

## Special Joint Select Board & Planning Board Meeting Minutes

October 25, 2022, Meeting

Via GoToMeeting Platform



Select Board Members Present: Kristen Reed-Chair, Robert Weinstein-Vice Chair, John Dundas-Clerk, Stephanie Rein-Member

Select Board Members Absent: Susan Areson-Member

Planning Board Members Present: Anne Greenbaum-Chair, Rich Roberts-Vice Chair, Jack Riemer-Clerk, Ellery Althaus-Member, Paul Kiernan-Member, Caitlin Townsend-Member

Others Present: Kelly Clark-Assistant Town Manager, Barbara Carboni-Town Planner/Land Use Counsel, Steven Stahl-Applicant, Joseph McKinnon-Applicant, Ginny Frazier-Applicant, Karen Ruymann-Applicant

### **CONVENE THE SELECT BOARD SPECIAL MEETING**

Chair Reed called the meeting to order at 2:30 pm and introduced the present Members of the Select Board and introduced them as well as Town staff present. Chair Reed then turned over the meeting to Chair Greenbaum to open the Planning Board meeting.

### **CONVENE PLANNING BOARD SPECIAL MEETING**

Chair Greenbaum opened the Planning Board meeting at 2:33 pm and stated that the purpose of tonight's joint meeting was to interview applicants for the one vacancy on the Planning Board. The selected finalist will be appointed to a 6-month term. Members of the Planning Board who were present introduced themselves. Chair Greenbaum announced the process and stated that the process was reviewed by Chair Reed, Town Manager Tangeman, and Town Planner/Land Use Counsel Carboni. Chair Greenbaum stated that each applicant would receive the exact same questions to answer and then thanked the applicants for their interest.

### **INTERVIEW APPLICANTS FOR PLANNING BOARD**

Prior to the interviews commencing, Chair Reed thanked the Applicants for their interest and then announced that she had a brief statement to read.

Chair Reed stated that something important had come to the attention of the Select Board. Chair Reed stated that she and the Select Board had an obligation to share what had occurred as the appointment process should be pristine, transparent and reflect good governance. Chair Reed announced that she and the Select Board, on Thursday, October 20<sup>th</sup>, 2022, were made aware from a constituent that Chair Greenbaum had previously conducted 1-on-1 private interviews with three of the four applicants. One applicant declined to participate in an interview. Once the information was received, Chair Reed asked Town Manager Tangeman to obtain a legal opinion on this matter from Town Counsel John Giorgio of KP Law, P.C.

Chair Reed then read Town Counsel's legal opinion. The Town Counsel opined that this was not a violation of Massachusetts' General Law, or the Town Charter, for a Member to conduct private 1-on-1 interview outside the public interview process but cautioned that it was not a best practice. The Town Counsel further added that it was not a technical violation of the Massachusetts' Open Meeting Law if the Member did not share the responses from the applicants with other Members, or if the Member did not share his/her opinions, thoughts, or impressions with the other Members outside of the public meeting forum. The Town Counsel further opined that a better practice was to reserve specific questions for each applicant in the interview portion of a public meeting so all the Members can hear the applicant's response at the same time. Chair Reed then asked Chair Greenbaum, in the spirit of transparency, to explain why these private 1-on-1 interviews had occurred and the nature of the conversations.

Chair Greenbaum stated that she had not interviewed any applicant outside of the process. Chair Greenbaum added that she had reached out to each applicant and offered to answer any questions which the applicant may have of her.

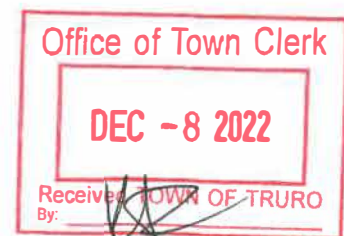
Chair Reed then recognized Member Kiernan who asked if the Truro board application will be changed as there is a question on the current application that asks if an applicant has met with a board Member. Member Kiernan noted that if there is to be no outside communication with an applicant perhaps this question should be removed from the application. Chair Reed thanked Member Kiernan for his comment and said that this will be addressed by the Select Board as the application used in this matter was specifically for appointment of advisory committee members to the Select Board. Referring to the Town Clerk's date stamped meeting minutes from the Planning Board's meeting on September 28<sup>th</sup>, 2022, Chair Reed replied that the issue of outside communication with an applicant was discussed at that meeting and Town Planner/Land Use Counsel Carboni had opined that outside communication with an applicant was not a best practice.

Chair Reed recognized Vice Chair Weinstein who commented that the reason for this meeting was due to the recent resignation of Bruce Boleyn, a Member of the Planning Board. Vice Chair Weinstein thanked Mr. Boleyn for his service to the Town. Chair Reed thanked Vice Chair Weinstein for his acknowledgement.

Chair Reed recognized Chair Greenbaum who announced that the interviews would occur in the order in which the applications were received at Town Hall. Chair Greenbaum added that the standard questions would be asked in order of each applicant. For each applicant, the first standard question was asked by a Member of the Planning Board, once answered by the applicant, a Member of the Select Board asked the next question. This was the sequence of standard questions for each applicant's interview. Once the standard questions were asked and answered, Chair Greenbaum invited Members to ask any follow-up questions if they had any.

At the start of each applicant's interview, Chair Greenbaum asked each applicant to introduce themselves and explain why they were interested in serving on the Planning Board.

The interviews were conducted in the following order:



- a. Steven Stahl
- b. Joseph McKinnon
- c. Ginny Frazier
- d. Karen Ruymann

Prior to Ms. Ruymann's interview, Chair Reed announced that she and Ms. Ruymann had joint financial interests in Chequessett Chocolate. Chair Reed added that previously she had consulted with Chair Greenbaum, Town Counsel Giorgio and Town Planner/Land Use Counsel Carboni and then submitted a Chapter 268A form so she could participate in the interviews, deliberations, and voting process for an appointee to join the Planning Board. Chair Greenbaum thanked Chair Reed for her disclosure and reiterated that Chair Reed could participate in this process objectively and fairly.

### **BOARD DELIBERATIONS**

Prior to the Members' deliberations, Chair Reed asked Chair Greenbaum how much was allotted for deliberations and Chair Greenbaum replied that the deliberations would be 10-15 minutes. Members discussed various strengths of each applicant that included: level interest, qualifications, previous board experience, personal or professional ties to Truro, attention to the issues facing Truro as well as participation in solving those challenges, and finally, preparedness for the interview.

Chair Greenbaum asked if Members would like to rank order the applicants and provide the information to Town Planner/Land Use Counsel Carboni who would add the information to an Excel spreadsheet and share it or continue the discussion. Members were generally in agreement that the respective Chairs should make the determination.

Chair Greenbaum asked the Members to rank order the applicants from #1 (best applicant) to #4 (last choice). Member Riemer was recognized and asked if an alternate Member could be selected, and Town Planner/Land Use Counsel Carboni opined that there was no such position exists so it would have to be an action decided upon at Town Meeting. Members, in reverse order of seniority, provided their rankings to Town Planner/Land Use Counsel Carboni who recorded the Members' rankings on a shared Excel spreadsheet. Once recorded, Members considered the two top ranked applicants as finalist candidates for appointment: Ms. Frazier and Mr. Stahl.

Chair Greenbaum thanked Ms. Ruymann and Mr. McKinnon for their interest and hoped that they would still participate in the community. Chair Reed announced that she shared the same sentiment as Chair Greenbaum. Chair Reed then announced that the rank order data indicated a top finalist, Ms. Frazier, and that Chair Reed would entertain a motion to vote on Ms. Frazier's appointment.

### **ROLL CALL VOTE TO APPOINT PLANNING BOARD MEMBER**

Vice Chair Weinstein made a motion to appoint Ginny Frazier to fill the unexpired position on the Planning Board that will expire next Annual Town Election in May 2023.

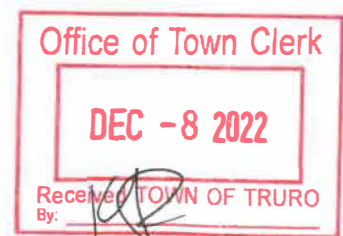
Member Kiernan seconded the motion.

Roll Call Vote:

Chair Greenbaum - Aye

Vice Chair Weinstein - Aye

Member Kiernan - Aye



**Member Dundas – Aye**  
**Member Townsend – Aye**  
**Member Ellery – Aye**  
**Member Riemer – Nay**  
**Vice Chair Roberts – Aye**  
**Chair Reed – Aye**  
**Member Rein - Aye**  
**So voted, 9-1-0, motion carries.**

Chair Reed congratulated Ms. Frazier and instructed Ms. Frazier to swear to the Oath of Office at the Town Clerk's office. Ms. Frazier thanked the Members and will be sworn in the morning. Ms. Frazier added that she will participate in the Planning Board's meeting tomorrow evening.

Chair Reed recognized Chair Greenbaum, who congratulated Ms. Frazier and welcomed her to the Planning Board.

**ADJOURN PLANNING BOARD SPECIAL MEETING**

**Member Kiernan made a motion to close the Planning Board meeting.**  
**Vice Chair Roberts seconded the motion.**

**Roll Call Vote:**

**Chair Greenbaum – Aye**  
**Member Townsend – Aye**  
**Member Ellery – Aye**  
**Member Riemer – Aye**  
**Member Kiernan – Aye**  
**Vice Chair Roberts – Aye**  
**So voted, 6-0-0, motion carries.**

**ADJOURN SELECT BOARD SPECIAL MEETING**

**Member Dundas made a motion to adjourn at 4:36 pm.**  
**Vice Chair Weinstein seconded the motion.**

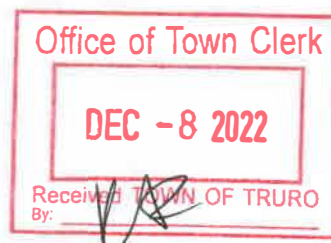
**Roll Call Vote:**

**Vice Chair Weinstein - Aye**  
**Member Dundas - Aye**  
**Member Rein - Aye**  
**Chair Reed - Aye**  
**So voted, 4-0-0, motion carries.**

Respectfully submitted,



Alexander O. Powers



Darrin K. Tangeman Under the Authority of the Truro Select Board

**Public Records Material Attachments**

Legal Notice

Application to Serve-Steven Stahl

Application to Serve-Joseph McKinnon

Application to Serve-Ginny Frazier

Application to Serve-Karen Ruymann

