

**COMMUNITY PRESERVATION COMMITTEE
TOWN OF NEEDHAM, MASSACHUSETTS**

**Minutes of Meeting
March 25, 2020
Zoom Meeting**

PRESENT: Peter Pingitore – Chairman, Artie Crocker – Vice Chairman, Joe Barnes, Chris Gerstel, Rick Zimbone, Robert Dermody, Laura Dorfman

ABSENT: Paul Alpert

STAFF: Carys Lustig, Staff Liaison, Kristen Wright, Recording Secretary

GUESTS: Ross Donald, Town Meeting Member
Joe Leghorn, Needham Community Farm
Ilene Hoffman, Town Meeting Member

Mr. Pingitore completed a roll call for all members of the Committee and members of staff and the results of the roll call are noted above. Mr. Pingitore called the meeting to order at 7:30 PM via a Zoom Meeting. Mr. Pingitore reviewed the rules of the meeting that was being conducted remotely and online inline with Governor Baker's order regarding Public Meetings.

Discussion about Public Hearing

Mr. Pingitore stated that the Public Meeting has been tentatively set for April 2 and the consultation with the Finance Committee is still scheduled for April 15. Mr. Pingitore stated that the meeting with the Finance Committee is a statutory requirement prior to the vote of this Committee regarding any proposed projects.

Mr. Pingitore opened up the discussion and asked the Committee how they felt about moving all CPC articles to the scheduled Special Town Meeting in October. Mr. Pingitore stated that by delaying the articles until the fall, there would be anticipated Public Hearing in August and shared that a benefit of waiting to have the public hearing in August instead of April would be the ability for comment. If a meeting was held on April 2, it would be done electronically by Zoom or some other digital format. The hope is by August, we will be able to meet in person again and allow for more in-depth discussion of the articles.

Ms. Lustig added that the idea would be to bring the same process that has always been followed for the Annual Town Meeting held in the spring to the Special Town Meeting held in the fall. We would still host a Public Hearing and meet with the Finance Committee. We have already held our meeting with the Select Board regarding these articles so we would not need to meet with them again about these articles. The Finance Committee typically meets in the beginning of September to discuss articles for the Special Town Meeting so we could be scheduled to discuss these articles with them at that time. By moving the articles to the Special Town Meeting in the fall, this would allow for this committee to hold a Public Hearing that allows the gathering of the public instead of an adapted virtual Public Hearing. Furthermore the last Select Board meeting was held prior to the Governor shutting down schools until May 4 so the Select Board will now be addressing the potential to changing the dates of the Annual Town Meeting. If Annual Town Meeting is delayed, the intention would be to have a shorter Town Meeting so the decisions made at Town Meeting could be acted upon before the beginning of the new fiscal year. Community Preservation Committee articles have been presented at

the Special Town Meeting in the fall before, especially where the projects had strict timelines that would benefit approval in the fall rather than in the spring.

Mr. Barnes stated that at first he thought it would be in the best interest of the proponents to move forward with the current timeline so that they could have the summer to work on their projects, but after hearing all the information tonight and given the sensitive nature of some of our projects ensuring that they are properly vetted is important. Mr. Barnes agrees that these articles should be delayed and handled with a reasonable and cautious fashion.

Mr. Crocker stated that this is a very thoughtful process. Mr. Crocker asked if there had been any consideration about splitting the articles and moving forward with more straight forward articles. Mr. Crocker agrees that in light of the current circumstances and to ensure as much involvement as necessary from the public it makes sense to put off some of the articles until the Special Town Meeting in the fall.

Mr. Pingitore stated that splitting the articles could lose some of the efficiencies of the process as we would still have to hold a Public Meeting and meet with the Finance Committee for any articles moving forward to Annual Town Meeting and hold a second Public Hearing and another consultation with Finance Committee for the articles being moved to the Special Town Meeting in the fall.

Mr. Crocker stated that if none of the articles would face hardship by waiting, than he wouldn't see the benefit of splitting them up.

Mr. Dermody stated that he does not think the articles should be split up and that all articles should be treated equally and fairly. There is no way to determine which articles may or may not go through with unanimous consent at Town Meeting. Mr. Dermody agrees with the suggested of the chair as advised by the Town Manager that all articles should be held until the Special Town Meeting in the fall. Use this opportunity to protect due process.

Ms. Dorfman stated that she felt the public would understand why there would be a delay. It is important to be mindful of the financial impacts of the current coronavirus and it could impact the financial standing with some of our proponents.

Mr. Pingitore stated that Ms. Dorfman makes an excellent point and suggested asking for a Q1 update from the proponents that we have requested financial information from in the past.

Mr. Gerstel stated that he is conflicted and feels that it would be important to ask the proponents what impacts it would have on their project if they were to wait until the fall. By splitting up the articles we could ease the load for the execution of the projects and would want to ensure that projects weren't being negatively impacted by delaying, more specifically the projects at DeFazio and Claxton Field. On the other hand Mr. Gerstel stated he understood that desire to be consistent.

Ms. Lustig stated the Claxton project is for design and working with Mr. Olsen in the past that she believes that even with the delay that he could work to get the design completed in the fall. Ms. Lustig stated that the Conservation project is also for design and it does not have any set timeline for construction at this point. The DeFazio project was probably set to be completed in the summer so by delaying this project it would potentially be put off by a year.

Mr. Gerstel stated that some projects may benefit from moving forward as they may have intended to come back for the next cycle and this may delay their ability to support their future projects as well.

Mr. Pingitore stated that he would not want to have the perception of playing favorites. If we break up the projects we would still lose the efficiencies.

Mr. Zimbone stated that when Town Management looked into and proposed changing the structure of Town Meeting from one large Town Meeting to a few smaller Town Meetings they must have looked at the priorities that had the biggest effect on the operation of the Town. The big priorities may include the budget, union contracts and large capital projects and it may be in the best interest for all other articles to be moved to the Special Town Meeting. Mr. Zimbone agrees that these articles should be moved to Special Town Meeting in the fall however he thinks that it is important for us to continue to move forward but postpone the meetings with the Finance Committee and our Public Meeting to continue to gather information. Another benefit with postponing would be that we would have more information about Emory Grover and any future considerations that project may bring to this Committee.

Mr. Crocker stated that he agrees with many things shared by other Committee member and feels that we should move the articles to the fall.

Mr. Barnes stated that he further agrees that all the articles should be kept together and be presented to the fall.

Mr. Dermody stated that he agreed with Mr. Barnes.

Ms. Dorfman stated again that the world is going to be a different place at the end of this virus and thinks that it is a good idea to delay all the projects. We would not want to be perceived as showing favoritism.

Mr. Gerstel stated that he doesn't think it would be favoritism for any projects but for the ease of the projects and isn't against splitting them.

Mr. Pingitore stated that it wouldn't be based on favoritism but it would be perception issue.

Mr. Zimbone stated that his perspective it is best to look at this from a more global standpoint regardless of what the project entailed.

Mr. Pingitore invited Mr. Leghorn to speak to the Committee.

Mr. Leghorn shared that the current stated of the world only highlights some parts of the food insecurity that we face. If the project funding is delayed until the fall it could extend the scope of the project by a year or two.

Mr. Pingitore made a motion to continue the seven CPC applications for vote and consideration in the Annual Town Meeting to the Special Town Meeting currently planned in the fall. Mr. Zimbone moved the motion and Mr. Crocker seconded. The roll call vote was as follows: **Barnes:** aye, **Crocker:** aye, **Dermody:** aye, **Dorfman:** aye, **Gerstel:** nay, **Zimbone:** aye, **Pingitore:** aye. Motion passes 6 - 1

Mr. Zimbone stated that he feels the next steps should be contacting the Finance Committee to postpone our consultation and also set a date certain for the Public Hearing.

Mr. Pingitore stated that Ms. Lustig will reach out to the appropriate parties. Mr. Pingitore opened a discussion for dates in August to hold the Public Hearing.

Mr. Zimbone suggested a setting a date in June.

Ms. Lusting stated that she could always put a date on the calendar in June and a back-up date in August.

Mr. Barnes asked if a date after Labor Day wouldn't be more appropriate as the Special Town Meeting is scheduled for October.

Ms. Lustig stated that we could do that but there is a concern about the turn-around time. The Finance Committee won't publish their vote until after this Committee has voted, which may be hard due to the short time between Labor Day and Special Town Meeting.

Mr. Pingitore stated that Governor may be putting out an ordered that allows Town's to move their Town Elections and Town Meetings.

Ms. Lustig stated that currently the Town would have to petition the court to move the previously scheduled Town Elections and Town Meeting. The Governor is working on an order to allow municipalities to move theses items without petitioning the court.

Mr. Pingitore stated that Town Elections and Town Meeting may be moved to June, which makes hosting the Public Hearing in June. August may be a difficult time to get full public attendance, but it may be a better time in the long run. September does not seem to be a good idea because of the quick turn-around before Special Town Meeting.

Ms. Dorfman stated that if the current situation may drive people out of town in June and July after being at home for such a long period of time.

Mr. Zimbone stated that school is set to be back in session before Labor Day this year and perhaps that week may be a good time to plan it as everyone will be back from any potential vacation.

Ms. Dorfman agreed with Mr. Zimbone.

Mr. Pingitore stated that the liaisons working with the two church proponents may want to work on agreements before we adjourn.

Ms. Dorfman asked how this delay will be communicated to the proponents.

Mr. Pingitore stated that the staff will communicate that to the proponents including an invitation to reach out to the liaisons for follow up.

Mr. Crocker asked if the proponents could file for reimbursement if they start the project now if the town approves the money at Special Town Meeting.

Mr. Gerstel stated that he'd like to discuss the potential of having a Public Hearing in June.

Mr. Pingitore suggested having a meeting of the Committee in June and June dates can be discussed at the April meeting.

Mr. Zimbone suggested meeting with the Finance Committee before the June meeting to gather their concerns. Mr. Pingitore stated he didn't think they needed to meet with the Finance Committee before the June meeting and that July or August may be a better time to schedule the meeting. Mr. Zimbone stated that the Finance Committee does not typically meet in July and August. Mr. Pingitore stated that at the next meeting in April we can gather some feedback from the Finance Committee on what dates they can meet.

Mr. Crocker asked if the work on a project can start prior to the town voting on these articles. Mr. Pingitore stated Community Preservation Committee cannot reimburse a proponent for a completed project. Mr. Crocker clarified that proponents cannot start the project before these applications are voted on and receive money from the Community Preservation Committee. Mr. Dermody stated that he would like all applicants to be treated equally and supports the initial communication coming from Ms. Lustig.

Chairman's Updates

Mr. Pingitore stated that he presented to the Select Board at their meeting held on Tuesday March 24 via phone conference and reviewed the seven applications the Committee is reviewing. Mr. Pingitore stated that he discussed the guidance from Town Council and other protections the Committee is discussing with these proponents. Mr. Pingitore stated he felt the presentation was well received by the Select Board. Mr. Zimbone asked if they had a reaction regarding the capacity and the bonding. Mr. Pingitore stated that the Select Board stated that they were not going to discuss that at their meeting tonight.

Mr. Pingitore shared his thanks to Ms. Lustig, Ms. Wright and all the Town staff that has been working diligently during this difficult time.

Adjournment

Mr. Pingitore made a motion to adjourn the meeting at 8:55PM. Mr. Barnes seconded the motion. The roll call vote was as follows: **Barnes:** aye, **Crocker:** aye, **Dermody:** aye, **Dorfman:** aye, **Gerstel:** aye, **Zimbone:** aye, **Pingitore:** aye. The meeting adjourned at 8:55PM

Respectfully submitted,

Kristen Wright
Recording Secretary