



TOWN OF NORTHBOROUGH Community Preservation Committee

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Approved 3-27-08

Community Preservation Committee Meeting Minutes February 14, 2008

Members present: John Campbell, Chairman; Todd Helwig, Don Haitsma, Robert Rosenberg, Jane Fletcher, Tom Sartori, Joan Clowes, Chris Kellogg

Members excused: Andy Clark

Others in attendance: Kathy Joubert, Town Planner; Elaine Rowe, Board Secretary; Chief Durgin, Kathleen Polanowicz, Fran Bakstran, Marie Nieber

Chairman Campbell called the meeting to order at 7:10PM.

Chairman Campbell noted that the Committee had received additional information from the Housing Authority that it had requested, along with some that was furnished at the applicant's choice.

Kathleen Polanowicz explained that the Northborough Housing Corporation had submitted an updated application based on comments and questions that were raised at the last meeting. Ms. Polanowicz explained that her group has retained an attorney to advise them on the best course of action to take with regards to the two townhouse units facing foreclosure. She humbly requested that the Committee transfer \$4,000 from the administrative fund to enable the Housing Corporation to pay the attorney to assist them through the purchase process. She also noted that the application requests \$260,000 for the acquisition of the two units. Ms. Polanowicz explained the attorney had suggested the Housing Corporation employ the same method used in other towns, whereby a warrant article is crafted to request assistance instead of simply seeking monetary amounts. This allows the group to then approach different committees for either money or assistance for technical matters. With the assistance of the attorney and members of this board, the group will be better able determine what to do with the properties. Ms. Polanowicz also noted that, by moving forward with a warrant article, it allows her group time to discuss the matter with other entities to determine the best way to proceed. She agreed to come back to the Committee to review the proforma and use analysis and, if the CPC supports it, the Housing Corporation will then be able to proceed without being required to go back to Town Meeting. If the CPC decides against the proposal, then the money goes back into the fund. At this point, the consensus is that more time is needed to obtain input from parties more knowledgeable about matters of this type.

Ms. Polanowicz stated that there is currently \$136,000 in the affordable housing reserve, with an additional \$66,000 available this year. She noted that none of the affordable housing funds have ever been used in the past because there was never a concrete plan.

Ms. Polanowicz also noted that her group is seeking \$3,000 to fund the reorganization of the Northborough Affordable Housing Corporation.

Ms. Polanowicz reiterated that her group is requesting \$4,000 from the administrative fund to cover attorney's fees to obtain advice about the acquisition of the two affordable units. She noted that this amount includes the cost of title searches and for clearing the titles on the properties. She also voiced her group's support of the Housing Partnership's request for \$20,000 to fund a housing needs analysis.

Chairman Campbell noted that the Housing Corporation is requesting a total of \$264,000. He reiterated that there is \$136,000 in reserves, with an additional \$66,000 expected this year for a total of \$202,000 in reserves. Mr. Rosenberg questioned the \$136,000 balance and voiced his impression that it was more like \$100,000. Ms. Joubert noted that the Office of the Town Accountant certified to the State DOR that there was \$135,813 as of November 2007. Mr. Rosenberg reiterated his uncertainty about the accuracy of that figure.

Chairman Campbell asked if the Housing Corporation is asking that an award be made directly to them and not put into the reserve fund so that it can be spent without having to go to another Town Meeting for approval. He also asked what other opportunities might present themselves during the course of this year, and questioned whether the Corporation would like to retain the right to use the funds at their discretion. In essence, Chairman Campbell would like to determine if the \$264,000 can be used on other properties if it is awarded and not able to be used on the two properties under consideration. Ms. Polanowicz explained that the Housing Corporation is exploring state grants for another project they have been considering. Ms. Joubert noted that the Corporation could not spend the funds on another project unless it is so stated in the warrant article. Chairman Campbell questioned whether the funds are being awarded to the Corporation at Town Meeting or if there is some type of transfer mechanism that can be created.

Ms. Joubert noted that the warrant article can be written for a specific project or, like has been done with the open space money, it can be allocated more generally to the Corporation so that they can spend it as they see fit without having to get additional approval at Town Meeting. Ms. Joubert noted that, though the Corporation did not address an unencumbered transfer, she is confident that they would be grateful to have it. Chairman Campbell asked if the Corporation is functional now, or if the reorganization is necessary in order for them to be. Ms. Polanowicz confirmed that the Corporation is a valid 501(c) 3 at this point in time. Chairman Campbell questioned the suitability of the properties being considered, given the uncertainty in their status, management of the condominium complex, etc., and suggested that the Committee may wish to debate the merits of granting funds unencumbered since they could lose any control over how it is used. Ms. Polanowicz indicated that the

Corporation would be grateful for either scenario. Ms. Joubert voiced her understanding that the Town of Concord recently closed on their first transaction similar to the one being considered by the Northborough Housing Corporation.

Mr. Kellogg questioned the bylaw of the condominium association. Ms. Polanowicz indicated that she had no information at this time, but agreed that it would need to be looked at closely.

Mr. Rosenberg asked why the Corporation has requested funds from the administrative fund. Ms. Polanowicz explained that this would help to expedite the process. Mr. Rosenberg asked Ms. Polanowicz if she could have information prepared for Town Meeting. Ms. Polanowicz agreed to attempt to do so. Ms. Joubert explained that the plan is to initiate the process now and if it proves not to be feasible, it can be pulled from Town Meeting. Ms. Polanowicz also noted that, if the Corporation is able to negotiate for a better price, the amount in the warrant article can be amended down but it is not possible to increase it once the Warrant is final.

Chairman Campbell asked Ms. Polanowicz what the goal of the Corporation would be if they already had the money in hand. Ms. Polanowicz voiced a desire to preserve the existing affordable units, but also reiterated the need to fund the study to determine what the town's needs actually are with regards to housing. Once that is determined, the Corporation will be able to more easily develop plans to address those needs.

HISTORICAL COMMISSION

Marie Nieber explained that the Historic Commission has submitted their prioritization of the six historical projects, as was requested by the Committee. She also noted that there is a certified balance of \$112,813 in reserve. Ms. Joubert agreed to follow-up to get clarification about the balance sheet.

Ms. Nieber discussed the proposal for renovation of the porch at 71 Church Street and noted that the only benefit to the community is in enhancing the appearance of a historic structure. Ms. Joubert explained that she had forwarded information to Committee members about the legality of funding projects that involve private property.

Norm Corbin voiced his opinion that the timing is tight in order to be prepared for Town Meeting. Chairman Campbell discussed the value of establishing a grant program to be managed by the Historic Commission, especially for projects involving private homes.

Norm Corbin discussed the Committee's request for additional details about the pricing of signage for the historic district and the logic for the cemetery inventory, and noted that this has now been provided.

DISCUSSION RE: FUNDING OF APPLICATIONS

Ms. Joubert indicated that additional information had also been submitted about the quotes for the work on the gym floor, and the document preservation project proposed by the Town Clerk. Chairman Campbell suggested that the Committee work toward a consensus about these projects, and base their prioritization on preparedness and presentation, suitability, and urgency of need. He noted that the Committee had voted last year to approve funding of the gym floor, based on historic and recreation merits. He voiced his opinion that there is also a sense of urgency as this appears to be a worsening condition.

Mr. Sartori voiced his opinion that the cost to remedy the problem with the gym floor is substantially more than originally proposed. He noted that there appears to be no hard estimates to replace the floor, but if relocation of a pipe is expected to cost \$60,000 he expects that the cost for the floor will be much more. Given the current situation, he believes that the project needs to be completely revamped.

Chairman Campbell voiced concern that, since the Town Hall is a historic building, any work needed will be sent to this board for funding. Mr. Rosenberg suggested that the Committee could make a recommendation to rescind the unspent funds. Chairman Campbell voiced his opinion that the Committee should stand by their decision. Mr. Rosenberg noted that the original decision was based on inadequate facts being known at the time. He recalled that the Committee was aware that there was a moisture problem, but did not realize the severity of the situation. He suggested moving forward with the work on the pipe to see what can be done, but advised against investing much into work on the floor itself at this time.

Mr. Helwig suggested that the Committee deny this year's request given the confusion over the amount of money needed to remedy the situation. Mr. Sartori suggested that the Committee ask the Recreation Dept. to prepare bid documents for both projects so that we can get firm numbers. Mr. Rosenberg stated that there are no guarantees that fixing the problem with the pipe will resolve the problem with the floor. He recommended getting guidance from Town Counsel about including a stipulation to this effect in the warrant article so the Committee is covered should the work prove unsuccessful. He suggested preparing a warrant article just in case it is needed and, if not, it can later be withdrawn.

Chris Kellogg made a motion to pass on the current application and to make a request at Town Meeting to allow the Recreation Dept. to use the funds allocated last year towards the rectification of the moisture problem. Don Haitsma seconded. Vote was 7 in favor and 1 opposed (Tom Sartori opposed).

Chris Kellogg made a motion to set aside \$16,000 for the CPC's administrative fund. Tom Sartori seconded. Mr. Kellogg discussed the importance of building up the administrative fund to enable the Committee to address an extreme situation that might arise. Ms. Joubert commented that the cost of a couple of appraisals would obliterate the administrative fund. Mr. Rosenberg suggested amending the motion to

increase the amount to \$20,000 as he anticipates an increased need for administrative funds going forward.

Chris Kellogg seconded the motion to amend the amount to \$20,000. Vote unanimous.

A vote was taken on the amended motion to set aside \$20,000 for the administrative fund. Vote was unanimous in favor.

Todd Helwig made a motion to allocate \$4,000 from the administrative fund to the Housing Corporation to cover attorney's costs for the affordable housing purchase. Joan Clowes seconded, motion was tabled.

Tom Sartori made a motion to approve the \$3,000 request from the Housing Corporation to cover costs for their reorganization. Robert Rosenberg seconded, vote unanimous in favor of approval.

Chris Kellogg made a motion to approve the \$20,000 request from the Housing Partnership for a housing needs analysis. Jane seconded. Ms. Clowes asked for clarification, and suggested that the town already knows where our needs are and does not need an analysis.

Ms. Joubert explained that the Housing Authority provides housing for residents making 30-50% of the median income, and acquires and develops properties to be used as rental units. At the current rate of rental, most people who are waiting for housing can expect to be on the waiting list for 8 to 10 years. The wait for senior citizens is not quite as long, but is still more than ideal. She explained that the Housing Partnership is a recently reorganized group, operating as a town board that will oversee the creation of affordable housing in town. It will also assist with the review of comprehensive permit applications and will determine in greater detail what the town's specific needs are for affordable housing. Once the needs are defined, the Partnership will work to find ways to encourage development to fit those identified needs.

Mr. Sartori voiced his preference to use funds for hard goods instead of a study. He also suggested that, if the Housing Authority thinks that funding a study is a reasonable expenditure, they can use their funds to do so. Ms. Joubert noted that the figure of \$20,000 came from the consultant that the Housing Partnership would like to work with. Mr. Rosenberg voiced his opinion that it would be better to put this matter in front of the townspeople as a housing proposal. Mr. Kellogg agreed.

Ms. Joubert stated that the housing study is not going to solve the Housing Authority's waiting list problem. Mr. Rosenberg commented that the study would provide a plan by which the town boards could better decide how to proceed.

Mr. Helwig voiced agreement with Mr. Sartori's statement about being more supportive of funding hard goods. He believes that the Housing Partnership should be able to work without a study.

Tom Sartori made a motion to request that \$10,000 be taken from the housing allocation for FY2008.

Mr. Sartori withdrew his motion. A vote was taken on the original motion. Vote was 3 in favor and 4 opposed with Don Haitsma abstaining, motion denied.

Tom Sartori made a motion to approve the request for \$2,000 for signage for the historical district. Don Haitsma seconded. Motion was tabled.

Tom Sartori withdrew his motion.

Chairman Campbell discussed the amended proposal submitted by the Housing Corporation, and suggested that the Committee require the Corporation to come back for final approval. He reiterated that the Corporation has been established to facilitate the acquisition of affordable housing and, as such, they are worthy of the board's consideration. He suggested that the Committee allocate an amount of money to the Corporation but not tie it to any specific properties.

Mr. Helwig suggested considering whether the entity has other funding sources. He also stated that he would be willing to support approving money for the acquisition of affordable units, though he was uncertain about approving the entire \$260,000 being requested.

Ms. Joubert reiterated that the town has not yet lost the affordable designation on the units, but there is a definite possibility.

Mr. Rosenberg asked if the Corporation has the authority to spend any money that is awarded. Ms. Joubert voiced her opinion that they do, based on what other towns have done.

Chris Kellogg made a motion to recommend that the town transfer \$170,000 to the Housing Corporation for the acquisition of properties as appropriate to their plan and that the Committee allocate \$4,000 from the CPC Administrative fund to be used to pay the attorney to determine the best course of action to take on the two properties in question. Robert Rosenberg seconded.

Mr. Rosenberg suggested that the Committee submit a warrant article to move \$70,000 into the housing reserve so that if the appropriation to spend fails, the Committee has at least met the requirement for allocating 10% to housing. Chairman Campbell suggested that the Committee consider an article to allocate a larger amount to the reserve, a portion of which could later be moved to the Corporation. Mr. Sartori cautioned the Committee about allowing the Corporation free access to a larger amount of money. Chairman Campbell suggested that the Committee should rely on the Housing Corporation's expertise in this area. Ms. Joubert reiterated that the Housing Corporation has done quite a bit of work to show where, why and how they feel the money can best be used. Chairman Campbell agreed, but voiced his

opinion that it is the Committee's role to evaluate the merits of the proposal. He also asked about a backup plan should the application fail.

Robert Rosenberg chose to withdraw his second of the motion, and Chris Kellogg withdrew his motion.

Mr. Kellogg asked if the housing issue is under the same sense of urgency as the open space and conservation issues facing the town, or if it could wait to go through the normal CPC process. Ms. Clowes and Mr. Helwig both agreed that the urgency is the same for all.

Todd Helwig made a motion to add to the existing money in reserve so that a total of \$300,000 can be allocated to the Affordable Housing Corporation to fund the acquisition of real properties and cover any associated costs (provide \$103,000 from reserves and allocate \$197,000 new money). Jane Fletcher seconded, vote was 7 in favor and 1 opposed (Tom Sartori opposed).

Todd Helwig made a motion to allocate \$4,000 from the CPC's administrative fund for attorney's fees for the Housing Corporation. Jane Fletcher seconded, vote was unanimous in favor.

Tom Sartori made a motion to allocate \$2,000 for signage for the historic district. Don Haitsma seconded. Mr. Rosenberg suggested that the Committee consider the application for funding of the fire rescue vehicle first.

Tom Sartori withdrew his motion.

Tom Sartori made a motion to expend \$21,450 for the purchase of a fire rescue vehicle. Robert Rosenberg seconded. Mr. Helwig asked if it was possible to get CPC signage on the vehicle. Jay Houston agreed to put CPC signage on the vehicle's trailer. Chairman Campbell suggested that the harm that could be done to the open space without the vehicle should qualify as preservation. Mr. Kellogg agreed. Mr. Helwig suggested that the Committee could deem it appropriate and within the acceptable criteria. Vote was 7 in favor and 1 opposed (John Campbell opposed).

Tom Sartori made a motion to expend \$5,000 to the Trails Committee for project #1 in their application. He also stated that he cannot support the request for funding for gifts and patches as he does not believe it is an appropriate use of CPA funds. Chris Kellogg seconded. Vote was unanimous in favor.

Tom Sartori made a motion to expend \$5,000 for the installation of benches in the downtown area. Robert Rosenberg seconded.

Most members of the Committee agreed that this request did not meet the criteria for the use of CPA funds.

Vote was one in favor (Robert Rosenberg) and 7 opposed, motion denied.

Tom Sartori made a motion to expend \$15,000 for the installation of play set equipment at Ellsworth-McAfee Park. Robert Rosenberg seconded.

Mr. Sartori voiced his opinion that this is not a reasonable expenditure of CPA funds. Ms. Clowes agreed. Chairman Campbell noted that a similar use of CPA funds was challenged in court and lost, and commented that new equipment for an existing park does not meet the criteria. Mr. Helwig disagreed and suggested that the Committee should fund this request. Ms. Clowes commented that CPA funds have been used for numerous skate parks in the Commonwealth. Vote was 3 in favor and 5 opposed, motion denied.

Mr. Sartori reiterated his motion to allocate \$2,000 in new money for signage for the historical district. Joan Clowes seconded. Mr. Rosenberg noted that this item is #4 on the priority list submitted by the Historic Commission. He also commented that the Historic Commission already has \$150,000 without the Committee allocating any further funds. Chairman Campbell questioned how the signage qualifies under the criteria for CPA funds. Mr. Rosenberg voiced his opinion that it supports preservation as it makes residents more sensitive to historic structures and any changes to them. Mr. Helwig agreed that the signage will enhance visibility and lead to preservation. Vote was 6 in favor and one opposed (John Campbell opposed).

Robert Rosenberg made a motion to expend \$20,000 from the current CPC revenue for the renovation project to improve handicapped accessibility at the Historical Society. Jane Fletcher seconded, vote was unanimous in favor.

Chairman Campbell noted that there were two quotes provided by the Town Clerk that estimate the cost of the records restoration project to be \$150,000. He noted that the Town Clerk had requested \$50,000, with an expectation that he will be back before this Committee for additional funding in subsequent years. Mr. Rosenberg voiced his opinion that this is a worthwhile project.

Robert Rosenberg made a motion to recommend funding of the town records preservation project with \$35,000 from new money. Tom Sartori seconded, vote was unanimous in favor.

Tom Sartori made a motion to expend \$3,000 for the gravesite inventory. Chris Kellogg seconded. Vote was 1 in favor and 7 opposed, motion denied.

Tom Sartori made a motion to expend \$22,850 for the renovation of the porch at 71 Church Street. Robert Rosenberg seconded. Mr. Sartori voiced concern about the ability to gain support for funding work on private homes. Mr. Rosenberg commented that the application was not detailed enough, and voiced his desire for the Historical Commission to develop a policy and procedure for addressing these types of requests. Mr. Helwig agreed.

Mr. Rosenberg also reiterated his request that the CPC application be amended to encourage applicants to gain support from the appropriate board or commission prior to coming to the CPC.

A vote was taken on the motion for funding for the project at 71 Church Street. Vote was none in favor and 8 opposed, motion denied.

Tom Sartori made a motion to expend \$70,000 into historical banking. Chris Kellogg seconded. Vote was 4 in favor and 3 opposed with Joan Clowes abstaining. Motion passes.

Tom Sartori stated that he would prefer not to see all remaining funds deposited into the Open Space reserve, and suggested that he would rather see some or all of it unencumbered to give the board the flexibility to fund whatever large project may arise.

Ms. Joubert asked the board to reconsider funding the housing needs analysis. Robert Rosenberg made a motion to reconsider funding the housing needs analysis. Jane Fletcher seconded.

Ms. Joubert stated that she understands Mr. Helwig's position about the Housing Partnership being able to determine the housing needs of the town without a study, but noted that the Partnership relies heavily on her and she simply does not have the time needed to help with a needs analysis. She voiced concern that the Housing Partnership may flounder without appropriate guidance. Chairman Campbell voiced his opinion that an analysis is needed, but he feels the cost is a bit high and wondered if the study could in any way be phased. Ms. Joubert indicated that it could not, and suggested that the Committee reconsider approving \$15,000. Vote was 4 in favor and 3 opposed, motion to reconsider passes.

Chris Kellogg suggested reducing the allocation to the Housing Corporation by \$20,000 to fund the housing needs analysis for the Housing Partnership. Tom Sartori made a motion to reconsider the vote on the allocation for the Housing Corporation. Chris Kellogg seconded. Vote was 4 in favor and 4 opposed, motion denied.

Robert Rosenberg made a motion to reconsider the request made by the Housing Partnership at a reduced amount of \$15,000. No second was made. Mr. Rosenberg withdrew his motion.

Chris Kellogg made a motion to expend \$269,550 to the Open Space reserve fund. Todd Helwig second. Vote was 4 in favor and 4 opposed, motion denied.

Members of the board agreed that they would prefer for the funds to remain unencumbered.

Robert Rosenberg made a motion to allocate \$50,000 to the Open Space reserve fund. Chris Kellogg seconded. Mr. Sartori suggested increasing the amount to approximately 1/3 of the available balance. Mr. Rosenberg commented that, regardless of where it is allocated, spending it will require Town Meeting action and he would prefer not to lock us into having to spend it for open space.

Vote was 1 in favor, 7 opposed to allocating \$50,000 for open space reserve, motion denied.

Tom Sartori made motion to allocate \$225,000 to open space reserve account and \$44,550 to CPC general reserve account. Chris Kellogg seconded. Vote was 6 in favor and 2 opposed. Motion carries.

Next meeting will be March 27, 2008 at 7:00pm.

Meeting adjourned 11:30pm

Respectfully submitted by,

Elaine Rowe
Board Secretary