

# TOWN OF HARWICH

## Community Preservation Committee

*Approved 7.15.2021*

### **Community Preservation Committee Regular Meeting Minutes June 10, 2021**

#### *Meeting Held Remotely*

#### 1. Call to Order

Harwich Community Preservation Committee Meeting called to order per Roll Call Vote by Chair Dave Nixon at 6:01 PM, on Thursday, June 10, 2021, via GoToMeeting.com remote. By Roll Call Present: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Joseph McParland III - Aye; Kathy Green – Aye. Motion carried unanimously.

Meeting called to order.

Donna Kalinick joined the meeting just after meeting called to order.

Elizabeth Harder joined meeting in process.

Don Howell, BOS Liaison to the CPC

Guests: Harwich REOS Chair Elaine Shovlin and Harwich Conservation Executive Director Mike Lach

Meeting Rules read into the record by Board Secretary Jan Moore

#### 2. No Public Comment.

#### 3. Approval of Minutes: April 22, 2021

A motion was made by John Ketchum, seconded by Kathy Green, to approve the April 22, 2021, CPC meeting minutes as amended.

VOTE by Roll Call: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Donna Kalinick – Aye; Kathy Green – Aye; Joseph McParland III – Aye.

Motion carried unanimously.

#### Approval of Minutes: May 7, 2021

A motion was made by John Ketchum, seconded by Mary Maslowski, to approve the CPC meeting minutes of May 7, 2021.

VOTE by Roll Call: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Donna Kalinick – Aye; Kathy Green – Aye; Joseph McParland III – Aye.

Motion carried unanimously.

#### 4. New Business:

- a) Approval for a One-Year Extension of the 2018 Article #53 Habitat for Humanity - Murray Lane Project (Harwich 93-97 Main St./Rt. 28 Project) \$300,000.

A motion was made by Mary Maslowski, seconded by Kathy Green, to approve a One-Year Extension of the 2018 Article #53 Habitat for Humanity - Murray Lane Project (Harwich 93-97 Main St./Rt. 28 Project) \$300,000.

It was offered the project made progress while dealing with COVID, so a one-year extension is reasonable.

VOTE by Roll Call: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Donna Kalinick – Aye; Kathy Green – Aye; Joseph McParland III – Aye.

Motion carried unanimously.

6:09 PM Elizabeth Harder joined the meeting in progress.

- b) Set Public Information Hearing Meeting date

Set: July 15, 6 PM in person at the Harwich Town Hall. Meeting room to be arranged.

There will be a robust community outreach to get the word out about the meeting.

The Public Information Hearing is to gather information from the public on long-term priorities for the Community Preservation Act projects in Harwich.

# TOWN OF HARWICH

## Community Preservation Committee

6.10.21 CPC Meeting Minutes, Page 2

c) Rescind open balances from CPC projects

- 1) 2019 Article #40 Depot Street North Crossing Lights. Bikeways Committee. Open balance \$13,008.33  
- Undesignated Funds

A motion was made by Kathy Green, seconded by Bob Doane, to rescind the open balance of the 2019 Article #40 Depot Street North Crossing Lights, of \$13,008.33.

VOTE by Roll Call: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Donna Kalinick – Aye; Kathy Green – Aye; Joseph McParland III – Aye; Elizabeth Harder – Aye.

Motion carried unanimously.

- 2) 2016 Article #30 Albro House -Ramp Access, Porch, and Door Replacement. Town Planner. Open Balance \$634.73 - Historic Reserve

The committee thanked Bob for following up on this project.

A motion was made by Bob Doane, seconded by Kathy Green, to rescind the open balance of the 2016 Article #30 Albro House, of \$634.73.

VOTE by Roll Call: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Donna Kalinick – Aye; Kathy Green – Aye; Joseph McParland III – Aye; Elizabeth Harder – Aye.

Motion carried unanimously.

- 3) 2018 Article #55 Judah Eldredge Property Acquisition. Town Administration. Open Balance \$369,000  
- - \$209,695.30 from Open Space Reserve and \$159,304.70 Undesignated Funds

The Chair of the Board of Selectmen has asked for more time to review this project with his board.

A motion was made by John Ketchum, seconded by Donna Kalinick, to postpone consideration for rescinding the funds of the 2018 Article #55 Judah Eldredge Property Acquisition until our August 2021 CPC meeting.

VOTE by Roll Call: Chair Dave Nixon – Aye; Vice-Chair Mary Maslowski – Aye; John Ketchum – Aye; Bob Doane – Aye; Donna Kalinick – Aye; Kathy Green – Aye; Joseph McParland III – Aye; Elizabeth Harder – Aye.

Motion carried unanimously.

6:30 PM Mary Maslowski departed the meeting.

d) Discussion on creating a written policy for land purchase procedures.

Donna offered steps the CPC could take in creating land acquisition projects procedures:

Look at the town's written policy on land acquisition principals.

Maybe the BOS should provide approval.

Maybe the applicant for a land acquisition project should have a Purchase and Sales agreement.

Kathy offered that the REOS committee has had a written Land Acquisition Policy since 2011. REOS follows a checklist before going to the BOS for approval, then they proceed on the project. A negotiating committee is set up to work on the land purchase.

Don offered the BOS has now agreed to start with the Town Administration. The Town is the applicant for land purchases. The issue with the Jenkin's property purchase was it wasn't clear who was going to purchase the land until the day before Town Meeting. The warrant article was changed by legal along the way; it got away from them. This is a problem.

Elizabeth agreed a policy is needed.

Bob offered in addition to a policy, legal counsel could review the project before the CPC votes on it.

John offered it is important to have well defined written policies and good communications.

Dave suggested speaking with the BOS Chair regarding the town's legal counsel firm, KP Law. He offered the CPC may want their own legal counsel. Legal review of land purchases focused on the CPA guidelines may be a different viewpoint from the town's review of land purchases guidelines.

# TOWN OF HARWICH

## Community Preservation Committee

6.10.21 CPC Meeting Minutes, Page 3

Kathy reminded the committee it was the applicant of the Judah Eldredge land acquisition project that brought in the legal opinion to the CPC while the project was being vetted.

Elizabeth offered the CPC should be able to check with a lawyer to review things under Community Preservation Act law.

Dave offered there is money in an account to handle this. He reminded the committee that we don't know what the projects are until they are submitted.

Kathy suggested changing the submission deadline to Sept. 1, allowing more time to vet the projects.

Joseph asked what are the committee's next steps?

Donna suggested creating a small working group of joint committee members to work on these ideas. Members from the CPC, BOS and REOS could get together.

Kathy (REOS), John (Conservation), and Mary (Planning) are the CPC representatives to serve on the working group. They have the area of experience to add to this group.

Donna asked if the Town Administration and the CPC Chair be on the working group? She offered to assist the working group in an advisory capacity.

Don offered to get the BOS input on the working group and their working group representatives.

### 5. Old Business

### 6. Other

- Authorization to sign the Grant Agreements.

A motion was made by Kathy Green, seconded by Joseph McParland, to allow the Chair of the Community Preservation Committee of 2021 to sign the grant agreements on behalf of the CPC.

ROLL CALL VOTE: Chair Dave Nixon – Aye; John Ketchum – Aye; Bob Doane – Aye; Kathy Green – Aye; Donna Kalinick – Aye; Joseph McParland III - Aye; Elizabeth Harder – Aye.

Motion carried unanimously.

- Donna requested: The CPC should see the signed grant agreements.
- Don requested: To investigate if the CPC has the right to rescind open balance funds. Dave offered the warrant articles all state the open balances are to be returned to the CPC. Maybe a discussion on this matter can happen in the future.

### 7. Next meeting's Agenda points

- Public Information Hearing
- Working Group status update from Don/BOS
- Donna requested: The CPC start the long-term planning process, to work on a 5-year plan. The Act requires a plan. The Public Information Hearing's input can give some direction. Maybe review Eastham's CPC 5-year plan. (Harwich needs to update their Comprehensive Plan and Housing Production Plan.)

### 8. Adjournment

A motion was made by Bob Doane, seconded by Elizabeth Harder, to adjourn.

ROLL CALL VOTE: Chair Dave Nixon – Aye; John Ketchum – Aye; Bob Doane – Aye; Kathy Green – Aye; Donna Kalinick – Aye; Joseph McParland III - Aye; Elizabeth Harder – Aye.

Motion carried unanimously.

Adjournment at 7:18 PM.