

COMMUNITY PRESERVATION COMMITTEE MEETING MINUTES
January 24, 2019

A regular meeting of the Community Preservation Committee was held on Thursday, January 24, 2019 at 7:00 p.m. in Town Hall, room 110.

Present: Jim O'Donnell, Chairman, Rich Scanlon, Vice Chairman, Travis Brown, Treasurer, Mary Leach, Member, Marlies Henderson, Member, Tom Conway, Member and Joe Fiumara, Member, Doug Meagher, Member, Matt Battcock, Member and Katie Mahoney, Community Preservation Coordinator

Also present tonight: Attorney Mark R Reich, Attorney Shirin Everett and Town Manager John Curran

CALL TO ORDER:

Chairman Jim O'Donnell called the meeting to order at 7:00 p.m. and stated the meeting was being audio recorded.

PUBLIC COMMENT:

David Gagliardi, Finance Committee Chairman – Just wanted to know if he would be able to ask questions when it was time to discuss the Coalition Membership Fee.

FIRST PARISH CHURCH APPLICATION REVIEW:

Jerry Johnson, First Parish Church – Looking for \$52,877 CPA funds, which is half of the \$105,755 they need to restore the buildings steeple.

There was some discussion between the committee, Mr. Johnson and Town Counsel regarding if this project could be approved due to the religious factor. It was stated that as long as there were no religious icons on or imbedded in the steeple, it could approved.

The Chairman opened asked the committee if they had any questions and if they supported this project. Everyone was in agreement that it would be a good project.

BILLERICA MASONIC ASSOCIATION APPLICATION REVIEW:

Lee Spach, Billerica Masonic Association – Looking for \$359,000 for restoration and repair of this historic building, build circa 1850. Mr. Spach also introduced Rick Young, President of the Masonic Assoc. and Manager of the building to answer questions for the committee.

The Chairman opened asked the committee if they had any questions and if they supported this project. Everyone was in agreement that it would be a good project due to the historic value and significance to the town. There was some discussion about project cost sharing since there was none listed in the application.

TOWN COUNSEL – QUESTIONS FROM THE COMMITTEE:

Town Counsel, Attorney Mark R Reich and Attorney Shirin Everett are here tonight to answer some questions from the Community Preservation Committee.

There were questions regarding MOU's (Memorandum of Understanding), emails, conditions, streamlining eligibility forms, applications, grant agreements and other documents. An MOU is used for a number of purposes; it is essentially an outline of the process of what is intended for the use of the funds. In this case it may outline what the town would be providing or how the town would be making use of the funds and how the town would account for the funds.

Basically Attorney Reich stated that the CPC is not an enforcing entity, not a contracting entity, it doesn't get involved in the oversight of construction or projects. That falls into the hands of the town manager. The CPC's role ends with the recommendation of funds.

If an approved Town Meeting CPA project has not used the funds in three (3) years' time, the funds revert back to the CPC account from where they came from.

When should the recommendations and / or conditions come forward from the CPC? Conditions can be incorporated anytime into a grant agreement, ultimately the town manager has the awarding authority of contracts for the town. No CPC funding can be acted upon at Town Meeting without the CPC's recommendation.

The CPA looks to the CPC to make a recommendation to Town Meeting. Town Meeting is a funding entity. The CPC does not dictate the terms of a project. In general the CPC carries the application up to Town Meeting, if approved at Town Meeting it then becomes a town process in terms of how the grant agreement proceeds and how funding is carried out and what the restrictions are and what the enforcement mechanism is.

At what point do the applications become public documents? As soon as they are submitted they are public documents unless otherwise shielded by an exemption by the public records law.

Who writes and / or submits the Warrant Articles? The CPC can write and submit the warrant article and Town Counsel goes over them.

CPC TREASURER DUTIES:

Tom Conway, seconded by Travis Brown made motion to accept the CPC Treasurer Duties minus the last bullet item.

It was voted:

9 – In favor
0 – Opposed

COALITION MEMBERSHIP FEE:

The annual membership dues of \$3,500 are not mandatory dues. The committee went around the table and discussed the pros and cons of membership. Talking about approving the funds for this year to see what it actually does for the committee if anything and review it next year.

David Gagliardi, Finance Committee Chairman – asked about the lobbying the Coalition does and what it gets our community. The Coalition lobbies for the state match percentage monies the CPA Communities receive for their CPC funds.

Mary Leach, seconded by Doug Meagher made motion to subscribe to this service and become a member for this year and re-evaluate next year.

It was voted:

8 – In favor
1 – Opposed – Rich Scanlon

FISCAL UPDATE:

Katie Mahoney got an updated sheet from accounting today. The committee has used \$11,560.02 of the \$45,000 of admin funds.

MINUTES:

Doug Meagher, seconded by Matt Battcock made the motion to accept the minutes of January 10, 2018 as amended.

It was voted:

9 – In favor
0 – Opposed

MISCELLANEOUS/CORRESPONDENCE – NOT OPEN FOR DISCUSSION:

There was a handout from the Masonic Association to be handed out to the committee at the end of the meeting.

Jim O’Donnell asked Katie about filing the minutes with the Town Clerk and the Library.

ADJOURNMENT:

Joe Fiumara, seconded by Rich Scanlon made motion to adjourn.

It was voted:

9 – In favor
0 – Opposed

Chairman Jim O’Donnell adjourned the meeting at 8:54 pm.

Joyce MacMillan
Recording Secretary