

**Town of Needham
Board of Selectmen
Community Preservation Act Summit
October 21, 2009
Broadmeadow Elementary School**

7:00 p.m.

Call to Order:

A special meeting of the Board of Selectmen was convened by Chairman Daniel P. Matthews at 7:00 p.m. Those present were: Mr. John Bulian, Mr. Gerald Wasserman, Mr. Maurice Handel, Ms. Denise Garlick, Town Manager Kate Fitzpatrick.

Mr. Matthews welcomed the board and committee members to the summit meeting and expressed his appreciation for their participation. He said that the purpose of this meeting is to hear from boards, committees, and residents relative to the Community Preservation Act and its relationship to the Town's capital planning process, coordination and goals. He also asked for feedback on consideration of action to repeal or change the program. Mr. Matthews invited residents to speak.

Mr. Sam Bass Warner, Planning Board member said that it is important that the CPC and the Town recognize the importance of open space as a unique asset, and that open space deserves a larger share of the Town's budget for projects such as acquisition of easements, construction of paths, land acquisition, and management.

Ms. Lisa Zappala, Chairman of the Finance Committee, noted that with the Town's Capital Plan significantly under-funded, it is important that the Town maximize the use of limited funds. She said that she would like to see better coordination of major investments in the CIP with the CPC.

Ms. Jane Howard, Chairman, CPC said that the CPC acts on funding requests but is not charged with developing proposals. She suggested that constituent groups should develop long-range plans for proposed uses of CPA funds.

Mr. John Commando, CPC Member, said that the CPC frequently asks the Town Manager about up-coming projects and does not work in a vacuum.

Ms. Sheila Pransky, CPC Member and Housing Commissioner, said that she understands the need to coordinate, but that it is important to educate those outside the Town government that the CPA is an option for project funding. She said if the CPC focuses entirely on the CIP than the Town eliminates the breadth of potential projects, including community housing, which is outside the CIP process.

Mr. Rick Zimbone, Vice Chair, Finance Committee noted that there are two articles on the warrant for the November 2, 2009 Special Town Meeting for the purchase of open space under Chapter 61A. He said that the parcels are proposed for debt financing when there is cash available in the open space reserve. Use of debt in this way puts a stress on the debt financing plan and eats into capacity for other projects. He said that better planning is needed and communication can be improved.

Mr. Matthews said that he feels it is reasonable to acquire land by debt financing as it is a permanent asset and the cost is then spread among current and future users.

Ms. Howard said that the CPC is considering a request to shorten the schedule, but that requiring projects before December 1st of each year seems unworkable. She said that the Committee will try one more time to shorten the process at the end rather than the beginning.

Ms. Janet Bernardo, CPC and Conservation Commission Member, asked what would constitute better planning and better coordination.

Mr. Wasserman noted that the Board has no specific recommendation at this time, and will consider the feedback from the summit.

Ms. Zappala suggested that the Town consider its Open Space Plan, for instance, and integrate the recommendations in the Plan into the CPA planning process. A similar plan can be followed for housing.

Mr. Handel said he has confidence in the CPC and respects the independence of the committee. He noted that different bodies have a stake in communicating in an organized way.

Mr. Brian Nadler, CPC Member and Chairman, Park and Recreation Commission, said that CPC is a reactive organization that relies on proposals and Town resources.

Mr. Richard Webman said that he purchased a house on the Historic Register and would have appreciated funding from the Town to help move the house rather than proposing to tear it down. He said that the Colonel Gideon House is significant and funding should be provided to move it. He expressed frustration with the process associated with the demolition delay by-law and the permitting process.

Mr. Commando said that the historic house is an example of a project that could come before the CPC, and that some committees may not

understand the funding process. He suggested that the Historic Commission should refer applicants to file applications for CPA funding.

Jeanne McKnight, Planning Board Chairman, said that the existing by-law requires the CPC to consult with existing board and committees. She said that to suggest that the CPC funding be narrowed to just items in the CIP is not what the Legislature intended – the Act was intended to fund what towns would not otherwise have been able to fund. She said she opposes the sentiment that the CPC more narrowly tailor its funding to the Capital Improvement Plan.

Mr. Zimbone said that he did not intend to limit the CPC to the CIP, but that it is important that whatever is submitted for CPC funded be factored into the Town's debt financing plan.

Ms. Pransky asked if the revenue associated with the CPA outweighs the debt in the debt to revenue calculation.

Ms. Louise Miller, Executive Secretary to the Finance Committee, said that the amount of debt outweighs the revenue.

Mr. Matt Borelli suggested that maintenance costs must be considered when acquiring new parcels.

Mr. Webman said the Town should look to fundraising and grants, and to look beyond the Town of Needham.

Ms. Pransky said that the CPC funding helped to leverage a tremendous amount of outside funding of the High Rock Homes project.

Mr. Commando said that the CPC considers outside funding sources in its deliberations.

Mr. Webman said that the historic delay by-law allows the property owner to destroy a historic resource after six months and that there is no proactive way to require the owner to preserve it.

Ms. Howard said that only the person having control of the property can submit an application for funding under the CPA.

Mr. Wasserman said that as a general principle, the CPA is available for projects that could not get prioritized, and that the Town has to make changes to its planning as opportunities arise.

Mr. Matthews noted that the CPA was a five year commitment at the 2% surcharge level. He said that repeal of the CPA has been suggested, and

asked the summit participants whether they are satisfied with the CPA as currently constituted, or whether there is a reason to go in a different direction.

Mr. Nadler said that he is very satisfied with the current approach and supports maintaining it. He noted that the Town would have no funds to turn to when parcels become available for acquisition.

Mr. Warner said that he hopes the legislature broadens the statute to enable the Town to use the funds for a wider variety of projects.

Mr. Matthews said that the 2% surcharge seems to work well and that the Town benefited from a 100% match from the State for several years. This has a big impact on the Town's ability to fund the Town Hall project. He said he preferred that the Town look for opportunities to fund things that are demonstrated needs. He said that recognizing the need for increased communication is a positive step.

Mr. Zimbone said that when he voted for the CPA, he intended the funds for Town Hall. He said that it may not hurt to take the pulse of residents on maintaining the surcharge.

Ms. Zappala said that she supports the CPA for open space acquisition, but sees a long-term facility financing plan that includes more overrides. She said that we might consider asking the residents their view.

Ms. Pransky said that the taxpayers agreed to pay the 2% surcharge to enrich the community. She said that repeal of the CPA immediately after funding the Town Hall project is disingenuous. If the town repeals the CPA, it isn't eliminating the surcharge devoted to Town Hall, but just getting rid of any State match.

Mr. Warner said that as society becomes more prosperous, their taxes rise, and they want more services.

Mr. Handel noted that he served on the original CPA subcommittee and made a commitment to many constituents that the CPA would be available for a myriad of projects. He feels that to suggest repeal shows a lack of good faith.

Mr. Bulian said that he was concerned that the 2% surcharge is a non-specific override, but recognizes the value of the funding that the Town receives from the State. He noted that the Town will be involved with the CPA for the next 20 years, so the Town should use it in the most effective and efficient way. He said that he would like to concentrate funding on identified needs, and supports on-going discussion.

Ms. Garlick said that she is a strong advocate of the CPA, and understood that the Town Hall was not the sole reason for passage. She said that Needham is a community, not just a government.

Ms. McKnight said that there needs to be more planning with respect to future use of the fund.

Mr. Matthews thanked everyone for attending.

8:25 p.m. **Motion: Mr. Bulian moved that the meeting be adjourned. Mr. Wasserman seconded the motion. Unanimous: 5-0.**