

# TOWN OF HARWICH

## Community Preservation Committee

Approved 11.2.2021

### Community Preservation Committee Regular Meeting Minutes October 14, 2021

#### *Meeting Held Remotely*

#### I. Call to Order

Harwich Community Preservation Committee Meeting called to order per Roll Call Vote by Chair Dave Nixon at 6:03 PM, on Thursday, October 14, 2021, via GoToMeeting.com remotely. VOTE by Roll Call Present: Chair Dave Nixon - Aye; Mary Maslowski - Aye; John Ketchum - Aye; Bob Doane - Aye; Joseph McParland III - Aye; Kathy Green - Aye; Elizabeth Harder – Aye; Carole Ridley - Aye.

Motion carried unanimously.

Meeting called to order.

Meeting Rules read into the record by Board Secretary Jan Moore

Guest: Harwich resident Ralph Smith

#### II. Guest Welcomed.

Public Comment: Mr. Smith sent an email to the CPC regarding the R10 Pickleball/Basketball Court project. The email was forwarded to each committee member. Mr. Smith asked if this was the correct meeting to speak on that project. Chair Nixon told him there would be another meeting when the project would be presented. The CPC will notify him which meeting R10 will be presented.

#### III. Approval of Meeting Minutes: September 9, 2021

A motion was made by Mary Maslowski, seconded by John Ketchum, to approve the September 9, 2021 CPC meeting minutes.

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

Motion carried unanimously.

#### IV New Business:

- i. Report: Chair Nixon's discussion with Harwich Town Administrator Joe Powers and BOS Chair Mike MacAskill regarding legal review of the CPC applications

The CPC has the ability to have a legal review of any CPC applications that were not submitted by the Town Administrator Powers, known as external applications. The committee can have a legal opinion if a project is acceptable to CPA guidelines. When Dave asked if the CPC could have access to the town's legal firm, they recommend KP Law's Amy Kwesell. The CPC may choose any law firm to do the legal review. The CPC will be responsible to pay for legal review for any external application. All applications submitted by TA Powers, known as internal applications, will be reviewed by KP Law. The town will be responsible for the legal reviewing expenses of all internal applications.

- ii. Review of the application process

The committee discussed application packet: the application form; instructions of how to submit the application; requirements of a CPC project.

The wording of the application could be tighter. The CPC will review what has been submitted, however committee members expressed their frustration with the applications' varying degree of completion. Though applicants can submit supporting documentation up to December 1, a few applications provided very little information at this point. It was also noted a few applicants ignored the packet instructions to provide a flash drive and not include any extra covers. Part of the requirements of CPC projects is to provide an Updated Status Report of open balance projects twice a year. Project managers were requested to provide their Update Status Reports for the Sept. 9<sup>th</sup>, 2021 CPC Meeting. The committee is missing Updated Status Reports from the Town Administrator regarding the Harwich Community Playground and the Harwich Affordable Housing Trust projects. The lack of response from the Harwich Affordable Housing Trust to provide the Updated Status Reports in September was discussed. Committee members

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may weigh the lack of reports in how they evaluate new requests. Housekeeping: the CPC will receive a list of open balance projects and a copy of the received reports again. Past reports are online, included in the meeting minutes.

After the committee finishes this year's round of applications, we will revisit the application process.

Vice-Chair Kathy Green and Board Secretary will organize the project presentation calendar. The invitation will include instructions to provide additional information in advance of their assigned presentation date.

Chair Nixon asked if the committee members would accept a new funding application for review now, past the October 1, 2021 deadline? To not set a new precedent, it was agreed that the CPC will not accept any application that did not meet the submission October 1<sup>st</sup> deadline.

### iii. Writing CPC Warrant Articles

Who is going to write the CPC Warrant Articles so we don't have a repeat of the mistakes made in the 2021 Annual Town Meeting Warrant? The 2021 Annual Town Meeting Warrant listed a proposed project that was changed after the CPC voted to support it. The warrant article was rewritten, so much that it did not reflect what the CPC voted to support. Though this may not happen again, what could the CPC do to ensure the warrant articles are written as they were voted upon?

After the CPC votes to support a project for town meeting vote, an article is submitted to the town. In the past, the CPC articles have been written by a CPC member or the Town Finance Director. Then the Town's legal firm reviews the legal language of the article. The articles are to come back to the CPC for review before being printed in the warrant. In the past, timing has affected this step. There is no mechanism to ensure the CPC will see the article before it is printed.

An external project's warrant article is written as submitted to the CPC. It cannot be changed. The Town will write the town submitted, internal project's warrant articles. The Town can make changes to the article. That may be a problem. Should the committee hire a lawyer to draft the articles? It was decided Chair Nixon will ask the Town Administrator Joe Powers to ensure that all the CPC warrant articles come back to the CPC for review before printing.

### VI. Other

- John Ketchum will post the applications to the Town website - CPC webpage. He will add any additional project material when submitted. We are asking for digital submissions and paper copies.

### VII. Agenda Points for the next Meeting

- Next meeting is Tuesday, November 2, 2021 at 6 PM, at the Harwich Town Hall, Donn B. Griffin Room. Town Administrator Joe Powers will present three projects: H3, CH4, CH 5.
- The year's remaining meeting dates: Thursdays, Nov. 18, Dec. 9, Dec. 16.

### VIII. Adjournment

A motion was made by Mary Maslowski, seconded by Elizabeth Harder, to adjourn.

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

Motion carried unanimously.

Adjournment at 7:00 PM.