

CPC Meeting Minutes
Monday, March 11, 2019
Library Community Room

ATTENDEES: Ann Burbine, Skyler Chick, Karen Connolly, Dan Fennelly, Gary Meyerson (Chair), Penny Scott Pipes (*Absent: Ms. Brennan, Ms. Durante, Mr. Smith*)

Additional Attendees: Maura Curran, Brad Washburn, Cynde Robbins, Wayne Robbins, Frank Snow, Mark & Lisa Fenton

The meeting was called to order at 7 pm

The agenda was accepted by unanimous vote

Acceptance of meeting minutes: A MOTION was made by Ms. Burbine to accept the **January 29, 2019** minutes as written; Seconded by Ms. Scott Pipes; all in favor (5/0)

DISCUSSIONS

1. Discussion/Vote – Maxwell Trust Land Purchase Rescission \$389,192 (ATM 2016)

Discussion – Mr. Meyerson said that the Board took a vote at the January 29, 2019 meeting to rescind the funding due to insufficient title for one parcel after three years. The applicants are here to give the Board an update with the goal of reversing that decision. Mr. Meyerson gave a recap of the history and noted that “the lawyers are talking to each other again” [to sort out the title issue] and appear to be in agreement on how to proceed.

According to Ms. Robbins, the Town lawyers sent information to a title search company that came up with some suggestions to fix the title. But, this also results in a time/expense issue. Ms. Robbins noted that they will need to go through Land Court and that can take 12 to 18 months. They also need to do a genealogy search on the Bates family to determine if there are any current heirs and that can take six months. Ms. Robbins said that the Town Counsel and the applicants lawyer have agreed that they need to get a purchase and sale extension for one year. They have already received one extension signed by Town Counsel and the Trust; they do not need the Board of Selectmen to sign it.

Ms. Robbins explained that, when they received the title certification letter from the attorney, they thought they were all set. They did not realize that the insurance company would not insure the title.

Ms. Robbins gave the Board an updated (from September 2018) timeline and noted some delays that occurred along the way, i.e., Town Counsel, Brandan Moss, holding up the title information. Mr. Meyerson said that he took issue with one point in the timeline; he asked that it be noted that the agenda and meeting notification was posted appropriately.

When asked by Ms. Robbins, Ms. Connolly clarified that an additional funding article from 2016 [STM prior to ATM] included an appropriation for Maxwell Trust closing costs as well as Conservation Restrictions for multiple parcels. Ms. Connolly noted that the closing costs are typically included in land purchases; it was overlooked and funded via the additional article.

Mr. Fennelly asked whether or not they can purchase the parcel that has clear title; the Board responded that the applicants would need to withdraw the original application and submit a new one for that parcel only.

Mr. Meyerson suggested that the Board reverse the rescission and give the applicants a six month purchase and sale extension with a progress review in September or October at the Annual meeting. If, at that time, there is progress on the title the Board can vote on another extension. If not, they may need to come up with another plan.

Mr. Robbins said the lawyers negotiated a 14 month extension for the purchase and sale. Mr. Meyerson said that Town Counsel can only advise; CPC decides on what date to set.

Ms. Robbins said that, in the legal world, six months is not a long time. Their attorney is urging them to get a year to ensure that the funding won't be rescinded again. She added that, if they cannot clear the title, they will come back and tell the Board. She also noted that the person doing the title search has given assurance that the title will be cleared.

Mr. Meyerson indicated that a rolling six month review is a fair and conservative way to assess the situation going forward. He also does not want to "hamstring any future board".

Mr. Fennelly said that he supports the six month review. In the event that this process is getting drawn out, he also supports having the applicants resubmit an application so that the purchase of the land with clear title can be completed.

Mr. Chick said that he supports the six month review.

Ms. Robbins asked if they can get a one year extension with a six month review added in. Mr. Meyerson said that he can explore it with Town Counsel. If there is a change, they can discuss it at the May meeting.

Ms. Curran said that she supported the Board in their decision to reverse the rescission and do rolling six month reviews.

A MOTION was made by Ms. Burbine to rescind the rescission on the Maxwell Trust Land Purchase with a rolling six month review in September 2019 and, with progress, a review again in March of 2020; Seconded by Ms. Scott Pipes; All in Favor (6/0)

- Ms. Connolly – yes
- Ms. Scott Pipes – yes
- Mr. Chick – yes
- Mr. Fennelly – yes
- Ms. Burbine – yes
- Mr. Meyerson - yes

2. Discussion/Vote – Community Preservation Coalition – Brad Washburn

Discussion – Mr. Washburn said that only a handful of towns do not pay the voluntary dues each year. There is a need for access to the information that the Coalition provides.

A MOTION was made by Ms. Burbine to pay up to \$4,500 in dues to the Community Preservation Coalition to effectively rejoin; Seconded by Ms. Scott Pipes; all in favor (6/0)

Ms. Connolly requested, for the record, that she would like to have Stuart Saginor look at the list of bills that they worked on because some of them are not related to CPC. She would like clarification on their role.

3. Discussion – Any items related to CPC articles for town meeting

Mr. Meyerson asked the Board if they read the letter from Scituate Little League expressing a negative view of the Athletic Fields Project. He reviewed it and found it factually incorrect. He added that there have been several meetings on this project and they could have come at any time to voice their concerns.

Mr. Fennelly said that they never participated in any discussions over the last two years or attended any meetings on the project.

Andrew Fiddler, a member of SLL, said that they do want to be good partners but the turf issue was raised. Mark Novak from Activas has responded.

4. New/old business

The Wampatuck Playground applicants have asked for input on signage. Ms. Connolly will follow up with them.

Ms. Scott Pipes said that the North Scituate Playground still has no signage; she will follow up with the Recreation Department.

Ms. Connolly suggested that CPC hire a landscaper to go to sites to place the signs that Ms. Scott Pipes has.

The Board voted unanimously to adjourn at 8 pm.

Submitted by:

Mary Sprague

Administrative Assistant