

TOWN OF HARWICH

Community Preservation Committee

Approved 9.12.19

Community Preservation Committee Regular Meeting Minutes July 11, 2019

Meeting Electronically Recorded

1. Call to Order

Harwich Community Preservation Committee Meeting called to order by Chair Dave Nixon at 6:00 PM, on Thursday, July 11, 2019, in the Harwich Town Hall, Donn B. Griffin Meeting Room.

Present: Chair Dave Nixon, Mary Maslowski, Chris Rockett, John Ketchum, and Bob Doane.

Vacant: 2nd Selectmen's Appointment Representative, Housing Committee Representative, Housing Authority Representative, and Real Estate and Open Space Committee Representative

2. No public comment.

3. Approval of Minutes:

A motion was made by Mary Maslowski, seconded by Chris Rockett, to approve the June 13, 2019 CPC Meeting and Public Hearing Minutes.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

A motion was made by John Ketchum, seconded by Mary Maslowski, to reconsider the vote.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

Two corrections to be made.

A motion was made by Mary Maslowski, seconded by John Ketchum, to approve the amended June 13, 2019 CPC Meeting and Public Hearing Minutes.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

4. New Business:

a) Recap of June 13, 2019 Public Hearing

Committee members were happy with the turnout for the Public Hearing, crediting the increase from last year attendees to more publicity via the new flyer given out at the town meeting, and maybe the earlier date, or the interview Chris gave on Channel 18.

Other ideas presented to increase the CPC in the public eye, to appear multiple times on Channel 18 during the year:

- After the project review process
- On the League of Women Voters' Voter Information Night. It's a good informal setting leading up to the Town Meeting. We could present the Town Meeting CPC Warrant Articles.
- Again, a lead up to the Public Hearing

Chris will investigate how to get on the Harwich Newcomers agenda; maybe in the fall.

4. b) Vote to rescind:

i. Open Balance \$176.00 – 2018 Article #50 Records Management Project in Town Hall basement

A motion was made by Chris Rockett, seconded by Bob Doane to rescind the \$176.00 that is outstanding of the 2018 Article #50 (Records Management Project in Town Hall basement) and the money be returned to the appropriate pot.

The project is complete, and the remaining open balance needs to be returned to the CPC accounts.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

ii. Open Balance \$38,656.49 – 2012 Article #41 Brooks Free Library: Phase 1 Restoration and Preservation Historic "Brooks Building" Project

A motion was made by Mary Maslowski, seconded by Chris Rockett to rescind the open balance of \$38,656.49 the 2012 Article #41 Brooks Free Library: Phase 1 Restoration and Preservation Historic "Brooks Building" Project and the funds be returned to the Historic Bucket, CPC Funds.

This project may have been funded from multiple CPC buckets.

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A motion was made by Mary Maslowski, seconded by Chris Rockett to rescind the motion to rescind (the open balance of \$38,656.49 the 2012 Article #41 Brooks Free Library: Phase 1 Restoration and Preservation Historic "Brooks Building" Project and the funds be returned to the Historic Bucket, CPC Funds.) Motion rescinded.

A motion was made by Mary Maslowski, seconded by Bob Doane to rescind the open balance of \$38,656.49 of 2012 Article #41 Brooks Free Library: Phase 1 Restoration and Preservation Historic "Brooks Building" Project and request the remaining open balance to be returned in the same ratio from which they were originally funded.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

iii Open Balance \$59,357.00 – 2018 Article #51 Brooks Free Library Restoration Project

A motion was made by Mary Maslowski, seconded by Chris Rockett to rescind the open balance \$59,357.00 of the 2018 Article #51 Brooks Free Library Restoration Project and ask that the open balance funds be returned to their respected buckets in the same ratio from which they were originally funded.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

4. c) Reorganization of the Community Preservation Committee

A motion was made by Mary Maslowski, seconded by Bob Doane to appoint David Nixon as the chair of the CPC for the fiscal 2020 year.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

A motion was made by Dave Nixon, seconded by Chris Rockett to nonimate Mary Maslowski as Vice-Chair.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

5. Old Business:

a) Follow up on website

John has received his credentials to be able to make changes on the website. The town has updated the committee membership list and changed up the format on the CPC webpage.

A standard item on future CPC meeting agendas: "What should we post on the website?"

Ideas and notes for the website:

- Provide a link to the appearances on Channel 18.
- Provide a link to the Town Meeting Warrant Articles.
- The website can have uploaded documents.
- A newsflash bar to announce things over the year. For example: "We have updated the official...". Leave it up for a specific time period.
- Residents can create an account on the website so we can email them newsfeeds, announcements, etc. Other towns who have this same host as Harwich have this system.
- From Dennis's website – upload proposed applications and the past town approved CPC applications. Very handy to have them accessible.
- From Chatham's website – their outline is close to Harwich's site.
- From Yarmouth website – hard to navigate their website. Their CPC content difficult to find. They have a town employee who handles all CPC matters. Most of that information in their webpage is directed to that person.
- It was noted the webpage has links to our meeting agendas and minutes. The links should be simple to access.
- The town needs a paper trail of all documents. The board secretary emails the minutes and agendas to a town address; the Town Clerk collects her record from there.

John was asked to test if the application can be easily filled out and submitted on-line. Chatham's application can be completed and submitted on-line. John will investigate if we want to use this system. Is there another option?

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Updates for Harwich website – John volunteered to make changes on the webpage:

Add future CPC meeting dates to website's calendar. (The web calendar requires an agenda to post an event. John will see if the calendar can be modified.) Can the meeting dates be listed on the webpage?

Add email contact info for CPC. (Use the cpc@townofharwich.us email.)

Add mailing address: Harwich Community Preservation Committee, Harwich Town Hall, 732 Main Street, Harwich, MA 02645.

Make subject titles, links, etc. stand out so they are easy to recognize. The top left-hand corner of the webpage was specifically mentioned.

Highlight the deadline date for application submissions. Add the Line: "We are ready to receive your applications!"

Investigate adding a section to have the submitted applications on the website for the public to see.

John will update Dave when he has done these changes.

6. Other:

- The Library has installed an outdoor sign noting "Project funded by the CPC"
- Unfortunately, no one from the CPC was available to attend the library's reception.
- May 11, 2020 next Town Meeting
- Invitations will be sent to project managers with outstanding balance projects to attend the September 12, 2019 CPC meeting for their update progress reports.
- Contract grant agreements between the CPC and a third party

At Harwich Town Meetings two projects for funding the Affordable Housing Trust have been approved; the 2018 Article #58 \$340,000 and 2019 Article #42 \$470,000, totaling some \$810,000. Some of these funds are to pay the contracted Affordable Housing Coordinator. The Town Administrator and the Chair of the Harwich Affordable Housing Trust have requested Chair Nixon sign off the transfer of these funds to the AHT. Dave does not feel comfortable signing off on the transfer of these funds because this committee has a policy in place that CPC projects must be completed within three years, and any open balances are subject to rescission. Once the funds are transferred, the CPC has no way to rescind these funds regarding our three-year policy.

We have been forced to follow all CPC funded projects and their finances, as we have seen no one else is following the monies. It is not the Finance Director's job to follow the monies and see if they are spent as the projects have been approved. The Affordable Housing Trust (AHT), the CDP, Habitat for Humanity, etc. are third party entities. These are different from town department heads. A formal contract should be and have been required between the CPC and third party entities. Other communities have these contracts. Yarmouth has a contract with their AHT and their CPC head. The current application states: "Three years from the release of funds (July 2020) funds may be rescinded automatically; waivers may be sought." We will verify what the signed statement page reads from the 2018 and 2019 applications regard the three-year deadline.

Just like the Brooks Free Library projects, which also had grant agreements, their unspent funds were rescinded. The committee continued to follow the projects and the funds as they progressed, via a review process. The AHT is a new entity. The AHT monies are a pool of funds to be added to and projects to receive their funding from. Maybe a mechanism could be added to allow the CPC to rescind funds not spent within three years from release or extend the three-year period. Dave asked if we could use admin funds to hire a trust attorney to review this problem, to provide a document between the CPC and the AHT. This committee has seen other contracts, but an attorney is a good idea to give the CPC rescind rights, or audit rights. As Chair, Dave has been asked to sign off on other transfers of funds for other projects. It is unknown the structure of the accounts for the AHT. Dave will need to find out once the funds are transferred, will the AHT have their own finance director, or will the town finance director handle the funds. It was also noted the CPC was asked to give a leap of faith to funding the AHT prior to the Trust had been set up.

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A motion was made by Mary Maslowski, seconded by Chris Rockett that we authorize David to reach out and contact one of the municipal attorneys to draft a standard agreement between the CPC and third party applicants. And perhaps also tailor that form to the Trust.

Mary Maslowski and Chris Rockett rescinded the previous motion.

A motion was made by Mary Maslowski, seconded by John Ketchum to authorize the CPC Chair David Nixon to engage outside counsel for the purpose of representing the committee relative to contracts.

This would allow Dave to have the whole conversation with the attorney.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

7. Next meeting's Agenda points:

- The CPP will not continue to be listed on the agenda. This committee will wait until the town's Comprehensive Plan is ready. Work from the top down.
- Follow up on outside counsel regarding contracts.
- Website updates
- Website inputs

8. Adjournment

A motion was made by Bob Doane, seconded by Mary Maslowski to adjourn.

VOTE: Yes 5; No 0; Abstain 0. Motion carried unanimously.

Adjournment 7:31 PM.