

Present: Chairwoman Sherrill Cline, Lynne Remington, Pat Brown, Diana Warren, Mara Huston, Thomas Friedlander, Scott Smigler, Eric Poch, Acting Director of Planning and Community Development, Beth Suedmeyer and Nancy Kilcoyne (via phone).

At 7:06 p.m., Chairwoman Cline called the meeting to order.

#### PAST PROJECT FUND REVERSION

At 7:06 p.m., Chairwoman Cline opened the discussion to review reversions for unspent appropriations from past projects. The Committee reviewed a list of unspent appropriations previously provided by the Finance Director.

Chairwoman Cline stated there are three outstanding Historical Projects; the first is the Revolutionary War Cemetery and two additional projects named "Historic Projects". Chairwoman Cline stated she has been in touch with Mr. Chris Hagger of the Sudbury Historical Commission for the status update on these three projects. Mr. Hagger advised these projects are still ongoing and the Commission hoped they would be completed in 2019. Ms. Warren noted the completion does not include the house surveys which probably will take a couple of years.

Chairwoman Cline stated the next outstanding appropriation is for the Housing Authority, unit purchases. She stated this project is still ongoing. Ms. Brown stated this project was discussed at the last CPC meeting. She had proposed to use the reversion of these funds for the Coolidge Phase 2 project. The opposing argument was that, given this appropriation of \$180,000, another of \$212,000 from 2017, and \$90,000 in mitigation funds, there is "almost enough" to buy a property. It had also been stated that the Sudbury Housing Authority (SHA) provides housing for those with lower incomes than the Coolidge project.

Ms. Brown checked with Ms. Rust about the income limits at the Coolidge project and was told that 12 units would be rented to those with 30% Area Median Income (AMI) and 44 units would be rented to those at 60% AMI. Therefore, the issue was not the income limits between the two providers. She pointed out that the Coolidge was providing affordable housing now, whereas the SHA had not spent the funds after 13 years. Ms. Brown asked the Committee what they felt was the best use of the money if Sudbury is trying to create affordable housing.

Chairwoman Cline responded and stated originally the funds were appropriated in 2006 to purchase housing units for \$90,000/unit. The article was amended in 2012 to \$180,000/unit. The appropriation was approved with the unanimous recommendation of the Finance Committee, the unanimous recommendation of the Board of Selectmen and the unanimous approval of Town Meeting.

Chairwoman Cline stated the Housing Authority's annual report to the CPC reflected they did buy a unit with the funds in 2014.

Chairwoman Cline suggested to the Committee that if appropriated funds have been recommended by the Finance Committee, the Board of Selectmen and Town Meeting, and if the projects are ongoing and the proponent is actively seeking to use the money, the CPC should not recommend reversions.

Chairwoman Cline stated the Housing Authority is actively looking to spend this money on a property. She pointed out that the SHA hopes to couple these funds with the additional funds noted above. She reviewed the ongoing efforts the SHA has been making to locate suitable properties. She suggested that the CPC should adopt a standard that funds should only be reverted if the project is completed or it is legally impossible to do so.

Mr. Friedlander asked if there was a time limit. Chairwoman Cline stated there is no time limit on any appropriation as it was an untenable restriction on this and other appropriations.

Ms. Warren added that she takes the unanimous vote at Town Meeting very seriously and this decision by the Committee tonight could be applied to other projects on the list. Ms. Brown rebuts Ms. Warren's statement and stating that Committee would not decide on the reversion, but that the decision would be made at Town Meeting.

Chairwoman Cline argued that the CPC would not be presenting the possibility of reversion as a neutral body as the Article reads, "as recommended by the Committee". Moreover, the CPC has a statutory obligation to make recommendations to the Town Meeting which would imply that the CPC supported the action. Chairwoman Cline states the Committee is not recommending this action.

Mr. Friedlander feels Chairwoman Cline presented a good argument to not revert he is in support of no reversion.

Ms. Huston noted the Housing Authority works on affordable housing for families and Coolidge provide senior housing. There is a need for both in Sudbury. Ms. Huston suggested inviting the Housing Authority's Executive Director to come before the Committee and present the overall plan and direction of the Housing Authority.

Chairwoman Cline read a memorandum from the Housing Authority which made the following points. 1) There were two amendments to the original appropriation which reflect the need for flexible timing and for use of these funds. 2) Having funds on hand allows the SHA to respond to opportunities. The State occasionally has programs to offer

assistance in financing if there is already backing by the Town. Funds from the CPC indicate backing by the Town. 3) The Housing Authority's wait list is reflective of an unmet need for low income housing. The 2018 waitlist was 35% higher compared to the 2016 waiting list, with 80% families and 20% seniors on the waiting list. 4) The Housing Authority has made an explicit commitment to acquire and build scattered site housing which is less efficient and more costly but was the request of the Town. 5) The memo proceeds to state the Housing Authority funds resources are more limited than a private developer. 6) Escalating housing costs in Sudbury make finding affordable properties more difficult.

Ms. Remington stated she feels if the Housing Authority is actively looking for properties, then the funds should not be reverted.

Mr. Smigler said it would be helpful for the representatives of the community housing, recreational and historic preservation groups to make presentations to the CPC on an annual basis to present an overall plan so that the requests to the CPC could be put into context. He also suggested the Committee have a larger discussion about the standard for reversions.

Chairwoman Cline asked if Ms. Brown would like to make a motion. Ms. Brown declined.

Chairwoman Cline states the next two items on the list are CSX alternative acquisition funding. The State Representative Gentile has proposed a bill and has asked for a legislative fix. Chairwoman Cline stated Mr. Smigler had suggested Mr. Gentile be asked to attend a meeting and speak in regards to this bill. The Committee will wait to hear from Mr. Gentile who has not yet arrived.

Chairwoman Cline stated the next two appropriations were for Bruce Freeman Rail Trail designs. One has \$604 and the other \$150,000 remaining. These requests were for the partial 75% design phase.

Ms. Brown stated that the entire 75% design had been paid for with free cash and requested confirmation. Ms. Suedmeyer stated the 75% to 100% design estimate has been covered by the free cash appropriation. Ms. Suedmeyer stated they are currently doing the 25% design and are preparing an RFP for the 75-100% design. Ms. Suedmeyer noted the current contract has additional unexpected expenses such as repairs to damaged abutments caused by beaver dams and a need for and additional survey for stream hydraulic modeling. She noted that the project is ongoing.

Ms. Huston asked if the \$150,000 was a buffer for the 75% design phase. Ms. Suedmeyer stated yes, it could be a buffer.

Ms. Suedmeyer reminded the Committee that there was a question of the appropriateness of using CPA funds for the acquisition and the design of rail trails, even though many other towns that had the CPA has used funds for this purpose. Ms. Suedmeyer stated Town Counsel weighed in on this and stated as long as the lease language meets the recommendations made by former Town Counsel, the current Town Counsel does not see a problem with using the funds for this purpose. The final lease language has not been negotiated so it is still possible that the appropriated funds can be used for the project.

Ms. Brown asked whether the current problem is with the 75% design or with the 25% design, as she understood that the money appropriated from free cash at the last Town Meeting was all that was necessary to complete the 75% to 100% design. Ms. Suedmeyer stated the current issue is with the 25% design, which means the free cash can be used but the Town couldn't use the CPC appropriations. The CPC appropriations are only available for the 75% design phase to backfill the free cash if necessary.

Ms. Brown asked whether there could be an accounting of the design expenses, as she understood at 2017 Town Meeting that the 25% design had been paid for, and this seems not to be the case. There were several appropriations by both the CPC and Town Meeting. Ms. Huston said her understanding that the Town Meeting vote was to make an appropriation that would allow the rail trail design to be completed without further ado.

Ms. Huston asked when the project would be completed. Ms. Suedmeyer stated 3 years. Ms. Huston suggested that's when the CPC should look at reverting these funds. Mr. Friedlander agreed that there was no need to revert at this time. Ms. Huston also noted that Town Meeting had voted in favor of the rail trail repeatedly.

No motion made.

Chairwoman Cline stated the next item is the Melone property. Chairwoman Cline stated she has not heard anything from Melissa Murphy-Rodrigues, Town Manager, regarding this property. Chairwoman Cline stated the funds cannot revert without Town Manager's approval.

Chairwoman Cline stated the next item is Town Center Landscaping. Chairwoman Cline confirmed with Ms. Brown that the project is ongoing and work is still being done on the stone wall. Ms. Brown stated the DPW needs to meet with the Board of Selectmen and go over his recommendations and determine what is to be done.

Chairwoman Cline passed around the annual reports submitted by 2 previous applicants. She had previously provided the report submitted by the Housing Authority. The Wayside Inn has also submitted a report regarding the Removal of Invasive Plant Species for the Wayside Inn. Chairwoman Cline informed the Committee the project is done and the request for \$12,500 has been submitted.

Chairwoman Cline stated the next item is the Sudbury History Museum at Loring Parsonage. The Committee received a hardcopy of the annual report on this project which states that the project is still ongoing.

Chairwoman Cline states the next item is Featherland Park Multisport Court reconstruction. Chairwoman Cline stated an updated report was submitted by Ms. Huston and the project is ongoing.

Chairwoman Cline stated the next item is Town Hall restoration and rehabilitation. Chairwoman Cline stated she has not heard back from Melissa Murphy-Rodrigues, Town Manager, regarding the project.

Chairwoman Cline stated the next item is the most recent allocation to the Housing Authority for \$212,600. That brings us through FY18 on the allocations.

Chairwoman Cline does not see any reversions for this year but will wait for Mr. Gentile to discuss the CSX legislation.

Members of the Committee asked whether CPC financials could be posted on the website. Mr. Smigler also suggested keeping the Coalition website up to date with regard to Sudbury's projects. Discussion ensued as to how to keep the CPC website and the Coalition website updated.

Mr. Gentile attended the meeting to update the Committee regarding the CSX Rail Trail. Mr. Gentile discussed the bill that has been filed and the likelihood of the bill going through. Mr. Gentile advised that last year Framingham and Sudbury filed a bill jointly to allow the use of CPA funds to purchase the CSX line (Framingham has not adopted the CPA) and at the third reading of the bill the Chairman of the Committee on Third Reading felt that this should be something done Statewide. Therefore, Mr. Gentile had to file a new bill this year which he had done earlier today. He distributed copies of the bill to the Committee. He felt the likelihood of the bill passing was pretty good, but he could not say whether it would happen this year.

Mr. Gentile stated there are a lot of members that want to increase the CPA match. If legislation to that effect is considered, he expects that all CPA bills would be bundled.

Chairwoman Cline asked if there were any opposition to this bill. Mr. Gentile stated there was no known opposition.

Chairwoman Cline asked if it would be just a matter of time for the Committee to use CPA funds for the purchase of the CSX line for the Rail Trail Corridor. Mr. Gentile stated he thinks it would be and would like to see it happen in this calendar year. Mr.

Gentile stated if it has not gone through by late spring, he can attach it as a budget amendment.

Ms. Brown asked how this legislation would be affected if the corridor were rail banked, i.e. subject to reversion to a rail line. Mr. Gentile said the legislation would allow the town to acquire the property even if it were rail banked. Ms. Brown pointed out that the Town Meeting Article appropriating the money was to purchase the property in fee simple. Ms. Suedmeyer stated that this distinction had not come up in her discussions with Town Counsel. There were no properties in the state that had come out of rail banking to be an active rail line.

Len Simon spoke to the original Article regarding the acquisition of the property in fee simple, suggesting that the Article could be amended, but that at this point CPC should not revert the funds. Chairwoman Cline stated once the statute has passed, the Committee can consult with Town Counsel to see if the Article should be amended.

Mr. Smigler asked if the representative from Framingham has shown intent in the purchase of their portion of the CSX Rail Trail. Mr. Gentile stated the State has put \$500,000 to \$600,000 in the bond fund for Framingham to purchase the property. Mr. Smigler asked if this is a priority for Framingham. Mr. Gentile stated yes.

Ms. Brown asked if there was an appraisal of the property. Ms. Suedmeyer noted in 2016 the Town of Sudbury, Framingham and CSX all partnered for the appraisal. Sudbury would have to go first on their portion of the acquisition or simultaneously with Framingham. Ms. Suedmeyer stated Sudbury's portion is \$780,000 and Framingham's is significantly more, somewhere around \$4 million, as they have a longer length of trail. Ms. Suedmeyer noted Sudbury received a \$100,000 grant through the Recreational Trails Grant for the acquisition last year and that grant has a timeline. Ms. Suedmeyer hopes they can successfully negotiate with CSX by next year.

Mr. Simon stated the acquisition of CSX corridor has been a goal of the Board of Selectmen and they have voted for the acquisition of the CSX corridor in 2014, 2017 and again in December of 2018.

Chairwoman Cline asked if Ms. Brown wanted to make a motion to revert the CSX. Ms. Brown stated no.

#### REVIEW & VOTE ON WARRANT ARTICLES FOR ANNUAL TOWN MEETING

Chairwoman Cline stated there are seven Articles for review and comment.

**Article 1. Nixon Playground Modernization**

Chairwoman Cline identified the first article as the Playground Modernization for Sudbury Public Schools. Ms. Huston asked if Town Counsel has reviewed these articles. Chairwoman Cline stated no. Ms. Remington asked if it were worthwhile for the Committee to vote on the Articles. Chairwoman Cline stated the Committee had 2 options. They can come back in 2 weeks to review and approve the articles or give Chairwoman Cline the authority to review and approve the edited the articles.

Ms. Suedmeyer stated if the Committee voted as a group to give Chairwoman Cline the authority to review and approve edited the articles, the members could then come into the office and sign the Articles at a later date at which time each member would have the opportunity to review the final article

Ms. Suedmeyer stated the Article was written for the Nixon playground and was the same language that had been used last year for the Noyes playground

There was discussion as to whether any funds remaining from this appropriation could be rolled over for use at the Loring school. Chairwoman Cline stated her recollection was that the Committee wanted to view each project individually and not allow excess funds to roll over to the next project without approval from the Committee. The Committee agreed that was its desire.

Chairwoman Cline stated the CPC can recommend any remaining funds from this Article and from the Noyes playground can be put towards the Loring playground in a separate article in the future.

Ms. Brown stated she would like to see what happens if there are funds remaining from the Haynes the playground which was funded partially with free cash and partially with CPC funds. Chairwoman Cline stated she had spoken with Mr. Keohane, Finance Director, regarding this and he informed her the funds would be reallocated to free cash or CPC in proportion to what was granted in the first place.

Mr. Friedlander asked if there had been any feedback from the Coolidge project. Ms. Suedmeyer stated she received an update from Ms. Liz Rust. Ms. Suedmeyer explained when Coolidge presented their budget to DHCD, the CPA funds could not be included as part of the budget as the funds are not guaranteed until after they are voted on at Town Meeting. They are proceeding with the full project and they will now be able to upgrade the materials they had intended to downgrade, such as siding, etc., if the Town votes the CPA funding.

Ms. Suedmeyer stated she had inserted a statement in the Committee report which reads, "CPA funds will be used to ensure the project meets its goals for use of quality building

materials.” Ms. Brown asked if they are waiting for approval at Town Meeting or until July 1st to be sure of the materials. Ms. Suedmeyer stated she believes they have a timeline and they will probably wait until July 1, 2019 to know what they will acquire with those funds.

Mr. Smigler asked if an updated quote had been submitted. Chairwoman Cline noted the quote was in the December 5, 2018 minutes, which indicated the total was approximately \$20 million.

Chairwoman Cline asked for a Motion to accept the Article regarding the Modernization of the Nixon Playground as presented.

Mr. Friedlander made a motion, Ms. Remington seconded.

On motion duly made and seconded, it was unanimous

VOTED: To approve the Article for Town Meeting.

A Roll Call vote was taken;

Ms. Kilcoyne - yes

Mr. Poch - yes

Chairwoman Cline - yes

Mr. Friedlander - yes

Ms. Brown - yes

Ms. Warren - yes

Ms. Huston - yes

Mr. Smigler - yes

Ms. Remington - yes

### **Article 2. Featherland Park Multisport Courts, Phase 2**

Chairwoman Cline presented for review and comment the next Article on the agenda as the Featherland Park Multisport Courts, Phase 2. Chairwoman Cline asked if there were any suggested changes. Ms. Huston asked that the Report be amended as follows: the line that reads “built last year” be amended to read they were rebuilt and completed in the fall of 2018. Ms. Huston also asked that the “high school junior varsity tennis team” add “Lincoln Sudbury Regional High School”.

No further changes were suggested.

Ms. Huston made a motion to approve and Mr. Poch seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;



VOTED: To approve the Article for Town Meeting.

**Article 3. Regional Housing Services Office (RHSO)**

Chairwoman Cline presented the next Article on the agenda for review and comment as the Regional Housing Services Office membership fees in the amount of \$30,000.

Ms. Remington made a motion to approve and Ms. Brown seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To approve the Article for Town Meeting.

**Article 4. Coolidge at Sudbury Phase 2**

Chairwoman Cline presented the next Article on the agenda for review and comment as the Coolidge at Sudbury Phase 2. Ms. Huston asked if \$320,000 was the final number. Chairwoman Cline stated yes. Ms. Brown suggested adding the term “undesigned funds” as the source of the funding.

Ms. Remington made a motion to approve and Mr. Friedlander seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To approve the Article for Town Meeting.

**Article 5. Sudbury Newspaper Digitization**

Chairwoman Cline presented the next Article on the agenda for review and comment as the Sudbury Newspaper Digitization in the amount of \$25,000.

Ms. Huston asked that “historical” be added to the local news line.

Ms. Warren made a motion to approve and Mr. Smigler seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To approve the Article for Town Meeting.

**Article 6. Smoke and Fire Detection for Loring Parsonage**

Chairwoman Cline presented the next Article on the agenda for review and comment as the Smoke and Fire Detection for Loring Parsonage in the amount of \$63,000.

Ms. Warren suggested some changes to the Report which were adopted; i.e. “without an early warning fire detection system in place”. Ms. Huston asked that the aspirating smoke detection system be capitalized as it will become an acronym, ASD.

Ms. Warren made a motion to approve with amendments and Ms. Remington seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To approve the Article for Town Meeting.

**Article 7. General Budget and Appropriations**

Chairwoman Cline presented the last Article on the agenda for review and comment as the general budget and appropriations. Chairwoman Cline noted this Article is to approve the debt to be paid in FY 20 and fund administrative and operational expenses.

Ms. Huston asked if the numbers had been cross checked. Chairwoman Cline stated the numbers were provided by the Finance Director.

Ms. Huston made a motion to approve as written and Mr. Friedlander seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To approve the Article for Town Meeting.

**REVIEW AND APPROVE 2018 ANNUAL TOWN REPORT**

Chairwoman Cline asked the Committee to review the Town Report and the edits that were submitted by Ms. Brown. The draft in the Committee’s current packets is the draft with the approved numbers inserted by the Finance Director.

Ms. Brown suggested some amendments which were discussed and some changes adopted.

Ms. Remington made a motion to approve as modified and Mr. Friedlander seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To approve the Town Report as modified.

Ms. Huston made a motion to authorize Chairwoman Cline to make amendments to the Warrant Article based on feedback from Town Counsel as long as the changes were not substantive. Ms. Warren seconded.

On motion duly made and seconded, it was unanimous by Roll Call vote;

VOTED: To authorize Chairwoman Cline to approve non-substantive edits to the Articles made by Town Counsel

#### REVIEW FINANCIAL UPDATES

Chairwoman Cline started the discussion with the review of the most recent CPC financial report for FY20. Chairwoman Cline noted the addition of \$85,000 in FY 20 Administrative Funds resulting in funds available for new projects in FY20 of \$893,790. The Housing Reserve is 10% of the FY20 estimated revenue which is \$211,900. The Historic Preservation reserve is \$191,060 which is \$211,900 minus the debt to be paid on the Dickson property which is \$20,840. Therefore, assuming the \$88,000 in FY20 appropriations is approved at Town Meeting, the Historical reserve balance then will be \$103,060.

Ms. Suedmeyer reiterated that, after Town Meeting vote, the only reserve fund that will have a balance will be Historical Preservation, with the balance of \$103,060. There are no other designated reserves.

#### ADMINISTRATIVE REPORT:

No report at this time.

Chairwoman Cline asked for and received confirmation from the Committee that the Annual Reports be received from proponents who received an appropriation in the prior year's Town Meetings. Proponents first receiving an appropriation in July need not submit status September of the same year.

#### MINUTES:

December 5, 2018

On motion duly made by Ms. Remington and seconded by Mr. Friedlander, it was unanimous by Roll Call vote;

VOTED: To approve the meeting minutes of December 5, 2018, as amended by

Ms. Brown.

December 19, 2018

On motion duly made by Mr. Friedlander and seconded by Ms. Remington, it was by majority vote

VOTED: To approve the meeting minutes of December 19, 2018, as amended.

Ms. Warren abstained

January 2, 2019

On motion duly made by Mr. Smigler and seconded Mr. Friedlander, it was by majority vote

VOTED: To approve the meeting minutes of January 2, 2019, as amended.

Mr. Poch abstained

It was agreed that if Town Manager wanted CPA funds for Camp Sewataro or the Town Hall Restoration, she would have to ask the Committee to meet and discuss the proposal. Because all the business had been completed, there was no reason to meet on January 30, 2019.

On motion duly made and seconded, it was unanimous.

VOTED: To adjourn the meeting 9:20 PM.