

TOWN OF TRURO
TRURO SELECT BOARD MEETING MINUTES
November 10, 2020
Remote Meeting

Select Board Members Present: Chair-Robert Weinstein, Vice Chair-Kristen Reed, Clerk-Susan Areson, Janet Worthington, Stephanie Rein

Others Present: Acting Town Manager-Jamie Calise, Assistant Town Manager-Kelly Clark, Health Agent-Emily Beebe, DPW Director-Jarrold Cabral, Board of Health Chair-Tracey Rose, Christine Meade, Nancy Medoff, Ann Courtney, Eric Shapiro, Building Commissioner-Rich Stevens, Larry Lown, Chair of Charter Review Committee-Robert Panessiti

Chair Weinstein called the meeting to order at 5:20pm. He read off instructions on how people could provide comment and also provided the URL for people to view or participate.

Public Comment-None

Public Hearings-None

Board/Committee/Commission Appointments

Christine Meade introduced herself. She has applied to serve on the Bike and Walkways Committee. She gave a brief summary of why she wanted to join the Committee.

Member Areson made a motion to appoint Christine Meade to the Bike and Walkways Committee as an alternate whose appointment expires June 30, 2021.

Member Reed seconded.

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

Nancy Medoff introduced herself. She has applied to serve on the Charter Review Committee. She spoke of her skills and her love of the community.

Member Areson made a motion to appoint Nancy Medoff to the Charter Review Committee to a three-year unexpired term ending June 30, 2021.

Member Reed seconded.

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

Ann Courtney introduced herself and gave a brief summary of other committees she's served on and explained her interest in the Beach Commission.

Member Areson made a motion to appoint Ann Courtney to the Beach Commission for a three-year term expiring June 30, 2023.

Member Worthington seconded.

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

Tabled Items-None

Select Board Action

Year-round condominium conversion for 503 and 522 Shore Road-Sutton Place Condominium

Health Agent Beebe stated that they have four units going to year-round status and Sutton Place is being represented by Mr. Eric Shapiro. Everything is in order. The documents have been provided by

the association as required. All inspections and signoffs were completed. Building Commissioner Stevens said that everything was in order. Health Agent Beebe stated that all units have been renovated/updated so there were no issues with the units going forward for year-round status. Next, Building Commissioner Stevens will issue occupancy permits for these four units, which will signify that they are indeed year-round. The other units will remain seasonal.

Member Areson made a motion to approve the year-round use and removal of the seasonal covenants for Sutton Place Condominiums, located at 503 and 522 Shore Road.

Member Rein seconded.

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

Update on Covid-19

Health Agent Beebe would like to sort out, and simplify, the more recent orders from the Governor.

- The table is set with the stay at home advisory. The advisory is not a curfew, but it is an advisory that folks need to be home by 10pm and stay home until 5am. Leaving home to go to work, go to school, or for essential tasks is allowed.
- Order Number 55-Face Coverings in Public Spaces has now been updated as it is now not optional. You must have a face covering on when you are outside of the house, in public, whether you are indoors or outdoors. There is now enforcement which is more clearly spelled out for the Department of Public Health and local Boards of Health with assistance from State and local police with fines.
- There is also a shift in the exemptions. As an employer, you can require your employees to provide proof of a medical exemption. The proof doesn't need to be detailed. Schools may also require it from their students.
- Order Number 54-Limits on Gatherings is hard to simplify as there is a lot of detail in it. It hinges with the Public Health Advisory. All gatherings, no matter the size or the location, have to end and people have to disperse by 9:30pm. Exceptions are religious and political gatherings. Face coverings are required at all public gatherings. Face coverings are encouraged at private residences but only required where non household members are present in gatherings exceeding 10.
 - Social distancing/physical distancing of at least 6 feet at all events is required.
 - If holding a small party at your home, there can be no more than 10 people and if it's held outdoors you can have no more than 25 people.
 - If you are holding a party at a venue (indoors) it can be no more than 25 people.
 - An event being held outdoors is capped at 100 people, but if there will be more than 50 people attending you are to notify the Health Department.
 - Any time anyone is associated with an attendee (or worker) at an event venue with a positive test result they are required to notify the local Board of Health. They are also required to cooperate with contact tracing.
- Order Number 53-Requiring early closing for certain businesses and activities and limiting hours for alcohol. The categories in this order are restaurants, recreational facilities, indoor and outdoor event venues, fitness centers and health clubs. They must abide by a mandatory nighttime closing period which is 9:30pm. Reopening is not allowed until 5:00am the following day. This order does not apply to religious services or political demonstrations.
- Restaurants can continue to sell take-out food, but they cannot sell alcohol after 9:30pm.
- If you are at a restaurant and it's 9:00pm, you can finish your meal, but you need to be out by 10:00pm. Restaurants cannot seat anyone after 9:30pm.

Health Agent Beebe stated that Covid cases are increasing. Barnstable County picked up 11 new cases yesterday. The County's case count is 2,150 with 186 deaths. Massachusetts does a lot of testing and has the highest testing per thousand rates in the Country. Numbers are going up as we move indoors. We need to keep our interactions with folks outside as much as possible. We have to be mindful of ventilation and keeping visitations with others inside to short periods of time. Having a safe Thanksgiving comes with some takeaways;

- If you have to travel, be mindful of the Travel Order. If you're travelling to a lower-risk state, you're okay (check the status of Lower-Risk States at [mass.gov](https://www.mass.gov)). You can travel to a higher-risk state, but you then must abide by the travel restrictions on your way back in to Massachusetts (get a Covid test or quarantine for 14 days).
- If you are going to be hanging out with other people that you don't live with, be sure to wear a mask, wash your hands, and keep your distance. Try to do small groups and shorten the time with folks outside of your "family bubble". Ventilation is important and if you can move your gathering outdoors, do so.

Health Agent Beebe answered questions regarding testing in Massachusetts.

Chair Weinstein urged people to take advantage of the virtual world and that they demand that the half a million dollars for Barnstable County testing be released immediately.

Member Reed has friends in other communities in Massachusetts who are moving back in phases. She gathers these Orders are to get people to remain vigilant as numbers go up. She asked if Health Agent Beebe has heard Barnstable County (or any of the Cape and Islands) mention moving back in phases. Health Agent Beebe stated that she does know the State is changing the metrics of how they classify different communities. She can get Member Reed more information and talk offline.

Mr. Lown asked if there are guidelines from the Town or the State about how to deal with people who refuse to wear a mask when doing Town business. Health Agent Beebe continues to look at these as opportunities to educate people who are not feeling like mask-wearing applies to them. The way this new masking order is worded, there is enforcement attached to it that's tighter than it's been in the past. She thinks that public pressure is going to help. She also said that people could let the Health Department know.

Member Areson is concerned about the "mask-shaming" and yelling that some people have experienced. We don't know about someone's underlying condition. We are not the police and we have to keep that in mind. Enforcement needs to come from the people in charge of that enforcement. Health Agent Beebe agrees. She also suggested that it can be a discussion without it being a shaming discussion.

Health Agent Beebe wanted people to know that she and Health Agent Hillary Lemos from Wellfleet will be holding a session before Thanksgiving where people can call in. The discussion will most likely be focused on schools and people can ask questions.

Member Reed asked if Interim Town Manager Calise had anything to add to the discussion. Interim Town Manager Calise stated that Health Agent Beebe did a great job laying out the new orders by the State. He strongly encourages voluntary compliance and education as that's where the answer is. Resistance leads to confrontation and confrontation leads to tragedy.

Member Worthington asked if there's been any uptick in Covid in the communities of Provincetown, Truro, and Wellfleet. Health Agent Beebe is not sure of Provincetown's numbers and Wellfleet's numbers just had a bit of a bump. Wellfleet has 3 active cases and Truro has 2.

Discussion on Curb Cut Application Process

Building Commissioner Stevens laid out the process. Someone will obtain a building permit application, which includes a checklist. The last item on the checklist is a question asking if the Applicant needs a curb cut. If they check off “yes” then they proceed from there. The Building Department does their best to determine whether the Applicant needs a curb cut. If the Applicant doesn’t check off that box, the Department will ascertain whether the structure is an addition or a new structure and determine if a curb cut application would be required.

DPW Director Cabral thinks one of the problems is that when an Applicant checks off “yes” or “no” for a curb cut, they are not aware of the policy. After he spoke with Kevin Shea, and people from Ambrose, it was discovered that they weren’t aware that the curb cut application was required because there was an existing curb cut there already. He thinks that if the Building Department includes the Curb Cut Application and Policy with the Building Permit Application 100% of the time then nothing will be missed. DPW Director Cabral also added in a space for email contact information, cell phone information for contractors and homeowner, and he added in Conservation Agent Beebe as an additional person to sign off because a lot of the areas where these curb cuts are located are within her jurisdiction. Building Commissioner Stevens feels everything should go to the DPW where the Director can make the determination as to whether a curb cut is necessary or not. DPW Director Cabral is concerned about logistics. Assistant Town Manager Clark suggested using technology to streamline the process. Chair Weinstein pointed everyone to Policy Memorandum #28 which states that any application for a building permit that includes a proposed curb cut will first require an approved curb cut permit. There is no need to reinvent the wheel. There is a clear process to be followed. The Building Department has to make it clear to all applicants; if they need a curb cut then they need to follow this procedure in order to be issued a building permit.

Vacancy List for Boards/Committees and Commissions

Member Areson and Member Reed met last week with Chairs of three committees; Susan Howe of the Commission on Disabilities, Anne Greenbaum of the Planning Board, and Carol Harris of the Climate Action Committee. There were several upshots of that meeting.

- The citizen group, One Truro, had created a flyer about a year ago for openings on Boards and Commissions. Member Areson submitted a chart which is based on the work of One Truro and Anne Greenbaum. The goal is to update this chart and it is a work in progress.
- They talked about reaching out to every one of the committee Chairs to have a consistent approach to what the committee is, how often it meets, how many members, and whether there are any special requirements needed to serve. The Select Board would create an email to send to the committee Chairs to ask them to provide this information. Member Areson mentioned that clarity is needed in the Charter language.
- Member Areson noted that Member Reed and other members in the group have been working on a Policy Handbook.

Member Reed continued the discussion, stating that the objective of the unofficial group is to bridge the gap between the Town’s citizens and Board/Committee/Commission vacancies. One of the efforts of the group is to have more information on the website that is available to citizens, and to be sure the information is correct and accurate. A responsibility of the Select Board is to look at Charges for the committees and review/edit them. Member Reed has been working on a handbook which will be given to people when they are sworn in. The handbook will go over Open Meeting Law, ethics, laws related to serving on a committee, as well as details of how to set and follow an agenda. In addition to the handbook being given to new committee members, she’d like it available on the Town’s website as well. Member Reed feels that having more things on the website, accessible to people, makes things easier and will hopefully be one of the tools in the toolbox that will encourage citizens to join committees. She also included a copy of an online application to serve which is used in Eastham. It is more thorough and

asks more questions. She'd like the Board's support to authorize Interim Town Manager to direct staff to look into reaching out to Eastham to find out how much software would cost, and if the online application is something we are interested in.

Assistant Town Manager Clark stated that there would be no cost as Truro purchased the software at the same time as Eastham as part of a joint grant. Member Reed asked for the Board's support to have an online application to serve on the Town's website.

Assistant Town Manager Clark said it may be helpful to let people know if we are committed to continuing holding virtual meetings for some of these boards and committees. She suggested getting a recommendation from committee chairs as to whether they'd like to continue meeting virtually after the pandemic is over, or a recommendation that they'd like to start meeting in person. That information might help the recruitment effort. Member Reed stated that it will be up to Governor Baker to decide whether boards and committees can meet in person after the pandemic. Member Areson said that if Governor Baker does not approve virtual meetings Statewide after the pandemic, we could seek a Special Act of the Legislature (which would require Town Meeting approval). We would petition the Legislature to approve this law just for our community. The other big question which has come up a lot is, can people who don't live here full-time serve on committees (thus opening a larger pool of candidates to serve)? Chair Weinstein pointed out that on the Eastham application there is a note which states in order to be appointed to a regulatory committee the applicant must be a registered voter and they may only serve on one regulatory body at a time.

Member Rein mentioned that when looking at applicants for the Walsh Property Committee, more people were willing to join knowing that they could participate from home or another location other than Truro. She asked Member Areson if the document received was a complete listing of all the Committees. Member Areson thought it was complete but will review it. Member Rein then asked if a part-time resident could serve on an advisory committee? She would love to get an answer to that. As a liaison, one of Member Rein's committees asked if there would be an option in the future for chairs of committees and commissions to have a Town email address? Member Areson stated she was going to ask Interim Town Manager Calise or IT Director Wennerberg to pursue that, as both she and Member Reed have been asked that question as well. Member Reed said she'd asked former Town Manager Palmer about this and was told that it came down to cost, staff, and time, but she thinks it's worth looking into. Assistant Town Manager let the Board know that IT Director Wennerberg quoted the cost of email addresses as \$8.00 per address per month.

Charter Review Chair Panessiti remembers going through the section of the Charter that pertains to board and committee appointments. Section 2.10 clearly states that appointments are approved by the Select Board and if the Select Board doesn't appoint within 45 days of notification then the body itself would appoint. They can certainly go through the Charter again to see if there is anything they've missed. Member Reed asked Charter Review Chair Panessiti to look over the document she created and then go through the parts where she could benefit from more clarity. Charter Review Chair Panessiti will add it to their next agenda for review.

Consent Agenda

Member Worthington had a question regarding item B. *Cloverleaf Land Development Option Agreement Extension*. She wanted an explanation of what it was. Chair Weinstein stated the development option was issued on an annual basis and this is asking to extend that for a defined period of time. Town Counsel reviewed it and updated the extension, there was no change to the language of the option. Member Worthington asked if the option was the option to develop the land? Chair Weinstein confirmed that was correct. When the State offered the land to the community, the provision was that the land be only used for this kind of development and the option addresses that. Member Worthington thinks that anything like this should be on the agenda under *Select Board Action*. Member

Reed agrees, but is reluctant to table the item, she doesn't want to obstruct it if it's time sensitive. Interim Town Manager Calise stated that back a few weeks ago the Board asked him to seek an extension on the option agreement since it was expiring at the end of the year. Member Worthington asked if this was something that would have to be repeatedly upped, and the reason why? Chair Weinstein said that the original agreement had an expiration date of May 6, 2020 and this extension would run this agreement from December 31, 2020 to December 31, 2021. The Land Development Agreement that was originally dated in 2019 was an agreement between the Town and the Developer. The agreement was entered into with the unanimous consent of the Select Board between the Developer and the Town. This is asking that the agreement be extended to a calendar date certain. Assistant Town Manager Clark stated that the reason for this is Covid related. Hearings had to be postponed and the ZBA process got pushed back. Member Areson said that the reason for extending the deadline is because the Developer doesn't have the Comprehensive Permit. She does agree with Member Worthington and thinks that any time anything related to the Cloverleaf comes up it should be a separate agenda item.

Member Areson stated she had some corrections on the minutes.

Member Reed made a motion to approve the consent agenda as printed with Member Areson's corrections on the minutes of August 25, 2020.

Member Areson seconded.

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

Select Board Reports/Comments

Member Reed wished to extend her deepest sympathies to Assistant Town Manager Clark and the Sullivan Family for the passing of Kathleen Sullivan. Chair Weinstein added that Kathleen was a valued member of the Town operations and became a friend to many.

Member Areson wished to mention that the Town Moderator has appointed Steven Roderick to the Finance Committee.

Member Rein wished to thank the DPW and DPW Director Cabral for leaving the trash receptacles at some of the local beaches, as requested at a recent Board meeting. She has seen people using them at Ballston Beach.

Town Manager Report

Interim Town Manager Calise stated that all Department Heads received their budget packets on November 6, 2020.

Next Meeting Agenda: November 17

Interim Town Manager Calise reviewed the proposed agenda.

Member Reed made a motion to adjourn at 7:23pm.

Member Areson seconded.

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

Respectfully Submitted,

Noelle L. Scoullar, Executive Assistant

Acting Town Manager, Jamie Calise
Under the Authority of the Truro Select Board

Public Records material of 11.10.2020

1. Application to Serve-Christine Meade
2. Application to Serve-Nancy Medoff
3. Application to Serve-Ann Courtney
4. Application for year-round condominium conversion for 503 and 522 Shore Road-Sutton Place Condominium
5. Order #53
6. Order #54
7. Order #55
8. Stay at Home Advisory
9. Select Board Policy #28-Application for Curb Cut
10. Town of Eastham Volunteer Application
11. Town of Truro Listing of Town Officials, Boards and Committees
12. Curb Cut Application for 9 Mill Pond Road
13. Memorandum by DPW Director Cabral
14. Curb Cut Application for 126 Old County Road
15. MESA determination letter
16. Applicant Letter
17. Site Plan
18. Application to Serve-Eliza Harned
19. Amendment No. 2 to Land Development Option Agreement
20. Memorandum from Alice Boyd, Grant Administrator
21. Truro Subordination Agreement Letter
22. Select Board Minutes of August 25, 2020