

COMMUNITY PRESERVATION COMMITTEE MEETING MINUTES
July 26, 2018

A regular meeting of the Community Preservation Committee was held on Thursday, July 26, 2018 at 7:00 p.m. in Town Hall, room 210. Present: Doug Meagher, Chairman, Jim O'Donnell, Vice Chairman, Mary Leach, Member, Marlies Henderson, Member, Tom Conway, Member, Travis Brown, Member, Matt Battcock, Member and Joe Fiumara, Member.

Remote Participation: Richard Scanlon, Secretary.

CALL TO ORDER:

Chairman Doug Meagher called the meeting to order at 7:00 p.m. and stated the meeting would be audio recorded.

Remote Participation:

Rich Scanlon was participating via speaker phone. Rules were verified to be able to have Rich on the phone for the meeting. Doug stated that he inadvertently overlooked a requirement of both the Selectmen's policy and the state CMR (Code of Massachusetts Regulations) with regard to remote participation at the last meeting. All the votes taken this evening will be "roll call" voice votes. Also, when we get to the point of discussion of draft operating procedures, hopefully part of that discussion will be about recording all of the votes taken by who voted "aye," "nay" and who abstained regardless of whether it is a roll call voice vote.

CPC COORDINATOR RECRUITMENT UPDATE:

Rob Anderson updated the committee – the job posting has been posted to the town website, the Massachusetts Municipal Association website and in the Lowell Sun. Currently there are two applicants, both local to Billerica, but only one with municipal experience. Joe Fiumara asked if Rob could change where the posting said "some nights might be required" to "will be required." Mary Leach and Jim O'Donnell wanted to know if there was a closing date on the posting. The deadline for the posting is August 3, 2018 on the town website and not sure how long it will be running in the Lowell Sun and hopefully there will be a few more applicants. Mary offered running a little story in the Billerica Minuteman.

PUBLIC COMMENT:

No one came forward

REVIEW OF FUNDING APPLICATIONS:

Chairman Doug Meagher explained there are eight (8) applicants and each applicant will be able to come before the CPC Committee. There will be three (3) at tonight's meeting and the rest divided up between the August 9th and 23rd meeting with a public hearing on September 6, 2018. Each applicant is asked to come forward to make a presentation for the need/use of the CPC Funding they each wish to receive.

Library – Kathy Meagher, Local History Librarian for the Billerica Public Library, made her presentation asking for \$6,135 for assessment of the current status of the storage or historic documents. Kathy explained the importance of preserving historical documents. Northeast

Document Conservation Center is a preservation company that is worldwide and has agreed to come in to do this estimate/assessment as soon as the funds are available.

- Question/Comments from the committee – Jim O’Donnell asked about the different stages of their timeline/projects. Marlies Henderson stated that this is a perfect example of what can be done with CPA fund. Travis Brown thinks it is an important project – important to the town’s history. Rich Scanlon said it is a good use of historic funds.
- Question/Comments from the public - Mary McBride from the Library Foundation also spoke in favor of this application. Rino Marcone said he believes this is a good way to spend the funds.

Doug wanted to let everyone know that he had previously (with his role on the Finance Committee) filed a disclosure with the Town Moderator for his position on the Finance Committee and has consulted with the State Ethics Commission with regards to deliberating on matters that involve a relative that works for a town department. The State Ethics Commission’s guidance that he is fully capable and able to deliberate on matters that don’t affect benefits, compensation, and other benefits of that nature.

Housing Authority – Bob Correnti, Executive Director of the Housing Authority, made his presentation asking for \$160,000 to set aside for the purchase of affordable housing. There was a lengthy discussion regarding the Housing Authority, CPC and the Billerica Housing Trust. Doug also commented that he, Bob and Rob Anderson had a meeting with Town Counsel. Town Counsel has some disagreement with the Community Preservation Coalition over whether or not the mechanism for transferring \$160,000 has to be a housing trust or it could be held by the town, then upon recommendation, this committee (the CPC) transfer directly to the Housing Authority. Town Counsel has agreed to work with the Board of Selectmen to try to go with the trust approach.

- Questions/Comments from committee – Rich stated that in theory the trust is a good idea. Marlies spoke about the Housing Trust and would like to see the trust revived. She read something about the rulings on using Housing Trusts to hold CPA funds. Mary clarified that the committee would like to see the trust revived and they will be working on that. Joe supports this Housing Authority application. Tom stated that Town Counsel is available for the reason, to guide this committee. He also wanted to know if the committee put out there that this is a two (2) year appropriation. Agrees that this is a good use of CPA funds. Matt supports this application; he stated the town is in dire need of housing.
- Questions/Comments from the public - Donald Damen asked about the Housing Authority’s financial reserves, if they had anything to purchase housing with. Bob explained that there are funds; however, they can only be used on the properties they were acquired from. He also wanted to know if the town collects taxes for these properties. Bob and Rich both answered this question. Yes, the town collects taxes for these properties but not at full tax value according to the housing laws. Justin Damen wanted to know if this is going to help with the 10% to keep 40B’s out of town. Kathy Meagher wanted to know if there are any other housing applicants and how the funds are handled. Marlies explained how the monies are approved and allocated. Mary Mc Bride asked if the Housing Authority was a municipal organization or a state organization. Bob answered “It is neither; all housing authorities are separate from Municipal and state.”

Historical Society – Maria Seminatore, President of the Billerica Historical Society made her presentation asking for \$76,000 for painting, window replacements and other activities to preserve the building and the historical items within it. The historical Society was established in 1894 and the home they use to house the Historical Society and their museum is the almost 300 –year- old Clara Sexton House. The home is need of repairs and upkeep.

- Questions/Comments from the committee –Joe said he supports this application. Tom also supports this application. Matt asked since the Historical Society has a trust, why can't they do like the Housing Authority and keep seed money also maybe they should have asked for a bit more money. Mary supports this application and also thinks they should have asked for more money. Travis agrees with everything said so far. Marlies gave the Historical Society "10s" for everything; they did a great job with their application. Jim supports this application stating windows are important, they need to button it up. Rich supports this application and would like to visit the site.
- Questions/Comments from the public –John Bartlett, VP of the Historical Society stated that most of their funding comes from their membership and that goes to the everyday bills and emergencies such as a broken water heater. He asked since this is such an old house that needs a lot of work, could they add a contingency. Doug suggested that Maria ask the construction firm what they think would be a good contingency for this type of project.

DISCUSS FALL TOWN MEETING WARRANT ARTICLE(S):

Rob distributed copies to the committee of the CPC Appropriation Recommendations. Doug stated that he would like to propose that the committee submit this as a single warrant article that shows a single bottom line of what the CPC is expending. The article would have eight (8) sub categories and a presentation would be made for each sub category.

Doug went around the table and asked each committee member how they felt about this.

- Committee comments – Jim supports this. Marlies said she would go with how the coalition would do it, as separate articles for each application. Travis thinks they could categorize the applications and do a warrant article for each category. Mary likes Travis's idea instead of having one big article break it down to three. Joe would like to think about it. Tom supports the one article, streamlining is good and thinks presentation is key. Matt agrees with categories but thinks one article would be better. Rich supports one article that should be run by the moderator and agrees with Tom about streamlining and presentation.

The committee decided they will not vote on this today, the vote will be at the next meeting.

CONTINUE REVIEW OF DRAFT POLICIES AND PROCEDURES:

Rob handed out a draft copy of the procedures to the committee.

Marlies asked Rob if got her notes from the previous meetings draft. She was not at the meeting but wanted to make sure Rob received her notes. He stated that he did, and further stated that one of her notes would probably require some discussion. Marlies stated that most committees reorganize in July, a discussion ensued. The main concern had to do with terms that expired on June 30. Doug stated it was different this year since the two terms that were up were not going to

be leaving the committee, they each were being sworn in again for another term. Mary tried to clarify what Marlies was trying to get across in regards to terms that end on June 30th. How can you reorganize prior to the end of a term? Rich said that he wrote a portion of the policy regarding reorganizing and basically stated the whole idea is to get the committee up and running. Doug asked Rich if there would be any changes and can they tweak the language to address the issue. Doug also stated that he didn't think this was going to be resolved tonight and asked the committee to think about this and see if anyone can suggest to Rob in either or language that would allow for (if it's feasible) to reorganize sooner than June 30th and if it's not, then as soon as possible after July 1st. In the interim, Marlies will check with the Town Clerk regarding reorganizing prior to July 1st.

There were some questions/comments from the audience. Bob Correnti stated that the CPC has a unique situation because they have to prepare for Town Meeting. He said the Board of Selectmen reorganize in April. He suggested they (the CPC) should check with counsel to see if they can change the seat dates to create a new cycle. Mary and Marlies suggested taking another look at the bylaws too. Doug suggested everyone take a look at the bylaws and table this discussion for tonight.

Marlies asked about sub committees, she thought the committee had discussed that it was not handy to appoint sub committees because people would be subject to Open Meeting Law. Doug asked if this could also be tabled to the next meeting.

Rob asked the committee to send him any suggestions and/or changes for updating. He can make the changes in the Google Docs and send it out to everyone electronically.

MINUTES:

There was a discussion for a couple of changes to the June 28, 2018 minutes. Doug stated that tonight's minutes would reflect that he inadvertently did not follow the correct procedure for voting in the June 28, 2018 minutes. There should have been roll call votes for each vote at the prior meeting. Corrections will be made and resubmitted to the Chairman.

Joe Fiumara, seconded by Matt Battcock made the motion to accept the minutes of June 28, 2018 as amended.

A roll call vote was taken
It was voted:

Rich Scanlon - Aye
Jim O'Donnell - Aye
Marlies Henderson - Aye
Travis Brown - Aye
Mary Leach – Aye
Joe Fiumara – Aye
Tom Conway – Aye
Matt Battcock – Aye
Doug Meagher – Aye

Bob Correnti asked if everyone voting on the minutes were present at the meeting they are voting on. Marlies answered no. Bob stated that she could not vote if she wasn't present at the meeting. Marlies stated that Robert's Rules states it is okay as long as you trust the source. Mr. Correnti has challenged the committee to seek the opinion of Town Counsel as to whether or not a committee member can vote on accepting the minutes for a meeting they were not present for.

MISCELLANEOUS/CORRESPONDENCE – NOT OPEN FOR DISCUSSION:

Justin Damen, Town Meeting Member, Precinct 9 – asked if he could give his opinion regarding the warrant articles. He thinks there should be 3 articles, a compromise. He thinks it would be the best way for them (the CPC) to do their due diligence to bring it forward to Town Meeting.

David Gagliardi, Finance committee – stated that committees such as this (the CPC) are put together to do what the 240 Town Meeting Members don't have the time to do. It is on the committee to make a presentation and accurately explain the warrant article.

ADJOURNMENT:

Joe Fiumara, seconded by Matt Battcock made motion to adjourn.

A roll call vote was taken

It was voted:

Joe Fiumara – Aye
Tom Conway – Aye
Matt Battcock – Aye
Jim O'Donnell - Aye
Marlies Henderson - Aye
Travis Brown - Aye
Mary Leach – Aye
Rich Scanlon - Aye
Doug Meagher – Aye

Chairman Doug Meagher adjourned the meeting at 9:00 pm.

Joyce MacMillan
Recording Secretary