

Present: Chairman Sherrill Cline, Christopher Morely, Lynne Remington, Pat Brown, Erich Poch (arrived at 7:59 p.m.), Bob Beagan, Thomas Friedlander (participated remotely) and Director of Planning and Community Development Meagen Donoghue

Absent: Diana Warren

At 7:40 p.m., Chairman Cline called the meeting to order, and she announced Mr. Friedlander would be participating remotely for tonight's Meeting.

Public Hearing: Playground Modernization for Sudbury Public Schools

Present: Combined Facilities Director Jim Kelly, Sudbury Public Schools' Early Childhood Administrator Stephanie Juriansz, Sudbury resident Jean Nam and Sudbury Public Schools' Maintenance Director Joe Kupczewski

At 7:40 p.m., Chairman Cline opened a Public Hearing regarding the October 2017 Special Town Meeting article requesting \$275,000 of CPA FY18 revenues regarding the submission by Combined Facilities Director Jim Kelly for "Playground Modernization for Sudbury Public Schools, and she welcomed Mr. Kelly, Sudbury Public Schools' (SPS) Early Childhood Administrator Stephanie Juriansz, Sudbury resident Jean Nam and Sudbury Public Schools' Maintenance Director Joe Kupczewski to the Meeting. Mr. Morely read aloud the Public Hearing Notice. The Board was previously in receipt of electronic copies of a revised "Project Submission Form" submitted by Mr. Kelly for the Playground Modernization for Sudbury Public Schools and accompanying letters of support, and hard copies were distributed tonight. In addition, copies of the Warrant article, spreadsheets entitled, "Playground Modernization Project – updated proposal" and slides for a PowerPoint presentation entitled, "Playground Modernization for Sudbury Public Schools October 2017" were distributed tonight.

Mr. Kelly stated he submitted the Warrant article, but he emphasized many people have worked collaboratively on this project for the past two years. He stated work began a year ago to start to assess the playgrounds regarding accessibility. Mr. Kelly stated an article was presented at Town Meeting last year for \$25,000 for some repairs, when previous plans were dropped to request more funding so that more time could be spent evaluating project needs. He noted many meetings have been held, with various Town and School groups in the past year, to develop a proposal to upgrade the playgrounds in the proper way for the entire community. Mr. Kelly stated a lot of work has been done, including the creation of a *Play Sudbury* group dedicated to upgrading the playgrounds so they are safe for all residents, and he noted fundraising options have been researched.

Ms. Juriansz thanked the CPC for the opportunity to discuss this project tonight. She stated many people have worked on this proposal, including staff members from the Schools, Town and Sudbury residents and parents. She stated some of the playground

equipment is aging (16-23 years old), and, although it is well-maintained, it is not ADA-compliant. Ms. Juriansz stated this is a large, multi-year project, which she believes will require a community effort to accomplish. She emphasized the project will benefit all Sudbury students and residents. Ms. Juriansz acknowledged the project is estimated to cost a lot of money, but, over time, SPS believes money will be saved from what is currently being spent in its operating budget. She stated SPS hopes the Town will partner with the Schools to implement short-term and long-term plans to make the playgrounds safe and accessible.

Mr. Kelly highlighted the changes in the revised Project Submission Form, noting the Curtis School was removed from the proposal. He stated the FY18 request was reduced to \$275,000 to work on the Haynes School next summer, and then Phase 2 of the project would be for the following summer, with the plan to complete the other three SPS playgrounds. He stated the proponents have met with the Selectmen, Finance Committee, Capital Improvement Advisory Committee (CIAC), Park and Recreation and SPS, and all of these groups have supported the project.

With the use of a PowerPoint presentation, Ms. Juriansz stated the playgrounds have not been ADA-compliant since March 2011, and there is no grandfather clause for compliance. She reiterated the goal of the project is to provide safe and accessible playgrounds for all students and residents. She displayed slides reflecting timeline and estimated cost information, and she noted grants would be pursued. Ms. Juriansz stated the project does not include funds from the SPS operating budget and it will not result in an increase in taxes for homeowners. She stated proponents have been sensitive to costs, and thus only the playgrounds' large structures and surfacing is included.

Mr. Morely noted the project information is available on the Town website if anyone would like additional information.

Chairman Cline asked if there were any public comments or questions, and none were offered.

Ms. Remington asked if the Town's cost would be reduced if grants are received. Ms. Juriansz stated it would not reduce the FY18 request for \$275,000, but it could offset future costs.

Ms. Nam stated most grants are submitted in the fall and winter and awards would not be announced until next spring.

Ms. Remington asked why SPS is not willing to put any funds towards the project. Ms. Nam stated this is considered to be a capital project and capital projects for the Schools are not usually part of their operating budgets. Ms. Juriansz stated the project is also eligible for CPA funds.

Ms. Remington asked if Park and Recreation discussed helping to fund the project. Mr. Beagan stated the Park and Recreation Commission does not oversee playgrounds, but it did vote to support the project and it hopes the Park and Recreation Director will be included in the process.

Ms. Brown clarified this is a two-phase project, and, if no grants are received, there will be another request next year for \$665,000 to complete the other three playgrounds. Ms. Juriansz stated they would hope to complete all four playgrounds as soon as possible, but they would reevaluate the proposal next year. Mr. Kelly clarified that next year's estimate of \$665,000, includes the assumption of grant awards, and thus, without grants, the cost would be approximately \$1.1 million.

Mr. Beagan asked if a "bare-bones" proposal has been submitted. Ms. Nam stated the material provided includes a slide which reflects items which were removed from the initial proposal to save money. It was estimated approximately \$300,000 was eliminated from the original proposal. Ms. Juriansz stated they want to upgrade the playgrounds in a fiscally responsible manner so they are safe and accessible.

Mr. Friedlander asked what position SPS took on the project. He stated he would assume SPS is accountable for the playgrounds, and he would like to know if SPS plans to "step up" and help share the cost. Ms. Juriansz stated SPS was asked for its support of the project, but it was not asked to help fund it. Mr. Friedlander stated the CPC is reviewing a project over a million dollars, and he would be more comfortable if there were more additional funds already in place from other sources.

Mr. Friedlander asked if the Selectmen voted to also financially support the project. Ms. Nam stated she believes the Board stated it supports the project whether it is funded by CPA funds or available funds.

Mr. Poch stated the Finance Committee expressed some concerns about the project, but it believes the Town's capital costs would be offset in the future by a decrease in the SPS's current maintenance budget.

Mr. Morely noted all capital items for the Schools are typically covered by the Town.

Mr. Friedlander stated he believes the Town should then present it as part of its budget. He asked if the Town has agreed to cover the cost with Free Cash this year. Ms. Brown stated she believes the Board of Selectmen voted to support the project because it believes it needs to be funded either from CPA funds or available funds. Mr. Friedlander asked for confirmation then that the Selectmen are willing to pay for the project if CPA fund do not, and it was noted this is the current understanding.

Chairman Cline stated the project is requesting FY18 revenues, but all of the CPA FY18 revenues were already appropriated at the May 2017 Town Meeting, and there are none left.

Mr. Morely commended the proponents on their excellent work to present an important project. However, he stated his concern is that, by next spring and by next year's October Town Meeting, the CPC will have a much better understanding of its financial resources and future CPA-funding demands. Mr. Morely referenced there are always worthy projects which come up and he noted two members in tonight's audience displaying a sign to "Save Broad Acres Farm." He stated he is concerned that the CPC will be able to hold enough in reserves, as has been its practice, to help when unforeseen large projects come up for the Town.

Mr. Beagan asked for clarification regarding the status of the FY18 budget and reserves. Chairman Cline explained the Town allocated more than its FY18 CPA revenues at the last Town Meeting. She emphasized this is an important project, so if the Selectmen are willing to fund it with Free Cash she thinks that would be great.

Ms. Brown thanked the applicants for their work and presenting the proposal to the CPC because the project could be CPA-eligible. Ms. Nam stated she is aware the CPC has been willing previously to dip into its reserves a bit when presented with a compelling project. She further stated she believes this is a compelling project and she believes the CPC's support would send a good message to the community about the project.

Mr. Morely emphasized the CPC has always tried to save reserves for unknown projects which might arise. Thus, he stated he is inclined to support the use of Free Cash for the project, and he made a motion to not fund the project submission at this time.

Mr. Beagan asked if the Committee should consider funding some of the request. Mr. Morely stated he believes this is not necessary because there is a significant amount of Free Cash available. Mr. Kelly stated there is sufficient Free Cash available to fund the project. However, Mr. Poch highlighted there are several articles requesting Free Cash at the upcoming October STM.

Selectman Susan Iuliano stated the Free Cash balance is \$2,793,163, and if all the articles requesting Free Cash are passed and the Town maintains its Stabilization Fund reserve, the balance after the October STM would be approximately \$1.1 million. She also confirmed the Selectmen did vote to support the project from wherever it is funded.

Mr. Beagan stated he appreciates the work done on the proposal by the applicants, noting it does qualify for CPA funds.

On motion duly made and seconded, it was on roll call unanimously:

VOTED: To not approve CPA funding for the project application for Playground Modernization for Sudbury Public Schools, Friedlander, aye, Poch, aye, Beagan, aye, Brown, aye, Morely, aye, Remington, aye, Cline, aye.

CPC Committee Member Vacancy – Interview Candidates

Present: Candidates Taryn Trexler and Scott Smigler

At 8:25 p.m., Chairman Cline opened a discussion with two candidates who have submitted applications for the CPC at-large member vacancy. The Board was previously in receipt of copies of the “Town of Sudbury Application for Appointment” submitted by Sudbury residents Taryn Trexler and Scott Smigler. Chairman Cline invited both candidates to tonight’s Meeting to discuss their interest in serving on the CPC.

Mr. Morely stated the Selectmen are the appointing authority, but they have asked the CPC for its recommendation.

At 8:25 p.m., Ms. Trexler, 253 Concord Road, stated she has lived in Town for two years, having lived previously in the Boston area and for many years in Pennsylvania. She stated she chose to live in Sudbury because of the Town’s commitment to open space and preservation. Ms. Trexler summarized her accomplished experience, highlighting her education and work regarding landscape and architectural preservation. She also stated she has previously served on municipal commissions and she finds the Town Meeting form of government fascinating. Ms. Trexler stated she would like to become more involved in the Town, and she believes the CPC is a natural fit for her. She also stated she knows the other candidate for this opening and she thinks highly of him.

At 8:30 p.m., Mr. Smigler, 125 Plympton Road, stated he too thinks highly of the other candidate. He stated he moved to Town three years ago to raise his two boys, and he respects Sudbury’s history and open spaces, which he believes make it unique. Mr. Smigler stated he would like to be involved with the CPC to help the residents understand what their CPA funds are buying. He stated he would also like the opportunity to learn from previously funded projects what future projects should be prioritized. Mr. Smigler stated he believes work gets done faster when there are clear goals, and he would like to help clarify what the Town’s goals are to preserve its history and character. He stated he believes it is important to be thoughtful about saving funds for future projects and to help generate community communication and collaboration.

Mr. Morely emphasized the CPA purposely includes in its charter that the CPC is not a policy-setting committee. He explained the CPC’s responsibility is to review projects to ensure they are legally CPA-eligible and to balance the CPA-related short-term and long-term needs of the Town.

Mr. Friedlander stated both candidates are appropriate for the position. However, he expressed concern that there are not more candidate applications received and that there

are not some from people who have lived longer in Town and have a better sense of the community's needs. Mr. Friedlander stated he would prefer for the application period to remain open for a longer time, and thus he would abstain from a vote on either candidate tonight.

Mr. Beagan stated he holds the opposite opinion, and he thinks it is great that both candidates want to become more involved with the Town so soon.

Mr. Morely highlighted the CPC season is about to begin. Chairman Cline agreed that making this appointment is important as the Committee heads into its busiest time.

Chairman Cline stated the two candidates are well qualified and it is a difficult choice. It was noted the next Selectmen's Meeting is on October 24, 2017 and the CPC's next Meeting is on November 15, 2017.

Mr. Friedlander stated there is also an opening on the Conservation Commission, and he reiterated he would abstain on any vote tonight regarding the candidates.

Ms. Brown clarified this at-large position would be filling the remaining term of former CPC member Beth Quirk, and then the person would need to be re-appointed by the Selectmen.

Mr. Morely had previously alluded to tonight's Meeting being his last because he has resigned from the Planning Board and the Planning Board will soon appoint a new member to the CPC.

Mr. Smigler thanked Mr. Morely for his outstanding work for many years on the CPC.

On motion duly made and seconded, it was on roll call unanimously:

VOTED: To recommend the following candidate for appointment to the Community Preservation Committee as an at-large member, Friedlander, abstained; Poch, Smigler; Beagan, Smigler; Brown, Smigler; Morely, Trexler; Remington, Trexler; Cline, Trexler.

Chairman Cline stated the tie vote will be shared with the Board of Selectmen and that Board will need to schedule a time to meet the candidates and make the eventual appointment.

Ms. Brown stated it is nice to have multiple candidates, but it makes for a difficult decision.

Mr. Friedlander stated he had previously expressed that he believes the Board of Selectmen should make the appointment without a recommendation from the CPC being needed.

October Special Town Meeting – Accepting Applications – Discussion

At 8:50 p.m., Chairman Cline opened a discussion regarding whether the CPC will henceforth accept applications for the October Special Town Meeting. Historically, she noted the Town has had only one Town Meeting in the spring and all applications were reviewed and prioritized within the context of the CPA budget information. Chairman Cline stated she has concerns that project proponents, the CPC and staff would spend a lot of valuable time reviewing projects asking for money in October which is not available. Thus, she asked if the Committee should set a policy to only accept project applications for the May Town Meeting.

Ms. Remington stated she would agree with a policy to only accept applications for the May Town Meeting, and projects would be reviewed once a year for all proponents. Ms. Brown concurred, stating that, with such a policy, all projects could be evaluated together and prioritized in relation to each other.

Mr. Morely stated the argument for an October submission for School projects is that, if they are approved, work can commence the following summer while Schools are not in session. He also does not think there would be a lot of CPA-eligible projects for the Schools which would be submitted.

Mr. Poch stated he questions whether prohibiting October project submissions might “handcuff” the Town unnecessarily if there were a time-sensitive project needed. Ms. Brown noted to approve an October project might mean approving the next year’s CPA revenues for funding.

Mr. Morely noted there might also be Park and Recreation projects which need to be completed in the summer months or a Chapter 61A (Right of First Refusal) situation might arise with a short timeframe for the Town to respond.

Mr. Poch stated there is currently \$75 million of projects on a draft Town five-year plan, and thus, he does not think it is prudent to keep pushing off project debates. He also noted large projects usually take two or three Town Meeting cycles to be ready to be brought forth and presented.

Chairman Cline reiterated the discussion and project review would be a waste of time for applicants, the Committee and staff.

It was suggested a policy could include that the CPC generally does not accept project requests for the October Town Meeting unless a project has extraordinary circumstances or there is an emergency need for consideration. Several CPC members thought defining “extraordinary” or “emergency” circumstances with consistency could become problematic.

Mr. Poch noted there has been a change in the broad interpretation of what Free Cash should be used for in recent years.

Mr. Friedlander stated he would be inclined to agree with Chairman Cline. He also stated he would be interested to know how other communities handle funding and timing for project submissions.

Ms. Brown stated the applicants and staff do a tremendous amount of work on the proposals. She stated she believes the CPC should have a clear policy.

Chairman Cline stated that, if a large project were an emergency for consideration it could be considered to be funded from reserves or with bonding. She stated a policy regarding project submissions can be discussed by the Committee again at a future Meeting.

Ms. Remington stated she believes there should be a very clear policy established. Chairman Cline concurred.

Mr. Beagan asked if the CPC is able to establish such a policy to not accept applications for the October Town Meeting.

At 9:05 p.m., Chairman Cline stated Town Counsel could be asked for an opinion, and she closed the discussion.

CPA-Approved Projects – Requesting Annual Reports – Discussion

At 9:05 p.m., Chairman Cline opened a discussion regarding requesting annual reports from CPA-approved projects. Upon an initial review, she stated there appears to be several historic projects for which CPA funds were previously approved, but the money has not yet been spent. She asked if the Committee would like to request progress reports on CPA-funded projects.

Ms. Brown referenced the example distributed tonight of the “Outline for Sudbury Foundation Final Project Report,” and she noted this could possibly be used as a template, with the Foundation’s permission.

It was asked if reports would need to be presented to the CPC, and it was recommended that project reports be submitted to Town staff or through the Town Manager’s Office, and that the information be made known to the CPC. Ms. Brown stated she would share this idea with the Town Manager, asking for a draft process to be established which would not be onerous for Town staff.

Sudbury Housing Trust’s FY17 CP-3 Reporting Form – Discussion

At 9:10 p.m., Chairman Cline opened a discussion regarding the Sudbury Housing Trust's (SHT) FY17 Annual Report to the CPC, and copies of the "Municipal Affordable Housing Trust Annual Report to the Community Preservation Committee (CPC)" form for FY17 were distributed tonight. Chairman Cline stated this form, which reflects CPA-related funds spent by the SHT, is required to be filed annually with the CPC and to the State's Department of Revenue.

Ms. Brown stated this is the first year in which this form has been required. She highlighted a section on Page 1 of the Report, noting there is no 68 Robbins Road. Ms. Donoghue stated the address was noted in error as #68 instead of #58.

Town Manager's Request for Administrative Funds – Appraisal Funding - Broadacres Farm and Camp Sewataro

At 9:15 p.m., Chairman Cline opened a discussion regarding the request from the Town Manager for \$25,000 of Community Preservation Act (CPA) Administrative Funds to help fund the appraisals regarding possibly purchasing either property or development rights to Broadacres Farm and Camp Sewataro. The Committee was previously in receipt of copies of a memorandum from Town Manager Rodrigues dated October 4, 2017.

In response to a few questions from the Committee, Ms. Donoghue stated the Broadacres Farm owner has indicated she intends to sell the property, and it is subject to a Chapter 61A restriction, which allows the Town the right of first refusal. As explained in the memo, the request is for a transfer of funds now to begin a preliminary appraisal and to be prepared for a Purchase and Sale Agreement.

Ms. Donoghue stated the Camp Sewataro Camp Director approached the Town to submit an application for this season, without a requested amount at this time, and to work with the Town to protect the use of the land with a possible sale of development rights or other transaction.

Mr. Beagan asked if there are sufficient Administrative Funds available. Chairman Cline stated there is approximately \$35,000 available, which is sufficient.

Sudbury resident and member of the Conservation Commission Charlie Russo, 30 Juniper Road, stated he is a direct abutter to the Farm. He stated he is in attendance tonight along with about ten other residents to express their support for, and interest in, Broadacres Farm. He noted the property has value from conservation, historic and recreational perspectives and Morse Road is a Scenic Road.

The first time he went by Broadacres Farm, Sudbury resident Collin Anderson, 63 Wake Robbin Road, stated he and his wife cancelled a house offer in Lexington and decided to buy their home in Sudbury.

Mr. Morely stated he is aware of many people who have expressed their support for, and interest in, the Town preserving the property.

On motion duly made and seconded, it was on roll call unanimously:

VOTED: To approve the request by the Town Manager for up to \$25,000 of Community Preservation Act Administrative Funds to help fund appraisals regarding the Broadacres Farm and Camp Sewataro properties, Friedlander, aye; Poch, aye; Beagan, aye; Brown, aye; Morely, aye; Remington, aye; Cline, aye.

Minutes

The Board was previously in receipt of copies of the Community Preservation Committee's February 1, 2017 and September 6, 2017 Meeting Minutes.

On motion duly made and seconded, it was on roll call unanimously:

VOTED: To approve the Community Preservation Committee's February 1, 2017 Meeting Minutes, Friedlander, aye; Poch, abstained; Beagan, aye; Brown, aye; Morely, aye; Remington, aye; Cline, aye.

On motion duly made and seconded, it was also on roll call unanimously:

VOTED: To approve the Community Preservation Committee's September 6, 2017 Meeting Minutes, Friedlander, aye; Poch, abstained; Beagan, aye; Brown, aye; Morely, aye; Remington, aye; Cline, aye.

CPC Future Meeting Schedule

Chairman Cline reviewed the proposed CPC Meeting schedule as follows: November 15, 2017 – Preliminary Review of Applications, December 6, 2017 – Public Hearing, December 20, 2017 – Public Hearing, January 3, 2018 – Vote on Applications, and January 17, 2018 – Finalize Warrant Articles. She also asked members to reserve January 31, 2018, in case an additional meeting is needed.

Executive Session

Chairman Cline asked if any CPC member needed discussion regarding the Executive Session Minutes of January 18, 2017, and all members stated they did not. Chairman Cline stated the Committee could then approve these Session Minutes in open session.

On motion duly made and seconded, it was on roll call unanimously:

VOTED: To approve the Community Preservation Committee's Executive Session January 18, 2017 Meeting Minutes, Friedlander, aye; Poch, abstained; Beagan, aye; Brown, aye; Morely, aye; Remington, aye; Cline, aye.

Miscellaneous – Recognition of Chris Morley

Chairman Cline stated tonight is Chris Morley's last CPC Meeting.

Mr. Morley stated he has resigned from the Planning Board and that Board will soon appoint a new member to the CPC.

Chairman Cline thanked Chris for his many years of outstanding service to the CPC and the Town, and she stated he would be sorely missed.

Mr. Beagan stated he had not heard about this prior to tonight. He told Chris how much he appreciated the work he had done.

CPC members asked Chris if he would consider being an advisor to the Committee. Chris stated he hopes to find new ways of helping the Town.

At 9:29 p.m., on motion duly made and seconded, it was on roll call:

VOTED: To adjourn tonight's Meeting, Friedlander, aye; Poch, aye; Beagan, aye; Brown, aye; Morely, aye, Remington, aye; and Cline, aye.