

## Select Board Meeting Minutes

December 10, 2024, Meeting (Hybrid)

Via Zoom Platform

Select Board Members Present: Sue Areson-Chair; Robert Weinstein-Vice Chair; Nancy Medoff-Clerk; Sue Girad-Irwin-Member; Stephanie Rein-Member.

Others Present: Darrin Tangeman-Town Manager; Kelly Clark-Assistant-Assistant Town Manager; Jarrod Cabral (DPW Director); Roberta Kane Lema (Truro Resident); Dennis O'Brien(Truro Resident); Mike Forgione(Truro Resident); Nora Bates (Office Assistant-Building Health and Conservation); Todd Schwebel (Recreation Advisory Committee); Jonathan Snow(Bike and Walkways Committee); Lili Flanders (Climate Action Committee); Brian Massa(HRP Associate); Paul Millett (Senior Principal Environmental Partners); Wes Stinson-(Environmental Partners employee) Michael Cohen (Ad Hoc Building Committee)

### **PUBLIC COMMENT**

Chair Areson recognized the following individuals who commented on various topics not on the agenda in accordance with the Open Meeting Law: Roberta Kane Lima discusses Snows Landing and asked if a survey of the land had been conducted by the Town of Truro; Dennis O'Brien voiced his concern around the Ad Hoc Building Committee involvement with construction of a new DPW building; Mike Forgione voiced his concern regarding the towns approach to capital planning.

### **PUBLIC HEARINGS**

None

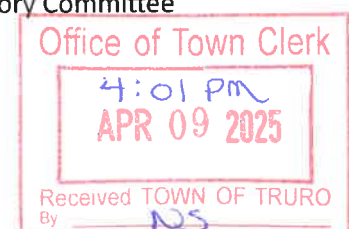
### **INTRODUCTION TO NEW EMPLOYEES**

A. Introduction of Office Assistant to the Building Health and Conservation: Nora Bates

Emily Beebe introduced Nora Bates to the Members as the new Office Assistant to Building Health and Conservation. Nora thanked the Town of Truro for the opportunity to serve the community and the Members welcomed Nora to the community.

### **BOARD/COMMITTEE/COMMISSION APPOINTMENTS**

A. Interview and Possible Appointment: Todd Schwebel-Recreation Advisory Committee



Chair Sue Areson announced that two committees have vacancies that need to be filled to provide a quorum. Chair Areson led the interview with Todd Schwebel who appeared in-person.

**Member Weinstein makes a motion to appoint Todd Schwebel Recreation Advisory Committee for a 3-year term expiring June 30, 2027.**

**Clerk Nancy seconded the motion.**

**Roll Call Vote:**

**Vice Chair - Weinstein**

**Member Rein – Aye**

**Clerk Nancy – Aye**

**Member Sue - Aye**

**Chair Areson – Aye**

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

**B. Interview and Possible Appointment: Jonathan Snow-Bike and Walkways Committee**

Chair Areson led the interview with Mr. Snow who appeared via zoom.

**Sue makes a motion to appoint Jonathan Snow to the Bike and Walkways Committee for a three-year term expiring June 30, 2027.**

**Member Weinstein seconded the motion.**

**Roll Call Vote:**

**Vice Chair - Weinstein**

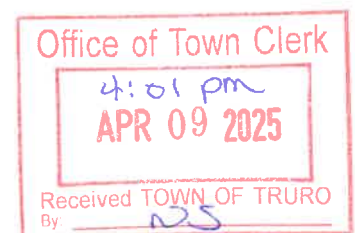
**Member Rein – Aye**

**Clerk Nancy – Aye**

**Member Sue - Aye**

**Chair Areson – Aye**

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



**STAFF/COMMITTEE UPDATES**

**A. Climate Action Committee Quarterly Report; Presenter: Lili Flanders-Chair of the Truro Climate Action Committee**

Lili provides an update on the committee's recent activities, explaining why quarterly reports have not been issued for over a year. She notes that the committee faced significant challenges, including Carol Harris's illness and eventual passing, which deeply affected the committee's members. Additionally, the

committee struggled to form a quorum for several months. However, Lili shares positive news that two new members have joined the committee, and work is now progressing.

Despite these setbacks, the committee made notable accomplishments during 2023/2024. Key achievements include the successful recruitment of a Climate Action Coordinator, who has accepted the position and is scheduled to begin in January. Alex Limpaecher also conducted a review of the Climate Action Plan, consolidating data to support future implementation efforts. The committee continues to engage the community through its monthly educational series at the Truro Library and regular contributions to *Truro Talks*.

The committee successfully organized its inaugural Truro Earth Day event at the library, designed to engage children and foster awareness of climate action among the younger generation. Additionally, the committee has experienced a growing collaboration with the Energy Committee, with both groups acknowledging the importance of working together to achieve common objectives. Furthermore, a grant application for the Municipal Vulnerability Preparedness (MVP) program was submitted to support the development of resilience hubs and a solar microgrid. Although the funding request was not granted, the committee received constructive feedback and plans to reapply in 2025 in collaboration with Provincetown.

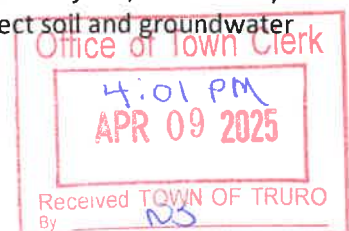
Additionally, the committee is collaborating with the Energy Committee on an application for the "Green Leader" status for the Town of Truro, which would enhance the town's eligibility for future grants. In the coming year, the committee aims to organize a climate summit with the Energy Committee, further strengthening the partnership between the two groups.

The committee has also made strides in working with Truro Central School, connecting the school with the Massachusetts Clean Energy Center (MassCEC) Accelerating Clean Transportation advisory team. The school is currently exploring options for electric vehicle fleets, helping to reduce the town's overall carbon footprint. Alex Limpaecher will also be tracking the greenhouse gas inventory for the Town of Truro to monitor progress on emissions reductions.

Looking ahead, an educational event featuring speaker Laura Kelly is scheduled for Thursday, December 12th, at 6 p.m. at the Truro Library. Kelly, the owner of Littlefield Landscapes in Eastham and a dedicated advocate for protecting the Cape Cod aquifer, will discuss pesticide-free gardening and landscaping. Kelly has also worked with several Cape Cod towns to secure Home Rule petitions aimed at reducing pesticide and fertilizer use. The committee hopes Truro will consider adopting similar regulations to protect the town's environment. Additionally, Kelly will attend the Select Board meeting on the 20th to discuss the Home Rule petitions concerning pesticides and fertilizers.

- B. Update on phase 2 Environmental Study at the current public works facility; Presenters: Jarrod Cabral-DPW and Brian Massa-HRP Associates.

Brian Massa, a licensed site professional, is overseeing an environmental investigation into a town-owned parcel of land to assess potential environmental concerns. The investigation included the use of ground-penetrating radar and electromagnetic surveys to detect buried metallic objects, followed by targeted test pits, soil borings, and the installation of monitoring wells to collect soil and groundwater samples for analysis.



The investigation focused on several areas of concern: septic systems, equipment storage, a former building site, petroleum storage, and an area containing street sweepings, where there were concerns about PFAS (per- and polyfluoroalkyl substances) contamination. Initial findings revealed significant buried debris, including a 275-gallon oil tank and drums, prompting an immediate response to remove these materials. Approximately 50 tons of petroleum-contaminated soil were removed, and monitoring wells were installed.

#### **Ongoing PFAS Investigation:**

1. **Soil PFAS Findings:** Soil samples were analyzed for PFAS, with certain areas—particularly behind Jarrod's office—showing exceedances of regulatory standards. These exceedances are likely due to street sweepings used as fill material. The full extent of contamination, both horizontally and vertically, is still being determined, and additional testing is required to completely delineate the contamination.
2. **Groundwater PFAS Findings:** Groundwater testing revealed one detection exceeding regulatory standards at monitoring well MW-3. However, PFAS was not found in the soil at this location. The investigation is ongoing to determine whether the groundwater contamination is related to the site or from an off-site source. To aid in this investigation, additional monitoring wells have been installed.
3. **Next Steps:** The petroleum-related portion of the site has been addressed, but the PFAS soil and groundwater investigations are ongoing. Further monitoring and sampling are being conducted to assess the full extent of contamination and to determine its origin. Groundwater flow direction is also being studied to understand how the contamination may be spreading. The team aims to complete the groundwater analysis by the end of January, though access to neighboring properties may still be pending.

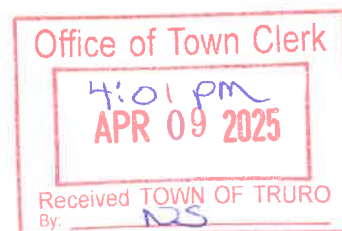
#### **Challenges with Access:**

Access to neighboring properties for PFAS testing has been challenging, with some property owners agreeing to testing while others have not responded to the request. The team is hopeful that MassDEP (Massachusetts Department of Environmental Protection) can assist if necessary. Additionally, the team is testing for a broad range of PFAS substances, not just the regulated ones, to help identify contamination sources.

#### **Additional Updates:**

Regarding a former police station site, tests on a nearby drinking water well showed PFAS levels below regulatory limits, and tests on nearby soil and groundwater revealed no concerning levels of other contaminants. Given that other contaminants have not exceeded regulatory thresholds, the team is currently focusing on PFAS.

As for the property adjacent to the DPW site where PFAS contamination was found, if the property owner refuses access, MassDEP may intervene. However, the team hopes to resolve this issue amicably, believing that further testing may confirm that the contamination does not extend significantly beyond the DPW site.



## Resident Notification and Water Sampling:

Jarrold mentioned that when PFAS contamination is detected, the Massachusetts DEP requires notifications to be sent to residents within 500 feet of the affected area, encouraging them to test their water. The Conservation Department, led by Emily's team, is managing these notifications and coordinating water sampling from 22 homes. Additional sampling, as requested by DEP, is underway to ensure that nearby residences are not impacted by PFAS contamination, particularly if it is linked to the town's groundwater. The team continues to fill in data gaps and plans further testing of properties within 500 feet of the site.

- C. Update with Public Works Facility Owner's Project Manager, Environmental Partners; Presenters: Jarrold Cabral-DPW Director, Paul Millett-Project Manager EP, Wes Stinson-EP employee

Paul Millett provided an update on the Department of Public Works (DPW) building project, outlining the cost estimates. The initial cost estimate started at \$800 per square foot, with the building expected to span between 20,000 and 21,000 square feet. Several factors were included in the estimate: the "Outer Cape Premium" for construction at this location, energy efficiency requirements, and inflation adjustments. The hard costs (construction costs) were estimated at \$22.2 million. When factoring in soft costs—such as architectural and engineering fees, equipment, and fixtures—the total estimate rose to \$29.2 million.

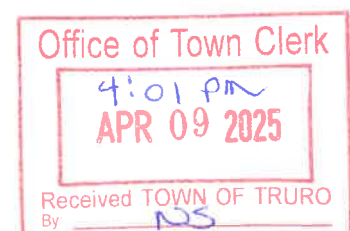
Millett compared these figures to previous estimates, including one from Yarmouth, which came in lower due to bidding that occurred before the COVID-19 pandemic. He also reviewed the DPW Study Group's estimate for a similar project, which was initially lower but failed to account for key factors like energy efficiency premiums and inflation. After adjusting for these, the new estimate for a 32,000 square foot building came to around \$26 million. Environmental remediation costs were not included, as these vary depending on the site.

The main takeaway is that the total project cost is expected to fall between \$25 million and \$30 million, factoring in various construction and design requirements. Millett emphasized the need for further work to refine the design and to compare the site options more accurately.

Darrin Tangeman shared that Tony Garrett is working on a revised plan for the DPW Study Group, aiming to reduce the building's size from 32,000 square feet to 21,000 square feet. This will require additional analysis of both cost and layout.

Robert Weinstein raised logistical concerns about phased construction, especially with the need to keep the DPW and Town Hall operational while the existing site undergoes construction. Millett responded that careful sequencing and phasing would be crucial to maintaining operations during the construction process. However, he noted that the architectural work provided by the Independent Study Group still needs further development to create a detailed plan.

Weinstein also asked when Millett would be able to provide an "apples to apples" comparison between the existing site at Town Hall and 340 Route 6. Millett explained that environmental information on the Route 6 site is currently unavailable, and further testing is needed before such a comparison can be made.



Nancy Medoff and Sue Girard-Irwin point out that the Ad Hoc Building Committee and study group are both involved in the DPW building project and express concerns that their on-going refinements need to have a deadline to ensure the project moves forward. There are ongoing discussions about who should be leading the effort, with some advocating for a more streamlined decision-making approach. The goal is to have a clearer plan and cost estimate within the next 30 to 60 days, with the hope of making a recommendation to the Select Board ahead of the next town meeting.

Nancy Medoff suggests setting a firm deadline for the Ad Hoc Building Committee to provide their recommendations, ensuring that the process moves forward efficiently. Darrin Tangeman suggests having this discussion as an agenda item at a future Ad Hoc Committee meeting. Jarrod Cabral confirms this could be placed on the agenda for the AHBC meeting taking place on 12/26/24.

Michael Cohen, Chair of the Ad Hoc Building Committee, is recognized and asks for clarification on cost differences between using steel, wood, or hybrid materials for the building. Millett explains that the cost differences between these options are relatively small, around 2% to 5%. Cohen also mentions he supports the idea of setting a deadline for the Ad Hoc Building Committee.

#### TABLED ITEMS

None

#### SELECT BOARD ACTION



- A. Vote to Approve, and Execute Where Applicable, Documents for the Cloverleaf Project;  
Presenter: Katherine Klein-Town Counsel, KP Law

#### **Key Documents Discussed:**

1. **Extension of Performance Covenant:** The town had an agreement with MassDOT to complete part of the project by September 2024. However, MassDOT granted an extension until the end of 2025, allowing the project more time to complete certain elements, with the expectation that the necessary parts will be completed soon within this timeframe.
2. **Memorandum of Understanding (MOU):** This document outlines the relationship between the developer and its affiliates. The applicant under the comprehensive permit is not the same entity that is developing the project.
3. **Ground Lease:** The town is leasing the Cloverleaf property to the developer. The lease sets out the town's minimal obligations, such as plowing and sanding the road. The developer will be responsible for constructing, developing, operating, and maintaining the project and its infrastructure.
4. **Assignment and Assumption of Ground Lease:** This document allows one of the developer's affiliates to assign its rights under the lease to another affiliate, requiring town approval.
5. **Master Lease Agreement:** The town is set to lease two units within the development of employee housing for a period of 15 years. The rent for these two units was agreed upon at \$2,750 per month, totaling \$66,000 per year. This agreement also included a change in the rent escalator, now tied to the Consumer Price Index (CPI) instead of other factors. The initial rent



amount is based on projected future market conditions in 2026, and it aligns closely with the IRS Fair Market Rent for employee housing.

6. **Notice of Master Lease:** This document is also tied to the master lease agreement and will be recorded at the Registry of Deeds, but it will not be signed until the development is completed. This notice solidifies the lease of the two units for town use.

#### **Key Discussions:**

- **Rent and Escalator:** The initial monthly rent for the employee housing units was set at \$2,750, based on projected future rates for 2026. Concerns were raised about whether the rent would align with current or future market rates. After discussion, it was confirmed that this amount would closely match the IRS Fair Market Rent for 2025 and 2026. Additionally, the rent escalator will now be tied to the CPI, which will provide more stability compared to other fluctuating indices.
- **Documents Not Voted On:** The meeting clarified that three documents— the Tax Credit Regulatory Agreement, the Affordable Housing Restriction, and the Local Regulatory and Use Agreement— would not be voted on that evening. These will be addressed in a future meeting.

**Member Rein makes a motion to approve, and execute where applicable, documents for the Cloverleaf Project, at 22 Highland Road, including, but not limited to: Extension of Performance of Covenant; Memorandum of Understanding; Ground Lease; Notice of Ground Lease; Assignment and Assumption of Ground Lease; Notice of Assignment and Assumption of Ground Lease; Grant Agreement; Master Lease Agreement (Town of Truro Units) and to authorize the Town Manager and his designees and Town Counsel to make any immaterial changes to the documents required.**

The motion was amended to reflect this change (removing the grant agreement and adding the notice of the master lease agreement).

**Weinstein seconds the motion.**

**Roll Call Vote:**

**Vice Chair - Weinstein**

**Member Rein – Aye**

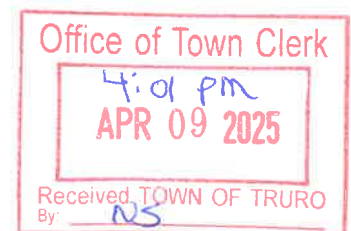
**Clerk Nancy – Aye**

**Member Sue - Aye**

**Chair Areson – Aye**

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

- B. Review and Approval of Municipal Solid Waste Agreement with Reworld SEMASS; Presenter: Jared Cabral-DPW Director.



DPW Director Cabral explains the updated contracts with SEMASS(now Reworld) regarding waste disposal and the Town of Truro. They reached a compromise on the tonnage fee, with a cap of 4% increase annually, based on a CPI index. This agreement allows for a 5-year renewal option in 2030.

**Clerk Medoff makes a motion to approve Amendment 1 to the Municipal Solid Waste Disposal Agreement with Reworld SEMASS and to authorize the chair of the Select Board to sign electronically.**

**Chair Areson seconds the motion.**

**Roll Call Vote:**

**Vice Chair - Weinstein**

**Member Rein – Aye**

**Clerk Nancy – Aye**

**Member Sue - Aye**

**Chair Areson – Aye**

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

**C. Discussion on Water/Wastewater Resources as part of Land Use and Development in Truro**

**Presenter: Chair Medoff, Select Board Clerk & Provincetown Water & Sewer Board Representative**

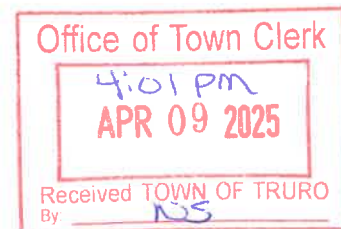
**Key Discussion Points:**

**1. Water and Sewer Capacity Concerns:**

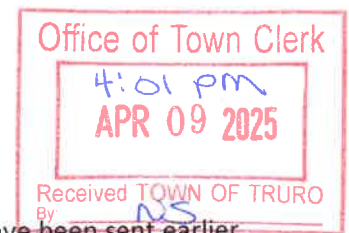
- The town of Truro is in discussions with Provincetown regarding the allocation of water and sewer capacity for the Walsh Housing project. The project is designed to build a combination of residential units, but Truro's available water capacity is a major limiting factor.
- A significant concern is that the first phase of the project, initially envisioned to support 50 to 80 units, might only be able to accommodate a smaller number due to current water and sewer capacity constraints. Additional capacity is needed for the first phase and for the next phase, which would bring the maximum numbers of units to 160.

**2. The Process for Requesting Water Capacity:**

- The participants discussed the need for a formal letter or request to Provincetown's water and sewer board to allocate water capacity for the project. Darrin Tangeman claims there is no prescribed method for requesting water resources outlined in the relevant agreements (IMA – Inter-Municipal Agreement).







### 3. Issues with Timeliness and Delays:

Clerk Medoff expressed her frustration pointing out a brief, one-page letter could have been sent earlier to Provincetown to ensure the project moved forward, though she also recognized that the situation is more complicated than a single letter.

Member Girard-Irwin echoes Clerk Medoff's frustration citing 2019 communications between previous Town Hall employees regarding water extensions in Truro for "Cloverleaf." These 2019 communications utilized a form titled "The Truro Water Service Application for New and Expansion of Existing Water Service" which was part of the formal process to deal with similar issues.

A brief exchange of views followed. Town Manager Tangeman explained that he felt some board members were directing criticism at his staff. In response, Clerk Medoff clarified, stating, "Nobody ever suggested that staff is not doing their job," a point she reiterated several times during the discussion. Tension escalated as Clerk Medoff asserted that she had tried to reach out to Town Manager Tangeman previously to address these issues but had been unsuccessful. Town Manager Tangeman countered, stating that he had also been unable to make contact with Clerk Medoff.

Chair Areson asks individuals to calm down and called Jeff Fischer (Chair of Walsh Community) to speak. Mr. Fischer announces he is sharing private thoughts that don't represent the committee.

Mr. Fischer requests that members approach future discussions with Provincetown while considering Truro's water limitations. Additionally, he advises advocating for the maximum amount of available water for the Walsh property from Provincetown, ensuring negotiations align with the Phase 1 requirements. This will help guarantee that sufficient water is available when construction begins.

Furthermore, members should consider the future water needs of towns and be prepared to raise these concerns with Provincetown as they plan the development of a new well.

### SELECT BOARD REPORTS/COMMENTS

#### A. Select Board Reports

Member Weinstein asks if anyone knows the person who is now the representative to the Metropolitan Planning Organization. He raises concerns about the ongoing roadwork and its potential impact on public safety, particularly in relation to emergency response times in Wellfleet due to current construction projects. Weinstein suggests inviting the current representative to a board meeting to address these concerns and provide further clarification.

Member Rein invites members of the public to attend the next Recreation Advisory Board meeting on January 13, 2025, where the committee will be reviewing and updating its goals. Member Rein also asks that a quarterly report from the Ad Hoc Walsh Property Advisory Committee be added to the agenda on 2/11/2025 if possible.

Clerk Medoff praises the Zoning Task Force for their outstanding work and acknowledges the effective communication between the chair of the Walsh Planning Committee and the chair of the Zoning Task Force. She anticipates receiving an updated report soon. Town staff, along with various experts, are

collaborating on the Water Communication Plan and will be meeting twice a month. Currently, their efforts are focused on centralizing existing water resources into a spreadsheet and determining the most effective way to present their findings to the public. A public survey and forum regarding the Water Communication Plan are in development, with a timeline to be established. The team working on this initiative includes DPW Director Cabral, Assistant Health/Conservation Agent Warren, Communications and Marketing Coordinator Riconda, Health Agent Beebe, Town Planner Carboni, Housing Coordinator Halvorsen, Assistant Town Manager Clark, and Town Manager Tangeman.

Member Girard-Irwin mentions the School committee is working on their budget/goals and , a follow up report from the Ad Hoc Building Committee will occur after their next meeting on Thursday, process on rescheduling the chairs round table discussion group and are looking at dates in January, likely to be following agenda meeting log, select board hours will be on Friday the 13<sup>th</sup> from 10:30-11:30am at the Community Center.

Chair Areson announces that the Part-Time Resident and Advisory Committee will present a report regarding their "Kudos and Complaints Form." Over 100 responses, compiled by Communications and Marketing Coordinator Riconda, have been gathered, and Chair Areson requests that this compilation, which includes numerous positive comments, be added to the committee's webpage. Chair Areson also suggests that the Board begin discussions in January about the upcoming Town Meeting and the potential for implementing electronic voting.

Member Rein announces the next Select Board Meeting will start at 5:30pm rather than its normal meeting time of 5pm.

Chair Areson reminds the public that following the next Select Board Meeting, the Select Board will not be meeting for a month.

### **TOWN MANAGER REPORT**

Town Manager Tangeman – No Comment.

### **CONSENT AGENDA**

Chair Areson makes a motion to approve the Consent Agenda as printed in our packet.

Vice Chair Weinstein seconds the motion.

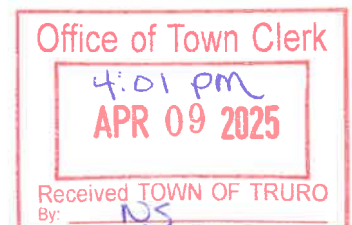
Roll Call Vote:

Vice Chair – Weinstein - Aye

Member Rein – Aye

Clerk Medoff – Aye

Member Girard-Irwin - Aye



Chair Areson – Aye

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

Clerk Medoff makes a motion to adjourn.

Chair Areson seconds the motion.

Roll Call Vote:

Vice Chair – Weinstein - Aye

Member Rein – Aye

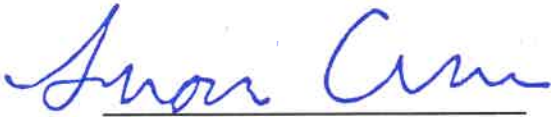
Clerk Medoff – Aye

Member Girard-Irwin - Aye

Chair Areson – Aye

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

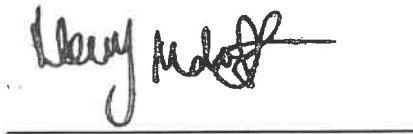
Respectfully, Austin Smith



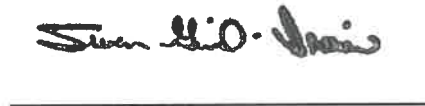
Susan Areson-Chair



Robert Weinstein-Vice Chair



Nancy Medoff-Clerk



Susan Girard-Irwin-Member



Stephanie Rein-Member

