



Town of Duxbury Community Preservation Committee

Approved 10/22/2020
Voted to release 12/2/2021
TOWN CLERK

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DUXBURY MASS.

Executive Session Minutes of July 23, 2020

The Community Preservation Committee (CPC) met on Thursday, July 23, 2020 at 9:00 AM by Zoom remote videoconference.

Members Present: Holly Morris; Tag Carpenter; Kathy Cross; Cynthia Ladd Fiorini; Tony Kelso; Paul McCormack; Kathy Palmer

Members Absent: none

Staff Present: Joe Grady, CPC Administrator; Susan Ossoff, CPC Administrative Assistant

Others in attendance: Town Counsel Jeff Blake; Ted Flynn

Executive Session began at 9:10 am.

Holly Morris reviewed the financial situation of the CPC and the costs if the entire purchase is funded using CPC funds. There was discussion of anticipated budget issues in Town due to a decline in revenues. Holly Morris reported Betsy Sullivan of the Finance Committee is very concerned with CPC borrowing funds. Holly Morris said there are concerns about the impacts on future CPC projects (such as the possible hiring of an Affordable Housing consultant) and concerns on how the property will be managed.

Jeff Blake discussed possible legal actions that may result from the eminent domain taking. He said the seller can challenge the amount of money being offered. The Town can continue to challenge whether the purchase offer was a bona fide offer. The buyer can withdraw the property from Chapter and wait 2 years to sell or pay the rollback tax. Jeff Blake said with an eminent domain taking, legal action usually challenges the price but not the purpose of the taking. Perhaps the farmhouse or some of the buildable lots could be sold to reduce the net cost of the project.

There is a Town Meeting warrant article with funding for the taking using CPC, Affordable Housing Trust, and borrowing funds. Town Meeting can't appropriate CPA funds without the recommendation of CPC which has voted to recommend this funding. If that vote is changed today, the funding source is no longer available to use for the purchase of the property and the Town would have to borrow to go forward with the eminent domain taking.

Joe Grady said that if the property is purchased by the Town, it takes a long time to get any development work going. It took 6 years to build affordable housing at the Feinberg Bogs. Engineering work is needed, perhaps the property would be subdivided differently than it now is – there are lots of pieces and the project will be lengthy.

Jeff Blake said the CPC has previously taken a vote to support the funding of the eminent domain taking using CPC funds (and AHT funds and borrowing). No further votes are necessary unless the CPC is changing its mind.

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Holly Morris suggested leaving things stand without any changes and see how it plays out, and the other CPC members agreed.

Kathy Palmer made a motion to exit the Executive Session and return to open session. The motion was seconded by Cynthia Ladd Fiorini. The roll call vote was; Holly Morris, yes; Tag Carpenter, yes; Kathy Cross, yes; Cynthia Ladd Fiorini, yes; Tony Kelso, yes; Paul McCormack, yes; Kathy Palmer, yes. The motion carried 7-0.