

**Minutes for CPC Meeting of 2/26/04, 7:30 pm - 11:00 pm, Library Meeting Room**

Attending: Peter Berry, Walter Foster, Andy Magee, Catherine Coleman, Erin Bettez, Susan Mitchell-Hardt, Alison Gallagher, Peter Grover, Chris Schaffner, Kristin Alexander

Absent: Matt Lundberg, Mimi Herington

Audience: Don Johnson, Brian McMullin, John Murray, Peter Ashton, Betsy Comstock, Bob Johnson, John Ryder, Nancy Tavernier, Maya Spies, Ruth Martin, Anne Forbes, Gim Hom

**1. Approval of Minutes of 2/05/04**

Approval of the minutes was tabled until the next meeting.

**New Business:**

**Discussion re: Meetings with Finance Committee and Board of Selectmen**

- Catherine reported on the meeting with the Fin Com:  
Fin Com reviewed the CPC's spread sheet listing projects and preliminary funding recommendations.
- Re: the ACHC Community Housing Fund they questioned giving up control of \$25,000 and leaving it for someone else to manage. They felt it might be better to leave it in the CPC account.
- Peter B. commented if Town Meeting allows the CPC to authorize spending the funds, the CPC must go to Town Meeting to get permission to spend on a particular program. If the ACHC has the money, a Town Meeting is not necessary. There would be language that states that all the expenditures must be according to the conditions that the CPC proposes.
- The Fin Com voted to accept the preliminary recommendations.
- They didn't vote on the Reserve Funds or Administrative Funds.
- Re: Warrant Articles, John Ryder commented that the Fin Com favored individual articles representing each project rather than one article.

**Meeting with the BoS:**

Catherine, Andy, and Chris attended the BoS meeting.

- They went through the spread sheet listing projects and preliminary funding recommendations.
- They discussed the pros and cons of one warrant article vs. breaking it out into single articles for each project.
- Peter Ashton favored a single article and recommended one presentation rather than than multiple ones.
- Bob Johnson changed his vote making it 3:2 in favor of one article vs. multiple articles - the CPC will have the final decision.
- Walter commented that the BoS voted at their meeting last Monday to recommend all the Warrant Articles.

Catherine asked how the Morrison Farm Master Plan committee would be formed. Several selectmen requested that it be comprised of those on town committees as well as a few at large people. Peter suggested that a smallish committee would be preferable.

- Re: Administrative expenses: Most BoS felt it was appropriate to fund them as they are proposed.

**Warrant Articles:**

Peter Berry and Andy commented that it appeared that the BoS requested the Town Planner to draft articles, which they believe goes against the process. Andy stated that the CPC's responsibility is to come up with the plan re:

Warrant Articles, have input, and come up with a recommendation. The CPC hadn't yet had a dialogue about warrant articles before they were drafted.

Andy circulated Warrant Articles from 8 or 9 towns. Each article is 1.5 page or less - the CPC's is now 7. He felt that chaos will ensue if there are separate articles. He envisioned a crowd lining up at the microphone for each and every article.

The last warrant article will likely get voted down because people will feel it's time to vote no. Big lobbies will pass and little ones won't. Andy commented that the CPC wants the Skate Park group to vote for Community Housing and vice versa.

He and others voted on specific projects based on the resulting balance of projects, uses, and expenditures based on having the projects listed under one article. This process will have had no meaning if there are separate articles.

- Walter suggested that Roland can be instructed to draft one single warrant article.
- Andy suggested that the CPC can write it and give it to Town Counsel.

ACTION: Walter said he would ask Don tomorrow.

- The CPC voted unanimously to recommend one warrant article to the BoS and give brief descriptions of each project.

**Public Comment:**

John Ryder observed that if the CPC opts for a single Warrant Article - he advises doing two because until the CPC gets a vote, the committee won't know how much is going in reserve funds.

**Discussion re: Recommendations for Administrative Expenses:**

Don Johnson gave the CPC two sheets. One showed start up costs, the other showed a breakdown of CPA related tasks performed by Finance Personnel and their estimated annual costs.

Don stated that the town passed the CPA in Nov. 02, when they were getting the tax bills out.

- John Murray spent 12 hours at the beginning working things out with Town Counsel.
- Steve Barrett of the Finance Director Office, and Karen Kucala , Town Accountant Office and Brian McMullin of the Assessors Office had to meet with people who write the towns' software and change it.
- They took the Finance Dept. off line as well as several departments and printed all 8000 bills to make sure everything was correct.
- They gave rates as individuals and blended the rate to give accurate ideas about what it cost with the program.
- When the software is in place, there's not a lot of maintenance - just abatements and exemptions.
- They will have efficiencies going forward.

**Exemptions:**

- There were 323 applications for exemptions.
- It's complex to issue exemptions; one must go through the applicants' finances, their tax papers, and then process them through the Board of Assessors
- The Board of Assessors makes recommendations and adjustments.
  - Collectors step in and process the exemptions.

Re: Item 5, of the second sheet, "Collectors post CPA payments": When a bill comes in which relates to the CPA, it requires .01 hr/transaction which amounts to 1 hr/week.

The BoS approved an additional body in Finance - as they deal with the bulk of the work.

The town's total estimate for Admin. Costs is the sum of the total costs listed on the two sheets which is \$34,795.

Peter Ashton commented that he was closely involved with the process 1.5 years ago - getting the bills set up, etc., and that those costs don't reflect the blood, sweat, and tears that got it done quickly.

- Catherine asked if one must file for abatements each year. Brian replied, yes, as the abatement is based on the prior year federal union tax return; the median income figure changes each year, adjusted gross income changes, and medical changes.
- Peter Berry stated that the CPC gets a total maximum of what is collected even if funds are returned to the taxpayer.
- The real estate tax abatement is used to trigger an adjustment to the CPA. When the real estate tax bill is reduced, so is the CPA tax.
- Don commented re: lines 6 and 7 of the CPA Analysis sheet, that they are ongoing expenses - "collectors prepare refunds for submission to Accounting for payment" and "Accounting prepares refunds for the warrant." If someone were to get a separate abatement, it has to be recalculated - there are two sets of paperwork to process.
- Andy commented that he is reluctant to fund the full administrative costs of \$38,000 because, repairing the Davis Monument will cost half as much, due to state matching funds - the CPA is bringing in another source of state income.
- Andy commented that he appreciates the effort it took to break down the costs. He feels it's important as the CPC has a responsibility to justify the administrative costs and needs this level of detail because someone will want to know. He also feels that the CPC shouldn't have people doing work for them which they didn't request.
- Andy emphasized that everyone did a great job.

- Peter Berry asked the BoS if they always assign town staff to town committees.
- John Ryder commented that the Fin Com is unstaffed. John observed that town staff does lots of work for which they are not properly compensated; people are in early, making copies, etc. and deserve to be appreciated. Andy seconded that.

**Discussion re: Allocation of Funding Areas (historic preservation; open space; community housing)**

- The CPC agreed that the ARRT, Morrison Farm Master Plan, and the T.J. O'Grady Skateboard Park fall into the category of Recreation.
- The CPC agreed that ACHC 214 Central/28 Willow St., ACHC - Community Housing Fund and AHA - Family Housing Initiative fall under the Community Housing category.
  - The CPC agreed that the Cultural Resource List, Davis Monument, Flag Preservation, and Historic District Signs fall under the heading of Historic Preservation.

- There is \$944,456 in the bank account; \$94,456 must be allocated to each category. At least 10% of CPC funds are allocated to Community Housing and Recreation. Historic Preservation is short by \$10,561.
- To make sure the 10% designated for Historic Preservation is legitimate, the CPC needs a letter from the Historical Commission
  - Anne Forbes suggested going back to the applicants to make sure the applicant includes the intention that it fits under that category.

- A motion was made to designate \$10,561 of \$170,000 appropriated for the ARRT under the heading Recreation be re-designated to Historic Preservation. The motion carried unanimously.

Does Open Space mean acquisition of open space or does it have a wider definition?

One part is about active recreation - the other is re: protecting open space from other uses.

- Peter Grover stated that the statute says open space is land for Recreational use.

- Andy commented that the Morrison Farm Master Plan will create a plan, not open space. The statute states that Recreation may be a garden, trails, playground, park, athletic field. If one purchases land with CP funds, and one builds something on it - that's its use. ARRT meets that definition as 7.9 acres of open space is being purchased with a recreation use on top.

- Walter commented that the statute states "acquire, preserve or create open space" - how does one create open space?

- Peter Berry asked if developing a Master Plan for open space preserves open space. He has trouble placing the Master Plan under anything - it could or could not preserve open space. Part of the Master Plan will have a historic piece - the foundation for the Ice House. Breaking it down is difficult.

- Walter would put the Master Plan under Recreation, but what if the Master Plan said keep it as it is?

- Erin asked if the CPC has to classify everything?

- Andy commented that the CPC must be careful with the Historic Preservation designation - it must be either listed or eligible to be listed site, or must be designated by the Historic Commission as having an historic designation - identification as a listed item.

- Anne Forbes commented that there are 8 or 9 historic resources on the Morrison Farm property, but we can't define them that way unless they are designated as "listed" or "eligible to be listed" or designated by a local historic commission as significant to the town.

- Catherine commented it would be helpful to have that information on the Morrison Farm.

- Alison commented that the original Warrant Article stated the Morrison Farm would be used for fields.

- Peter Berry commented that the statute says we have to review use, spend, or set aside not less than 10% for open space including land for recreation use. Recreation can't be counted for open space.

- John Ryder commented that the ripping up of tracks means one is creating land for open space - it's for recreational use.

- Walter commented that on the rail trail that the town is buying 7.9 acres for recreational use.

- Walter and Catherine added that the CPA started as a tool for land preservation.

- Andy commented that the CPC could set \$200,000 aside to be used for playing fields; however, he feels it should be for the land - not for building something.

#### **Administrative Fees:**

Erin commented that the total for Administrative Fees is \$42,798 including the lawyer's fees and Roland's salary.

5% of \$944,456 is \$47,228.

Andy reiterated that the CPC needs to treat these fees responsibly and get quarterly bills if necessary.

Peter Grover commented that Roland's payments are for 21 meetings at 3 hr/meeting.

3.5 hours is for preparation and follow up on the meeting.

1/2 hour is for clerical work/meeting, and no time is charged for drafting the Warrant Article.

Catherine spoke with Chris Saccardi of the CP Coalition - he has spoken with DOR about the software costs. He said it's not an allowable expense. He said Acton will be the only town who spent admin. funds for that software costs.

Walter made a comment about process - only town resources should call DOR; people shouldn't call the state officials on behalf of a town board - getting information from Chris Saccardi is ok. Reimbursement for software costs is a reasonable expense from a citizen's point of view. He's not concerned that other towns haven't done it.

The CPC unanimously approved appropriating up \$42,798 for administrative expenses.

**Discussion re: Town Meeting Warrant Articles**

Peter Berry commented that the Warrant Articles state that the proposals will be funded based on appropriate conditions placed on them to assure the CPC they went through appropriate steps. There will be a meeting before the money is released. As a project goes ahead, the CPC will decide on the conditions.

**ARRT**

- The process is to vote \$170,000 for the design and construction of the Assabet River Rail Trail and all related expenses. The ARRT design and build portion between Maynard and S. Acton will leverage the federal money. The design is set by federal law. The RFP will be put out to get a designer; the CPC should look at the RFP and be involved in the selection process.

- Andy asked if the CPC should put conditions in if the federal monies don't come as stated.

- Walter stated that he is comfortable with the terms of the proposal.

- The CPC unanimously approved appropriating up to \$170,000 for the ARRT.

- The CPC unanimously approved appropriating up to \$25,000 for the ACHC 214 Central/28 Willow St. Feasibility Study.

- The CPC unanimously approved appropriating up to \$25,000, contingent on subsequent review by the CPC, to establish a Community Housing Fund.

- The CPC unanimously approved appropriating up to \$20,000 for the Revision and Expansion of the Cultural Resource List.

- The CPC unanimously approved appropriating up to \$50,000 for the restoration of the Davis Monument.

- Andy asked if there is a requirement to put a preservation restriction on this property.

- Anne Forbes replied that could be checked.

- The CPC took a preliminary vote which was unanimous to defer funding of the EAV Green. There was not a motion to change the preliminary vote.

- ACTION: Chris Schaffner agreed to write a standard letter to the EAVPC indicating that the CPC voted to defer the project.

- Betsy Comstock asked to be informed in the letter of the reasons for the deferral.

- Peter Berry suggested that she may also check the minutes for that information.

ACTION: Walter reiterated that the CPC must communicate with everyone on each project.

- The CPC unanimously approved appropriating up to \$200,000 for a grant to the Acton Housing Authority Family Housing Initiative proposal.

- The CPC unanimously approved appropriating up to \$5,600 for the Acton Memorial Library Flag Preservation proposal.

Historic District Boundary Signs proposal:

The HDC volunteered to omit signs at Arlington St. and Piper Road as those signs were somewhat controversial, and that the HDC wanted to meet any concerns expressed by the CPC.

- The CPC unanimously approved appropriating up to \$8,285 for Historic District Boundary Signs with the exception of signs at Arlington St. and Piper Rd.

- The Leary Field proposal is withdrawn.

ACTION: Walter volunteered to draft a letter to them and circulate it to the CPC for review.

Morrison Farm Master Plan Proposal:

- Andy recommended against talking about fields, etc. in the proposal for the Master Plan; the applicant should be aware that the actions taken this year don't presume a later action. The CPC should be neutral on the end result.

- Peter Berry commented that the CPC has decided not to fund the field development proposal. Peter believes that the concept of the Master Plan is that it will look at all the options and not assume fields will be put there.

- Walter agreed that it's totally open.

- Andy and Catherine asked that question to the BoS at Monday's meeting, and they all agreed that everything is on the table; that nothing will happen until there is a Town Meeting vote; it's a 1.5 year process.

- Andy commented that people shouldn't lobby the CPC, but the Planning Committee.

- The CPC unanimously approved appropriating up to \$59,800 for the Morrison Farm Master Plan.

- The CPC took a preliminary vote which was unanimous to defer funding of the restoration of the Bendig barn at 74 Nagog Hill Rd. There was not a motion to change the preliminary vote.

ACTION: Andy will write Mr. Bendig a letter.

- The CPC unanimously approved appropriating up to \$67,000 for the construction of the T.J. O'Grady Skate Park.

- The CPC took a preliminary vote which was unanimous to not consider the Town Forest Addition proposal as it was ineligible. Peter Berry has already written Dr. Richard a letter.

- The CPC already voted the Admin. Expense

**Discussion re: Creation of a Reserve Fund**

- Walter suggested the CPC set aside for general future spending the amount of \$270,973

At the last meeting Walter wanted to reserve it all for open space - now he prefers the undesignated category as it doesn't restrict the CPC before that issue arrives.

- Chris agreed that while open space is a priority, the committee shouldn't limit its flexibility.

John Ryder commented that Fin Com expressed preference that the money remain undesignated.

- Andy commented that land acquisition requires significant funds. If the Morrison Farm were for sale today, large funds would be required to purchase it. The CPC knows the demand will be for Recreation - that the sum of the

proposals for funding of the BFRT and fields will equal 100% of next year's CPC budget.

The CPC could reserve \$250,000 for open space; if the fund is unspecified, there will be only \$95,000 set aside for open space. An undesignated Reserve Fund will look tempting for another big recreation proposal. People frequently remark about where's the open space project or dedicated fund for open space as that's the real reason they voted for CPA.

- Susan supported Andy's comments about the importance of banking specifically for open space. She felt that a majority of people voted for the CPA because they wanted to preserve open space. The results of the '01 Open Space and Recreation Survey indicated that 77% of the respondents said that they would want to put away money every year from the town budget for the purpose of preserving open space. She agreed that it sends the wrong message to put the money in an undesignated Reserve Fund fund.

- Peter Grover agreed the the money should be designated for open space otherwise it could be spent on something else.

- Walter asked if Andy knew of any available parcels in town.

- Andy replied that he knew of several that were percolating.

- Catherine asked if having money banked for open space would attract people and would it lead to leveraging more money - Andy couldn't answer.

- Andy suggested a compromise - that \$200,000 be side aside for future open space purchase (it's non-binding) and that \$70,973, the remainder of the funds, be set aside for general community preservation uses - such as seed money to hold a property, etc.

- The CPC unanimously voted to set aside \$200,000 for future open space purchase and \$70,973, the remainder of the funds, for general community preservation uses.

**Town Meeting Presentation:**

- Peter Berry, as Chair, will lead the presentation.

- The entire CPC needs to attend Town Meeting.

Catherine discussed publicity - she'll get something into the Beacon immediately. She can use Roland's blurb to get out project descriptions. Andy suggested listing how many open public meetings and hearings the CPC has had.

- Catherine will submit ads to the Beacon Action and Action Unlimited, Boston Globe, and libraries.

- Catherine will also consider passing out informational materials at Town Meeting as people walk in.

- Another idea was to get a list of email addresses of people who want to receive CPC meeting announcements, etc.

- Kristin said they can do a blind data base shell - send the addresses to Roland.

ACTION: Peter reminded contact people to send letters to their applicant. (Peter considers a form letter as housekeeping).

**NEXT MEETINGS:**

Thursday, March 11, 7:30 pm, Library Meeting Room

Thursday, March 25, 7:30 pm, Library Meeting Room

Thursday, April 8, 7:30 pm, Library Meeting Room

Respectfully submitted by: Susan Mitchell-Hardt