

The DPW Facility project has been progressing with a motivated and skilled Adhoc Building Committee. The voters spoke and we have secured funding for the design, and an Owner Project Manager (OPM) who needs to move this forward, has been selected. Everything seemed on track for the design and construction cost estimates to be available for the FY2026 Annual Town Meeting. The OPM contract was presented to the Select Board for approval on October 22, 2024, as a routine matter. This contract was far from routine. This contract takes the DPW project out of the Design Phase and back into the Requirements/Site Selection Phase.

## Background

### Town Meeting:

On Saturday May 4, 2024 the Town's Special Town meeting was held. We had 647 voters, the largest turnout for Truro. The Voters were presented with 4 DPW Articles relating to Funding and Site Selection. ALL articles were soundly rejected. Article 13 in the Annual Town meeting was amended to:

*“...the motion to amend is I move that the town appropriate the sum of \$2,831,000 or any other sum to pay costs of Engineering and related services for a new Department of Public Works facility, predominantly at the Town Hall Rd site, excluding the 340 Route 6 site...”*

This Article passed at Town Meeting – no counting of votes necessary and passed at the ballot. The Town Meeting vote was explicit- the New DPW Facility was to be built predominately at Town Hall Rd and the 340 Rt 6 was to be excluded.

Article 13 was a path forward to begin the Design, hiring an OPM and being ready for FY2026 Town Meeting to discuss and hopefully approve an article to Fund a much-needed DPW building.

### OPM Contract

On October 22, 2024, the OPM was presented to the Select Board. The document can be found in the Select Board packet 7K1 – Appendix A pg 114. The Document has 3 tasks:

- Task 1 – Site Alternatives Cost Update and Comparison,
- Task 2 – OPM Services,
- Task 3 – Public Participation Survey and Poll.

Task #1 calls for spending 177 hours to review the construction cost estimates prepared by Weston & Sampson since 2019. Comment on elements of the cost estimates that appear to be out of scale or underestimated based on EP's experience. They will review 4 of the 9 sites. The sites have not yet been named. yet to be named site.

Task 1 violated the Funding Terms established by Article 13 Amended. No money could be used towards the 340 Rt6 site. As such, the work could not use the funds appropriated for this project. A new funding source was needed. The Town Reserve was identified as a potential source. According to our charter and Mass General Law, Town Reserve use requires a majority vote of the Finance Committee (FinCom).

## Fincom

On October 25,2024, FinCom met to discuss this request. The Town Manager stated why Task 1 was needed (see video 16:20 into meeting) “*.... Do the analysis so that we can provide a comprehensive report to the Community through this independent engineer. So that we're doing, we're doing a service to our community. We're doing the right thing, you know... That's, I mean, there may be a determination through this that 340 rt6 isn't the right answer. But we don't have the apples-to-apples comparison. The community will never know and it may actually raise questions from the community. Why didn't we look at it? And so we want to do this comprehensive appraisal*”.

FinCom rejected this request (3 to 2) to use Town Reserves to Fund the portion of Task 1 aimed at 340 Route 6, commenting that to do so would be tone deaf to the residents and an outright violation of the votes taken at Town Meeting. (Take the time to watch the FinCom 10/25/2024 meeting, it was well worth it)

## Adhoc Building Committee

On Nov 7, 2024 the Town Attorney, John Giorgio, attended the Adhoc Building Committee. Another great committee meeting to watch. The Town Lawyer opined 3 items (Adhoc Building Committee Video 13:46 ):

1. Can Town Meeting mandate town site use: “misperception that Town meeting has a role in this other than the appropriation of money and that simply is not true. The decision where to locate this site ... rest with the Select Board”
2. Can Article 13 funding be used to pay for services at 340 Rt6 :” it does not authorize the use of any of does funds (funds from Article 13) to study 340 Rt6”,
3. How can services at 340 Rt6 site be fund:“Does not preclude the Select Board to study the 340 rt6 site as long as the money comes from another source, I was told that the money would come from the General Operating of the Town for Consulting service”

## My Opinion

Why are we wasting precious Town money and incurring additional delays and costs on issues residents already spoke and voted on? Town Leaders spent 5 years on the Weston & Sampson report refusing to listen to residents' objections. This delay and added expenses will run the cost up and our employees have to work in subpar conditions longer. Are we going to spend another 5 years doing the same thing?

I cannot move forward without pointing out obvious facts. On March 27, we attended a DPW Forum at the Community Center (video <https://reflect-trurotv.cablecast.tv/CablecastPublicSite/show/7123?site=1>) this was followed by a Facebook Live discussion between the Town Manager and the DPW Department Manager (video <https://reflect-trurotv.cablecast.tv/CablecastPublicSite/show/7136?site=1> ). The message was the Cost numbers have been peer-reviewed. Weston & Sampson who generated these documents and CHA, Inc who peer-reviewed them are experts and leaders in their field. With these documents in hand, they asked the Town Voters for \$28 million dollars to build the DPW facility. Five months have passed since Town Meeting (thank god we voted NO) and these same documents need to be "reviewed and updated". We need to re-visit the site selection and re-validate the cost. The Voters were mis-informed. They would have voted differently. Town leaders asked us to give them authorization to borrow \$28 million. Did you hear any doubt in the accuracy of these documents during Town Meeting? Did you hear any Doubts? Now, they want a re-do on the Vote.

## The Way Forward

The ball is in the Select Board court. They are the only ones with authority to stop this. They need to amend the OPM by reducing Task 1 to Review and Update the DPW needs. Then make Town Hall Rd for the DPW location. Live within the boundaries of the agreement we approved at the Town Meeting. The voters voted on it and the Select Board voted on it.

If the Select Board chooses to stand behind the current Task 1 and Task 3, the Select Board needs to be prepared with the unintended consequences. The Engineering Design cannot proceed without a Location. If the site chosen is not Town Hall Rd, there is no funding for the design. No Article will be approved to build a DPW facility without a design. Another year is lost. Lastly, an Apple-to-Apple will mandate that the Select Board determine how Environmental cleanups will be paid. What Town account is budgeted to pay for this. It is not fair that Phase 2 Environmental Assessment and mitigation be charged to the new DPW project. Can Article 13 Amended funding be used for the mitigation? I do not think it is part of Engineering Design. I think, either a separate account is funded for the Town like a

Capital Stabilization Account or the DPW Department owns the mitigation. It is the only way that an Apple-to-Apple comparison can take place.

Michael Forgione

Town Resident