

Present: Christopher Morely (Chairman), Fred Floru, Lynne Remington,
Pat Brown, Sherrill Cline, Diana Warren, Thomas Friedlander,
Bob Beagan, and Director of Planning and Community Development
Meagen Donoghue

Absent: Elizabeth Quirk

At 7:32 p.m., Chairman Morely called the meeting to order.

Minutes

Copies of revised Community Preservation Committee January 4, 2017 Meeting Minutes were distributed tonight.

Ms. Cline made two edits on Page 4 within the information regarding the Sudbury Housing Authority's project submission presentation and two on Page 5 within the information regarding the Regional Housing Services Office's (RHSO) project submission presentation.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the minutes of January 4, 2017, as amended tonight by Ms. Cline.

Review and Vote on Community Preservation Act FY18 Project Requests

At 7:35 p.m., Chairman Morely opened the discussion to deliberate the project submissions received for requests for FY18 Community Preservation Act (CPA) funding. Copies of handouts entitled, "FY18 CPC Financials dated 11/30/2016," "Proposed CPC FY18 Administrative Budget," "FY2018 Community Preservation Committee Project Submissions Updated 1/17/17," a revised "Project Submission Form for the Park and Recreation Commission's Consulting/Planning Services" request, a revised "Project Submission Form for the Park and Recreation Commission's Featherland Multisport Court Reconstruction request, a package of draft Warrant articles as edited by Chairman Morely, and an email from Chairman Morely to Ms. Donoghue dated January 18, 2017 regarding a revised draft Warrant article regarding the Town Hall Restoration project were distributed tonight to the Committee.

Chairman Morely stated his edited draft Warrant articles will be reviewed by Town Counsel.

The Committee reviewed the newly received financial information from the Town's Finance Director. Chairman Morely stated Mr. Keohane's assessment is that there is more CPA money available than previously thought.

Ms. Cline stated she wanted to know why the Town Planner position is budgeted for much more than last year and why the proposed Project Feasibility budget has also been increased so much in the proposed Administrative Funds Budget. Ms. Cline stated she would advocate for approval of a level-funded Administrative Budget to last year's budget.

Ms. Donoghue explained the previously budgeted \$30,000 for the RHSO within the Administrative Funds Budget was redirected to the Project Feasibility budget. She also stated she spends far more than two hours a week on CPC-related matters, and thus she increased the Town Planner budget to \$7,000 to more accurately reflect her time. Ms. Brown suggested Ms. Donoghue should track her time this year so the Committee will have this information to work with next year.

A brief discussion ensued regarding the appropriate budget amount for the CPA Administrative Funds. The consensus of the Committee was that the Town Planner position should be budgeted for \$5,500 within the Administrative Funds Budget.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Community Preservation Committee's FY18 Administrative Budget in the amount of \$57,500.

Chairman Morely stated he would like to review the draft article language for the budget again with Ms. Donoghue, noting the voted amount for the Administrative Funds will be incorporated into the article language for publication in the Warrant.

Executive Session

Chairman Morely announced the Committee would be voting immediately to enter into Executive Session, that the Regular Session Meeting would resume following the close of the Executive Session, and he read aloud the agenda notice regarding the reason for the Executive Session.

Mr. Friedlander stated he did not believe the Committee has been given enough information regarding the need for an Executive Session in order to vote to enter into one.

At 7:58 p.m., on motion duly made and seconded, it was on roll call:

VOTED: To immediately enter into Executive Session to discuss strategy with respect to potential litigation if an open meeting may have a detrimental effect on the litigation position of the public body and the Chair so declares (Bruce Freeman Rail Trail), pursuant to General Laws Chapter 30A, section 21 (a) (3), Thomas Friedlander, nay, Sherrill Cline, aye, Pat Brown, aye, Diana Warren, aye, Bob Beagan, aye, Fred Floru, aye, Lynn Remington, aye, and Chairman Chris Morely, aye.

Regular Meeting Session

At 8:16 p.m., Chairman Morely resumed the Regular Meeting Session. He referenced the draft articles distributed tonight, and he asked the Committee to ignore the Committee Reports sections tonight, noting they will be reviewed at the February 1, 2017 Meeting.

Review and Vote on Community Preservation Act FY18 Project Requests - continued

At 8:16 p.m., Chairman Morely resumed the discussion to deliberate the project submissions received for requests for FY18 Community Preservation Act (CPA) funding.

PROJECT SUBMISSION FORM – Protect Sudbury - Legal Fees, Tech Analysis, Feasibility Study and Appraisal (\$150,000 for FY18 with private contributions of \$50,000 and \$175,000 for FY19 and \$25,000 of private contributions)

At 8:17 p.m., Ms. Brown recused herself from this discussion and vote.

Mr. Friedlander made a motion, which was seconded, to not approve the project submission funding request for legal fees, technical analysis, feasibility study and appraisal based on the project not being appropriate for CPA-funding.

Chairman Morely stated the intention of the project is for a good purpose, but the Town has already pursued similar activities with taxpayer's funds, and he does not believe CPA funds should also be used.

Ms. Cline stated she is opposed to the project because she believes there is a question as to whether the Town has the legal ability to purchase the proposed land.

Mr. Floru stated he believes it would be very difficult to ensure that the money would be spent on CPA-eligible items.

On motion duly made and seconded, it was unanimously:

VOTED: To not approve Protect Sudbury's Project Submission funding request for legal fees, technical analysis, feasibility study and appraisal.

PROJECT SUBMISSION FORM - Park and Recreation Commission/Department Pour in Place Surfacing (\$70,975)

Ms. Brown returned to participate in the remainder of the Meeting and votes.

Ms. Cline asked if the funding request is \$65,000 or \$70,975, and whether SMILE would be contributing to project costs.

Mr. Beagan stated that, at this time, there are not committed funds from SMILE, but research is being done to see if there are unspent funds previously given by SMILE. If it is determined there are SMILE funds to be directed to this project, Mr. Beagan stated the funding request could be reduced.

Ms. Donoghue confirmed the funding request is now \$70,975, noting a revised Project Submission Application was received.

Ms. Cline stated all project requests for funding total more than what the Committee has to work with.

Chairman Morely explained he has submitted a funding revision for the Town Hall request for \$600,000, which he will describe later tonight. It was further noted there would be additional funds to allocate from the revision voted earlier tonight to reduce the Administrative Funds Budget request. Chairman Morely also noted the funds previously provided by SMILE, which is a non-profit organization, for the Lyons Pride Playground was a gift.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the Lyons Pride/S.M.I.L.E. Pour in Place Surfacing project submission funding request not to exceed \$70,975, and to approve the draft article language as reviewed tonight.

PROJECT SUBMISSION FORM - Park and Recreation Commission/Department Consulting/Planning Services (\$50,000)

At 8:29 p.m., Chairman Morely opened the discussion regarding the Park and Recreation Commission's funding request for \$50,000 for consulting/planning services.

Ms. Remington stated she views the request as funding a "slush fund" or kitty in a manner not usually done with CPA funds.

Mr. Beagan referenced Park and Recreation Commission Chairman Jim Marotta's presentation to the Committee, noting there are no other funds available for the Commission to pursue what is needed to implement its priority project list.

Chairman Morely referenced the draft Warrant article, noting he added that the funds would be spent under the direction of the Town Manager.

Ms. Remington asked what the consulting process would cost for the Davis Field proposed project. It was noted Mr. Marotta had presented four proposed projects with consulting costs estimated between \$7,000 and \$15,000 each.

Ms. Cline stated one of the four projects mentioned by Mr. Marotta was regarding the Melone property for recreational uses. She stated the affordable housing groups in Town are not willing to concede the Melone property as being unfit for housing. Thus, Ms. Cline stated she would not be inclined to vote to approve funding as proposed by the Park and Recreation Commission for the Melone property. Ms. Cline also referenced the handout distributed tonight indicating that there is \$138,696 available in unspent appropriations for the Melone property. Ms. Brown stated there are many unspent appropriations listed of which she is suspect.

Chairman Morely stated the housing groups in Town should share their opinions regarding the Melone property with the Town Manager. Ms. Cline stated she believes a letter has been sent to the Town Manager.

A motion was made and seconded to approve \$25,000 for the project request.

Ms. Remington suggested the \$25,000 be approved for use on the Davis Field proposed project. Mr. Beagan stated the Park and Recreation Commission's first priority is to remove the Little League activity from the school fields and then next would be the Davis Field project. He suggested approval of \$35,000 to help accomplish these priorities. Ms. Remington stated she prefers to vote certain funds to be used for certain purposes.

Mr. Floru made a motion, which was seconded, to amend the previous motion, and to now approve \$40,000 for consulting and planning services.

On motion duly made and seconded, it was:

VOTED: To approve \$40,000 for the Park and Recreation Commission's funding request for consulting/planning services, and to approve the draft article language as reviewed tonight.

Ms. Remington opposed the vote.

It was asked if the Committee could request that the appropriation not be used for the Melone property. Chairman Morely stated the CPC does not usually direct policy.

PROJECT SUBMISSION FORM - Featherland Multi-sport Court Reconstruction (\$220,000)

It was noted the revised Project Submission Form funding request distributed tonight for \$220,000 for the Featherland Multisport Court Reconstruction includes landscaping and the multicourt configuration to accommodate additional activities.

On motion duly made and seconded, it was unanimously:

VOTED: To approve \$220,000 for the Park and Recreation Commission's funding request for the Featherland Multisport Court Reconstruction project, and to approve the draft article language as reviewed tonight.

PROJECT SUBMISSION FORM - Advancing the Bruce Freeman Rail Trail (BFRT) Design (\$330,000)

Prior to voting on the Project Submission Form funding request for \$330,000 to advance the Bruce Freeman Rail Trail design, Mr. Friedlander referenced the list distributed tonight of unspent appropriations, and he asked if the last three on the list could be considered for additional funds to be allocated. Chairman Morely stated there has been significant Town staff turnover this year, and he believes the new Finance Director and new staff members should have more time to confirm figures before any articles are submitted to revert funds. He further stated this might be better considered for the October 2017 Town Meeting.

On motion duly made and seconded, it was unanimously:

VOTED: To approve \$330,000 for the Project Submission request to advance the Bruce Freeman Rail Trail design, and to approve the draft article language as reviewed tonight.

PROJECT SUBMISSION FORM - Town Hall Restoration Design Phase (\$600,000)

Chairman Morely referenced his email to Ms. Donoghue dated January 18, 2017 of a revised draft Warrant article for the Town Hall Restoration Project Submission request for \$600,000. He explained the proposed funding has been revised to reflect \$16,335 from Historic Reserves and \$583,665 from Unrestricted Reserves. In response to a few questions from the Committee, Chairman Morely clarified what the historic allocation is for this year. He also stated the Town's historic commissions will be involved regarding the article presentation for Town Meeting. Chairman Morely asked Ms. Donoghue to check the wording of previous CPA articles regarding the use of unrestricted reserves.

Ms. Cline asked if this appropriation could be bonded. Chairman Morely stated the amount is too small for bonding.

Ms. Remington asked how the bookkeeping is done regarding what qualifies as historic construction. Chairman Morely suggested Committee members could access the Community Preservation Coalition's website regarding the Needham Town Hall's

restoration project. Ms. Brown stated the design phase of the project would be considered historic-eligible because it is an historic building, but some of the construction might not be.

Mr. Friedlander asked if the building has been deemed to be historic. Ms. Warren noted it is located within an historic district. Ms. Donoghue stated the building is listed on the State's historic register.

On motion duly made and seconded, it was unanimously:

VOTED: To approve \$16,335 from historic reserves and \$583,665 of unrestricted reserves for the Town Hall Restoration Project Submission request, and to approve the draft article language as reviewed tonight.

PROJECT SUBMISSION FORM – Acquisition, Creation, Preservation, Support of Affordable Rental Housing

At 8:59 p.m., Chairman Morely opened the discussion regarding the Sudbury Housing Authority (SHA)'s Project Submission request for \$212,600 for the Acquisition, Creation, Preservation, and Support of Affordable Rental Housing. He recommended that the appropriation request be a round figure. Ms. Cline stated she would prefer to keep the request as submitted.

Ms. Cline referenced the former listing of all appropriations for CPA projects, and she asked Ms. Donoghue to print an updated version for the Committee at a future date.

Ms. Cline stated she supports at least level funding for affordable housing to what was appropriated last year. She made a motion, which was seconded to approve \$212,600 for this request.

On motion duly made and seconded, it was unanimously:

VOTED: To approve \$212,600 for the Sudbury Housing Authority (SHA)'s Project Submission request for the Acquisition, Creation, Preservation, and Support of Affordable Rental Housing, and to approve the draft article language as reviewed tonight.

PROJECT SUBMISSION FORM – Regional Housing Services Office – Affordable Housing

On motion duly made and seconded, it was unanimously:

VOTED: To approve \$30,000 for the Project Submission request for the Regional Housing Services Office, and to approve the draft article language as reviewed tonight.

Chairman Morely suggested he and Ms. Donoghue could review and later revise, if needed, where the funds would be allocated from, if other than FY18 revenues, for the Warrant articles, if the Committee agreed with the remainder of the article language for all articles as reviewed tonight. The Committee agreed with this suggestion.

PROJECT SUBMISSION FORM – General Budget and Appropriations

Chairman Morely stated he would like to review the article language one more time as compared to the language from previous years.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the draft language of the Community Preservation Fund General Budget and Appropriations article, as reviewed tonight and revised to reflect an Administrative Funds budget of \$57,500, and, subject to final review and revision by Chairman Morely.

Ms. Warren stated she believes there could be errors in some of the historic projects listed as having unspent appropriations. Chairman Morely stated it is possible this list could be updated for needed revisions to be presented at the October 2017 Town Meeting.

Ms. Remington suggested Ms. Warren should consult with former Historic Commission member Jim Hill regarding the status of projects.

2016 Annual Community Preservation Committee Town Report – Review and Vote

Ms. Donoghue will circulate electronically a draft CPC Town Report for 2016 for review, and once finalized and approved, she will request CPC members come to the Planning Office to sign the Report prior to 4 p.m. on January 26, 2017.

CPC Future Meeting Schedule

Chairman Morely reviewed the scheduled CPC Meeting schedule with the next Meetings to be held on February 1, 2017 and on May 1, 2017 (immediately prior to the start of Town Meeting).

Miscellaneous

Mr. Friedlander commented that projects were submitted and presented this year which were not ready to move forward. He asked how this could be avoided in the future and who would vet the projects before they come before the CPC.

Chairman Morely explained this was done in the past by the former Director of Planning, but this type of project vetting did not occur this year due to having so many new Town staff members.

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 9:23 p.m.