preservation Act Undesignated Fund Balance to provide a regional contribution for community housing at 3 Jerome Smith Way, Provincetown by Community Builders, Inc., and to enter into a grant agreement to set forth the terms and conditions thereof, and to authorize the Select Board to acquire an affordable housing restriction from Community Builders; or take any other action relative thereto.

Requested by the Community Builders, Inc

Explanation: This is a regional request for community housing. Although it does not count towards achieving a Truro goal of 10% Affordable Housing, the 65 units being built at 3 Jerome Smith Way (the former VFW site) will create year-round, rental units for a variety of Area Median Income (AMI) levels. There will be a mix of studio, one-bedroom, two-bedroom, and three-bedroom units. People who don't live in Provincetown but work in Provincetown or have children who go to Provincetown Elementary School are eligible for the first-round drawing in the lottery for available units.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: Congregational Cemetery Restoration

(Historical Preservation)

To see if the Town will vote to appropriate the sum of \$71.00 from Projected Fiscal Year 2024 Community Preservation Act Surcharge Revenue, and a sum of \$25,202.00 from the Community Preservation Act Undesignated Fund Balance for a total amount of Twenty-five Thousand, Two Hundred Seventy-two dollars and no cents (\$25,273.00) for

the restoration of the Congregational Cemetery at 3 First Parish Lane, by the Friends of the Truro Meeting House, and to enter into a grant agreement to set forth the terms and conditions thereof, and to authorize the Select Board to acquire an historic preservation restriction on said cemetery land; or take any other action relative thereto.

Requested by the Friends of the Truro Meetinghouse

Explanation: Erosion has taken away topsoil and ground cover and made finding the 1982 surveyors' markers impossible. As a result some 44 grave sites no longer "exist" nor can they be located by members of the community. The Friends of the Truro Meeting House plans include restoration of landscape and access, survey and mapping costs, and installation of bounds. This historic cemetery is a vital part of Truro's cultural heritage. Old family names appear on gravestones, and memorials commemorate mariners lost at sea. The cemetery provides a place of solitude, contemplation, and reflection for its visitors.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: Historic Self-Guided Tour

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Five Thousand, Six Hundred Thirty dollars and no cents (\$5,630.00) from the Community Preservation Act Undesignated Fund Balance for preparation of an updated guide to the historic landmarks of Truro by the Truro Historical Commission and the Truro Historical Society, 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 Commission and Truro Historical Society

Explanation: This is for a reprint of the popular Historic Truro – Landmarks and Legends – Self-Guided Tours. This, pocket-sized booklet will be made available at no cost to residents and visitors at Town buildings and other locations. The booklet helps the reader appreciate Truro's history and serves as a teaching tool for students to see our neighborhoods in a new light.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: Historic Cemetery Field Guide

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Nineteen Thousand, Six Hundred Seventy-five dollars and no cents (\$19,675.00) from the Community Preservation Act Undesignated Fund Balance, to prepare a field guide and signage for the Town’s historic cemeteries by the Truro Cemetery Commission, 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 Cemetery Commission

Explanation: Truro Historic cemeteries include all but the New South Cemetery on Old County Rd. The field guide will cover the 6 historic cemeteries. Included in the project are four permanent signs, providing more historic information on the cemeteries.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: Cobb Archive Library Gutters

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Eleven Thousand, and Twenty-three dollars and no cents (\$11,023.00) from Projected Fiscal Year 2024 Community Preservation Act Surcharge Revenue, to replace the gutters of the Cobb Archive Library, located at 13 Town Center Rd., 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 Commission & the Department of Public Works

Explanation: The gutters, associated fascia and trim have deteriorated at this historic building owned by the Town. The gutter replacement and repair of trim will be overseen by the DPW.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

Article X: Community Preservation Act: Edgewood Farm Barn Chimneys and Cupola Preservation

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Thirty-six Thousand, Seven Hundred dollars and no cents (\$36,700.00) from Projected Fiscal Year 2024 Community Preservation Act Surcharge Revenue, to restore the chimneys and cupola on the barn at Edgewood Farm, 3 Edgewood Way, for the Truro Center for the Arts at Castle Hill, 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: Two chimneys on the historic barn roof need to be repointed and have their flashing restored. The cupola between the chimneys has deteriorated and needs restoration.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

****STAFF NOTE: DETERMINE IF TOWN ALREADY HOLDS AN HISTORIC PRESERVATION RESTRICTION ON THE BARN PER TOWN COUNSEL.**

Article X: Community Preservation Act: Bunker Cottage/Corn Hill Boathouse Historic Preservation

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Thirteen Thousand, Seventy-five dollars and no cents (\$13,075.00) from Projected Fiscal Year 2024 Community Preservation Act Surcharge Revenue, to remove the chimney and restore the roof of the historic Bunker Cottage/Corn Hill Boathouse, located at 42 Corn Hill Rd., for the Truro Conservation Trust and Truro Center for the Arts at Castle Hill, 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 Conservation Trust & Truro Center for the Arts at Castle Hill

Explanation: The chimney has deteriorated, making it a safety concern. Removal of the chimney returns the building to its historic configuration and necessitates restoration of the affected interior and exterior areas.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

****STAFF NOTE: DETERMINE IF TOWN ALREADY HOLDS AN HISTORIC PRESERVATION RESTRICTION ON THE COTTAGE/BOATHOUSE PER TOWN COUNSEL.**

Article X: Community Preservation Act: Displays at Highland House Museum

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Eleven Thousand, Eight Hundred, Twenty dollars and no cents (\$11,820.00) from Projected Fiscal Year 2024 Community Preservation Act Surcharge Revenue, to provide protective display shields and display cases and for 3D generated model ships for the Pamet Harbor display at the Highland House Museum for the Truro Historical Society, 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: Acrylic shields are planned for the second floor room displays. Acrylic covers are needed to protect other display items that illustrate the history of Truro's history and culture. Model ships are to be designed through 3D modeling to fit into the Pamet Harbor model.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			

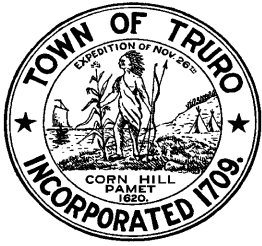
Article X: Community Preservation Act: Administrative Support

To see if the Town will vote to appropriate the sum of Thirty-six Thousand, Three Hundred Forty-four dollars and Fifteen cents (\$36,344.15) from Projected Fiscal Year 2024 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 to be used for management of CPC operations, as well as for workshops, seminars, membership in the Community Preservation Coalition, printing, advertising, and supplies. Any money remaining at the end of the Fiscal Year will revert to the Community Preservation Act Undesignated Fund Balance.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation			
Select Board Recommendation			



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Administration

REQUESTOR: Darrin Tangeman, Town Manager

REQUESTED MEETING DATE: March 14, 2023

ITEM: Review and Vote of Annual Town Meeting Articles

EXPLANATION: Attached for review, discussion, and vote to recommend are articles from the Annual Town Meeting Warrant.

Town Counsel's review of the articles is ongoing and staff will provide an update on the status of review at the meeting. The Board may opt to consider some or all of these articles at a subsequent meeting, but it is important to be aware of the limited number of meetings available to take the votes for Town Meeting articles.

The Warrant closed for the submission of articles on February 23, 2023 at 4 pm. The deadline for financial articles was February 2, 2023. The following articles are included for consideration to vote to recommend at this evening's meeting:

- Customary Article: Transfer of Funds from Free Cash to Reduce or Stabilize the FY2024 Tax Rate
- Customary Article: Transfer of Funds from Free Cash to the Capital Expense Stabilization Fund
- Customary Article: Transfer of Funds from Free Cash to the Stabilization Fund
- Free Cash Article: Transfer of Funds from Free Cash to Fund Fall 2023 Special Town Meeting/ Election
- Customary Article: Transfer of Funds from Free Cash to the General Fund Reserve Fund
- Free Cash Article: Transfer of Funds from Free Cash to Fund Substance Use Disorder Program*
- Free Cash Article: Transfer of Funds from Free Cash to Procure Construction Services for Beach Parking Lot Paving and Maintenance
- Free Cash Article: Transfer of Funds from Free Cash to Replace the Exterior Doors for the Truro Central School
- Free Cash Article: Transfer of Funds from Free Cash to Employee Benefit Account
- Free Cash Article: Transfer of Funds from Free Cash to Fund a Hydrogeologic Evaluation of a Truro Neighborhood (Pond Village)
- Free Cash Article: Transfer of Funds from Free Cash to Fund a Comprehensive Wastewater Management Plan
- Capital Stabilization Fund Transfer: Transfer of Funds from Capital Stabilization Fund for the Public Safety Building Repair Project

*Legal Review pending.

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 draft Warrant. Article numbers will be assigned as the Warrant is finalized.

The draft Town Meeting Articles list is also included, and the Board may wish to discuss or provide guidance to staff on any of the articles listed or articles that should be listed.

SUGGESTED ACTION:

Motion to recommend {insert article title here} as printed.

ATTACHMENTS:

1. Draft Town Meeting Articles List
2. Draft Town Meeting Warrant Articles

Article X: Transfer of Funds from Free Cash

SECTION 1: TO REDUCE OR STABILIZE THE FY2024 TAX RATE

To see if the Town will vote to transfer Eight Hundred Thousand Dollars and no cents (\$800,000.00) from Free Cash to reduce or stabilize the FY2024 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. Last year, \$900,000.00 of Free Cash was used to offset 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. For this reason, staff recommends transferring \$800,000.00 of Free Cash to stabilize the FY2024 tax rate.

Finance Committee Recommendation			
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 and no cents (\$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. This year's recommended transfer from Free Cash is \$100,000. The balance as of {{DATE}} in the fund is {{BALANCE AMOUNT}}.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION 4: TO 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 FY2024. The balance as of {{DATE}} in the Stabilization Fund is {{BALANCE AMOUNT}} or {{PERCENTAGE OF BUDGET}} of the proposed FY2024 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			
Select Board Recommendation			

SECTION 5: TO FUND FALL 2023 SPECIAL TOWN MEETING/ ELECTION

To see if the Town will vote to transfer the sum of Five Thousand Dollars and no cents (\$5,000.00) from Free Cash to the Election Budget (010162) to pay costs of a fall 2023 special town meeting and/or fall 2023 special town election, 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 Select Board anticipates that a fall 2023 special town meeting (and potentially a fall 2023 special town election, if necessary) will be called based on the current timelines and planning efforts of the Local Comprehensive Plan Committee and the Walsh Property Community Planning Committee. As it is unknown what other potential articles may be submitted for consideration, a special town election may also be necessary. This Free Cash transfer will make monies available to be able to hold both of these events if necessary.

Finance Committee Recommendation			
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 and no cents (\$125,000.00) from Free Cash to the Reserve Fund (01013257) to be available for extraordinary or unforeseen expenditures in Fiscal Year 2024, 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 Truro Select Board Policy #42. In recent years, Town Meeting has appropriated \$100,000.00 in the Omnibus Budget to the Reserve Fund. This year, similar to last year, \$100,000.00 is included in the FY2024 Omnibus Budget and \$125,000.00 of Free Cash is requested to bring the FY2024 Reserve Fund total to \$225,000.00. This request brings the reserves of the Town more in line with Government Finance Officers Association recommendations.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION 8: TO FUND SUBSTANCE USE DISORDER PROGRAM

To see if the Town will vote to transfer the sum of Twenty-Six Thousand Seven Hundred Eighteen Dollars and no cents (\$26,718.00) from Free Cash to the Health and Conservation Budget (01051152) to pay the costs of Truro’s share of a regional substance use disorder program in an amount issued to the town as part of a statewide opioid settlement, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

Requested by the Health & Conservation Agent

Explanation: The Town of Truro received its portion of settlement funds as part of the State’s resolution to hold accountable several corporations that flooded Massachusetts with dangerous opioids. The funds were deposited into the Town’s general fund but will need to be spent in accordance with the provisions outlined by the State. The Truro Health Department is engaging with other Outer Cape Health Departments to leverage the joined funds of the towns to create a program that will address substance use disorder on the Outer Cape. In order to access the funds for this purpose, the monies (which flow into Free Cash once certified) must be appropriated at Town Meeting.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION 9: TO PROCURE CONSTRUCTION SERVICES FOR BEACH PARKING LOT PAVING AND MAINTENANCE

To see if the Town will vote to transfer the sum of Four Hundred Thousand Dollars and no cents (\$400,000.00) from Free Cash to the Department of Public Works Capital (01040058) to pay the costs of construction services related to beach parking lot paving and beach parking lot maintenance, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

Requested by the Public Works Director

Explanation: Last year, voters approved engineering services related to the repaving, maintenance, and re-striping of Corn Hill Beach and Head of the Meadow Beach parking lots. The engineering services are complete and this article would fund the costs associated with the construction costs for paving, striping and maintenance at Head of the Meadow Beach. Funding for the construction for Corn Hill Beach’s parking lot is expected in a subsequent year.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION 10: TO REPLACE THE EXTERIOR DOORS FOR TRURO CENTRAL SCHOOL

To see if the Town will vote to transfer the sum of One Hundred Seventy Thousand Dollars and no cents (\$170,000.00) from Free Cash to the Public Education Capital (01030058) to pay the costs of construction services to replace the exterior doors at 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 School Committee

Explanation: Truro Central School’s exterior doors are beyond economical repair and pose a safety risk for students, staff and visitors of the School. This article seeks to replace all fifteen of the exterior doors at Truro Central School. The locking mechanisms will be swapped out and security system mechanisms for the doors will be reinstalled as part of the project.

Finance Committee Recommendation			
School Committee Recommendation			
Select Board Recommendation			

SECTION 11: TO EMPLOYEE BENEFIT ACCOUNT

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 Employee Benefits and Reserve Account (01015351); or take any other action relative thereto.

Requested by the Town Manager

Explanation: This article will provide the funding to honor employment contracts (\$50,000.00) for long-time employees that retire or separate from the Town and will also continue the \$50,000.00 "signing bonus" program to assist in the recruitment of personnel for vacant non-School positions, particularly vacant positions in public safety.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION 12: TO FUND A HYDROGEOLOGIC EVALUATION OF A TRURO NEIGHBORHOOD (POND VILLAGE)

To see if the Town will vote to transfer the sum of Fifty Thousand Dollars and no cents (\$50,000.00) from Free Cash to the Health and Conservation Department Services Budget (01051152) to pay the costs to conduct a hydrogeologic evaluation of an area in the Pond Village neighborhood, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

Requested by the Health & Conservation Agent

Explanation: The purpose of this project is to establish the depth to groundwater, the groundwater flow direction and the basic water quality of the project area in order to optimize septic system locations in a neighborhood setting. This project will help the Board of Health develop regulations that will establish well protection zones based on the direction of groundwater flow.

Finance Committee Recommendation			
Select Board Recommendation			

SECTION 13: TO FUND A COMPREHENSIVE WASTEWATER MANAGEMENT PLAN

To see if the Town will vote to transfer the sum of Fifty-Six Thousand Dollars and no cents (\$56,000.00) from Free Cash to the Health and Conservation Department Services Budget (01051152) to pay the costs of procuring a consultant to provide the technical assistance required to complete a comprehensive wastewater management plan, and for the payment of all other costs incidental and related thereto; or take any other action relative thereto.

Requested by the Health & Conservation Agent

Explanation: Developing a wastewater management plan will help the Town protect groundwater and drinking water resources, and address nutrient removal, particularly nitrogen removal, as the prevalence of nitrogen has become an issue due to the widespread reliance on on-site septic systems as a means of addressing wastewater. Completion of the plan qualifies the Town for State revolving fund programs and will also support future forecasting for residential and economic development.

Finance Committee Recommendation			
Select Board Recommendation			

**TWO-THIRDS
VOTE**

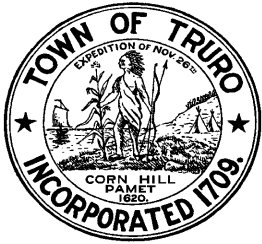
Article X: Transfer of Funds from Capital Stabilization Fund for the Public Safety Facility Repair Project

To see if the Town will vote to transfer the sum of Six Hundred Thousand Dollars and no cents (\$600,000.00) from the Capital Stabilization Fund for the Public Safety Facility Repair Project; or to take any other action relative thereto.

Requested by the Select Board

Explanation: The Public Safety Facility requires replacement of siding and trim, insulation and triple pane windows. These repairs are necessary due to the deterioration of the building, and will also make the building more energy efficient. The total cost of the project is \$756,000.00, however, Truro has received a Green Communities grant for \$156,000.00 for this project resulting in the \$600,000.00 transfer from the Capital Stabilization Fund that is requested. In anticipation of capital projects, the town has made recent yearly transfers to the Capital Stabilization Fund totaling {{CURRENT BALANCE}} as of {{DATE}}. If this article is approved and if Article 6, Section 3 is approved the new balance would be {{NEW BALANCE}}.

Finance Committee Recommendation			
Select Board Recommendation			



TOWN OF TRURO

Select Board Agenda Item

DEPARTMENT: Planning

REQUESTOR: Barbara Carboni, Town Planner/Land Use Counsel

REQUESTED MEETING DATE: March 14, 2023

ITEM: Appointment of Jonathan D. Witten, Law Office of Jonathan Witten, LLC as Special Counsel with respect to 35A Higgins Hollow Road permitting and related issues.

EXPLANATION: The legal issues raised with respect to this property, including a request for opinion from the National Park Service, are complex, and the Town would benefit from expertise and perspective of outside counsel. Town Counsel KP Law is conflicted out from providing legal advice to the Town, as an attorney who formerly represented the property owner is now employed by the firm. Jon Witten is a knowledgeable and experienced municipal and land use attorney, and it is recommended that he be retained to advise the Town on the permitting and related issues raised.

FINANCIAL SOURCE (IF APPLICABLE): Legal budget

IMPACT IF NOT APPROVED: Town will be without benefit of legal advice on complex permitting and related issues with respect to 35A Higgins Hollow Road.

SUGGESTED ACTION: Appoint Jonathan D. Witten, Law Office of Jonathan Witten, LLC as special counsel to the Town on permitting and related issues with respect to 35A Higgins Hollow Road.

ATTACHMENTS: Correspondence from United States Department of the Interior dated March 2, 2023 and attachments.



United States Department of the Interior

NATIONAL PARK SERVICE
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667

IN REPLY REFER TO:

March 2, 2023

Ms. Barbara Carboni,
Town Planner/Land Use Counsel
24 Town Hall Road
Truro, MA 02666

Dear Ms. Carboni,

As you may be aware, an application has been made to the National Park Service (NPS), Cape Cod National Seashore, for a special use permit to undertake construction activities for the benefit of 35A Higgins Hollow Road in Truro, MA. The application requests approval to develop an area of the so-called Proprietors Road across federal land west of the applicant's property. The NPS has requested additional information from the applicant to properly evaluate the permit request. In particular, the applicant has indicated that stated or implied preferences of the Town of Truro require the scope and breadth of the development proposed. Moreover, the applicant and counsel have indicated that the property is buildable but that the so-called Proprietors Road must be improved in order for the applicant to draw a building permit from the Town.

Because the apparent basis for the extent of proposed improvements on federal land relate to statements and determinations that have been or are necessarily made by the Town of Truro and its' boards, the NPS cannot properly evaluate the permit request without clarification and verification of relevant information from the Town. Town regulations and bylaws appear to tie specific requirements to the buildability of a property, and we therefore requested that the applicant provide evidence of a building permit or other documentation demonstrating that the Town has determined or confirmed that the property is buildable. We understand from the applicant's counsel that a building permit cannot be obtained unless the proposed way is improved.

Given this information, would you be able to confirm for us whether the Town of Truro has determined or can affirm the applicant and counsel's statement that the property at 35A Higgins Hollow Road is buildable? To assist in your understanding of our request, we are attaching our most recent correspondences to the applicant's attorneys concerning

this matter, including correspondences of January 19 and February 10, 2023. We appreciate your technical, legal review of this matter as Town Planner/Land Use Counsel.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Reynolds", followed by a horizontal line and the word "acting" written in a cursive script.

Leslie Reynolds
Acting Superintendent

Enclosures



United States Department of the Interior

NATIONAL PARK SERVICE
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667

February 10, 2023

Victoria Dalmas
Senie & Associates, P.C.
15 Cape Lane
Brewster, MA 02631

Dear Ms. Dalmas,

Thank you for your response to our request for additional information concerning access across NPS Tract 17-3305 to Tract 17-3300 known as 35A Higgins Hollow Road in Truro, MA. We appreciate the clarification that the reference in the applicant's proposed plan to a "Type A" subdivision road was intended to be illustrative rather than to establish the basis for the requested extent of development. Your response further indicates that because the applicant is not relying on Subdivision Regulations as the basis for the proposed activity, establishing the buildability of the property is not a pre-requisite. We understand that it is your position that the applicant has a right to develop the so-called Proprietor's Road regardless of the buildable status of the property. However, as previously explained, even if private use of federal land is allowable, NPS must evaluate the reasonableness of the specific proposal. In this case, the proposed extent of development must be evaluated in light of the government's interest in protecting and minimizing impact to park resources.

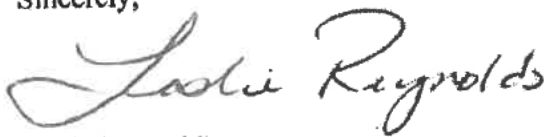
Your response cites other town bylaws to support the reasonableness of requested development. Notably, however, the cited Truro General Bylaw, § 1-9-13, does not establish that a way of the proposed extent and width is necessary for access to properties in the Town of Truro. Rather, the Bylaw reflects that a traveled way of eight (8) feet together with side clearance for a total width of 14 feet is adequate. Your response describes additional reasons why the applicant has proposed a wider traveled way and greater overall clearing and improvement of federal land than required by cited bylaws, but it is not clear to us that these are necessary for access versus expressed preferences.

Because the apparent basis of your request for the extent of proposed improvements to federal land are preferences or requirements of the Town of Truro, clarification and verification from the Town remains relevant to our proper evaluation of the reasonableness of the requested improvement and scope. Your response also indicates that improvement of the road is not

necessary to establish buildability, but that the way must be improved in order to draw a building permit. In our opinion, this further supports the conclusion that a determination regarding buildability should reasonably precede our evaluation of the reasonableness of the proposed scope of improvements.

To that end, NPS will confer with the Town of Truro directly to better understand the nature of its requirements with respect to access to the applicant's property and limitations regarding use. We will provide a further update or determination after we have obtained additional information from the Town.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Reynolds". The signature is written in black ink and is positioned above the typed name and title.

Leslie Reynolds
Acting Superintendent

cc;
Attorney Senie



United States Department of the Interior

NATIONAL PARK SERVICE
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667

January 19, 2023

Victoria Dalmas
Senie & Associates, P.C.
15 Cape Lane
Brewster, MA 02631

Dear Ms. Dalmas,

We are in receipt of the application for a permit, submitted on behalf of your client [REDACTED] on December 29, 2022. The application requests a special use permit to authorize private construction activities on federal land administered by the NPS as part of Cape Cod National Seashore (CCNS). Your letter in support of the request indicates the proposed construction activities are necessary to "improve a portion (100 ft+/-) of the pre-existing Proprietors Road located in CCNS land, which by deed provides access to [REDACTED] property at 35A Higgins Hollow Road, Truro, MA." Your letter further indicates that [REDACTED] proposes to clear and improve a depicted area of so-called Proprietor's Road "in compliance with minimum Town of Truro standards."

The accompanying plan entitled "Road Improvement Plan at Proprietors Road Truro Massachusetts" dated 12-28-2022, indicates clearing and construction for a "Truro Type 'A' Unpaved Roadway," consisting of "a traveled way of 14' wide" and "approximate edge of clearing 4' off road improvements" on either side. Accordingly, the application requests to clear and improve an area of federal land within the Seashore approximately 100 feet +/- in length and 22 feet +/- in width. The application does not include further rationale for the proposed extent of vegetation clearing and construction activities.

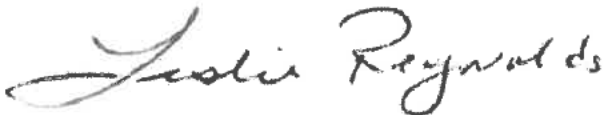
The Subdivision Regulations for the Town of Truro indicate that a "Type A" road or street is "A street that services 1-4 lots." The "Design Standards" for a "Type A" road include a minimum roadway width of 14 feet and shoulder width of 4 feet. However, a "Lot" is defined within the regulations to "mean an area of land in one ownership, with definite boundaries, used, or available for use, as the site of one or more buildings." [REDACTED] property is not currently "used...as the site of one or more buildings" and the application does not include a building permit or other documentation from the Town of Truro confirming that the lot is "available" for such building purposes. The Subdivision Regulations do not contain minimum requirements for

access to a property that is not currently used or otherwise developable for one or more buildings.

Accordingly, the NPS lacks sufficient information to properly evaluate the reasonableness of the scope of private improvements on federal property for which the construction permit has been requested. We request further documentation, such as a building permit or other affirmative statement by the town, demonstrating that the Town of Truro has determined or confirmed that the property is "available for use as the site of one or more buildings" requiring such proposed access and impact on park resources.

We thank you in advance for assisting to obtain the additional information necessary to appropriately evaluate your client's special use permit application.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Reynolds". The signature is written in dark ink and is positioned above the typed name and title.

Leslie Reynolds
Acting Superintendent

cc:
Attorney Senie



APPLICATION FOR SPECIAL USE PERMIT



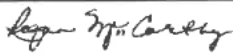
Cape Cod National Seashore
99 Marconi Site Road
Wellfleet, MA 02667
Katie Trudeau, 508-957-0706; caco_permits@nps.gov

Please supply the information requested below. **Attach additional sheets, if necessary, to provide required information.** A nonrefundable processing fee of \$50.00 must accompany this application unless the requested use is an exercise of a First Amendment right. You must allow sufficient time for the park to process your request; check with the park for guidelines. You will be notified of the status of the application and the necessary steps to secure your final permit. Your permit may require the payment of cost recovery charges and proof of liability insurance naming the United States of America an additional insured.

*** Enter either a Social Security Number OR a tax ID number; we do not require both.**

Applicant Name Regan McCarthy				Company/Organization Name N/A			
Social Security Number* xxx-xx-xxxx				Tax Identification Number* N/A			
Street Address - Legal: 42 1/2 Adrian Ave, Marble Hill NY 10463 Activity Area: abreast of 35A Higgins Hollow Rd, Truro MA 02666				Street Address N/A			
City	State	Zip Code	Country	City	State	Zip Code	Country
				N/A	N/A	N/A	N/A
Telephone Number [REDACTED]				Contact Name Regan McCarthy			
Cell Phone Number (same)				Telephone Number N/A			
Fax Number N/A				Fax Number N/A			
Email Address [REDACTED]				Email Address N/A			
Description of Proposed Activity (attach diagram and/or additional pages, if necessary)							
<p>See Road Improvement Plan, attached. The Permittee proposes to improve a pre-existing private way, a portion of which crosses Federal land, which by deed and by agreements with USA the Permittee has the right to use and improve for access to the private lot at 35A Higgins Hollow Road. The proposed work is to improve 100 ft +/- of said pre-existing Proprietor's Road to create safe and adequate vehicular and pedestrian access from the public way, Higgins Hollow Road, to the referenced lot. The current way is level, located in a naturalized area and the proposed way will be improved and established as a level, pervious path consistent with other paths within CCNS (e.g. fire roads) and other private ways in Truro. Supporting documentation provided in attached cover note with attachments, and in attached road improvement plan.</p>							
<p>Authorizing legislation or other authority: DO-53, 54 USC, 36 CFR 1.6</p>							

Requested Location <i>See attached Road Improvement Plan. Cf also Tract 17T3305 in Seashore Tract Map #1410-0529-2493 for location of activity abreast of and contiguous to 35A Higgins Hollow Road, Truro, MA.</i>			
Set-Up Begins	Activity Begins	Activity Ends	Removal Completed
Date 1/15/23 Time 8:00 AM <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Date 1/15/23 Time 8:00 AM <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Date: Until Conclusion Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date: No Later than 12/31/23 Time 5:00 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Date Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Maximum Number of Participants (Best Estimate) 2 to 3	Maximum Number of Vehicles (attach parking plan)		
	Cars 0	Vans/Light Trucks 2	Utility Vans/Trucks 1
			Buses/Oversized Vehicles 0
Support equipment (list all equipment; attach additional pages if necessary) Backhoe, skids, 14 ft dump truck as may be needed for clearing, leveling, and debris removal (if any). Major equipment will be parked and/or stored on adjacent land of property owner.			
List support personnel including addresses and telephones; attach additional pages if necessary			
Name Les McClellan	Address TimRay Excavation, Brewster MA	Cell Phone Number 774-994-0679	
Individual in charge of activity onsite who is authorized to make decisions related to the permitted activity: Regan McCarthy			Cell Phone Number 917-575-0169
Is this an exercise of First Amendment Rights?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Have you visited the requested area?			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Have you obtained a permit from the National Park Service in the past? RW CACO 19-001 and RW 1730-08-001 (If yes, provide a list of permit dates and locations on a separate page.) (Same general area)			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Do you plan to advertise or issue a press release before the event?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Will you distribute printed material?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there any reason to believe there will be attempts to disrupt, protest or prevent your event? (If yes, please explain on a separate page.)			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Do you intend to solicit donations or offer items for sale? (These activities may require an additional permit.)			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is this permit to carry out a Good Samaritan Search and Recovery Mission?			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

You are encouraged to attach additional pages with information useful in evaluating your permit request including: staging, sound systems, parking plan, security plans, sanitary facilities, crowd control, emergency medical plan, use of any building, site clean-up, etc.	
<i>The applicant by his or her signature certifies that all the information given is complete and correct, and that no false or misleading information or statements have been given.</i>	
Printed Name Regan McCarthy	Title Owner, 35A Higgins Hollow Road
Signature 	Date 12/29/2022

NOTICES

IMPORTANT NOTICE TO APPLICANT

This is an application **only**, and does not serve as permission to conduct any special activity in the park. The information provided will be used to determine whether a permit will be issued. Send the completed application along with the application fee in the form of a credit card payment. Payments must be made at <https://go.usa.gov/xmuxX>. Please contact the permit coordinator for a permit number to complete this process.

If your request is approved, a permit containing applicable terms and conditions will be sent you. The permit must be signed by the responsible person and returned to the park for final approval by the Park Superintendent before the permitted activity may begin.

Customers Making Payment by Personal Check

When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as the same day we receive your payment, and you will not receive your check back from your financial institution.

Privacy Act Statement

General: This information is provided pursuant to Public Law 93-579 (Privacy Act of 1974), December 21, 1984, for individuals completing this application.

Authority: The authority to collect information on the attached form is derived from 54 U.S.C. 100101, Promotion and regulation; 54 U.S.C. 100751(a), Regulations; 54 U.S.C. 103104, Recovery of costs associated with special use permits; and 54 U.S.C Commercial Filming.

Purposes and Uses: The information being collected to allow the park manager to make a value judgment on whether or not to allow the requested use. Information from the application may be transferred to appropriate Federal, State, and local agencies, when relevant to civil, criminal or regulatory investigations or prosecutions.

Effects of Nondisclosure: It is in your best interest to answer all of the questions. The U.S. Criminal Code, Title 18 U.S.C. 1001, provides that knowingly falsifying or concealing a material fact is a felony that may result in fines of up to \$10,000 or 5 years in prison, or both. Deliberately and materially making false or fraudulent statements on this form will be grounds for not granting you a Special Use Permit

Information Regarding Disclosure of Your Social Security Number Under Public Law 93-579 Section 7(b): Your Social Security Number (SSN) is needed to identify records unique to you. Applicants are required to provide their social security or taxpayer identification number for activities subject to collection of fees and charges by the National Park Service. Failure to disclose your SSN may prevent or delay the processing of your application. The authority for soliciting your SSN is 54 U.S.C.103104. The information gathered through the use of the SSN will be used only as necessary for processing this application and collecting and reporting any delinquent financial obligations. Use of the social security number will be carried out in accordance with established regulations and published notices of system of records.

Paperwork Reduction Act Statement

We are collecting this information subject to the Paperwork Reduction Act (44 U.S.C. 3501) to provide the park managers the information needed to decide whether or not to allow the requested use. All applicable parts of the form must be completed in order for your request to be considered. You are not required to respond to this or any other Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

Estimated Burden Statement

Public reporting burden for this form is estimated to average 30 minutes per response including the time it takes to read, gather and maintain data, review instructions and complete the form. Direct comments regarding this burden estimate, or any aspects of this form, to the Information Collection Clearance Officer, National Park Service, 12201 Sunrise Valley Drive Reston, Virginia 20192. Please do not send your form to this address.

INTERNAL AGENCY USE ONLY

Project Number/BILL	Date Processed
Permit Number	Prepared By
Organization Name	

PRELIMINARY PLAN

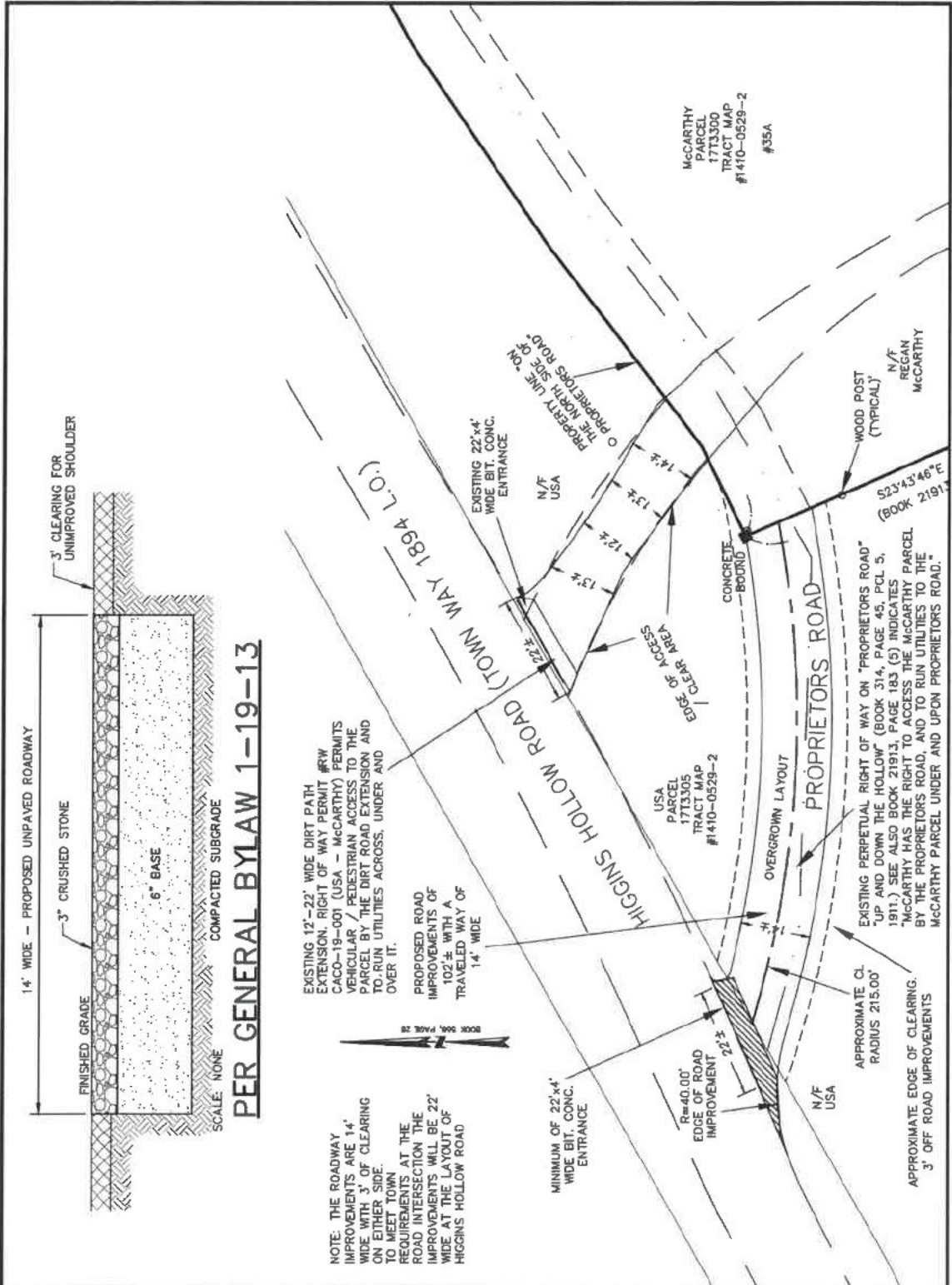
ROAD
IMPROVEMENT
PLAN
AT
PROPRIETORS ROAD
TRURO
MASSACHUSETTS

PREPARED FOR:

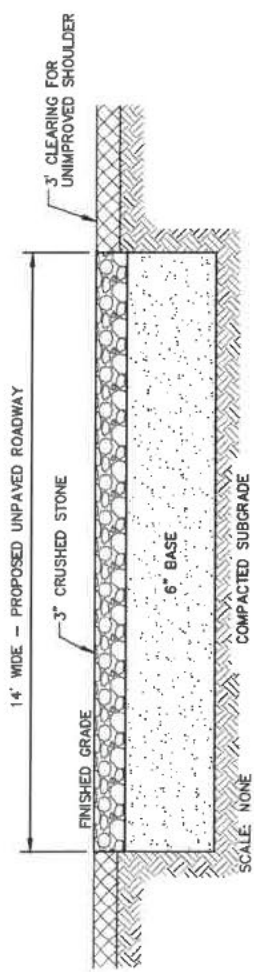
REGAN MCCARTHY
42 1/2 ADRIAN AVENUE
MARBLE HILL, NY 10463



340 Route 28
West Yarmouth, Massachusetts
02073
BSC Group, Inc. 508-778-8319
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Date: JANUARY 28, 2023
File: P:\NY\48839.02.DWG
Dwg. No: 5834-...
Job. No.: 4-0839.02
Sheet: 1 of 1



PER GENERAL BYLAW 1-19-13



NOTE: THE ROADWAY IMPROVEMENTS ARE 14' WIDE WITH 3' OF CLEARING ON EITHER SIDE. THE REQUIREMENTS AT THE ROAD INTERSECTION THE ROAD IMPROVEMENTS WILL BE 22' WIDE AT THE LAYOUT OF HIGGINS HOLLOW ROAD

EXISTING 12'-22' WIDE DIRT PATH EXTENSION RIGHT OF WAY PERMIT #17W CACO-19-001 (USA - MCCARTHY) PERMITS VEHICULAR / PEDESTRIAN ACCESS TO THE PARCEL BY THE DIRT ROAD EXTENSION AND TO RUN UTILITIES ACROSS, UNDER AND OVER IT.

PROPOSED ROAD IMPROVEMENTS OF 102'± WITH A 14' WIDE TRAVELED WAY OF 14' WIDE

MINIMUM OF 22'± WIDE BIT. CONC. ENTRANCE

MCCARTHY PARCEL 1773300 TRACT MAP #1410-0529-2 #35A

USA PARCEL 1773305 TRACT MAP #1410-0529-2

EXISTING PERPETUAL RIGHT OF WAY ON "PROPRIETORS ROAD" "UP AND DOWN THE HOLLOW" (BOOK 314, PAGE 45, PCL 5, 1911.) SEE ALSO BOOK 21913, PAGE 183 (5) INDICATES "MCCARTHY HAS THE RIGHT TO ACCESS THE MCCARTHY PARCEL BY THE PROPRIETORS ROAD, AND TO RUN UTILITIES TO THE MCCARTHY PARCEL UNDER AND UPON PROPRIETORS ROAD."

APPROXIMATE CL. RADIUS 215.00' APPROXIMATE EDGE OF CLEARING. 3' OFF ROAD IMPROVEMENTS

WOOD POST (TYPICAL) N/F REGAN MCCARTHY

S23°43'46"E (BOOK 2191)

CONCRETE BOARD

EDGE OF ACCESS CLEAR AREA

PROPERTY LINE OF THE NORTH SIDE OF PROPRIETORS ROAD

EXISTING 22'± WIDE BIT. CONC. ENTRANCE

TOWN WAY 1894 L.O.)



Select Board Meeting Minutes

Consent Agenda Item: 8C1

November 15, 2022, Meeting

Via GoToMeeting Platform

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

Select Board Members Absent:

Others Present: Darrin Tangeman-Town Manager, Kelly Clark-Assistant Town Manager, Jarrod Cabral-DPW Director, Tony Jackett-Harbormaster, Betty Gallo-Member of the Truro Housing Authority

Chair Reed called the meeting to order at 5:01 pm.

PUBLIC COMMENT

There were no public comments.

PUBLIC HEARINGS

None

INTRODUCTION TO NEW EMPLOYEES

None

BOARD/COMMITTEE/COMMISSION APPOINTMENTS

None

STAFF/COMMITTEE UPDATES

None

TABLED ITEMS

None

SELECT BOARD ACTION

A. Presentation on Results of Port to Port: Profiles and Analysis of the Massachusetts Commercial Fishery-Presenter: Doreen Leggett, Community Journalist and Communications Officer of the Cape Cod Commercial Fishermen’s Alliance (CCCFA)

Chair Reed introduced Ms. Leggett who briefly provided historical background on the creation of the CCCFA and the establishment of commercial fishery profiles and analysis of commercial fishing ports in

Massachusetts. Ms. Leggett appeared at this evening's meeting to raise awareness of Truro's commercial fishery profile released by a 2021 Massachusetts report that was prepared with input from the harbormaster. Ms. Leggett reviewed Truro's port profile data with the Members and highlighted the issues of dredging, limited parking, the need for increased recreational dock space, available grants, and regional collaborations which are important to the success of Truro's commercial fishing industry.

Chair Reed thanked Ms. Leggett for her presentation and then recognized Harbormaster Jackett who provided an overview of Truro's current commercial fishery conditions as well as challenges affecting local commercial fishermen. A discussion followed among Members, Harbormaster Jackett, and Ms. Leggett to further explore the CCCFA's increased numbers in membership; the accuracy of the report's identification of 37 vessels with a Truro homeport; the definition of a "**permitted harvester**" as the report indicated 44 permitted harvesters with a Truro address; and the notation in the report that Truro's ramp and hoist need repair as Truro does not have a hoist.

Vice Chair Weinstein noted that if the reported information is indeed accurate it would present Truro with the opportunity to put pressure on the Commonwealth's Division of Marine Fisheries, through the division's public access grants, to improve Truro's harbor. Chair Reed asked Ms. Leggett to continue the dialogue with Vice Chair Weinstein through coordination with Town staff. Ms. Leggett thanked the Members and left the meeting.

B. Discuss and Potentially Adopt a Community Service Award Program Presenter-John Dundas, Select Board Clerk

Chair Reed recognized Member Dundas who thanked Town Manager Tangeman and Assistant Town Manager Clark for their support in this endeavor. Member Dundas provided background on the establishment of this community service award program named in honor of Fred Todd, a longtime community volunteer and beloved resident of Truro who had recently passed away. Member Dundas noted that Mr. Todd's family members were delighted that this award was named in Mr. Todd's honor.

Member Dundas reviewed the criteria for nominations, voting on the nominations, the development of a recognition coin and certificate, and the public presentation to the awardee by the Town leadership and a member of the Todd family. Members discussed the criteria, the nomination process, and unanimously supported the establishment of this award program. Member Dundas thanked the Members for their input and comments. Member Dundas proposed that he incorporate the Members' suggestions and return with a more completed document at the next meeting.

Chair Reed thanked Member Dundas and noted that this will be a tabled item for the next meeting in December.

C. Review and Approve Allocation of Affordable Housing Trust Funds for Rental Assistance Program- Presenter: Betty Gallo, Truro Housing Authority (THA) Member

Chair Reed recognized Ms. Gallo who provided background on the program as well as the status of budgeted funds and grant monies to support participants in the program. Participants apply for financial support to reduce utility costs and access community food resources. Ms. Gallo stated that six Truro families are currently enrolled in the program and that five families were in the process of enrollment. Ms. Gallo noted that the THA is developing an outreach program to reach more community members as the Housing Production Plan indicated that as many as 25% of Truro's residents are unemployed during

the off-season. Ms. Gallo requested the allocation of trust funds in the amount of \$50,000 per year be extended for an additional two years.

Members thanked Ms. Gallo for her efforts and voiced their support for the program moving forward.

Vice Chair Weinstein made a motion to allocate up to \$50,000 for this year and another \$50,000 for next year, totaling \$100,000, from the Affordable Housing Trust Fund for the Rental Assistance Program.

Member Dundas seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

Chair Reed recognized Ms. Gallo who thanked the Members. Ms. Gallo also thanked Assistant Town Manager Clark, Town Planner/Land Use Counsel Barbara Carboni, and Town Administration's Executive Assistant Noelle Scoullar for their help in this process.

D. Review and Approve Request for DPW Excavator Purchase-Presenter: Jarrod Cabral, Public Works Director

Chair Reed recognized DPW Director Cabral who provided background and stated the need for this purchase in the amount of \$184,985. Members and DPW Director Cabral discussed the following topics: whether Truro should purchase an extended warranty (not purchased) and a brief review of the Chapter 90 Account and its purpose.

Member Rein made a motion to approve the request for the purchase of the John Deer excavator and to authorize the Town Manager to sign the Chapter 90 authorization document.

Member Dundas seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

CONSENT AGENDA

Chair Reed reviewed the Consent Agenda and Member Areson commented that the Select Board minutes from the October 11, 2022 meeting included a lengthy paragraph regarding the Select Board's Goals and Objectives. Member Areson suggested the paragraph be removed and replaced with the following language:

“Select Board Members discussed progress on their 2022 Goals and Objectives. The discussion, actions, and progress made are reflected in a chart attached to these minutes.”

Member Areson’s suggestion was supported by all the Members.

Prior to the vote on the Consent Agenda, Chair Reed recused herself from the portion of the Consent Agenda regarding the liquor licensing for Chequessett Chocolate.

A. Review/Approve and Authorize Signature: None

Review and Approve Appointment Renewals: None

C. Review and Approve 2023 Annual Alcohol Licenses-Montano’s Restaurant, Truro Vineyards, and Pamet Valley Package

D. Review and Approve the ABCC 2023 Renewal Certification Form for Alcohol Licenses

E. Review and Approve Select Board Minutes; October 11, 2022

Chair Reed made a motion to accept the Consent Agenda with the amended changes approved by the Select Board related to the Meeting Minutes of 10/11/22 and the recusal of Chair Reed regarding the Chequessett Chocolate licensing.

Member Dundas seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

SELECT BOARD REPORTS/COMMENTS

Vice Chair Weinstein said that deer hunting season has begun, and the public should be aware. Vice Chair Weinstein also reminded the public that deer hunting is permitted in the National Seashore.

Member Dundas said that the Truro Central School was hosting its annual Thanksgiving feast on Tuesday, November 22, 2022. Member Dundas reminded Members that he and Member Areson are working on a draft letter for the Planning Board and the Economic Development Committee. Member Dundas noted that it was his intent to add the draft letter to the agenda for the first Select Board meeting in December.

Member Areson said that the Open Space Committee will host a forum on Thursday, November 17, 2022, at 5:30 pm, to gather the public’s comments on the Open Space and Recreation Plan. Member Areson added that December 6, 2022, is also the start of the Budget Task Force’s hearings and she encouraged the public to attend. More information is available on the Town’s website and the meetings will be recorded. Member Areson also asked to add a discussion of in-person Select Board meetings to the agenda of an upcoming meeting. Member Areson requested that after the holidays that Select Board in office hours be reinstated as they are very important. The Local Comprehensive Plan Committee (LCPC) will meet on Monday to work on the Vision Statement and Growth Policy.

Member Rein said that the Town currently has three open surveys (Open Space and Recreation Plan, Cable and Internet Access, and the Library 5-Year Strategic Planning) which are available on the Town website and Member Rein encouraged residents to complete the surveys online.

Chair Reed said that she has received complaints from residents regarding tacks on National Seashore trails around Truro. Bicyclists have discovered tacks in their bicycle tires after the completion of their rides. Chair Reed requested anyone who is placing tacks on the trails to refrain from doing so as the tacks can severely injure wildlife.

TOWN MANAGER REPORT

Town Manager Tangeman announced that the Town had two firefighters/EMTs (Kate Dorsey and Braden Wilson) who graduated recently from the Stowe Fire Academy. Town Manager Tangeman said that Truro was awarded the MassDevelopment Underutilized Properties Program 2023 grant for \$900,000 to offset the cost of potential housing and other issues which need to be addressed with those funds. A more formal announcement of the grant will be forthcoming through a press release and it will detail how those monies will be spent. Town Manager Tangeman recognized Assistant Town Manager Clark and DPW Director Cabral for their efforts in obtaining the grant. Town Manager Tangeman congratulated Town Clerk Kaci Fullerton on a very successful election as it resulted in many voters participating in the election process.

NEXT MEETING AGENDA

Town Manager Tangeman provided an overview of the agenda for the next regular meeting on Wednesday, December 6, 2022.

Member Areson made a motion to adjourn at 6:45 pm.

Chair Reed seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas - Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

Respectfully submitted,



Alexander O. Powers

Darrin K. Tangeman Under the Authority of the Truro Select Board

Public Records Material Attachments

Legal Notice

Cape Cod Commercial Fishermen's Alliance General Introduction

Port Profile: Truro

Massachusetts Commercial Fishing Port Profiles

Criteria

Excavator Quote

Chapter 90 Project Request Form

2023 Annual Alcohol ABCC Applications-signed by business owners

Chief of Police Approval Memo

2022 Annual Alcohol Licenses

Annual Alcohol Beverages Control Commission Renewal Certification 2023

Email from FarmMaid Foods Inc. dba Chequessett Chocolate owner regarding 2023 license

Select Board Meeting Minutes

Consent Agenda Item: 8C2

December 13, 2022, Meeting

Via GoToMeeting Platform

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

Select Board Members Absent:

Others Present: Darrin Tangeman-Town Manager, Kelly Clark-Assistant Town Manager, Stephanie Costigan-Superintendent & Director of Student Services, Jarrod Cabral-DPW Director, Damion Clements-Director of Community Services, Austin Smith-Deputy Director of Community Services: Recreation and Beach, Tony Jackett-Harbormaster, Jon Nahas-Principal Assessor, Emily Beebe-Health & Conservation Agent, Dan Smith-Member of the Shellfish Advisory Committee, Carol Harris-Chair of the Climate Action Committee, Mitchell Buck (P.E.)-Woods Hole Group, Nils Wiberg (P.E.)-Fuss & O'Neill, Cristina Kennedy-Massachusetts Division of Ecological Restoration, Timothy Richards-Resident and Abutter to Mill Pond Road Culvert, Michael Miller-Resident and Abutter to Mill Pond Road Culvert

Chair Reed called the meeting to order at 5:01 pm.

PUBLIC COMMENT

Chair Reed recognized Joan Holt, a Truro resident, who commented on the loss of services for senior residents, the reduction of staff, programs, and service hours at the Council of Aging.

PUBLIC HEARING

A. New Application for Acquaculture Development Area Grant-Douglas Grey, 6 Blackfish Rd-Presenters: Douglas Grey, Dan Smith (Shellfish Advisory Committee), Tony Jackett, Harbormaster

Chair Reed read Mr. Grey's application and endorsement of support from Harbormaster Jackett. Chair Reed recognized Mr. Grey who provided information as to why he would like to receive approval for his application.

Harbormaster Jackett noted that he had assisted Mr. Grey with his application and supported the application. Additionally, Mr. Smith noted that although Mr. Grey does not have a lot of experience in aquaculture, the Shellfish Advisory Committee supported Mr. Grey's application.

Members discussed the following topics with Mr. Grey: scalability of the operation by utilizing best practices to gain profitability as soon as possible, the use of flow and grow cages so the oysters may accumulate growth on the oyster shell, delineation of the grant area boundaries so recreational boaters in the Pamet Harbor are aware of the operation with the use of buoys and the possibility to add signage so the public is aware of the grant area.

Chair Reed invited the members of the public to comment and there were none.

Chair Reed invited Town staff to comment and there were none.

Vice Chair Weinstein made a motion to adjourn the hearing.

Member Areson seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

Vice Chair Weinstein made a motion to issue an aquaculture development area license to Douglas Grey of 6 Blackfish Road for grants #6-10 in the grant development area for a term of 2 years expiring December 31, 2024.

Member Areson seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

Chair Reed announced the approval of the license to Mr. Grey and Mr. Grey thanked the Members.

INTRODUCTION TO NEW EMPLOYEES

A. Austin Smith-Deputy Director of Community Services: Recreation & Beach Department

Chair Reed recognized Director of Community Services Clements who introduced and welcomed Deputy Director Smith. Deputy Director Smith provided his professional background and his focus to make positive changes within the department.

Chair Reed and the Members welcomed Deputy Director Smith.

BOARD/COMMITTEE/COMMISSION APPOINTMENTS

A. Interview and Possible Appointment of Recreation Advisory Committee Full Member: Christine McGee

Chair Reed, along with the Members, conducted the interview of Ms. McGee using a standardized list of questions.

Member Dundas made a motion to appoint Christine McGee as an alternative member to the Recreation Advisory Committee for a 1-year term that will expire on June 30, 2023.

Member Areson seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye
Member Dundas – Aye
Member Areson - Aye
Member Rein - Aye
Chair Reed - Aye
So voted, 5-0-0, motion carries.

Chair Reed congratulated Ms. McGee who thanked the Members.

B. Interview and Possible Appointment of Board of Assessors Full Member: Annie Ditacchio

Chair Reed, along with the Members, conducted the interview of Ms. Ditacchio using a standardized list of questions.

Member Rein made a motion to appoint Annie Ditacchio as a full member to the Board of Assessors for a 3-year term that will expire on June 30, 2024.

Member Dundas seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye
Member Dundas – Aye
Member Areson - Aye
Member Rein - Aye
Chair Reed - Aye
So voted, 5-0-0, motion carries.

Chair Reed congratulated Ms. Ditacchio who thanked the Members.

C. Interview and Possible Appointment of Zoning Board of Appeals Full Member and Potential Alternate Member: Curtis Hartman, Joseph McKinnon, Nancy Medoff

Chair Reed, along with the Members, conducted the interviews (in alphabetical order) of Mr. Hartman, Mr. McKinnon, and Nancy Medoff using a standardized list of questions.

Upon completion of the interviews, the Members discussed the candidates and their preferences for the Full Member and the Alternate Member. Members Areson, Dundas, and Rein named Ms. Medoff as their preferred Full Member and Mr. Hartman and Mr. McKinnon as the Alternate Members. Chair Reed and Vice Chair Weinstein concurred with the preferences stated by their colleagues.

Member Areson made a motion to appoint Nancy Medoff as a Full Member of the Zoning Board of Appeals to the unexpired term of three years ending on June 30, 2023.

Vice Chair Weinstein seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye
Member Dundas – Aye
Member Areson - Aye
Member Rein - Aye
Chair Reed - Aye
So voted, 5-0-0, motion carries.

Chair Reed congratulated Ms. Medoff on her appointment as a Full Member of the ZBA.

Member Areson made a motion to appoint Joseph McKinnon to an unexpired Alternate term on the Zoning Board of Appeals. The term expires on June 30, 2023.

Vice Chair Weinstein seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

Chair Reed congratulated Mr. McKinnon on his appointment as an Alternate Member of the ZBA. Mr. Hartman will continue in his seat as an alternate on the ZBA.

STAFF/COMMITTEE UPDATES

A. Cape Cod 5 Educational Mini-Grant Announcement for Truro Central School Recipients-Presenters: Stephanie Costigan, Superintendent/Director of Student Services and John Dundas, Select Board Clerk and Liaison to School Committee

Chair Reed recognized Superintendent Costigan who provided background on the Cape Cod 5 Mini-Grant. Chair Reed recognized Truro Central School teachers who were previous recipients of mini-grants and mentioned how the grants were used. Superintendent Costigan also noted how proud she was that so many teachers applied for the mini-grants.

Chair Reed recognized Member Dundas who said that he appreciated the efforts of Superintendent Costigan, the teachers, and staff at Truro Central School who were making a positive impact on the children of Truro.

TABLED ITEMS

A. Continued Discussion and Potential Adoption of Community Service Award Program-Presenter: John Dundas, Select Board Clerk

Chair Reed recognized Member Dundas who provided an introduction and overview of his interactive PDF document that detailed the award program in honor of the late Fred Todd. Member Dundas thanked the Members for their comments and suggested edits which had been provided to him prior to tonight's meeting.

A discussion then ensued among Members with an exchange of several ideas regarding the award nominee process, the inclusion of former board or committee members for consideration, the naming of the award (upon approval from the Select Board) as the "**Fred Todd Community Service Award**", and a letter for volunteers who are not selected for the award to acknowledge their contributions to the community.

This item will be further discussed at the January 10, 2023 meeting and added to that meeting's agenda.

SELECT BOARD ACTION

A. Review and Approve the Dedication and Theme of the 2022 Annual Town Report-Presenter: Darrin Tangeman, Town Manager

Chair Reed recognized Town Manager Tangeman who said that this meeting item would only be a discussion item. Chair Reed asked Members for their ideas and suggestions. Hearing none, Chair Reed stated the members of the community would be given the opportunity to express their thoughts on the dedication and theme followed by a vote by the Select Board at an upcoming meeting.

B. Discussion and Possible Approval of Letter to Planning Board Related to Select Board FY'23 Objective #11-Presenters: John Dundas, Select Board Clerk, and Susan Areson, Select Board Members

Chair Reed recognized Member Dundas who provided the genesis for the Select Board letter to the Planning Board related to the Select Board FY'23 Objective. Member Dundas acknowledged the efforts of Planning Board Chair Anne Greenbaum, Planning Board Vice Chair Rich Roberts, and Member Areson.

Chair Reed recognized Member Areson who stated her appreciation for Member Dundas' efforts and that she supported the letter's approval.

Chair Reed stated that the letter was incomplete to her and didn't reference the playbook or the Housing Production Plan.

A discussion among the Members ensued and many opined that the letter was incomplete and discussed the Planning Board's expectation to have received the letter much sooner. Member Dundas suggested changing the date of the letter being sent to the Planning Board to July 30, 2023, as it would give a more accurate "azimuth check" prior to the end of the fiscal year. Members concurred with Member Dundas.

After hearing the comments from the other Members, Chair Reed announced that there would be no vote this evening on the letter prepared by Member Dundas. Chair Reed said that this would be further discussed at a Select Board meeting in June 2023 with a target date of July 2023 for the approved letter to be sent to the Planning Board.

C. Discussion and Possible Vote for Mill Pond Road Culvert Replacement State Grant Contract-Presenter: Jarrod Cabral, DPW Director

Chair Reed recognized DPW Director Cabral who provided background on this project. Following his presentation, Members discussed this topic and agreed that the Mill Pond culvert replacement alternatives (item D) should not be decided until after a public hearing where public comments are received on this topic.

Member Areson made a motion to approve moving forward with the design and permitting for any one of the four alternatives suggested for Mill Pond and Mill Pond Road and authorize the Town Manager to sign the state contract.

Member Rein seconded the motion.

Roll Call Vote:

Vice Chair Weinstein – Aye
Member Dundas – Aye
Member Areson - Aye
Member Rein - Aye
Chair Reed - Aye
So voted, 5-0-0, motion carries.

D. Discussion and Possible Vote on Mill Pond Road Culvert Replacement Alternatives-Presenter: Jarrod Cabral, DPW Director

Chair Reed announced that as discussed previously the Members would not vote on this item until after a Select Board meeting or public hearing was held to receive the public's input on this matter.

Chair Reed invited members of the public to offer comments prior to DPW Director Cabral's review of the four alternatives for Mill Pond Road. Climate Action Committee Chair Carol Harris and Health & Conservation Agent Emily Beebe made brief comments.

Chair Reed recognized DPW Director Cabral who reviewed the four alternatives for Mill Pond Road and provided background information regarding this matter. DPW Director Cabral briefly addressed the environmental impacts and benefits of the culvert replacement and breach alternatives.

DPW Director Cabral also briefly covered the following topics: roadway closure and roadway abandonment, legal review with Town Planner/Land Use Counsel Barbara Carboni, traffic counts and traffic studies, police department and fire department's input on the breaches, notification to abutters regarding the project, scope of work, road raising and the historic interest to the Town.

DPW Director Cabral asked Mr. Buck to provide an overview and summary of the design alternatives created by the Woods Hole Group and in collaboration with Fuss & O'Neill. After Mr. Buck's presentation, Chair Reed recognized Mr. Richards who stated that he supported a public hearing for the public to comment on the project.

Chair Reed recognized Mr. Wiberg who said that Mr. Mitchell had covered everything very well and noted that capital costs and end costs are a concern. Mr. Wiberg added that consideration was given to recreational users such as paddlers who would want to have access to an open channel.

Chair Reed recognized Mr. Miller who commented that the Select Board may want to consider a pedestrian/bike path above the breach as the area is popular with pedestrians and bicyclists.

Chair Reed thanked the presenters for their work and the members of the public for their comments.

CONSENT AGENDA

Prior to the Consent Agenda, Chair Reed recognized Member Areson who had a couple of corrections for the Minutes on 11/9/2022 (remove stray letter under paragraph F, add "she knew that", add Member Areson's memorandum to the minutes, change "handbook" to "playbook").

A. Review/Approve and Authorize Signature: None
Review and Approve Appointment Renewals: None

C. Review and Approve 2023 Annual Business Licenses-North Truro Camping Area and Adventure Bound Camping Resort at Horton's (Transient Vendor); Truro Vineyards (Lodging)

D. Review and Approve Select Board/Planning Board Joint Minutes of 10/25/2022; Select Board Regular Meeting Minutes of 10/25/2022; Select Board Regular Meeting Minutes of 11/9/2022

Member Areson made a motion to accept the Consent Agenda with the amended edits for the meeting minutes for 11/9/2022.

Member Rein seconded the motion.

Roll Call Vote:

Vice Chair Weinstein – Not present due to technical issue

Member Dundas – Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

So voted, 4-0-0, motion carries.

SELECT BOARD REPORTS/COMMENTS

Vice Chair Weinstein said that he attended the most recent Energy Committee yesterday. The Energy Committee is exploring an RFP for a private developer to install a solar array at the Truro Transfer Station. It is enough area where it could produce 1 megawatt of power. There are federal tax credits available, and the IRS looks very favorably upon communities which develop brown field areas for solar arrays. The Energy Committee also discussed in detail the possibility of utilizing roof areas of Town-owned buildings and confirming those roof areas with satellite imagery. These efforts could result in significant revenues for Truro.

Member Dundas said he wished everyone Happy Holidays and thanked Town staff for their efforts during the budgeting process.

Member Areson said she wanted to apologize to Ms. Holt and that she was sorry that Ms. Holt was muted at the last meeting. Member Areson added that she would like Town Manager Tangeman to provide a report on the Council of Aging and the hiring process. The Local Comprehensive Plan Committee (LCPC) has started an outreach campaign on a draft Vision Statement so the LCPC would like to appear at a Select Board meeting in January 2023 to present it. The ad hoc Housing Committee has met several times to discuss ideas and collaborations around housing. Member Areson will return to the Select Board in mid-January 2023 to report on the items discussed. Member Areson congratulated the Walsh Property Community Planning Committee (WPCPC) on a great event last week. Member Areson wished everyone a Happy Holiday season.

Member Rein thanked Superintendent Stephanie Costigan, Principal Patrick Riley, and the custodial staff at Truro Central School for allowing the Walsh Property Community Planning Committee (WPCPC) to hold its event last week at the school. Member Rein also noted the great work and effort done by the WPCPC in hosting the public outreach event. It was an informative event and allowed the public to ask questions and provide input. Member Rein thanked everyone who participated in the event as well. Member Rein wished everyone a Happy Holiday season and a joyous New Year.

Chair Reed reported that she had attended on December 8, 2022, a roundtable discussion with the Baker-Polito Administration where it was announced that Truro and the Cloverleaf will receive federal

and state low-income housing tax credits and subsidiary funds. The Town staff is working on a press release to obtain exact numbers so that information can be shared with the community.

TOWN MANAGER REPORT

Chair Reed acknowledged Ms. Holt's comments regarding the Council on Aging (CoA) at the last Select Board meeting as well as this evening's meeting. Chair Reed noted that Town Manager Tangeman had addressed those concerns at the previous Select Board meeting, but Ms. Holt may not have been present during that portion of the meeting.

Chair Reed then invited Town Manager Tangeman to provide an update on the recruitment of staff for the CoA prior to his Town Manager Report.

Town Manager Tangeman provided a quick update for the recruitment of a Community Services Deputy Director: Council on Aging and has extended the recruitment. There will be two interviews this Thursday for highly qualified candidates for this role. Additionally, the interview process continues for an administrative assistant that supports the Recreation Department and CoA. The CoA's Community Outreach Report has arrived, and it will be provided to the new deputy director once hired. The job market has been challenging yet the Town is doing its best to expand its marketing opportunities to attract highly qualified candidates for the current Town vacancies.

NEXT MEETING AGENDA

Town Manager Tangeman provided an overview of the agenda for the next regular meeting on Tuesday, January 10, 2023.

Chair Reed thanked the Members and wished everyone a Happy Holiday season.

Member Dundas made a motion to adjourn at 8:27 pm.

Vice Chair Weinstein seconded the motion.

Roll Call Vote:

Vice Chair Weinstein - Aye

Member Dundas - Aye

Member Areson - Aye

Member Rein - Aye

Chair Reed - Aye

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

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

Darrin K. Tangeman Under the Authority of the Truro Select Board

Public Records Material Attachments

Legal Notice

Public Hearing Notice

Douglas Grey Aquaculture Application

Shellfish Advisory Committee October 27, 2022, Minutes

Aquaculture Development Area Regulations (see Section 10)

Application to Serve (Christine McGee); Chair's comments

Application to Serve (Annie Dittachio); Chair's comments

Application to Serve (Curtis Hartman)

Application to Serve (Joseph McKinnon)

Application to Serve (Nancy Medoff)

Updated Draft of Community Service Evaluation Form

List of 2022 Deaths and Retirements – to be provided

Draft Planning Board Letter

Standard Massachusetts State Contract with Scope of Services

Conceptual Design Report from Woods Hole Group

Alternatives Assessment Technical Memorandum from Fuss & O'Neill

Renewal Application for 2023: North Truro Camping Area

Renewal Application for 2023: Adventure Bound Camping Resort at Horton's

Renewal Application for 2023: Truro Vineyards

Select Board Meeting Minutes

Consent Agenda Item: 8C3

December 20, 2022, Special Meeting

Via GoToMeeting Platform

Select Board Members Present: Kristen Reed-Chair, John Dundas-Clerk, Susan Areson-Member

Select Board Members Absent: Robert Weinstein-Vice Chair, Stephanie Rein-Member

Others Present: Darrin Tangeman-Town Manager, Kelly Clark-Assistant Town Manager, Jarrod Cabral-DPW Director

Chair Reed called the meeting to order at 5:00 pm. Due to a conflict with the regularly scheduled Board of Health meeting, this meeting was not live streamed.

PUBLIC COMMENT

No public comments were made.

SELECT BOARD ACTION

A. Authorization to Enter Into a Grant Agreement with the Commonwealth of Massachusetts for the Pamet River Restoration Project Design and Permitting. Presenter: Jarrod Cabral, Public Works Director

Chair Reed recognized Town Manager Tangeman who turned over the presentation to DPW Director Cabral. DPW Director Cabral gave a brief overview of this match for the USDA grant that the Town received earlier.

Chair Reed opened the discussion among Members and DPW Director Cabral.

Chair Reed recognized Member Areson who asked DPW Director Cabral about the reimbursement process and payment. DPW Director Cabral explained the process and noted that he assumed the responsibility for the accounting and reimbursement process. Member Areson congratulated DPW Director Cabral and thanked him for his hard work to obtain this grant.

Chair Reed recognized Member Dundas who congratulated DPW Director Cabral and asked for more detail in tracking DPW Director Cabral's time and ensuring the reimbursement for his time. DPW Director Cabral replied that Finance Director Alex Lessin and Town Accountant Trudi Brazil will assist him in tracking his time and reimbursement. Member Dundas thanked DPW Director Cabral.

Member Dundas made a motion to authorize the Town Manager to enter and sign the grant agreement with the Commonwealth of Massachusetts and the Division of Ecological Restoration for the Pamet River Restoration Project.

Member Areson seconded the motion.

Roll Call Vote:

Member Areson – Aye

Member Dundas – Aye
Chair Reed – Aye
So voted, 3-0-0, motion carries.

Member Areson made a motion to adjourn at 5:08 pm.
Member Dundas seconded the motion.

Roll Call Vote:

Member Dundas - Aye

Member Areson - Aye

Chair Reed - Aye

So voted, 3-0-0, motion carries.

Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff

Darrin K. Tangeman Under the Authority of the Truro Select Board

Public Records Material Attachments

Legal Notice

Contract Documents