***Approved 12.14.17***

**Community Preservation Committee Regular Meeting Minutes of December 7, 2017**

*Electronically recorded.*

1. Call to Order

Harwich Community Preservation Committee Meeting called to order by Chair Dave Nixon at 6:01 PM, on Thursday, December 7, 2017, in the Harwich Town Hall, Donn B. Griffin Meeting Room.

Present: Chair David Nixon, Vice Chair Kathy Green, Jim Atkinson, Daniel Tworek, Joseph Powers, and Mary Maslowski

Absent: Cindi Maule and Selectmen Liaison Donald Howell

Vacant: Conservation Commission representative, Housing Authority representative

2. Guests welcomed. Public comment:

a) Ginny Hewitt, Brooks Free Libray Director gave new *handout: Dec. 7, 2017 Letter* answering questions brought up at their Nov. 9, 2017 presentation of H-3 Preservation of Brooks Free Library Exterior project.

1. Under MGL they are unable to go out to bid on the project until March. A firm price can not be given at this time, but will be known by Town Meeting.
2. The submitted estimates are estimated based on costs.
3. The library does have a maintenance budget. It is under the DPW‘s budget. This is not a maintenance project, but a preservation project.

b) Harwich Town Administrator Chris Clark backed up Director Hewitt’s timetable and figures. *Handout: Memorandum Nov. 29, 2017 Brooks Free Library restoration timeline.*

c) Harwich Real Estate & Open Space Committee member Elaine Shovlin read a *handout: Dec. 7, 2017 letter from Dave Callaghan* stating why he doesn’t support the OS-12 Preservation of the Eldredge Conservation Lands property purchase.

d) Bob MacCready of Harwich Port asked questions of historical preservation projects - H-4 and H-5. In his reading of the applications, they want to: 1) To create a basic storage facility and move town records there. 2) To create and implement a municipal retention policy program. How will this be different from a standard and required business practice that is part of a standard town administrative budget and plan? Following a records retention schedule, many of the records will have a destruct date and therefore will not be appropriate for historic preservation, as a historic resource for preservation. Some records the town is required by law to keep, regardless if it is a historic resource. What is the distinction between historic and non-historic documents? How will funding address this distinction? How will the facility and storage process meet the standards of historical preservation of resources?

e) Linda Cebula of Harwich Port regarding OS-12 Preservation of the Eldredge Conservation Lands property purchase project – not speaking for or against the project, but she would like to know the exact method of funding of the total of cost of this project? At a recent RE&OP committee meeting it was discussed how the land’s outstanding taxes and accrued interest fees far exceed the requested $369,000 funds. So, what are the specific source funding as to how this gap will be met? The public needs to be aware of this gap, and how it will be met, and the possible impact on tax rates, etc.

3. Approval of Minutes: Meeting of November 30, 2017

A motion was made by Kathy Green, and seconded by Daniel Tworek, to approve the November 30, 2017 CPC Meeting minutes.

VOTE: Yes 6; No 0; Abstain 0. Motion carried unanimously.

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4. New Business

a) Presentations:

**OS-12 Preservation of the Eldredge Conservation Lands**

Christopher Clark, Harwich Town Administrator, *Applicant. Project Manager* not listed.

*Requesting: $369,000.*

*Presenters:* Harwich Town Administrator Chris Clark and Harwich Town Conservation Administrator Amy Usowski

*Handout: Presentation PowerPoint*

This project is supported by the town’s Conservation Commission and Board of Selectpersons, but not by the Real Estate & Open Space Committee. The requested $369,000 is the appraised land value, and they plan to take the property by eminent domain for conservation purposes. The Eldredge land is adjacent to existing acreage of conservation land owned by the Town and State. Potentially 50% of the cost could be repaid if awarded a land grant. The land is within a Zone II Water Recharge Area. Instead of this land potentially being developed into ten house lots, the conservation of this land will enhance the water quality in the area and reduce the need for additional sewering. It is within the Pleasant Bay Watershed area and Six Ponds area. The land has a tax debt of $474,000.00, more than the land’s appraised value. Some of the title research has been completed. But the property’s complicated title makes this a very complex situation. The idea is to take the land by eminent domain to clear the title. The CPA funds would go into an escrow account, and then the taxes would be paid. The CPC questioned if CPA funds could go towards paying property taxes? But Mr. Clark told the committee the funds really would go towards the conservation land purchase; this was confirmed by a lawyer.

This project would clear the title, make the land into conservation land for the town, and provide its neighbors a nicer option than more development. Mr. Clark suggested the cost of this project to be covered with CPA funds could be a combination of using the CPC’s OS Reserve fund for $319,000. and $50,000. from town’s Free Cash fund.

Allegedly there are thought to be some 200 to 300 property owners. They could contest, and invalidate the title appraisal. They would have to pay a portion of the taxes due. Then they would be paid for their portion of the land, maybe a couple thousand dollars. Mr. Clark will get the CPC an updated title search. Previously this property was desired to be a recharge site. No past property owners came forward then. By using eminent domain, the title is cleared immediately; it was suggested then the contesters would have up to three years to come forward.

The CPC members gave notes on the eminent domain process. Process details from the applicant are needed. It was also suggested the town consider the land be taken via tax title followed with a confirmatory title.

**H-1 Albro House – Building Conditions Assessment & Evaluation**

Town of Harwich, Administration, *Applicant.* Charleen Greenhalgh, Harwich Assistant Town Administrator, *Project Manager.*

*Requesting: $2,500.*

*Presenters:* Harwich Assistant Town Administrator Charleen Greenhalgh

The town-owned Albro House is in the historic district. The HDHC recognizes this building as an historic resource and give their support of this project. An assessment is needed of the building to determine maintenance and restoration issues. The Board of Selectpersons need to have an assessment as they continue to try to figure out what to do with the building.

The proposed inspection is similar to a home inspection to determine the building’s needs. A septic evaluation is included, but structural evaluation is not. This year’s proposal differs greatly from last year’s $25,000 request. If this

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inspection determines there is more than meets the eye, a further study will be needed. It was noted that there are many issues that can’t be known unless walls are taken down.

They will use someone other than town personnel to do the inspection. It wouldn’t be proper to have town employees prepare this evaluation when they would later be doing work inspections.

It was questioned if the town is committed to keeping the building and doing a historic restoration? There has been talk about the town selling the Albro House. Ms. Greenhalgh doesn’t know the answer, but assumed the $2,500 would be returned to CPC accounts if the property is sold to a for- profit entity.

It was also noted the Albro House property line abuts the Town Hall and Old Colony Road. It includes some of the Town Hall parking spaces and both septic systems.

**REC-16 Pleasant Lake Avenue Crossing Lights**

Harwich Bikeways Committee, Shanna Nealy, Committee Member, *Applicant.* Robert Cafarelli, PE, *Project Manager.*

*Requesting: $27,000.*

*Presenters:* Paul Gazaille and Shanna Nealy both of the Harwich Bikeways Committee

This project would be similar to bike path crossing and beacon lights as the others already installed in Harwich. These three previous crossing lights were purchased and installed in town using CPA funds. Other Massachusetts towns have also used CPA funds for their crossing lights. It’s a safety enhancement of recreation in town. It was suggested to call it a rehab. The system uses passive solar. This project’s location is a very dangerous site that could really benefit from the crossing lights awareness. It was questioned how the newly proposed Pleasant Lake access project would gel with the light’s location? The RFP would sort this out.

**H-4 Preservation and Archiving of Public Records Storage at Harwich Community Center**

Harwich Community Center, *Applicant.* Carolyn Carey, Harwich Community Center Director, and Sean Libby, *Project Manager.*

*Requesting: $62,027.*

*Presenters:* Harwich Community Center Director Carolyn Carey, Harwich Assistant Town Administrator Charleen Greenhalgh, and Harwich Town Clerk Anita Doucette

This historic preservation project would preserve the town’s historical records by creating the necessary storage in the basement of the Harwich Community Center.

In researching CPA funding, they quoted the CPA definition of “historic” meaning anything noteworthy. These records are from all town departments, excluding Police, Fire and Water departments that have their own storage areas. The Town Clerk records will continue to use the town vault. The state requires most of these records to be retained in paper form. CPA views it is equally important to store historic documents properly and in an environment controlled storage area. Currently the records are in the town hall’s moldy old basement, which has inadequate space and inappropriate conditions. The dirty, damp basement has led to records being ruined. The air quality is poor.

Harwich must comply with the Municipal Records Retention Manual. CPC member Joe Powers offered his expertise to this project; he has done two other records storage projects, funded with CPA monies. He will provide the applicants with the Technical Bulletin #1. This proposed storage area may not meet the Massachusetts standards. They will need to consider what changes are needed to comply. The proposed storage area would not affect any future recreation projects that might use the basement of the community center.

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Details they need to provide the CPC with on: How the area will be climate controlled? How fire suppression will be handled? The reassessment following Technical Bulletin #1 guidelines.

The submitted application start and completion dates need to be changed. Listed as July 2017 and September 2017; should be 2018.

**H-5 Records Management - Town Hall**

Anita Doucette, Harwich Town Clerk, *Applicant. Project Manager* not listed.

*Requesting: $40,000.*

*Presenters:* Harwich Town Clerk Anita Doucette, Harwich Community Center Director Carolyn Carey, and Harwich Assistant Town Administrator Charleen Greenhalgh

Town Clerk Anita Doucette is Harwich’s Records Access Officer, designated by the State. She will be helping the other departments with their records. This project would implement a records management program to archival the town’s records/documents, and create/comply with the State’s records retention schedule. The records/documents are a historic resource. Preservation of the records/documents is important. The State requires everything to be kept in paper form. Currently Harwich does not comply with the Technical Bulletin #1 of the Massachusetts Office of Records Retention Manual.

The company they have selected for the project, the King Company, has done a site visit at the Town Hall and the Community Center. They have a great repetition. Wellfleet used them for their records program. They will create a detailed database and storage system. One box will equal one file cabinet drawer. The King Company will evaluate the records and follow the retention schedule guidelines on what shouldn’t be kept. King’s retention schedule produces a report of a destroyable document that becomes a permanent record, the town can legally destroy it, but we will still have the record that is existed. The physical records need to be kept secure, in a proper accessible storage area that is climate controlled.

The Historic Commission has seen the Town Hall basement storage area. The area is horrific and not secure (anyone can enter/exit without notice). It was again noted that some records that could be destroyed have come in handy following the historic story of something. The CPC was invited to view the storage area for themselves to see the situation.

A detail budget is needed to be supplied by applicant.

5. Old Business:

Question on OS-12 - Preservation of the Eldredge Conservation Lands: If this property is taken by eminent domain, will hunting be allowed? Unknown.

Definition of eminent domain: the right of a government or its agent to expropriate private property for public use, with payment of compensation.

6. Other: Dave will request table name plates for committee.

7. Next meeting’s Agenda points:

Next meeting – Next Thursday, Dec. 14, 2017 @ 6 PM. Invitations already sent for presentations.

8. A motion was made by Jim Atkinson, seconded by Joe Powers, to adjourn.

VOTE: Yes 6; No 0; Abstain 0. Motion carried unanimously.

Adjournment 7:45 PM.