

Community Preservation Committee

June 22, 2006 - Meeting Minutes

Committee members present: George Bailey, Corey Snow, Janet Sargent-Tracy, Arnold Cohen, Robert Young, Arnold Kublin, Peg Arguimbau. *Guests present:* Nancy Hall and Stephen Savrann (New Friends of the Playground), Lois Miller and Jessie Kravette (Massapoag Brook Neighborhood Association).

The meeting started at 7 p.m. The minutes of May 25, 2006, were approved by unanimous vote.

Ms. Sargent-Tracy said she will apply to the Selectmen for reappointment.

Mr. Bailey presented the chair's report (see attachment). He proposed, and the committee agreed, that project submissions, whether accepted or not, be numbered in order of receipt. Present numbering consists of 002a and 002b (Housing Authority proposals), 004 (Massapoag Brook Neighborhood Association proposal), 005 (Conservation Commission proposal), 006 (New Friends of the Playground proposal). 003 is not in use.

The committee voted unanimously that Mr. Bailey should request the Selectmen to put a CPC placeholder article on the warrant for November Special Town Meeting. It was agreed that there would be one article comprising the several CPC recommendations, listed separately, and that the Moderator could be asked to call for a vote on the article as a whole or hold particular items for separate votes.

The sequencing of a public hearing vis-à-vis committee recommendations was discussed. Mr. Kublin asked whether the sequence had to be (1) public hearing, (2) CPC takes a position on recommending a proposal, (3) Finance Committee review. Mr. Snow said public input should be taken into account in forming committee recommendations. Mr. Cohen pointed out that CPC was not legally required to hold a public hearing on particular proposals (in the way Planning Board is) as long as a public hearing was held once a year. Mr. Bailey said the committee could take a position and change it after a public hearing. The final agreed sequence was (1) discuss proposals, (2) take a position, (3) public hearing, (4) could change position, (5) Finance Committee review.

Mr. Young pointed out that a bond borrowing requires a two-thirds TM vote. Mr. Bailey said that a 20-year bond borrowing would take away TM's ability to opt out of CPA after five years, and that a bond borrowing must be repaid only from the town's portion of CPA funds or town/state funds that had accumulated unspent from prior years. TM can vote at any time to reduce the surcharge from 1 percent to, for instance, 0.0001 percent.

Concerning a possible waiver of the May 31 deadline in order to accept the Playground proposal

(006), Mr. Snow explained that the delay in submitting had been occasioned by the need to consult with the Community Preservation Coalition on the proposal's eligibility for CPA funding. The committee voted 6-0-1 to waive the deadline, Mr. Snow abstaining because he "had worked with" the Playground group. Mr. Kublin asked whether committee members who had assisted in preparing proposals were obliged to abstain from voting on them; the answer (from the Coalition's Web site) is no. Further, the arbiter for each Town of whether a proposal is eligible for CPA funding is Town Counsel, and a database of approved projects shows wide variation in interpretations of what is eligible.

Conservation Commission proposal (005). Ms. Arguimbau said the 1994 Open Space and Recreation Plan (OSRP) had been prepared in Department of Conservation Services format with participation of the Recreation Committee, and that the Conservation Commission is in process of investigating several professional plan preparers and their fees for updating the plan. Mr. Bailey said he had a copy of a 2003 Recreation Plan, and suggested that an Open Space and Recreation Committee be formed to work on the OSRP update. Mr. Cohen asked if such an update was eligible for CPA funding; Ms. Arguimbau said it was.

Housing Authority proposals (002a, 002b). Mr. Snow suggested that CPC require multiple bids for projects of this kind (these proposals had only one bid each). Mr. Kublin stated that the Housing Authority had requested bids from several vendors (though only one responded) and had made reasonable efforts in good faith; in such situations, requiring multiple bids would be too burdensome; if vendors were pushed to submit hypothetical "bids," one might get "garbage"; and possibly the Standing Building Committee could be asked to judge the reasonableness of the single bid. Ms. Sargent-Tracy said it would be prudent to require multiple bids ("it's worth the extra effort"). Mr. Snow felt requiring multiple bids was not unreasonable, and there could be "huge variations" sometimes. Moved and seconded that the CPC request the Housing submitter to seek additional bids. Vote: 3-4-0 opposed.

Mr. Young reported that the Historical Commission had voted unanimously to co-sponsor (fund half the cost of) the flooring proposal at the South Pleasant Street houses (002a) from the dedicated 10 percent historical funds, if the Housing Authority agreed. Mr. Kublin moved (seconded) that CPC approve the two Housing proposals, funded in part from the 10 percent historical portion. Ms. Arguimbau suggested that the committee wait until all proposals had been presented and discussed before voting on funds, and that the initial vote on each proposal should be whether it is eligible for the committee's consideration. Mr. Young agreed that the initial vote should be on the merits of the proposal and its eligibility according to the committee's criteria. Mr. Kublin withdrew his motion, and the committee then voted 6-0-1, Mr. Snow abstaining, that the initial vote on proposals would be on the merits and eligibility, with funding being voted on later.

Playground proposal (006). Mr. Stephen Savrann, 36 Blair Circle, and Ms. Nancy Hall, 19 Depot Street, of New Friends of the Playground, described the details of two drinking fountains, to be placed at the Ames Street Playground and at Deborah Sampson near the ballfields and snack hut. Proposed with the submission was a Haws Single Bubbler Fountain, but at the meeting a Model 840 HiLo Sand-Free model from Most Dependable Fountains, Inc., was presented. The latter is better for avoiding sand blockage problems. There is a choice of fountain “arms” of different heights, for wheelchair ADA, standing adult ADA, and children. The CPC did not want to spend money on a donor-name plaque. Final cost was estimated at \$1,425 for a double-arm model 840, \$175 freight, \$50 cut angle of arm, and \$385 jug filler; total \$2,035 each fountain. The Deborah Sampson fountain would have only a single arm, saving \$350 on the cost. Mr. Snow suggested the proponents request “up to \$5,000” to allow for final estimate (with adjustments of arms) by manufacturer. Mr. Kublin suggested that, as a matter of courtesy, the proponents inform the chairman of the Disabilities Commission of the project. Installing the new fountains is supported by the Recreation Department and the Baseball Association; the Water Department has been consulted also.

Massapoag Brook Neighborhood Association (MBNA) proposal (004). Ms. Lois Miller, 112 Glendale Road, and Ms. Jessie Kravette, 30 Glendale Road, of MBNA, described the details of the proposal for the purchase of the Billings Street Land West of Massapoag Brook. Mr. Bailey stated that bond borrowings could only be repaid with the town portion and that the proponents “would have to change their numbers.” [The bond table in Appendix G of the submission shows repayment from town portion only.]

There was discussion about the location of the trail on the Billings Street Land. Ms. Arguimbau said there was an easement from Billings Street at the beginning of the trail. Mr. Cohen asked whether there was a deed showing the easement for the trail’s entrance on Billings Street, and asked how many townspeople might use this land for passive recreation; it is a narrow strip between neighborhoods; would it benefit just abutters or the Town? Ms. Miller said the land was environmentally well worth preserving; many Sharon residents, not only abutters, wanted to preserve undeveloped (esp. forested) land in town; the wider Billings/Glendale/Robs/Brook neighborhood “made it a walking loop”; and the trail is shown on current trail maps forming a continuity with the Massapoag Trail (Mann’s Pond to Devil’s Rock area and north). Ms. Kravette said that the proposed 40B development would “devastatingly” clear-cut trees and vegetation. Ms. Arguimbau said that the land protects against septic problems and stormwater damage to downhill wetlands, vernal pools, and Massapoag Brook. Mr. Bailey suggested limiting a possible purchase to the trail portion.

Mr. Kublin asked whether a purchase [of Billings Street Land] should be attempted during ZBA hearings. Mr. Bailey suggested such a purchase should wait until “in the future there was no chance of development.” Ms. Arguimbau said a purchase was “time-sensitive” because land in

Sharon was getting more expensive. Ms. Miller said the hearings have been and may continue to be lengthy, possibly making the developer inclined to avoid further costs by accepting a purchase offer. Mr. Cohen thought a \$1 million offer to buy was “not too far off” because the developer’s pro forma shows an expected profit of \$1.5 million after development.

Long-term borrowing issues—should CPC commit to long-term borrowing, would it restrict the Town’s right to opt out of CPA after five years? Ms. Arguimbau said any land parcels the Town might wish to preserve were expensive and would require long-term borrowing. Ms. Sargent-Tracy said one of the CPA purposes was preservation of open space, and bond borrowing was necessary for most land purchases, so “we might as well cross that bridge” [i.e., expect to engage in some long-term borrowing]. Ms. Miller said CPA funding provided an opportunity for land purchases that the Town could otherwise not afford. Mr. Kublin pointed out that the affordable housing purpose might similarly benefit from CPA long-term borrowing, and Mr. Bailey mentioned a similar benefit for athletic fields on the Mountain Street landfill.

Mr. Bailey stated he had sent a job description for a CPC secretary to the Personnel Board, which will meet in July. Ms. Cheyer will remain as interim secretary until a paid employee is hired. Mr. Bailey suggested posting draft minutes on the Web site, but Ms. Arguimbau and Mr. Young said that because of possible errors they would prefer not to post until the minutes had been reviewed by the entire committee. The consensus was not to post.

The next meeting date was confirmed for **Thursday, July 27.**

The meeting was adjourned at 10:15 p.m.

*Submitted by Alice Cheyer
Interim Secretary*

ATTACHMENT

Chair’s report for meeting of June 22, 2006

To: Community Preservation Committee
Subject: Chair’s report, June 22, 2006

From: George Bailey

As you will see from the following, five months’ lead time is just barely enough for the Fall Town Meeting.

1. *Project numbering.* To maintain records of the committee in an easily referenced way, I am suggesting that we number each submission in the order of its receipt by the Town Clerk. Accordingly, I have arbitrarily assigned a numbering system for approval by the committee. A minor bylaw change can be drafted following approval of a numbering system.

2. Regarding submission #005 [Open Space Plan update], to meet the requirements of the EOE Division of Conservation Services, the plan should follow the DCS form:
<http://www.mass.gov/envir/dcs/pdf/planningRequirement.pdf>

DCS also advises that the Recreation Plan (prepared separately by Recreation Facilities Consulting in 2003 for the Recreation Department) should be incorporated into the Open Space Plan.

3. Request for waiver of 31 May deadline for 5 June submission #006 [Playground] seems reasonable.

4. Project submission #004, Massapoag Brook Neighborhood Association, requires extension of CPA from the current 5-year life to 20 years. Note: DOR requires borrowing must come solely from town 1% share.

5. Motion is in order on the Housing Authority submissions 1 and 2 (#002a and #002b): Fund SHA submission 1 from the historical account, all or in part.

6. Approve schedule of committee actions prior to Town Meeting.

The dates for action to meet the Town meeting requirements have been set by the Selectmen:

- * July 5 - Noon (Wednesday) Closing of Warrant for Petition Articles (does not apply to CPC?)
- * July 17 - Noon (Monday) Closing of Warrant for All Articles
- * Placeholder or generic article, which can include the several items, must be drafted for insertion by August 15th Note: Confirming Thursday July 27 for next meeting depends on Selectmen approval of generic article.
- * August 15 (Tuesday) Warrant Articles approval (in substance) by Town Counsel
- * September 1 (Friday) Warrant Articles final approval by Town Counsel
- * September 5 (Tuesday) Signing of Warrant
- * September 11, 18 (Monday) Finance Committee meetings to review articles
- * September 25 (Monday) Finance Committee meeting to vote recommendations

7. *Status report:* Secretarial position request is in process. Job description required for unionized position, and following the suggestion of the Personnel Board secretary, I have submitted a formal job description modeled after that of the Personnel Board and Planning Board secretarial positions.

8. *New/other business:* A motion for inclusion of Smart Growth guidelines will be prepared for the meeting.