

# **Nagog Orchard Working Group Meeting Minutes**

**Date:** October 9, 2024 7:30 PM

**Present:** Matthew Nordhaus, Mark Rambacher, Will Pickard, Sarah Seaward.

Matthew Nordhaus declared a quorum and called the meeting to order at 7:30 PM.

## **Approval of Previous Meeting Minutes:**

The minutes from the October 2 meeting were presented. A motion was made to approve the minutes as written, which was seconded and passed unanimously with four votes in favor.

## **Review of RFP Responses**

Matthew Nordhaus informed the group that three responses to the Group's request for additional information were received. Two responses arrived on the day of the meeting.

The responses were distributed to the Working Group members. However, due to the late submissions not all group members had time to thoroughly review the documents. While it was agreed that the responses were valuable, the group acknowledged they could not fully debate the merits of the responses during this meeting.

## **Lease Duration and Structure**

Discussion centered on the lease duration preferences indicated in the RFPs:

- Applicant 1: Proposed a 5-10 year lease.
- Applicant 2: Proposed a 10-20 year lease.
- Applicant 3: Proposed the longest possible lease.

There was a general agreement that the town would likely prefer a longer-term lease to ensure stability and encourage investment in the land and orchard.

The Working Group agreed that rolling leases, starting with an initial 10 year period, were preferable. The potential for renewals would be based on performance and agreement from both parties.

Mark Rambacher consulted with Town Council to determine if a lease-to-own arrangement could be part of the negotiation. The answer was no, as the town does not currently have the authority to sell the property. This restriction means that the lease cannot include terms that allow for a potential sale of the property at the end of the lease.

## **Evaluation of Criteria for the RFP Responses:**

The group discussed several key criteria for evaluating the RFP responses, including lease terms, property usage, and required investments.

### **Lease Length**

It was generally agreed that leases of at least 10 years were desirable to ensure a long-term commitment. Shorter leases (e.g., 5 years) were considered less favorable as they may not encourage substantial investment from the lessee.

### **Property Usage and Parcels**

- Applicant 1: Proposed leasing the entire property.
- Applicant 2: Proposed leasing a subset of approximately 35 acres out of the 50 available acres.
- Applicant 3: Proposed leasing most of the property except for fields 3, 4, 5, 6, and 8.

Discussion ensued regarding the implications of leasing only part of the property, as MDAR (Massachusetts Department of Agricultural Resources) requires that 50% of the land be in active farming. The group considered whether a lessee taking only part of the land would still meet this threshold. Ultimately it was decided that any of the three respondents would meet the MDAR requirements.

### **Buildings and Structures**

The RFP asked applicants if they were interested in leasing the barns, farm stand, and cottage on the property, and what investment they would require from the town to restore or maintain these structures.

- Applicant 1: Interested in all the structures and indicated a need for substantial investment in renovations.
- Applicant 2: Also interested in all the structures but required only basic functional upgrades for farming purposes.
- Applicant 3: Asked the town to clear debris and was willing to use the buildings with minimal improvements.

There was general agreement that it was beneficial for applicants to take responsibility for maintaining the structures, but the level of investment required by the town could affect the scoring of the proposals.

### **Public Engagement and Community Involvement**

The group discussed whether the RFP respondents had indicated plans for public engagement, such as farm tours, workshops, or school field trips.

- Applicant 1: Proposed significant public interaction as part of their farm's mission.
- Applicant 2: Focused on public engagement through volunteering and workshops.

- Applicant 3: A more production-oriented farm with limited public interaction apart from educational tours.

Some members felt that public interaction was a valuable aspect, while others believed it was less important, with a preference for focusing on a working farm over public-facing activities.

## **Next Steps for Evaluation**

The group discussed how to proceed with scoring the RFPs. It was agreed that each member would review the full RFPs and come back to the next meeting with scores based on the criteria discussed.

- Lease length
- Parcels and property usage
- Level of investment in buildings and infrastructure
- Public engagement and community involvement
- Overall alignment with town goals

The group discussed whether to bring the applicants in for interviews after reviewing the proposals. It was determined that if interviews were to be held, all three applicants would need to be treated equally, but no decision was made to bring the respondents in for an interview.

## **Public Comments**

Several members of the public expressed frustration with the lack of transparency and difficulties accessing information about the RFP process and meetings.

- Don MacIver asked for the next meeting to be publicly notified through the town's "Notify Me" system.
- Rob Rounce requested more transparency regarding the proposals and asked if they could be made publicly available. Mark Rambacher agreed to consult Town Council to determine what information could be shared publicly.
- Kristen Kazokas suggested that more public input should have been gathered before the RFP process, especially from neighbors and residents of the town.

Matthew Nordhaus and Mark Rambacher explained the time constraints of the process and the difficulty in coordinating public meetings due to the short timeline between the town meeting and the need to issue the RFP.

## **Decision on Next Meeting**

The next meeting was tentatively scheduled for October 17, 2024, at which point the group will come together to review and discuss their evaluations of the RFP responses.

The goal of the next meeting is to either:

- Narrow down the respondents to one preferred lessee, or
- Determine if none of the responses are suitable and decide on further action.

## **Adjournment**

A motion to adjourn was made, seconded, and passed unanimously. Meeting adjourned at 8:15 PM.