

Present: Christopher Morely (Chairman), Sherrill Cline, Jim Hill, Lynne Remington, Georgette Heerwagen, Bill Kneeland, Seamus O'Kelly and John Drobinski

Absent: Richard Bell

At 7:34 p.m., Chairman Morely called the meeting to order.

Sudbury resident Dan DePompei, 35 Haynes Road, requested an update from the Committee regarding the purchase of the CSX rail corridor. Given the Open Meeting Laws, Mr. Drobinski cautioned that this topic was not advertised on tonight's agenda, but it is within the Chairman's jurisdiction to decide if the question should be addressed. Chairman Morely noted a brief update would be provided, but that tonight's agenda was full, and it did not allow for a lengthy discussion.

In response to Mr. DePompei's questions, Ms. Kablack stated that the \$420,000 approved at the 2008 Annual Town Meeting has not been spent, since the parcel has not been purchased. She further stated that the Town is not engaged in a Purchase and Sale Agreement at this time. Mr. DePompei asked if it has been determined whether purchase of this parcel is an eligible use of CPA funds. Ms. Kablack stated the project has not advanced and that determination would likely happen if, and when, a sale was imminent. She further stated Town Counsel Paul Kenny has opined that the Department of Revenue finding might suggest that purchase of the parcel using CPA funds could be ineligible. Ms. Kablack reported there has been no contact with CSX since it withdrew its purchase price offer. Mr. O'Kelly stated the seller changed its mind regarding the proposed price and withdrew its previous offer. Ms. Kablack and Chairman Morely reiterated there is no Purchase and Sale Agreement in place at this time.

FY 12 Community Preservation Act (CPA) Project Proposals – Recommendation Votes

The Board was previously in receipt of a Proposed CPC FY12 Administrative Budget and a memorandum from Ms. Kablack dated January 24, 2011 regarding a request for Administrative Funds for the Fairbank project. In addition, copies of draft 2011 Town Meeting Warrant Articles were distributed tonight for consideration.

The Committee was in previous receipt of FY12 Project Submission Forms for the following proposals which were voted as follows:

Project Submission Form - Carding Mill Pond Harvesting

On motion duly made and seconded, it was unanimously:

VOTED: To recommend the draft Warrant Article for the Annual 2011 Town Meeting be finalized regarding the request for Carding Mill Pond Harvesting not to exceed \$16,000 for the purpose of habitat restoration of the Carding Mill Pond over a four (4) year period, or act on anything relative thereto. All appropriation will be allocated to the Open Space category and funded from FY12 Revenue.

Project Submission Form – Restoration and Preservation of Historic Town Records

Town Clerk Rosemary Harvell was in attendance to address questions from the Committee.

Chairman Morely stated he would have preferred to have had more information this year regarding the overall and long-term financial scope of the project. He further stated he would definitely want to have this information for any future consideration.

Ms. Harvell stated that, although she has an inventory of the number of records in existence, she does not know at this time the condition of those records and what treatments they might require. She emphasized that records selected for preservation are chosen by reviewing pieces one at a time.

Mr. Hill opined that it is not feasible to ascertain how much money will be needed to complete the project. Ms. Harvell stated the value of each volume of records needs to be evaluated in relation to the history of Sudbury to prioritize its status for preservation. She further stated that some level of preservation of records will be required forever.

Chairman Morely reiterated that last year, many Committee members expressed the preference to have more information about the financial scope of the project. Although, Ms. Harvell, reiterated that she cannot state a figure at this time, she opined that the project might be at least halfway, or more, completed.

Ms. Cline inquired if all of last year's appropriation has been spent. Ms. Harvell stated nearly all of it has been allocated, more pieces were completed than anticipated and she has a few pieces currently being preserved which will be retrieved soon. Mr. Drobinski asked if the conservators have reviewed the items in the vault. Ms. Harvell stated they have viewed the materials.

Mr. Hill noted there is a three-year contract in place and it would be more financially prudent to complete volumes now than when the contract expires and costs are perhaps higher. He further expressed his agreement that this type of project could last for years as it is completed in phases.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend the draft Warrant Article for the Annual 2011 Town Meeting be finalized regarding a request not to exceed \$117,000 for the purpose of restoring and preserving historic Town records, said work to be performed under the direction of the Town Manager with the involvement of the Sudbury Historical Commission or act on anything relative thereto. All appropriations will be allocated to the Historical category and funded from FY12 Revenue.

Project Submission Form – Sudbury Historical Commission Historic Multi-Project Submission – submitted by the Sudbury Historical Commission (SHC), requesting \$58,000 to complete seven projects proposed as follows:

- Restore four chimneys at Hosmer House – \$30,000
- Restore stone walls at Town Pound and Revolutionary War Cemetery – \$10,000.
- Wadsworth Cemetery Gazebo – \$8,000
- Florence Hosmer Gravestone - \$4,500
- Hearse House Sign/Kiosk - \$4,000
- Invasive Plant Removal - \$500
- Loring Parsonage Stone Wall - \$1,000

Mr. Hill reported that the SHC discussed delaying some of its proposed projects in the interest of enhancing the opportunity for the CPC to fully fund the Town Clerk's requested proposal. Mr. Hill reported that the SHC has prioritized the Hosmer House chimney work, the Florence Hosmer gravestone and the gazebo work as projects it wishes to pursue this year. He stated the gazebo has been in place since 1924. Contractors have estimated that the slate roof could be replaced for \$2,000 and the remainder of the maintenance could be completed by Boy Scouts. Mr. Hill emphasized the SHC is willing to reduce its requests to \$37,000 in the best financial interests of the Town.

Ms. Cline opined that the Committee needs to decide which history is being preserved, what counts as historic and what the criteria are. It was asked if the Department of Public Works (DPW) has requested the work be completed at Wadsworth Cemetery.

Ms. Kablack noted the increasing difficulty the Town has funding cemetery maintenance. It was mentioned that, perhaps the article should be held this year to further discuss whether the Town should continue to maintain it. A brief discussion ensued regarding the value of the structure and how it would be handled if funds are not appropriated this year.

Mr. Hill suggested the article be recommended at this time, but that DPW Director Bill Place be consulted as to whether there is the intention to demolish the building, and thus the article could be pulled at a later date. It was noted that, if there are no plans to demolish the structure, then it should be restored. Mr. Hill offered to communicate with Mr. Place.

Mr. Kneeland stated the Town is required to spend 10% for historic projects. Thus, he questioned what the advantage is to reserving funds. Ms. Kablack stated reserved funds could later be used for a large project, such as restoration of the Town Hall. Mr. Hill reiterated the Commission's interest in not spending as much money this year to make funds more available for other Town projects.

Ms. Cline questioned whether it will be difficult to present to Town Meeting the need to purchase a gravestone for someone who has been dead for a long time. Mr. O'Kelly concurred, stating this could be difficult to present to voters during challenging financial times. However, Mr. Hill noted no historical category articles were opposed last year.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend that the draft Warrant Article for the Annual 2011 Town Meeting be finalized regarding the request not to exceed \$37,000 for the purpose of completing the following projects as recommended by the Sudbury Historical Commission: restore chimneys at Hosmer House; restore portions of the Wadsworth Cemetery gazebo; install a gravestone at Florence Hosmer's gravesite; remove invasive plant species around the Revolutionary War Cemetery, or act on anything relative thereto. All appropriations will be allocated to the Historic category and funded from FY12 Revenue.

Project Submission Form – Town-wide Walkways – Ms. Kablack stated the request has been reduced from \$200,000 to \$100,000, for engineering, design and construction of priority Town walkways. She noted several neighborhood petitions have been received.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend that the draft Warrant Article for the Annual 2011 Town Meeting be finalized regarding Town-Wide Walkways requesting an appropriation not to exceed \$100,000, for the purpose of constructing new walkways within the Town, such design and construction to be guided by the spirit and intent of the Town of Sudbury 2001 Master Plan, the February 2000 Report of the Walkway Committee, the July 2005 Sudbury Board of Selectmen directive regarding public works projects on Scenic Roads, and by recommendation of the Town of Sudbury Planning Board, the Director of Planning and Community Development, and the Director of the Department of Public Works, or act on anything relative thereto. All appropriations will be allocated to the Recreation category and funded from FY12 Revenue.

Project Submission Form Sudbury Housing Trust – 10% Allocation

On motion duly made and seconded, it was unanimously:

VOTED: To recommend the draft Warrant Article for the Annual 2011 Town Meeting be finalized regarding the Sudbury Housing Trust Fund 10% Allocation, requesting an appropriation not to exceed \$190,000, for the purpose of providing funds to the Sudbury Housing Trust in support of its efforts to provide for the preservation and creation of affordable housing, or act on anything relative thereto. All appropriations will be allocated to the Community Housing category and funded from FY12 Revenue.

Project Submission Form - Fairbank Farm Agricultural Preservation Restriction

Ms. Kablack stated the draft figure requested of \$950,000 should be ignored at this time because it included with the Agricultural Preservation Restriction (APR) for \$750,000, and an estimated amount for an Historic Preservation Restriction (HPR) on the barn, which was built in 1901. However, she also stated it is difficult to determine the value of that Restriction without the help of a consultant.

Ms. Kablack stated the Sudbury Historical Commission (SHC) has expressed concerns for the Historic Preservation portion of this project, and objects to using public CPA funds to pay for restrictions on private structures. She plans to meet with the SHC to discuss this further. Ms. Kablack stated the support of this article by the SHC would be beneficial. Mr. Hill briefly explained the Commission's perspective. Chairman Morely stated this issue has been discussed at length in the past, and it is one of the reasons the Town pursues perpetual agreements. He also has suggested in the past, that the SHC conduct an inventory of Town barns and that it be more proactive about their preservation. Mr. Drobinski asked the Committee if it thinks the Town's legislative body should have the opportunity to decide the issue.

Mr. Hill stated the SHC might be more willing to support an article which includes both the land and barn Restrictions funded under the Open Space category. However, he also stated the SHC believes using CPA historic funds for private property is not a good precedent to set. Chairman Morely believes these types of projects help to preserve the historic landscape of Sudbury, and are CPA eligible. Ms. Kablack stated an HPR may be able to be incorporated into the APR.

Ms. Kablack suggested that, if the Committee is inclined to recommend the article at this time, that the article language be finalized to approve a sum to be announced at Town meeting for the two restrictions under the Open Space category.

Mr. O'Kelly asked if public opposition is anticipated. Mr. Drobinski stated the public would likely want public access at the top of the property. Chairman Morely and Ms. Kablack confirmed that public access is definitely planned.

Ms. Kablack stated the property could possibly be eligible for a state LAND grant, which the Town would pursue, if a funding round is announced. She updated the Committee that recent negotiations have not headed in the direction of payment plan options, noting adequate funds are available in the CPA reserves for a lump sum payment.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend that the draft Warrant Article for the Annual 2011 Town Meeting be finalized regarding the request for a sum of money to be announced for the purpose of purchasing an Agricultural Preservation Restriction on approximately 33 acres of land located on Old Sudbury Road, and for the placement of an Historic Preservation restriction on the large barn on the property, or act on anything relative thereto. All appropriations will be allocated to the Open Space category and funded from restricted reserves.

Project Submission Form - Melone Recreation Feasibility Study – submitted by the Park and Recreation Commission, requesting an amount not to exceed \$40,000 for the purpose of funding a feasibility study to determine the best recreational use of the Melone property based on user demand, configuration of fields on site and financial feasibility.

Ms. Heerwagen stated the Commission is prepared for the request not being approved this year, but it would likely present another proposal next year. Chairman Morely stated he hopes the Commission uses this year to prepare a stronger proposal for next year and to solicit feedback from Town officials regarding the best and highest use for the property. He also stated the parcel in the middle of the property would need to be resolved. Others noted the Sudbury Water District and Town of Concord issues would also need to be addressed.

Ms. Heerwagen stated the Park and Recreation Commission would like some indication from the Selectmen that a determination for the use of the property will be forthcoming in a timely manner, since it has user needs not being addressed. Park and Recreation Commission member Richard Williamson noted the Commission has not voted yet to withdraw this year's article. Chairman Morely opined that the Town should not delay a decision on the use of the property for a number of years. He further stated he supports the Commission's interest in the property, but believes the project submitted this year is premature.

The consensus of the Committee was that it would be best to pass over this article this year.

Amend Article 31 of the 2008 Town Meeting, Sudbury Housing Authority Unit Reconstruction

Ms. Kablack stated the intent is to remove the timelimit to complete the project. Mr. Hill asked if there are other articles with sunset provisions needing to also be amended. It was suggested that the article language be finalized to also include indefinite extensions for any other articles with sunset provisions, which will be further researched by Ms. Kablack.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend that the draft Warrant Article for the Annual 2011 Town Meeting be finalized as discussed tonight, regarding amending Article 31 of the 2008 Town Meeting by removing the time for completion of the project, or act on anything relative thereto.

General Budget and Appropriations - Ms. Kablack stated the budget figures are not yet finalized, but she will circulate the information to the Committee once finalized.

On motion duly made and seconded, it was unanimously:

VOTED: To recommend submission of the Community Preservation Fund – General Budget and Appropriations Warrant Article for the Annual 2011 Town Meeting once the budget figures are available.

Ms. Kablack distributed copies to the Committee of the Proposed CPC FY12 Administrative Funds Budget for \$85,000. She explained the Community Housing Specialist position is being upgraded, since it is anticipated next year to include regional housing responsibilities. Otherwise, the figures are very similar to last year's budget.

Ms. Cline suggested information be prepared and available for the Town Meeting regarding the Community Housing Specialist's salary, noting the revenue which the position generates and for what purposes the funds are used. Given last year's Town Meeting, she believes it best to be prepared for potential criticism. Mr. Hill concurred, and he suggested presentation slides of relevant information be prepared.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the CPC FY12 Administrative Funds Budget reviewed this evening for \$85,000.

A brief discussion ensued regarding in what manner reserve and current year funds should be utilized.

On motion duly made and seconded, it was unanimously:

VOTED: To authorize Ms. Kablack, on behalf of the Community Preservation Committee, to work with the Town Accountant to determine how best to allocate required funds from eligible accounts and to finalize the Warrant article for the Annual 2011 Town Meeting accordingly.

Administrative Funds Request – Structure Report for Fairbank Barn

The Committee was previously in receipt of a memorandum from Ms. Kablack dated January 24, 2011, explaining she does not yet have an estimate for the Historic Preservation Restriction (HPR), and also noting how difficult it is to assess. She has requested a consultant be hired, using \$2,500 of FY11 CPA Administrative Funds, to complete a structure report to help determine the value. In response to questions from the Committee, Ms. Kablack stated the value of the HPR would need to be negotiated. She explained that some restrictions prohibit demolition, others prohibit only changes to the exterior façade and or include covenants to maintain certain aspects. Ms. Kablack noted future monitoring of an HPR would be necessary. She offered to collect and share more information with the Committee at a later date. In addition, Ms. Kablack will meet with the Sudbury Historic Districts Commission tomorrow night.

Ms. Remington stated her preference for the HPR to include provisions for recourse.

On motion duly made and seconded, it was unanimously:

VOTED: To approve the request for \$2,500 of FY11 Community Preservation Act Administrative Funds for the purpose of completing a structure report for Fairbank Barn.

Minutes

On motion duly made and seconded, it was:

VOTED: To approve the minutes of December 1, 2010, and January 5, 2011.

Mr. O’Kelly and Mr. Drobinski abstained from the vote regarding the January 5, 2011 minutes.

CPC Future Meeting Schedule

Ms. Kablack will notify the Committee at a later date of its next meeting time, possibly in early March.

On motion duly made and seconded, it was unanimously:

VOTED: To adjourn the meeting at 9:11 p.m.