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Select Board
Town of Truro
24 Town Hall Rd.
Truro, MA 02666

Dear Select Board:

Since the COVID-19 pandemic began, the Select Board has had to make difficult decisions, often without the benefit of precedent to rely on and always with incomplete information about what the coming weeks and months hold. This is exceptionally difficult and to expect the Select Board to get every decision right would be both unfair and unrealistic.

At its April 21 meeting, the Select Board took up the question of rescheduling the 2020 Annual Town Meeting. Town Manager Palmer opened the discussion by stating, "I think it's time to set a date for later in June. . . . We do have to hold the election by June 30th." The ensuing discussion and the Board's subsequent decision were based upon this statement and the assumption that the June 30 deadline for election of officers meant that Town Meeting must be held before that date.

On April 3, however, Governor Baker signed into law Chapter 53 of the Acts of 2020, which modified certain provisions of Massachusetts law pertaining to town meetings, budgets, and spending authority. (See malegislature.gov/Laws/SessionLaws/Acts/2020/Chapter53) Among those changes was the elimination of the June 30 deadline for Town Meeting. Thus, the premise on which the Select Board based its discussion and decision did not accurately reflect recent changes in Massachusetts law.

During that discussion, Member Areson said, “I think we should do it *at the last possible date*, and I think that’s June 23rd as you suggest in our packet.” Similarly, Member Rein said, “I think we should go for a June 23rd Town Meeting *at the earliest*; I know we’re bound by the election date so that may be the only possible date.” Both of these comments indicated a belief that the Select Board’s hands are tied by the no-longer-applicable June 30th deadline. They also showed a clear preference for a later date if that were possible, a preference that surely reflects the views of most members of the Truro community.

Several participants in the discussion went on to express appropriate concern about whether it would be possible to hold a safe Town Meeting as early as June 23. Town Manager Palmer pointed out that “we won’t be fully past the need for social distancing” and she urged that the meeting be kept as brief as possible because “we might not safely be able to do the meeting—the whole meeting.” She added that it is an open question “whether we consider it safe for a short time or not.” In a similar vein, Member Rein said that the Select Board “certainly wouldn’t want to bring anyone together if we couldn’t feel that it was a safe meeting.” The Board tabled discussion of the logistics of holding a safe and meaningfully accessible Town Meeting in June, though the consensus seemed to be that there is no obvious way to accomplish this.

From the discussion of the Warrant, it was abundantly clear that the driving force behind scheduling Town Meeting for June 23 was the belief that a budget had to be passed by June 30. Town Manager Palmer stated that most items on the Warrant could be put off until a more traditional second Town Meeting in the fall, when safety concerns would be very different, but that a budget needed to be passed “so we have expenditure authorization for the new fiscal year in place.” Likewise, Member Rein said that “we do need to vote on our budget.” However, the April 3 emergency law explicitly provides for expenditure authorization should the ongoing COVID-19 emergency prevent adoption of a budget by June 30. Thus, the pressure to hold a truncated Town Meeting on June 23, when there is substantial uncertainty about whether it will be safe to do so, is entirely unwarranted.

A conceivable objection to holding Town Meeting after the June 30 election might be that a few money items would have to be removed from the ballot. Given the overriding concerns with public health and the provisions in the April 3 emergency legislation, however, this objection is unpersuasive. To hold Town Meeting when it is not yet safe to do so, when a significant portion of the community will be excluded because they cannot participate without risking their health, simply to avoid having to remove a few money items from the June 30 ballot would be at odds with the priority the Select Board has consistently given to public health during this emergency.

Throughout the discussion, the Select Board and the Town Manager all demonstrated paramount concern for ensuring public safety, preserving Truro's democratic form of government, and complying with the town's legal and fiscal responsibilities. Accomplishing all this is a balancing act. The April 3 act makes it easier to strike that balance. In view of the changes in the law effected on April 3, the stated concerns of Select Board members, and the continuing uncertainty about the course of the COVID-19 pandemic in Truro, I urge the Select Board to set aside its decision to hold Annual Town Meeting on June 23 and to delay action on rescheduling Town Meeting indefinitely. In the next weeks or, perhaps, months, a time will come when the state and trajectory of the COVID-19 pandemic become clear enough for the Select Board to take this matter up again. However, until there is considerably more clarity about how the COVID-19 emergency will play out, and when and how it can be held in a manner that is safe, accessible, and fair, the Select Board should hold off on rescheduling Town Meeting.

Thank you for your consideration.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Daniel Holt", with a long horizontal flourish extending to the right.

Daniel W. E. Holt