



AD HOC BUILDING COMMITTEE - FOR THE FUTURE PUBLIC WORKS FACILITY

Minutes 11/7/2024 4:30PM ET

Meeting Minutes for the Ad Hoc Building Committee (AHBC) Remote Meeting November 7, 2024

The meeting was called to order at 4:32pm by Co-Chair Bob Higgins-Steele.

A quorum of committee members was present:

Co-Chair Bob Higgins Steele, Members Anthony Garrett, Leif Hamnquist, Anastasia Song and Alternate Bob Panessiti.

Other attendees: Select Board Liaison Bob Weinstein, Select Board Chair Susan Areson (representing herself only), Town Manager Darrin Tangeman, Town Counselor John Giorgio, and members of the public.

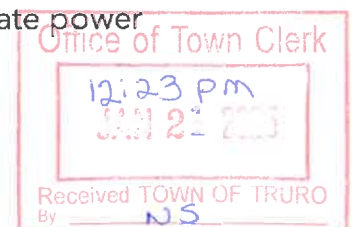
Agenda Item #1: Notetaker & Administrative

The committee discussed logistics for the meeting, including note-taking responsibilities and the availability of the recording and AI-generated summary. Per previous agreement, it was determined that Anastasia Song would take minutes of this meeting, and thereafter this duty would rotate among committee members.

Co-Chair Bob Higgins-Steele conducted a roll call and noted that town attorney John Giorgio was in attendance and available to answer questions.

Agenda Item #2: Public Comment

Mr. Higgins-Steel commented that in the May 2024 Town Meeting ("Town Meeting") voters elected to preclude the 340 Route 6 site ("340/6") from eligibility for expenditures from funds appropriated at this meeting.. He also noted that the AHBC is charged by the Select Board ("SB") but the SB itself has ultimate power



over use of town properties.

Agenda Item #3: Approve Meeting Minutes

It was noted that the minutes of October 24, 2024 meeting had not been circulated to all committee members, and so approval was deferred until the next committee meeting.

Agenda Item #4: Staff/member update

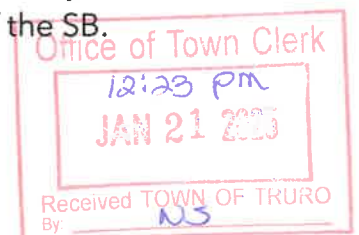
Mr. Higgins-Steele noted that DPW Director Jarrod Cabral was not in attendance and so this item would be passed over for this meeting.

Agenda Item #5: Clarify/Discuss the 4 locations referenced in the Owners Project Manager Contract

Mr. Higgins-Steele opened the floor for public comments but first indicated the Co-Chairs (himself and Mr. Cohen) were aware that pursuant to the Town Meeting no funds for engineering were authorized for the potential DPW site at 340/6. He said the town had spoken.

Michale Forgione, town resident, expressed concern regarding prudence of expenditures given a "Catch-22". Positing that a definitive site selection must precede any design process, he questioned how design could proceed with potentially multiple sites under consideration pursuant to the tasks outlined in the OPM contract signed by the Town of Truro, and further given the funding restrictions stipulated at Town Meeting.

Town Counsellor John Giorgio noted \$2.8 million was appropriated for Article 13 as amended, precluding use of funds for 340/6. This was passed by the required 2/3 vote as proposed funding would be debt financed. Mr. Giorgio reaffirmed the funds may only be used exclusively to examine a potential DPW facility at Town Hall Hill ("THH"). Mr. Giorgio opined that the restriction was limited to the appropriation of funds; 340/6 could be studied if and only if funded from an alternative source, e.g., the general operating budget of the town. As a general principle, any town meeting's actions are limited to appropriation of money; town meetings cannot mandate spending, which is an executive function of the SB.



Town Manager Darrin Tangeman asked if private donations may be used to as an alternative funding source to study 340/6, and Mr. Giorgio confirmed.

Anthony Garrett asked Mr. Giorgio to confirm his understanding that the \$2.8 million appropriation from Town Meeting could not be used for study of 340 Rt. 6; and further given the funding restrictions, would Truro's contract with the Owner's Project Manager ("OPM") need to be amended. And if not, would the contract be open to challenge from other bidders for the contract?

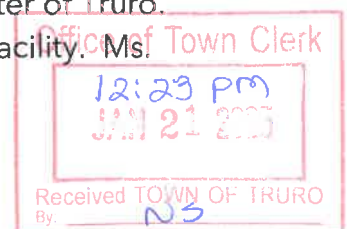
Mr. Giorgio confirmed Mr. Garrett's understanding and reiterated that alternative funding sources could be used, but somewhere in the contract itself there should be reference to segregation of amounts being funded via Article 13 and amounts funded by other sources. Mr. Giorgio noted that it is not uncommon for a town to utilize more than one funding source for a project.

Bob Panessiti noted that the issue of how a town contract would be paid is not especially relevant - when the town enters a contract it has an obligation to pay. Mr. Giorgio concurred but again stipulated that clear identification of funding sources was important for clarity and integrity of the record.

Bob Weinstein commented that many items were being conflated. Mr. Weinstein stated his believe that the voters of Truro mistakenly believe that Town Meeting vote categorically precludes examination of 340/6 and asserted that Mr. Giorgio's comments substantiated this. Mr. Weinstein indicated that the solicitation process for Truro OPM defined scope that included examination of multiple sites , and further, a review of study materials dating back to 2017. Mr. Weinstein also noted that an earlier SB had voted unanimously to support development of a DPW facility at 340/6.

Laurie Lee, Truro resident and voter spoke. Ms. Lee commented that at Town Meeting voters approved \$2.8 mil and the site at THH. She noted that legal technicalities aside, what was presented at Town Meeting was a joint package of funding and THH site. She noted that 600-700 voters turned out for the Town Meeting vote, indicating the strength of town sentiment around these issues. Ms. Lee asserted that voters were not confused or mislead. Ms. Lee submitted written materials into the record comprising an email to the AHBC dated 11.5.2024 and a prior letter to the SB dated 11.1.2024 (both attached).

SB Chair Susan Areson spoke in her capacity as private citizen and voter of Truro. She confirmed SB has the authority to unilaterally locate a new DPW facility. Ms.



Areson indicated that she heard loud and clear that town voters wanted to pursue the THH site, and this is the site she wishes to focus on. She feels it a waste of resources to direct the OPM to revisit volumes of older materials. The AHBC should focus with OPM on THH site design and development and bring it back to the public for vote. Ms. Areson further addressed an earlier comment that a previous SB had unanimously voted to approve a DPW facility at 340/6. She clarified that that SB vote was subject to a town vote and that the Town Vote was clear in rejecting 340/6. She further noted that the composition of the SB has changed significantly in the interim.

Ms. Areson noted that once the AHBC and OPM develop a recommendation, the OPM should also assess whether the proposed design might be better suited to a different site for, say, lower cost. She suggested it is premature to review alternative sites at the current juncture. Ms. Areson noted that there would be a discussion at SB meeting on 11/12/2024 for the simply for the purpose of airing viewpoints.

Mr. Forgione noted that despite comments throughout this meeting, the "Catch 22" he cited earlier was still not resolved. He queried whether location is a critical factor in design - which was still an open item.

Mr. Higgins-Steele suggested the ABHC architects provide their viewpoints. Mr. Hamnquist and Mr. Garrett as architects opined that in fact site selection was essential for any design process.

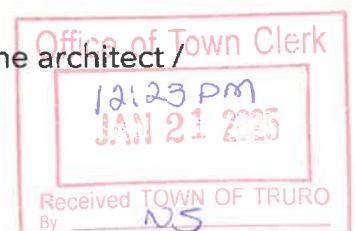
Mr. Higgins-Steel asked the AHBC for comments and direction.

Ms. Song expressed concern with the lengthy 7-year process and large expenditure that has already been undertaken in this effort. She questioned the prudence of reopening evaluation of multiple sites with the OPM and urged the town executives to consider expediting the process with their executive authority.

Mr. Panisseti commented that municipal processes are long and frustrating but part of municipal requirements.

Town resident and voter Denis O'Neill concurred with Ms. Song's comments and suggested the SB should move the process forward expeditiously.

Mr. Higgins-Steele summarized that THH is the preferred site, what the architect /



engineer will design for, and what the OPM will audit and verify. However, he indicated that other doors should be left open. If there were to be another site meriting investigation, that might be pursued as long as funding came from legal/appropriate sources. Mr. Higgins-Steele also noted that the OPM contract allows for investigation of four sights, though it seems that sentiment is directed to only two sites - THH and 340/6. He asked for viewpoints.

Mr Weinstein noted that it would be irresponsible for the SB or finance committee to fail to examine the four sites stipulated in the OPM contract. He noted issues have arisen at THH, e.g., P-FAS and suggested there might be upward of \$1.5 million remediation costs. Mr. Weinstein suggested that the Truro community was being misdirected through concerted misinformation and even felonious efforts by various Truro organizations and individuals.

Mr. Higgins-Steele then recognized Chris Lucy.

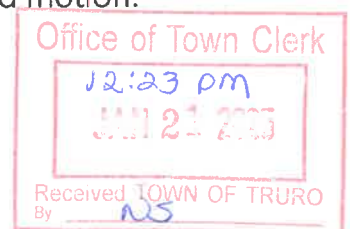
Mr. Lucy stated that 340/6 remains on the table and reiterated that it was approved by an earlier SB. He suggested that SB should let OPM review all sites, otherwise there would be difficulty at the future town meeting that will vote on this in the future without comparative reference. Mr. Lucy cited high remediation costs at THH.

Mr. Higgins-Steele commented that the committee has been exhaustively repeating the same arguments for months and he just wishes that these matters move forward. He reiterated that for now, everything was being kept on the table.

Mr. Garrett expressed frustration with earlier meeting comments directed at him and certain Truro groups but indicated his desire to move the process forward. He suggested the group focus for now on developing a concept plan for THH but not preclude other explorations and he proposed to make motion.

Mr. Panisseti expressed concern of AHBC over-reach, stating AHBC was not authorized to direct the OPM and no motion required or appropriate. He suggested moving forward on THH while OPM does its work and reaches its conclusions.

Mr. Garrett offered to volunteer his time as he had in the past, and offered wording for a motion to clarify intent of ABHC moving forward. His proposed motion:



I move that we not preclude the other sites but that for the near future we concentrate on coming up with a concept plan with input by the OPM and the members of the board for Town Hall Hill.

Further discussion ensued regarding wording and/or need for a motion. Mr. Garrett expressed desire for clarity of direction to avoid repetition of arguments made repeatedly over previous months.

Mr. Hamnquist expressed his view that no motion necessary. He further expressed his personal preference for 340/6 site but added that his personal preference was not relevant. He concurred with moving forward with THH site. If other funds were available for investigation of other sites, AHBC could then review findings. For now, focus on spending funds allocated for OPM on THH site now.

Agenda Items #6 Update Open Action Items and Agenda Item #7 New

Business: Passed over as there were no items to discuss.

Agenda Item #8: Confirm Next Meeting Date

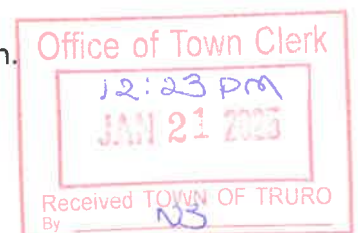
Mr. Higgins-Steele asked for clarification on communication protocols within the AHBC pursuant to the Massachusetts Open Meetings Law. Mr. Giorgio stated that with a 5 person committee, communications between any 3 involving deliberations constituted quorum and a violation. However, strictly ministerial items such as scheduling matters were permitted.

Mr. Higgins-Steele recommended the committee re-convene in two weeks on November 21, 2024. This date was accepted unanimously.

Ms. Song inquired if there would be any interim updates or reports from the OPM ahead of that meeting. Committee discussion ensued over what such interim reporting might constitute. It was agreed that for purposes of streamlining and efficiency, Committee members would forward questions for the OPM as well as any proposed agenda items for 11/21/2024 meeting to Co-Chairs Higgins-Steele and Cohen in advance and they would coordinate obtaining responses from Mr. Cabral and the OPM. OPM would attend the next meeting.

Agenda Item #: Adjourn

A motion was made and seconded and the meeting adjourn at 6:15pm.



Respectfully submitted,

Anastasia Song



1/20/25

