Town of Watertown

Community Preservation Committee
Administration Building
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Minutes: Thursday, July 18, 2019, Richard E. Mastrangelo Council Chamber, 7:00 PM

Committee Members Present: Jon Bockian, Bob DiRico, Dennis J. Duff, Allen Gallagher, Mark Kraczkiewicz, Susan Steele, Elodia Thomas. **Absent:** Jason Cohen, Maria Rose.

Others Present: Gideon Schreiber, Senior Planner, Community Development and Planning, Vincent J. Piccirilli, Town Councilor, Anthony Palomba, Town Councilor, Deborah Peterson, Janet Jameson, Michelle Cokonougher.

1. Minutes:

The meeting was convened at 7:00 by Elodia Thomas, Chair. The first item on the agenda was to review and approve the minutes of the June 20th meeting.

- Dennis J. Duff made a motion to approve the minutes as printed. Susan Steele seconded. All were in favor.

2. Informational Updates:

- Town email addresses **-** Ms. Thomas informed the committee that Joe Mahoney, Town IT Manager, has promised the committee will be getting email addresses and that as requested, he will also provide them all with written instructions within the following week.

- RFQ Scope of Work for consulting services **-** The RFQ for the consultant has been submitted to Raeleen Bandini, Purchasing Agent and sent out. A couple of companies have already shown interest so there is some activity.

- CPC Coordinator part-time position **-** The job description has been submitted to Gayle Shattuck, Personnel Director. It is being sent out to municipal listings and has been posted to the town website.

- Meeting with Tom Tracy July 19, 2019 to discuss budget reporting and administrative expense procedures Mr. Duff and Ms. Thomas are set to meet with Mr. Tracy to figure out a way to format the CPA funds so they can have a better understanding of the pool of money available to them. They will work to set up a reporting system for the committee.

3. Rules and Regulations concerning the management of the committee: Mr. Dennis Duff and Mr. Allen Gallagher

Mr. Duff stated that the pair gleaned through many regulations and tried to keep this document as straightforward as possible. In their research, they found that one community had rules regarding rejection of project proposals and provided a timeframe in which applicants would not be able to resubmit those proposals. They considered implementing this rule, but Mr. Gallagher pointed out that with the CPC being a new endeavor for the Watertown community, applicants would make mistakes and he did not agree with setting up such a restriction. They agreed to exclude the rule from the document. The rules that they did put forward they believe were straightforward and uncomplicated.

Ms. Thomas wanted to clarify that this particular document only concerns management of the committee itself and a second document would be developed regarding the application process. The Rules and Regulations would be a two-part process.

Mr. Jon Bockian stated that he had reviewed the document and submitted some updates and corrections. The committee agreed to review Mr. Bockian's edits. A very lively and engaged discussion followed.

Mr. Bockian jumped into the revisions he suggested. He stated his proposed changes were not corrections but rather changes. He wanted to discuss broad concepts. He stated that he did not think the mission section and the membership and term section were necessary in that they're already covered by the town ordinance that sets up the CPC and somewhat by the CPA itself. He felt they were repetitive and should be removed.

He stated the most important revision he proposed had to do with the voting procedures, not so much the quorum but rather how many members it would take for the committee to pass a motion. With the current setup, the majority of a quorum can adopt any motion. He said that it seems that there are some subjects where it really ought to be a majority of the committee members instead. He believes 5 or more members should be required to vote favorably to adopt certain types of provisions. He listed what he believes to be the most important policy provisions the committee would consider:

a. Election of officers

b. Approval of budget and amendments and budget requests to the Town Council

c. Approval of a report of the Needs Study

d. Approval of a Plan to address those needs

e. The establishment of priorities for CPA funding, and approval of the process for applying and selecting projects

f. Recommendations to the Town Council by the committee

g. Offers and terminations of employment

h. Enter into, approval, or terminate binding legal agreements

i. Any vote to establish rules or amend the rules of CPC

For any other votes, he believes a majority of the committee present would suffice.

Mr. Gideon Schreiber stated that the committee is made up of 9 members so in all instances they would need 5 members to be present no matter what. In every instance no matter what, they would only need 3 of the actual committee members to vote to make a decision unless the committee creates clarifications which he believes is what Mr. Bockian intended to do.

Ms. Thomas stated that she was concerned that the committee has only held two meetings so far that have had full committee attendance so she asked for clarification on how the system would work in those circumstances e.g., election of a chair. Mr. Bockian stated that his proposal would not require all members to be present, just 5 and in the case of the most important policy questions, all 5 would need to vote in the affirmative. He believes that would be the most responsible thing to do for the residents of the town and he understands that it might necessitate putting off some votes.

Mr. Mark Kraczkiewicz agreed with Mr. Bockian. Ms. Thomas stated that she believes such a vote would make sense for funding purposes. Anything related to projects and money should be majority vote.

Mr. Kraczkiewicz stated that he did not believe a proposal that was only passed by 3 members of a 9-member committee would be sufficient to go before the full Town Council. Mr. Tony Palomba, Councilor, stated that the Council would not consider a proposal brought before them with just 3 votes. He stated the rules were written to reflect a simple majority. If 6 committee members attend a meeting and 3 vote in favor of a proposal, it wouldn't be unlikely to be considered. They would need at least 5 to make a positive proposal to the Town Council.

Mr. Duff stated that 3 votes can still be considered a majority. Mr. Schreiber also noted that sometimes committees may end up with vacancies which can take a while to fill and the committee should bear that in mind as they finalize the voting procedures.

Ms. Michelle Cokonougher suggested the committee change the language to state that a majority of the total number of committee members would need to vote in the affirmative instead of having a number specified in the rules.

Ms. Steele stated that she agreed with the idea of being very specific about 5 members and holding the committee to that for the very important decisions. She did not think that 3 voting members would suffice. Mr. Gallagher also agreed. Ms. Steele also suggested that some of these questions could be put to our consultant.

Councilor Vincent J. Piccirilli stated that generally a committee needs a quorum and voting requires just a majority of members who are present. Some rules state a majority of all members such as 2/3 majority of all members are needed to vote. Six votes of nine are needed for loan orders, zoning amendments and the budget.

Mr. Bockian stated that he would agree that rather than stating 5 members need to vote, the document can state that a majority of the members of the total committee need to vote. He then suggested reviewing his list of important policy provisions for committee members to determine whether they should all require a supermajority vote or if there are any that members disagree with.

-Election of officers

-Approval of Budget and Budget requests – Ms. Thomas stated that the committee does not approve the budget, it is an allotted budget. After further discussion, Mr. Bockian stated the category should be called “approval and amendment of the budget.”

-Needs study – Mr. Bockian expects the study and the plan are the same and both would require a supermajority vote.

Mr. Duff asked for a clarification on the number that makes up a supermajority. Mr. Bockian stated he is proposing 5. Ms. Steele clarified that Mr. Bockian is reviewing 9 items that he considers important enough to have 5 members of the committee vote for regardless of how many members are present.

Mr. Palomba chimed in to suggest that it might be helpful to first decide whether they want to use 5 members or a majority of the total committee members so if they’re down any members, the majority would be 4 members voting. He stated a majority of the members protects the committee from potential problems.

Ms. Thomas replied that two members of the committee were absent from the meeting and they really wanted to be part of the conversation and she was feeling uncomfortable with making that decision without them.

Mr. Duff stated that in his personal opinion the discussion was a little absurd as he believes the Town Council would still be able to see the merit of a project whether it was voted upon by 3 members or 9. Mr. Bockian reiterated that while he respects the wisdom of the Council, if it turns out that just 3 members voted to recommend a project while 6 members did not approve or could not attend a meeting that would create an unfortunate situation. He wanted to have a solid majority of the members to approve something important. He also agreed with Ms. Thomas that rules should require a majority of members to be present and that with members absent, they should wait until the next meeting to proceed.

Ms. Steele and Mr. Duff stated they would not be at the next meeting. Ms. Thomas stated that vacations had come up several times and she was even reconsidering whether the committee should hold a meeting in August. Mr. Gallagher suggested discussing that during the “New Business” agenda item.

Mr. Bockian continued to review his list of key items up for votes. Mr. Schreiber expressed concern with a couple items on the list, stating that he felt they were getting into projects and applications which were not meant to be a part of the Rules and Regulations document. He stated that the committee should just keep it simpler with big picture categories where they would want the majority of the committee to vote.

Ms. Thomas asked the councilors in attendance to clarify how the council handles their votes. Mr. Palomba stated that the budget, loan orders and zoning amendments require a 2/3 majority vote or 6 of 9. Everything else other than those two items is a simple majority of the quorum, so if only 5 councilors attend a meeting, 3 can vote to approve a motion or resolution.

Mr. Schreiber suggested the committee make the list of key provisions selective and keep it simply to whatever you decide a majority of the quorum? Five? or Six? for big the issues regarding the following:

-Elections
-Budgets and amendments
-Recommendations to the Town Council
-Decisions
-Rules

Mr. Palomba stated that he thinks the committee is complicating the matter and should be considering only 2 options; making these types of decisions either the majority of all members or 5 votes necessary. Mr. Duff stated there's a third option that's been proposed, simply sticking to the majority of the members present at any meeting.

Ms. Thomas stated that she is hearing a two-tier process for certain decisions could be the majority of members present but the big-ticket items including funds and projects could be the majority of the committee.

With so much left to discuss, Ms. Thomas suggested only spending a few more minutes of the rules and regulations and moving on.

The committee reviewed some of the other updates Mr. Bockian was suggesting to the document.

Among them, the purpose of the CPC, when election of officers should take place. Mr. Bockian suggested it should be in February rather than June, at the beginning of their new term. Mr. Duff stated that the idea that the Chair would be elected in June came about as the committee got a late start. He also stated that the fiscal year starts on July 1st so the committee would vote in June for the Chair to take over in July. Also, appointments also tend to roll on beyond the term in the appointment letter. Ms. Thomas agreed that it may be appropriate for the Chair to see the budget through the entire fiscal year.

- ➢ Ms. Steele made a motion to table the discussion of the rest of the Rules and Regulations to the next meeting which would give committee members time to review the document with Jon's edits. Mr. Gallagher seconded. All were in favor.

4. Faire on the Square

Ms. Thomas asked if members of the committee felt they were ready to have a table at the Faire on the Square on September 28th. This is the 20th anniversary of the Faire and is a major community event. Mr. Kraczkiewicz felt that this was premature for the committee, that they were not prepared and would not be able to adequately answer questions from the public. Mr. Gallagher agreed. The Committee will not participate.

Ms. Steele has been tied up with demolition permits. David Russo and Ms. Steele did get together and discussed using the 2015 part of the Comprehensive Plan as the foundation for building some guidelines for the CPC.

5. Community Letter

Ms. Thomas suggested the discussion regarding the community letter be reserved for a future date rather than carrying it over on the agenda month to month. All were in favor.

6. Updates from the Commissions and Boards.

Mr. Gallagher stated the Housing Authority was pleased to announce that after long application and interview process they hired a new Executive Director, Michael Lara.

Ms. Steele stated that the Historic Preservation has been bogged down with demolition requests. She and David Russo are reviewing the 2015 Comprehensive Plan as a foundation for moving forward with the CPC.

7. Public Comments: No comments from the public.

8. New Business

The committee moved on to the business of discussing the August meeting. Mr. Gallagher stated that many town committees and boards do not meet in August and suggested moved to cancel the August meeting.

Mr. Schreiber reminded that committee that the RFQ was out for bid and there was still a timeline to follow to review and interview consultants who've applied. Mr. Gallagher asked the committee to raise their hands if they would be available in August – 5 members would be available. Mr. Kraczkiewicz suggested keeping the August 15th date as scheduled and Mr. Gallagher withdrew his motion.

Ms. Thomas stated that the deadline for proposals from consultants is July 31st at 1:00PM. She will contact committee members at that point to figure out a way to have people review candidate RFQ's. Depending on the number of candidates, it will be determined if they should meet for a review discussion. She stated there are two dates selected for interviews in September. The selected consultants do need to be scheduled for the interviews.

Mr. Schreiber stated that usually the Purchasing Department tosses the applicants who don't meet the minimum qualifications, but the committee is also free to review them. Ms. Thomas asked whether there was anyone available either August 1st - 9th to meet to go through the applications? Mr. Bockian and Mr. Kraczkiewicz volunteered. Regardless, she stated that the regular meeting on August 15th would be held.

Mr. Kraczkiewicz asked about park/rec tours for the CPC. This will be put on the August agenda.

- Mr. Gallagher motioned to adjourn the meeting. Mr. Duff seconded. All in favor. The meeting concluded at 9: 04PM.