

COMMUNITY PRESERVATION COMMITTEE MEETING MINUTES
August 9, 2018

A regular meeting of the Community Preservation Committee was held on Thursday, August 9, 2018 at 7:00 p.m. in Town Hall, room 210.

Present: Doug Meagher, Chairman, Jim O'Donnell, Vice Chairman, Richard Scanlon, Secretary, Mary Leach, Member, Marlies Henderson, Member, Tom Conway, Member, and Matt Battcock, Member.

Absent: Travis Brown, Member, and Joe Fiumara, Member.

CALL TO ORDER:

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

PUBLIC COMMENT:

No one came forward

CPC COORDINATOR RECRUITMENT UPDATE:

Rob Anderson updated the committee – there were five (5) applicants total, it is currently down to the top three (3). The interviewing process has begun. Hopefully by the next meeting the Town Managers Office will be able to come to the committee with someone that they are looking to hire.

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. Three (3) were heard at July 26 meeting, three (3) will be heard at tonight's meeting and two will be heard at the Aug 23 meeting. There will be a Public Hearing on September 6, 2018 where all the applicants are asked to join the committee to make a presentation to the public. The applicants may be asked questions from the public. At the conclusion of the Public Hearing the Chairman will ask the committee to vote whether or not to support each of the applications, after which the committee will make preparations for presentation at Town Meeting in October.

Doug wanted to let the committee and the public know that he filed a disclosure today on the advice of the state's Ethics Commission with the Town Moderator that in addition to this committee (the CPC), he is also on the Finance Committee, BATV Board and he has the approval of the moderator to be able to participate and deliberate on that particular application (the Howe School) which is actually a town application. The town has stated a possible intent of partnering with BATV on the eventual funding of the building.

Yankee Doodle Bike Path – Clancy Main, Management Analyst for the Billerica Town Managers Office, made his presentation asking for \$367,000. The town is currently at the 25% design stage for the Bike Path and is seeking to advance to the 75% design.

Clancy wanted to let everyone know that he received a call from the Lt. Gov. Office this morning in regards for a \$100,000 grant for the bike path. The Lt Gov. will be coming to Billerica on Aug 28 at 12:30 to present the check for \$100,000.

➤ Question/Comments from the committee:

- Matt Battcock – nothing at this time.
- Tom Conway asked if they had resolved the High School portion of the path. Clancy said they are waiting for comments from the Fire Dept. and it hasn't been voted on yet.
- Mary Leach stated she was curious about the 25% design because she heard that this 25% really isn't 25%? Clancy said he is not an engineer but from what he knows is that he was told by the engineers that they submitted 25% design. Mary also asked if (besides the high school) all the other easement issues have been looked at. Clancy said that he thinks the easements will be a work in progress and he doesn't know where they all exactly stand. Mary wanted to know if all the committee members from the Bike Path Committee weighed in on this application. Clancy stated that Ellen Rawlings wrote a letter of support for the application. Ellen stated that the Bike Path Committee approved the letter and wants the path to move forward. Mary asked about the \$100,000, is it something they can take off their application so it can go back into the CPC funds or is matched funds. It is matched funds and not something they can take off their application.
- Rich Scanlon just wanted to let everyone know that basically the town is responsible for the design and the state is responsible for the construction.
- Marlies Henderson asked if the path is 4 miles and stated that the 25% was submitted back in February 2015 and funding was requested at the 2016 Annual Fall Town Meeting. The Bike Path Committee asked for \$450,000 to pay for permitting costs and 75% design for the Yankee Doodle Bike Path but it was sent back because more work had to be done. Then resubmitted this past February 2018 again but hasn't been approved yet. Marlies said she really wants a bike path and is very much in favor of it but it's going very slowly and expects to see a good push. Clancy explained they are trying to keep it moving forward and there is a deadline for 2023. That is when construction is supposed to begin, in the spring of 2023 and when the funding from state begins.
- Doug Meagher wanted to say in regards to the 25% design, 25% design does not mean it is 25% of the mileage through the town. It is the level of detail of the design. Ellen Rawlings wanted to point out that there were significant changes to the path route over the last few years which have elevated the costs. The committee is also frustrated with the pace of progress. Doug reminded all about the responsibility of the CPC, after Town Meeting CPC will have to set conditions for each of the projects for example the committee has to be satisfied with the scope of service with the 75% bike path design.

- Tom Conway stated in his previous life as Fire Chief he had given some security suggestions and wondered if they would be included in the design. Ellen said they would be.
 - Matt Battcock asked if the Bike Path Committee has a trust, to which Ellen answered “no they do not”.
 - Jim O’Donnell said the 25% and 75% design work would be no different than what the town does with a new roadway as far as plans, specs etc. Jim stated years ago, originally it was 100% to 100%, we would put up a \$100 and the state would put up a \$100. Now we’re down to putting up \$100 and they (the state) are putting up \$11. The CPA pushed for 30% the state brought it up to 16% (up from the 11%), now the town receives \$16 to every \$100 the town puts in. The state senator supported the 30% our state rep did not.
- Question/Comments from the public – Brian Henderson asked if the \$100,000 coming from the state is it delegated for the school. Clancy was not sure.

Howe School – Clancy Main, Management Analyst for the Billerica Town Managers Office, made his presentation asking for 100% design funds of \$420,000. Clancy stated it is a beautiful building on the National Historic Register and is a sound building. BATV commissioned a feasibility study with PRA Architects to see if it would be possible for BATV to move into the building. The study found that it is possible but some additions need to be made to bring it up to code. They would need to be ADA assessable and some structural issues within the building. There would be some space designated for a museum areas throughout the building

- Questions/Comments from committee – Jim O’Donnell asked about the roof. Clancy said they had to wait for the slates to come in from NY. Jim also asked if at some point the Board of Selectmen conveyed the build to the Historical Society. The ownership was given back to the town. Clancy also stated that the town would be responsible for retrofitting the outside of the building while BATV will be responsible for the inside of the building. Rich Scanlon wanted to know that there is definitely going to be space within the building for a museum. He thinks this is a good project. Marlies Henderson wanted to know how the town arrived at \$420,000. Clancy answered that they reached out to PRA Architects since they were already familiar with the building. The \$420, 000 is the high end of the range that was given. Matt Battcock had no question at this time. Tom Conway wanted to know if the Ma Newman sign would be in the museum. Mary Leach wanted to know if there a guarantee they will get to the 100% design with these funds. Clancy said the firm is a large expert firm and can’t imagine they would go over their estimate. Mary asked if when the ownership of the building went back to the town, was if done formally. Doug Meagher said he couldn’t remember the year but the town gave a 3 year window for performance and they defaulted on the lease. For BATV, the town would have to go back to the state to get a long term lease authorization and negotiate the lease with BATV. Mary asked about parking and hoped the Helen Potter gardens would not be destroyed. Clancy said it would be part of some sort of public process. Marlies said the commission would really like to see something good happen with this site.

- Questions/Comments from the public – Greg McClay board president for BATV, gave a hand out to the CPC members and just wanted to speak about the historical aspects of the building. They have been in touch with the Historical Committee and plan on reaching out to them again. In the handout you'll see there is a gallery area on the 2nd floor and all open wall space will be designated to the history of Billerica. There will be museum spaces on each level and they know how important the history of Billerica is to the town.

Middlesex Canal Association – Betty Bigwood, Lead Director of the Middlesex Canal Assoc. made her presentation asking for \$100,000 for the preservation and rehabilitation of 2 Old Elm St as a new museum. Betty introduced the other members of the association, J. Breen, President, Tom Dahill, Artist, and they are pleased to have their architect with them tonight, John Caveney. Betty gave a brief history of the canal system and said their purpose is to preserve the remnants of the canal and to teach about its history. They acquired the building 4 years ago. It is right on the Summit Pond, a perfect spot for a museum. They have divided the process into four (4) phases, and phase one is to have a weather tight building. The brick work needs to be reinforced and repointed and the doors need to be updated to code. Tom Dahill handed out bookmarks to the committee showing a beautiful historical painting of the canal. Tom added a bit more history of the canals and of his painting and mural.

- Questions/Comments from the committee –Matt Battcock said he supports this application, it is important. Tom Conway also supports this application; he grew up in Garden City. Mary Leach asked if they would have all the money to complete phase one with this \$100,000 grant. Betty said they did. Mary is in full support of preserving this history. Jim O'Donnell supports this project. Rich Scanlon asked the architect if there was already a feasibility study and structural engineering. The Architect John Caveney explained that all studies were completed and the building structure was found to be sound and to date everything is good to go. Marlies Henderson believes the whole project is amazing; funding is clear and needs to be done. Doug Meagher stated that the Middlesex Canal Assoc. would have to follow the secretary of the interior standards and we haven't talked about this yet but Doug believes the CPC would have to require a preservation restriction on the property. One may already exist, not sure. Does the Historical Commission accept these plans? Betty stated they have been speaking with the Historical Commission and John Caveney did know about the Secretary of Interior Standards and the preservation restrictions.
- Questions/Comments from the public – No question from the audience

DISCUSS FALL TOWN MEETING WARRANT ARTICLE(S):

Doug spoke with the Town Moderator and Town Counsel in regards to the discussion at the previous CPC meeting as to whether the article should be all in one or eight (8) separate articles. The Town Moderator would prefer one article and Town Counsel has no issues with one article but would like much more detail under each application. Rob and Doug worked on a presentation for the one article with more detail.

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

- Committee comments – Jim supports this. Rich supports this and reminded them they needed to submit it by August 13, 2018. Marlies is in favor of an article per item. If we were to do all in one, would there a presentation discussion or present everything then a discussion? Doug stated he would provide an introduction and outline the process and may ask the committee members to step forward to present the applications. Matt supports the one article. Tom supports the one article and thinks presentation is key. Mary likes the draft and thinks it is a very good compromise. Rob Anderson added that he received a letter from the Clara Sexton House asking to add a contingency of \$25,000 to add to their \$76,000.

Tom Conway, seconded by Marlies Henderson made a motion to accept CPC Appropriation Recommendations Draft with the adjusted dollar amount for the Clara Sexton House.

It was voted:

7 – In favor
0 – Opposed

CONTINUE REVIEW OF DRAFT POLICIES AND PROCEDURES:

Mary and Tom drafted the proposed changes. Mary went over the current draft with the suggestion they received since the last meeting.

The first suggestion was in regards to reorganization. Marlies spoke with the Town Clerk and the Town Clerks recommendation was to operate in the usual fashion. Mary asked the committee “Do we want to follow the Town Clerks recommendation or do we need to spell it out specifically in the draft?” After some discussion it was decided to change the wording to read “after new appointments have been completed the CPC will reorganize”.

The second suggestion asked to have remote participation spelled out more clearly. It was decided to leave this one out of the policy since it is part of the open meeting law and has been adopted by the Board of Selectmen and applies to all committees.

Third suggestion was for the committee to operate the meetings using Robert’s Rules of Order. A discussion regarding the Robert’s Rules and voting on minutes among the committee. It was decided to remove this from policy.

Fourth, on page two (2) under “Officers” there is a line that states “The Committee may also choose to elect a Secretary and/or a Treasurer”. Two lines ahead it reads “The Secretary/Treasurer”. There a bit of discussion on this and it was decided to have both lines read with the “and/or”.

There were a couple other smaller items discussed and corrected. Mary will make the corrections and changes and forward the final document to the Committee members.

MINUTES:

There was a discussion for a couple of changes to the July 26, 2018 minutes.

Jim O'Donnell, seconded by Rich Scanlon made the motion to accept the minutes of June 28, 2018 subject to corrected typos.

It was voted:

7 – In favor
0 – Opposed

MISCELLANEOUS/CORRESPONDENCE – NOT OPEN FOR DISCUSSION:

Doug via correspondence with the Chairman of the Board of Selectmen was told the Board announced they will be appointing the Housing Trust and will be advertising for a banker, a lawyer and a real-estate agent. The Housing Trust should be fully appointed and ready by the end of September.

ADJOURNMENT:

Jim O'Donnell, seconded by Rich Scanlon made motion to adjourn.

It was voted:

7 – In favor
0 – Opposed

Chairman Doug Meagher adjourned the meeting at 8:45 pm.

Joyce MacMillan
Recording Secretary