

COMMUNITY PRESERVATION COMMITTEE

Minutes, April 27, 2022

Town Hall – Rm 24

Present: Joan Kinniburgh, Chair, Jean Connaughton, Sam Corbitt, Linda Scharf, Sandy Slavin, Treasurer, Barbara Smith, Sherbie Worthen, Clerk

Guests: Judith Whiteside, Jim Munise, Kathy Pappalardo, Bernie Pigeon, Jim Giberti, Tom Hannon, George Barrett, Brett Labonte, and other members from the Golf Course Advisory Committee

Call to Order: Joan Kinniburgh opened the meeting at 6:00pm.

Roll Call: Sherbie Worthen asked for a roll call (*see above*)

Minutes, 4/13/2022: Sandy Slavin made a motion to accept Minutes. Sam Corbitt seconded.
Vote: 6-0-1.

Financial Review: Slavin reported:

- Onset Bandshell - \$1,000 paid for engineering study
- Minot Forest Trail - \$706.80 for stone on trail

Committee Reappointment: Joan Kinniburgh is eligible for reappointment. Linda Scharf made a recommendation to reappoint. Barbara Smith seconded. Joan Kinniburgh abstained from the vote. **Vote: 6-0-1.**

Completion Status of MOU Contingency on LHCC: Three preceding contingencies have been completed. For the LHCC closing to take place, all 4 contingencies must be completed. Judith Whiteside, BoS Chair, reported that the MOU Draft had been approved by Counsel, Town Administrator and Board of Selectmen. The Buzzards Bay Coalition (BBC) Board met the preceding night to vote to write the MOU between the Town of Wareham and the BBC to be the holder of the Conservation Restriction. Ms. Whiteside noted that the BBC 'model' MOU and CR was closer to addressing the Town's LHCC requirements for open space, recreation and salt marsh migration than the 'model' of the Wareham Land Trust. WLT President Kathy Pappalardo stated that WLT members had spent many hours in discussion with the Town and in developing an MOU and CR and the WLT does not have a specific 'model'. Ms. Whiteside thanked The Land Trust for their excellent efforts. A one-and-a-half-page MOU between the Town and the BBC will be presented for approval at the BoS meeting, Monday, May 2nd. After some discussion by the Committee, Ms. Slavin pointed out it was not the responsibility of CPC to review or approve the MOU or the CR which still has several reviews ahead. Ms. Whiteside mentioned the BBC's role in migrating the salt marsh which may include applying for storm water remediation grants.

CPA Legislation: Ms. Kinniburgh referred to MGL c.44B §12b along with concerns about “rumors and innuendos” suggested in an email from Ms. Whiteside to the CPC that the CPC would rescind funding. The purpose of discussing the CPA law was to respond as a Committee to Atty. Bowen’s email that referred to Ms. Kinniburgh as the solo voter and requested a committee vote. The legislation and a motion (see attachment) to send a response to the Town of Wareham was posted on the screen and there was discussion as to what entity could legitimately manage LHCC according to MGL c.44B §12b, a real property interest to be purchased with CPA funds. There was lack of unanimity as to the interpretations of the legislation with a final Committee vote to defeat the motion.

VOTE: 3-3-1. Roll call vote: In Favor: Kinniburgh, Scharf, Smith; Opposed: Connaughton, Corbitt, Slavin; Abstained: Worthen.

Grant Agreement: Ms. Kinniburgh posted the most recent CPA Grant Agreement draft for Committee review. Changes in Section 4. Budget, included “Recipient must submit a complete budget with the grant application.” A line item for inflation can be added by the applicant on the Budget page if necessary. CPC funds will only be made available when other funds are secured by the applicant. Kinniburgh will update the document and forward to the Committee for a final review.

Future Grant Requests are due the second Tuesday in June, 2022.

Next Meeting: May 25th -To include a brainstorming session proposed by Linda Scharf to market CPA and diversify the Committee.

Adjournment: Slavin moved to adjourn. Corbitt seconded at 7:58pm.

Respectfully submitted by Sherbie Worthen. Clerk

Sherbie Worthen, Clerk 5/25/22

ATTACHMENT

THE 192ND GENERAL COURT OF THE
COMMONWEALTH OF MASSACHUSETTS

[General Laws](#) > [Part I](#) > [Title VII](#) > [Chapter 44B](#) >

SECTION 12

Section 12: Real property interest: permanent restriction:
management

MGL c.44B §12b

(b) Real property interests acquired under this chapter shall be owned and managed by the city or town, but the legislative body may delegate management of such property to the conservation commission, the historical commission, the board of park commissioners or the housing authority, or, in the case of interests to acquire sites for future wellhead development by a water district, a water supply district or a fire district. The legislative body may also delegate management of such property to a nonprofit organization created under chapter 180 or chapter 203.

CPC Meeting 4/27/2022

Motion:

I move that the Community Preservation Committee notify the Town of Wareham that the delegation of the management of Little Harbor Country Club (LHCC) to a non-town entity is not allowed under the CPA legislation, and consistent with our vote on January 26, 2022 to approve the use of CPA funds to acquire the course, the management of the course should be delegated to one of the approved parties listed in MGL c.44B §12b.

CPC Meeting 4/27/2022