

## Community Preservation Committee

November 9, 2006 - Meeting Minutes

*Committee members present:* George Bailey, Corey Snow, Arnold Cohen, Robert Young, Peg Arguimbau, Janet Sargent-Tracy, Arnold Kublin (absent at Personnel Committee part of the time). *Others present:* Marc Bluestein and Gary Bluestein, HFY proponents; Michele Thoener, prospective CPC secretary.

The meeting started at 7:05 p.m.

The CPC Treasurer, Mr. Snow, presented a balance sheet showing potential cash available to contribute toward the Horizons For Youth land purchase (see attachment 1). At the November 1 meeting, CPC voted to recommend “up to \$1.2 million” in CPA funding toward the Town’s purchase of 10± acres of this land. Mr. Snow said the Town Treasurer told him that CPC could have a “special” bond and dictate the terms (how long, rate). The rate would be around 4.5 percent. The Committee has to decide whether to pay for some of the CPA fund HFY obligations with cash to lower the amount that would have to be borrowed; say, \$200,000 might be available.

Mr. Bailey said the normal term of borrowing was ten or twenty years. Marc Bluestein asked when the state match would be given to the Town. Mr. Snow said that for fiscal year 2006, the state matched at 100%, or ~\$315,000, on October 15, 2006. The present balance in the Sharon CPA fund (after Article 5 recommendations if accepted) is \$446,600; another ~\$315,000 Town portion could be expected by June 30, 2007; and ~\$315,000 state match could be expected by October 2007. Mr. Bailey said the CPC gets the same bond rating as the Town. Mr. Snow said it is best to pay with cash in hand to reduce amount of bond; once a bond is issued, it is not practical to prepay it.

Mr. Young asked about the conflict-of-interest issue with regard to the Nov. 1 meeting tied vote not to recommend the Massapoag Brook Neighborhood Association proposal for purchase of the Billings Street Land, situated between Glendale and Billings streets. (Mr. Bailey lives on Glendale Road.) Mr. Bailey said that “after discussion with the [CPC] officers, I have requested an advisory from Town Counsel as to whether I have conflict of interest” in voting on the MBNA proposal. He said if he was advised that he did, he would resign from the Committee so that the Board of Selectmen could appoint a representative in his place.

The Committee received a revised application from Mr. Gary Bluestein (“for the Board of Selectmen”) for \$1.2 million in CPA funding toward the Town’s proposed \$4,850,000 purchase of the ~56 acre Horizons For Youth land, together with a new map showing three open space parcels of 1.09, 0.25, and 4.65 acres and one 3.16 acre recreation parcel to be funded by CPA. (The map accompanying the Nov. 1 HFY application had shown two open space parcels of 0.25 and 4.65 acres and one 4.6 acre recreation parcel.) A table showing parcel appraisal values (taken from an 11/03/06 letter to Selectmen from Joel Tran of Summit Appraisal Services) accompanied the HFY revised application. A “correction” of this table was later sent via e-mail by Mr. Bailey (see attachment 2). Article 2 at Nov. 13 Town Meeting will propose a debt exclusion of \$3,650,000 and a CPA contribution of \$1,200,000 (see attachment 3). Mr. Bailey said the CPA funding and the appraisal value of the CPA parcels to be purchased represent about 25 percent of the total purchase price and total appraisal value, respectively, although, as Mr. Young pointed out, the acreage of the CPA parcels is not 25 percent of the total acreage.

Ms. Arguimbau asked why and by whom the 4.6 acre recreation parcel on the map supplied with the Nov. 1 application had been changed to 1.09 acres open space and 3.16 acres recreation on the Nov. 9 map. Assurances about “protection” for the recreation parcel had already been given, that is, it had been stated that “no one would consider” using the lakeside recreation parcel for other than passive recreation or open space purposes. As a result of the change, the open space reserve would now be charged for more expenditure. “I am not comfortable with this representation,” she said. “I am happy the lakeside 1.09 acres will have open space protection, but I am concerned as to why this change was made. No one talked to the Conservation Commission about it.” Mr. Gary Bluestein said it was changed because that was what he thought Ms. Arguimbau wanted. She said that what she wanted was not necessarily equivalent to what the Conservation Commission wanted, and the Commission should have been consulted. Mr. Cohen replied that “recreation is neutral” and that Ms. Arguimbau should not be concerned; “it makes no difference.” Mr. Young said he understood Ms. Arguimbau’s concerns. Mr. Snow said it is an efficient use of encumbered [open space] funds rather than unencumbered [recreation] funds. Ms. Arguimbau said she had no argument with protection but would have preferred that the Conservation Commission be consulted. Mr. Young said that boards and committees should be consulted on issues relevant to them. Ms. Arguimbau said, “It [the change of allocation] changes the view, the perception. Just so the Committee does not say later, because of this change to open space allocation, that we have already spent a sufficient amount on open space” as a justification for not considering future open space projects. Committee members and the chairman assured Ms. Arguimbau that this was unlikely to happen.

Mr. Bailey said the motion was to adopt the proposed changes; Town Counsel would work out the metes and bounds; and the Selectmen would get a master plan for use of the HFY land.

Mr. Cohen moved, and Ms. Arguimbau seconded, that the Committee vote to recommend affirmatively on the \$1.2 million project request from the Board of Selectmen. (Mr. Kublin, who had been absent at the Personnel Committee next door, came back for this vote.) The vote was 6 in favor, 1 abstention (Young). Mr. Young said he abstained because “I don’t feel comfortable voting on a proposal that was submitted at the last minute. We needed more time to make an informed, intelligent decision. The proponents could have come in earlier and given us some notice.” Ms. Arguimbau said that Mr. Young’s point was a good one, but that the Committee needs the leeway to consider urgent projects like land purchase proposals. Mr. Snow said the Selectmen were constrained by a nondisclosure agreement.

The Committee discussed the purchase of a laptop computer for Ms. Thoener’s work. Ms. Arguimbau objected this would be wasteful; why could not Ms. Thoener use the same laptop that she used for Norfolk, where she works as CPC secretary; why two laptops? Mr. Snow said the laptop would cost \$600, the batteries \$100, and the software \$300. Mr. Bailey said the laptop could be equipped with projector (e.g., PowerPoint) capabilities, and that he recommended loading it with free open source software, which would eliminate the \$300 software cost. Mr. Cohen moved, and Mr. Young seconded, that \$600 be expended out of administrative funds for a laptop, and \$100 for an audio recorder, for Ms. Thoener’s work for this Committee. Voted unanimously in favor.

In his chair’s report (see attachment 4), Mr. Bailey outlined plans for presentation of CPC recommendations at Town Meeting. Mr. Young asked whether the Committee would have to issue an RFP for a planner for CPC. Mr. Bailey said no.

*Status and numbering of proposals following May 31, 2006 submission deadline:* The Committee agreed that incoming proposals should be numbered, as before. Consequently, one proposal received for the November 2006 Town Meeting cycle and two proposals received to date for the May 2007 Town Meeting cycle have been numbered as follows, in order of date of receipt:

**#007** Water Department's proposal for historic preservation of water station 1 building. Dated 8/31/06, requested \$825,000 in CPA funding over two years [see minutes of September 12, 2006]. A revised proposal (not yet received) is expected to request CPA funding for exterior building preservation only, and to seek the approval of the Historical Commission; Mr. Young stated that an appointment with Historical Commission had been made by Water Dept. Supervisor Eric Hooper but that Mr. Hooper did not keep the appointment).

**#008** Historical Commission's proposal for creating a Historical Plan, Inventory, and Survey of Resources. Dated 10/12/06, requesting "up to \$35,000" in CPA funds. Has not yet been taken up by the Committee.

**#009** Horizons For Youth land purchase application, submitted, discussed, and approved for CPC recommendation 11/01/06; revised application submitted, discussed, and approved for CPC recommendation 11/09/06.

The Committee thanked Ms. Cheyer for acting as interim secretary; her secretarial duties will end with the approval of these minutes at the next meeting. Ms. Cheyer expressed appreciation for the Committee's thanks and stated she wanted to be kept on the Committee's e-mail list. Mr. Bailey said that would have to be placed on the agenda for the next meeting. Ms. Sargent-Tracy asked that "absentee voting" be placed on the agenda for the next meeting.

The minutes of November 1, 2006, were approved unanimously as amended. The next meeting is scheduled for Thursday, November 30, 7 p.m.

The meeting was adjourned at 8:50 p.m.

*Submitted by Alice Cheyer  
Interim Secretary*

**ATTACHMENT 1 - CPA BALANCE SHEET, 11/09/06 (COREY SNOW), SHOWING POTENTIAL CASH AVAILABLE FOR HFY**

Starting balance \$630,000

| <b>Expenditures</b> | <b>Amount</b> | <b>Comment</b> | <b>Classification</b> |
|---------------------|---------------|----------------|-----------------------|
| CPC admin           | (6,000)       | Approved       | General               |
| CPC admin           | (14,000)      | Pending TM     | General               |
| Open Space Plan     | (10,000)      | Pending TM     | Open Space            |
| SHA Roofs           | (136,000)     | Pending TM     | Housing               |
| SHA Floor           | (6,000)       | Pending TM     | Historic              |
| SHA Floor           | (6,000)       | Pending TM     | Housing               |
| Drinking Fountains  | (4,800)       | Pending TM     | General               |

| <b>Allocations</b> |           | <b>Allocation Percentages</b> |        |
|--------------------|-----------|-------------------------------|--------|
| General            | \$24,800  | Unallocated                   | 70.89% |
| OS                 | \$10,000  | General                       | 3.94%  |
| Housing            | \$142,600 | OS                            | 1.59%  |
| Historic           | \$6,000   | Housing                       | 22.63% |
|                    |           | Historic                      | 0.95%  |

|   |   |
|---|---|
| <b>Remaining Balance</b>                        | <b>\$446,600</b>  |
| Required FY07 <b>Housing [Historic]</b> Reserve | (\$57,000) <i>[corrected by Mr. Snow at this meeting]</i> |
| <b>Potential Cash Available for HFY</b>         | <b>\$389,600</b>  |
| Minimum Collections 6/30/07                     | \$315,000   |

**ATTACHMENT 2 - TABLE FOR REVISED (11/09/06) HFY PROPOSAL**

*(Info. rec'd via e-mail, 11/10/06, George Bailey to CPC, "Corrected Spreadsheet--p. 3 of HFY Form")*

|                             | <b>Acres</b> | <b>% Area</b>       | <b>Value</b> | <b>% Value</b>       |
|-----------------------------|--------------|---------------------|--------------|----------------------|
| Overall                     | 56           | 100%                | \$4,850,000  | 100%                 |
| Requested of CPC            | 9            | 16%                 | 1,200,000    | 25%                  |
|                             |              | <b>% of CP Area</b> |              | <b>% of CP Value</b> |
| Open space # 1              | 0.25         | 3%                  | 125,000      | 0.4%                 |
| Open space # 2              | 1.09         | 12%                 | 260,652      | 1.9%                 |
| Open space # 3              | 4.65         | 51%                 | 70,000       | 8.3%                 |
| Recreation (# 4)            | 3.16         | 35%                 | 756,652      | 5.6%                 |
| Total                       | 9.15         | 100%                | 1,211,304    | 16.3%                |
| SUMMARY                     |              | <b>% of CP Area</b> |              | <b>% of CP Value</b> |
| Recreation (# 4)            | 3.16         | 35%                 | 755,652      | 6%                   |
| Total Open Space (# 1, 2,3) | 5.99         | 65%                 | 455,652      | 11%                  |
| Total CP Allocation         | 9.15         | 100%                | 1,211,304    | 16%                  |

### **ATTACHMENT 3 - SPECIAL TOWN MEETING, ARTICLE 2, NOVEMBER 13, 2006**

Moved, That the Town vote to raise and appropriate the sum of Three Million Six Hundred Fifty Thousand (\$3,650,000.00) Dollars for the purchase in the name of the Town for general municipal purposes, conservation purposes and/or school purposes, the fee in portions of the following parcels of land:

The parcels of land in Sharon, Massachusetts, identified as (1) 161 Lakeview Street, consisting of 46.7 acres and shown as Parcel "B" "remaining land of Horizons for Youth" on a plan entitled "A preliminary subdivision plan in Sharon" dated July 1, 1998 and (2) 229 Lakeview Street, consisting of 10.00 acres and shown on said plan as Parcel "C" "Other land of Horizons for Youth." The parcels are also identified on the Town of Sharon Assessors Map as Parcels 41/34 and 41/1 respectively, or as the same may be more particularly described.

Such property is also generally shown on a GIS map on file with the Town Clerk and a copy of the above referenced plan is on file with the Town Clerk and is entitled Horizons For Youth, Proposed Acquisition - November 7, 2006, and consists of the land outlined in red on said plan excluding that parcel outlined and hatched in blue and identified as "proposed recreation land" and also excludes those three parcels outlined and hatched in yellow identified as "proposed open space."

And in order to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow Three Million Six Hundred Fifty Thousand (\$3,650,000.00) Dollars, under Massachusetts General Laws, Chapter 44, §7 and further that such appropriation shall take effect only if the Town votes at an election to be held in accordance with Massachusetts General Laws, Chapter 59, §21C to exempt such debt raised for this purchase from the provisions of Proposition 2 ½.

And further, that the Town appropriate and borrow the sum of One Million Two Hundred Thousand (\$1,200,000.00) Dollars for the purchase in the name of the Town for open space and recreational purposes under the Community Preservation Program as follows: to appropriate and borrow the sum of Seven Hundred Forty Eight Thousand Six Hundred (\$748,600.00) Dollars for the purchase in the name of the Town for recreational purposes under the Community Preservation Program the parcel of land identified above on the referenced GIS map as "proposed recreation land"; and to appropriate and borrow the sum of One Hundred Twenty Three Thousand Eight Hundred Thirty Three (\$123,833.00) Dollars for the proposed approximate .25 acres open space parcel, Two Hundred Fifty Eight Thousand Two Hundred Twenty (\$258,220) Dollars for the proposed approximate 1.09 acres open space parcel, and Sixty Nine Thousand Three Hundred Forty Seven (\$69,347.00) Dollars for the proposed approximate 4.65 acres open space parcel, for the purchase in the name of the Town for open space purposes under the Community Preservation Program those said three parcels of land identified on said GIS map as "proposed open space"; and to authorize the Treasurer with the approval of the Board of Selectmen, to issue any bonds or notes that may be necessary for these purposes, as authorized by General Laws, Chapter 44B, §11, or any other general or special law, for a period not to exceed twenty (20) years.

Provided, however, that the preceding purchases under the Community Preservation Program shall be authorized only in the event that the Town affirmatively votes at the above election to exempt such Chapter 44 debt from the provisions of Proposition 2 ½.

And further, to authorize the Board of Selectmen to enter into such agreements and execute such documents as may be necessary to accomplish the foregoing.

### **ATTACHMENT 4 – CHAIR’S REPORT FOR MEETING OF NOVEMBER 9, 2006**

Following our meeting on Wednesday, Nov. 1, Corey Snow and I attended the Selectmen's meeting and delivered the result of the C PC's deliberations to the Selectmen. The Selectmen had voted earlier to sign the purchase and sale agreement with Goodwill Industries for the 56 acre Horizon's for Youth parcel. The possible impact of the various definitions of Open Space vs Recreation were presented, based particularly on Mr. Snow's investigation with both coalition and EOEA sources. Since both Mr. Snow and I had gone on the October 29 trek on the property, we indicated our personal satisfaction with Selectmen's successful negotiation.

On Monday of this week, my curiosity was whetted by a story in the Globe on a prospective sale of land in Weston. I noticed a very short time line: a study by Matlock associates was completed just a month ago, the debt exclusion for \$22M for 62 acre Case Estate branch of the Arnold Arboretum. The debt exclusion vote occurred Tuesday, and the Town meeting voted the borrowing last night. The CP participation was substantial - 33%, and the town expects to sell \$8 million lots to help defray the cost. The land value itself is substantial, in excess of 250K per acre, but this is a wonderfully landscaped park with specialty gardens and exquisite displays, used by the Arnold until just two or three years ago.

At the Pre-Town Meeting, the BOS will take the lead on Article 2, the CPC funding will be described by me, including some general comments on the amount of the fund, its sources, and outlook. After reading by me of the report of the CPC, Mr. Kublin will speak for the Housing Authority on Article 5 , items 1 & 2 ; Ms. Arguimbau for item 3; Steve Savrann of the New Friends of the Playground for item 4, and I will address item 5.

A first draft of the Committee's comments follow:

Article 2: Explain the law, the amounts available over 5 years, when borrowing is needed, etc. Then introduce the reason for guidelines in measuring the applicability of each application for funds. Note that the objective of the time deadlines in the law is to insure that the project appears on the warrant as published. Time constraints, nondisclosure agreements and simple lack of time prevented an orderly public process. Nevertheless, this project was one identified on the Draft Interim Open Space and Recreation Plan of the CPC and generally acknowledged as having the highest priority. To have the funds available and not utilize them to help in the purchase of these lands resulted in a unanimous vote of support by the CPC.

Article 5: The CPC unanimously recommended allocating funds from the CP fund after reviewing a pair of well-documented requests, the process for requesting and evaluating construction bids, and the extenuating circumstances facing the Sharon Housing Authority along with many other such bodies in the Commonwealth.

1. This project submitted by the Housing Authority would fund the restoration of floors in the South Pleasant Street family housing structure. The Historical Commission voted to dedicate Preservation Funds to fund one half of this project.
2. This project submitted by the Housing Authority would fund the replacement of the roofs on the six buildings and their 88 apartments of the Hixson Farm Housing complex dedicated to elderly and disabled persons.

While the maintenance of Housing Authority buildings is nominally the responsibility of the Dept of Housing and Community Development, no funds have been received for this purpose in over five years, the CP was told. The HA believes the condition should not continue. Since the law states that CP funds can be used to “promote, use, rehabilitate, or improve existing buildings or construction on previously developed or town-owned sites of community housing”, this is an eligible use. The CP realizes that use of funds for maintenance does not directly add to the inventory of affordable housing but it nevertheless felt that the need merited immediate attention. The CPC sought assurance that if funds were forthcoming in the interim between this vote and actual contract execution, CP housing funds would be returned to the extent legally possible, and received such a commitment. The CPC voted unanimously to support both recommendations. I would like to have the the chair recognize Mr. Kublin of the Housing Authority for further explanation.

3. This item would fund an update of the Town's Open Space and Recreation Plan in accordance with the guidelines in the EOEA's Division of Conservation Services, *Open Space Planner's Workbook*. The CPC, recognizing that the EOEA guidelines allowed management by a committee other than the Conservation Commission, debated establishing a broader management. The majority were persuaded that the Conservation Commission, having requested the funding, should manage the project. The CPC unanimously recommends adoption. I ask the chair to recognize Ms. Arguimbau

the Conservation Commission for further explanation.

4. This project addresses a small need that would have gone unanswered for another year without the leadership provided by the New Friends of the Playground, who recognized the need for operative water fountains at both Ames St (Griffin) Playground and at East Foxboro St (Deborah Sampson playing fields). The applicants researched the field for a design that would meet rigorous maintenance and operation standards, and got support from both the Recreation Director and the Commission on Disabilities. Since use of CP funds for a capital item that would be otherwise be purchased with town funds utilizes a state match of 100%, this results in an equal savings. The CPC unanimously recommends adoption. I ask the chair recognizer Steve Savrann of the New Friends to explain further.

5. The CP law, Chapter 44B, allows the CPC to fund its operations from up to 5% of its annual total funds, in this case \$34,000. This is our first real year of operation and we have been working with a makeshift plan based on plans, objectives, or goals of existing Open Space, Recreation, Housing, and Preservation committees, but no real plan geared to guiding the CPC in the uncharted waters of managing funds in a responsible and future-oriented manner. These funds will be used to fund a small secretarial budget, a one-time strategic planning process, and possible legal or engineering services that may arise in the coming months. Funds not expended are returned to the CP fund and can be applied to any of the prospective CP needs in Open Space, Historic Preservation, Housing, or Recreation.