

Town Manager, Others' Actions Derail DPW, Defy Law and Override Agreements

January 18, 2025

via email to editor@truronews.org

Dear Editor,

The most recent pronouncements of our Town Manager on the DPW in the last *Truro Talks* are deeply disturbing for many reasons. Voters and taxpayers should be increasingly attentive and concerned. Not only do they demonstrate a concerted effort by just a few persons to undo the voters' decisions on the DPW on both site location and cost, they now make clear what just a few in power are trying to do: **entirely overthrow our votes on the DPW at STM and ATM 2024 and get us to re-litigate the entire DPW costs and location that 600+ voters settled definitively and without doubt last year.**

But equally troubling are the frenzied actions by Town officials to try to get a rush job "plan" -- not even seriously on paper yet -- to voters for ATM 2025 (May 3rd). After years of delay and even more delays recently, the Select Board has inexplicably decided and made clear they want something before the voters at Town Meeting. Rather than doing it right, there is a rush to do it all now.

Déjà vu All Over Again

Didn't we see this failed approach last year? This "rush job" tactic failed last year for many good reasons, and it will fail again for the same reasons if it is pushed:

- Reliance on an engineer -- Weston & Sampson -- that is most interested in a high-priced facility; failed to reduce scale and cost until forced to, and hid cost saving measures used by W&S elsewhere like those proposed by the DPW Study group (e.g., campus approach; repurposing existing buildings; indoor/outdoor mix of vehicle storage);
- A W&S concept that cannot be developed and properly costed before ATM, so we will not get anything we can rely upon for site, structure design, and budget;
- Oppressive efforts to discredit the DWP Study Group, whose work has been stellar and at no cost -- hoping we will not trust the equally solid Plan 2 they are developing now ([see Ad Hoc Building Committee \(AHBC\) meeting of Jan 16 for a preview](#)). Yet the DPW Study Group is the best hope citizens have for a concept that is not produced in a rigged game;
- Efforts to push the Public Safety Facility site when voters rejected it for many site-related reasons, especially lack of safety and disruption to Route 6 for years;
- Voters' refusal to pay more than \$18-19M for a facility that will house under 10 staff and under 15 vehicles. These folks are euphemistically called "the client" and the "end users" when the citizens of Truro are the actual client. Budget must be a leading factor, not an afterthought.

How Did We Get Here?

This "rush job" tactic is made possible because of questionable actions and poor advice to the Select Board by the Town Manager.

First, the Town Manager refused to issue an RFP for Designer even though it is required by law. Instead, he has chosen to use an amendment to a 2018 agreement with Weston & Sampson to say, “we have a designer” – the very group that delayed reducing the DPW specs in size and cost until forced to last year. This decision partly justifies the apparent ability to “rush” -- short-change -- a process that needs careful review, cost evaluation and a few more months at least.

Let’s inspect this “amendment” more. The 2018 “amendment” authorizes \$29K to W&S to “Refine and Review and Revise Concepts.” It does not authorize W&S to develop nor does it pay for a “full schematic design.” They could do another concept illustration for \$29K, but a schematic design is very detailed and expensive, and there is no money for them to do it. So, what could authorize W&S to do this work? Another appropriations process -- the \$2.8M voters approved to get a full schematic. But that money can only be used for Town Hall Hill after a designer is sought and selected, and site selection is final. Voters authorized funds for a full schematic design, not yet another illustration by Weston and Sampson.

Once Truro appointed the OPM -- the independent “owners project manager” -- it is required by law to issue this RFP within 30 days. Further, MGL Ch 190 requires open bidding for a contract larger than \$50,000 -- applicable to the Designer fee. The OPM was appointed in October, yet no steps have been taken to issue an RFP and to open competitive bidding to hire a DPW Designer. Why not? This 2018 amendment is a foil, not an option or solution.

Second, the 2018 amendment has conditions in it that state plainly the amendment cannot be triggered until a site is selected. The SB waffles on this matter and has not definitively said Town Hall Hill (THH) is the site, even though the extensive review shows it is a good site and voters were plain in their many votes against Rt 6 and for THH. This ambiguity prevents W&S from doing anything based on that 2018 contract amendment. This means that the SB must commit to THH before W&S can develop any “revised concepts” for THH.

Third, revisiting the Route 6 site is a fool’s errand. Voters denied a change of use for a DPW last year. The Town ignores voters at its peril. The unsafe location, environmental threats, and topography alone make it an unsuitable site. But equally, before costs can be set for that site, the Town must complete the same environmental studies at Route 6 as have been done on THH to assure the OPM, designers, the AHBC, and the voters that no hidden problems will haunt us financially or environmentally.

That site is a Zone II contribution zone and may trigger this environmental study requirement anyway if development plans move forward. We already know credible environmental challenges may be found if development of the site continues. That is not covered by any appropriation or available line-item budget and must wait for ATM to approve if this Route 6 folly continues. And if remediation is required, years of delay and big costs will follow as well. And there is no money to do it anyway if W&S is doing any part of this through its 2018 amendment, nor can the Town use any of the \$2.8M for THH to do anything on Route 6.

Why is Route 6 even under consideration? In the end, one Select Board Member’s refusal to respect and heed voters’ rejection of a DPW on Route 6 will cause delays and make voters angry.

Fourth, the only alternative that has given voters hope, choice and a voice has been the DPW Study Group. The Town Manager cites an admittedly incomplete analysis (by the OPM) to suggest this group deceived voters with an inaccurately low-cost projection in 2023. The actual deception is the Town Manager’s – in just the last 10 days he has increased the purported inaccuracy three times -- by 20% -- a

big inflation of a reprehensible and false allegation. They will trot out the OPM's preliminary comparison (which does suggest omitted cost items), but not the OPM's statement that he had not met with the DPW Study Group to understand the basis of their 2023 cost estimates or allocations, nor that the DPW Study Group currently stands by its estimate that Plan 1 would have been under \$16.5M as it stated in September 2023. Nor will the Town Manager say that Plan 1 is irrelevant in any case, as the specs for a new concept have changed. DPW Study Group Plan 2 absolutely merits consideration and development.

What Now?

Give the OPM and the AHBC the time they need to bring something to the voters that we will agree to pay for at a site that works for the community.

The AHBC has done an admirable job advancing what it can -- but its entire capacity to develop the comprehensive "schematic design" which voters funded for up to \$2.8M is being derailed because of the aforementioned disruptive tactics. The AHBC is more than capable of giving the voters a credible plan -- if they have time for a full process that is truly and fully vetted, costed, and detailed. This cannot be done by March or even May, according to the OPM who is overseeing the project.

These tactics do not pass a smell test, and waste time and money.

We need a Town Manager who supports and does not undermine Town votes through misdirection, inaccuracy, unwarranted blame on others, and questionable use of Town funds. And we need our Select Board to hold the TM to account for ensuring the DPW project is timely, accurate, cost-effective and as the voters approved and appropriated.

This means requiring the Designer selection process to be opened and started ASAP as a key step and calling for the OPM and Designer to review both the W&S and DPW Study Group's current plans in sufficient detail to give justifiable cost estimates to voters. This is the only way to have a real schematic design for voters at some time before ATM 2026. Given the Town Manager's track record of bad judgment and inappropriate use of funds, this is squarely on the SB to require and enforce.

Bob Weinstein said at the Jan 16 AHBC meeting that voters' do not count because the SB is "custodian of Town-owned property." We urge the SB members to consider that voters are the owners of the Town's property and the appropriating legislative body. Keeping our trust is dependent on making smart, accurate, rational, and voter-friendly decisions on the DPW.

Truro's citizens deserve better, and we need to demand this now and at ATM.

Sincerely,

Dennis O'Brien
Truro