



BOXBOROUGH COMMUNITY PRESERVATION COMMITTEE

29 Middle Road, Boxborough, Massachusetts 01719

Phone: (978) 264-1723 • Fax: (978) 264-3127

www.boxborough-ma.gov

APPROVED November 2, 2023

Community Preservation Committee (CPC) (the committee) MINUTES

October 5, 2023

In Person Meeting, Open to Public

Grange Room Boxborough Town Hall 29 Middle Road Boxborough Massachusetts

NOTE: Due to one member being remote, all votes were by roll call. All votes were unanimous except for 2 abstentions where noted.

MEMBERS PRESENT IN PERSON:

Ron Vogel, Chair, Housing Board
Chad Childers, Historical Commission
John Fallon, Clerk, At-large
Rita Gibes Grossman, At-large
Rebecca (Becky) Neville, Finance Committee
John Neyland, Vice Chair, Agricultural Commission
Kathleen (Kathy) Vorce, Planning Board

MEMBERS PRESENT REMOTELY (phone)

Rebecca (Becca) Edson, Recreation Commission

MEMBERS ABSENT:

Sam Anderson, Conservation Commission

OTHERS PRESENT: Abby Reip

DOCUMENTS:

- 1) Agenda for October 5, 2023 CPC Meeting
- 2) Draft minutes from September 7, 2023 CPC Meeting
- 3) Community Preservation Coalition (Coalition):
 - i) Notice that the Coalition has a new financial sponsor as of July 1, 2023
 - ii) IRS W-9 form for Third Sector New England, Inc. (TSNE) the new financial sponsor
 - iii) Coalition Dues Notice for FY 2024 in the amount of \$875 payable to TSNE
- 4) Community Preservation Surcharge Report (CP-1) for the town of Boxborough for the period ending June 30, 2023
- 5) Community Preservation Fund Report (CP-2) for the town of Boxborough for the period ending June 30, 2023
- 6) Expenditure Ledger as of September 29, 2023 for outstanding CPC projects from town accountant Kelli Pontbriand
- 7) ATM 2024 (FY 2025) Community Preservation Financial Worksheet as of October 3, 2023

- 8) ATM 2024 (FY 2025) Community Preservation Financial Worksheet as of October 5, 2023
- 9) Preliminary applications for FY 2025 Community Preservation Act (CPA) funds:
 - i) P-FY25-01: \$44,050: Boxborough Rental Assistance Program (repeat project)
 - ii) P-FY25-02: \$200,000: Homeowner Opportunity for Preservation and Enhancement Program (new project)
 - Commonwealth of Massachusetts Department of Housing and Community Development Public Housing Notice 2013-14 entitled "Utilization of CPA Funds for Preservation of Existing Public Housing Units" dated May 30, 2013
 - iii) P-FY25-03: \$10,000: Conservation Trust Fund (repeat project)
 - iv) P-FY25-04: \$170,000: Blanchard Playground Safety Improvements (new project)
 - v) P-FY 25-05: \$6,000: Fencing Improvement Flerra Community Gardens (new project)
 - vi) P-FY25-06: \$9,500: Cemetery Restoration (repeat project)

Meeting Called to Order 7:34 p.m. by Ron Vogel Chair after a roll call to determine a quorum.

1) **MINUTES:** It was moved and seconded to approve the minutes of September 7, 2023 as distributed. Moved by Kathy, seconded by Rita. **Roll Call Vote:** passed unanimously.

2) CORRESPONDENCE:

a) Ron went over the material from the Coalition. The Coalition has moved to a new financial sponsor TSNE effective July 1, 2023. However, except for the name on the check, there is no implication for Boxborough. It was moved and seconded to authorize the town account to pay the FY 2024 Coalition dues in the amount of \$875. Moved by Becky, seconded by Rita. **Roll Call Vote:** passed unanimously. **ACTION ITEM:** Ron will follow up with the town accountant to ensure the invoice is paid correctly to the right party.

3) UPDATES FROM TOWN ACCOUNTANT ON CP-1 AND CP-2 FILINGS; UPDATE FY2025 FINANCIAL WORKSHEET

a) Ron reviewed the Community Preservation Surcharge Report (CP-1) for the town of Boxborough for the period ending June 30, 2023. It was decided to use the net surcharge raised for FY 2023, \$221,856, as the starting estimate for new surcharge raised on the FY 2025 worksheet. This number will increase as the tax levy is set for FY 2024.

b) Ron reviewed the Community Preservation Fund Report (CP-2) for the town of Boxborough for the period ending June 30, 2023. There is an item of \$ 8,637 titled "earnings on investments" that the veteran members of the CPC had never seen before and had never appeared on the financial worksheet. **ACTION ITEM:** Ron will follow up with the town accountant to find out (i) what this line item is, (ii) whether the CPC can add it to the worksheet and thus appropriate it, and (iii) are there funds from past years that the CPC could add to the FY 2025 worksheet.

4) UPDATES FROM TOWN ACCOUNTANT ON INDIVIDUAL RESERVE ACCOUNTS; UPDATE FY2025 FINANCIAL WORKSHEET

a) The group reviewed the Expenditure Ledger as of September 29, 2023 for outstanding CPC projects from town accountant Kelli Pontbriand.

Five line items were of special interest:

i) ATM 18 Article 08 Flerra Meadows Playground: on July 6, 2023 the CPC voted to close this out at the then current amount of \$4,887.87. This is now showing a negative balance of -\$1,000 which appears to be irregular.

ii) ATM 19 Article 41 Flerra Playground Fence: \$190: on July 6, 2023 the CPC voted to close this out.

iii) ATM 20 Article 32 Flerra Playground Water: \$7,630.51: on July 6, 2023 the CPC voted to close this out.

iv) ATM 20 Article 34 Historic Records Preservation: \$10,000.00: on July 6, 2023 the CPC voted to close this out.

v) ATM 20 Article 35 BHB Rental program: \$5,292.71: on January 5, 2023 the CPC voted to close this out.

ACTION ITEM: Ron will follow up with the town accountant to (i) discuss the status of ATM 18 Article 08 and (ii) take whatever other steps are needed to close out the other 4 articles.

b) The committee continues to feel there is not enough information to make a decision on ATM 20 Article 37 Hager Land Connection which now has a balance of \$15,924.71 versus \$16,029.71 in July.

ACTION ITEM: Ron will follow up with Liz Markiewicz on ATM 18 Article 08.

c) In the interests of caution, the committee agreed to leave the “returned to fund” line on the worksheet at zero as a starting point.

5) REVIEW CPC FY 2025 FINANCIAL WORKSHEET

a) Given the lack of solid information from the State and the Coalition, the committee agreed to leave the “State match” line of the worksheet at zero as a starting point.

b) John F. verbally updated the October 3 version of the worksheet with the figures from the projects that were received after that date, i.e., as of October 5. Adding in all the projects, the bottom line for the work sheet is a deficit of -\$151,701.

ACTION ITEM: John F. will distribute hard copy of the worksheet to the committee for their information.

6) REVIEW OF CPA FUNDING REQUESTS:

a) Ron led the CPC through a review of 6 preliminary applications for FY 2025 CPA funding that had been received by the committee. The review tonight was to determine whether the application was an “appropriate use of CPA funds” and not approval of the funding itself. There will be other discussions and a public hearing and votes on funding at a later date.

i) P-FY25-01: \$44,050: Boxborough Rental Assistance Program: submitted by Al Murphy for the Boxborough Housing Board: repeat project.

Ron explained that this request has been increased by \$ 6,000 from last year to support rental subsidies for 14 residents versus 12 previously.

It was moved and seconded that this project was an appropriate use of CPA funds. Moved by John F., seconded by Rita. **Roll Call Vote:** passed unanimously

ii) P-FY25-02: \$200,000: Homeowner Opportunity for Preservation and Enhancement Program: submitted by Channing Wagg for the Boxborough Housing Board: new project.

This project submission included as an attachment from the Commonwealth of Massachusetts Department of Housing and Community Development Public Housing Notice 2013-14 entitled “Utilization of CPA Funds for Preservation of Existing Public Housing Units” dated May 30, 2013. This notice states that that CPA funds cannot be used for “rehabilitation” or “maintenance” of community housing resources but that CPA funds could be used for “preservation”.

The committee had considerable discussion of this request. There were three main issues.

a) The title of the project included “enhancement” which did not appear to be allowed as it is not “preservation”.

b) The purpose of the project was stated as “(to) preserve the structural integrity and quality of units”. While preserving the structural integrity of the units is allowed, “quality” is not mentioned in the Notice.

c) The project calls for spending CPA funds on annual inspections of the housing units which appeared to be outside the scope of preservation and should be done by non-CPA Funds. Based on these three issues, the committee felt it had no choice but to reject the application as submitted.

It was moved and seconded that this project was NOT an appropriate use of CPA funds as submitted and the application should be returned to the applicant to be re-written to be eligible for CPA funds or withdrawn. Moved by John N., seconded by Becky. **Roll Call Vote:** passed unanimously.

The committee would be willing to consider a re-written request. Three topics that should be addressed in such a request:

1) What housing units would be included in the program? Of the 266 units in the town’s Subsidized Housing Inventory (SHI), 244 are apartments which presumably would be excluded.

In addition to the 12 at Boxborough Meadows, which of the other 10 units would be included?

2) What is the current documented need for preservation? The committee would be willing to consider funding annually documented actual needs as they occur but not to use scarce CPA funds create a discretionary fund for the Housing Board.

3) What other funds are available for this purpose? In particular how large is the Housing Trust Fund, which was generated by activities related to Boxborough Meadows, and can that fund legally be used for this purpose?

ACTION ITEM: Ron will follow up with the Housing Board.

iii) P-FY25-03: \$10,000: Conservation Trust Fund: Submitted by Sam Anderson for the Conservation Commission: repeat project.

Ron explained that this submission is the same as in prior years and provides funds for the Conservation Commission’s Trust Fund.

It was moved and seconded that this project was an appropriate use of CPA funds. Moved by Rita, seconded by Kathy. **Roll Call Vote:** passed unanimously.

iv) P-FY25-04: \$170,000: Blanchard Playground Safety Improvements; Submitted by Alec Wade and Dana Labb: sponsoring board to be determined: new project.

Becca explained the need to improve the Blanchard playground and the safety issues involved. The Blanchard School has raised \$140,000 for the project but \$170,000 is needed to complete it. The committee discussed the fact that responsibility for the Blanchard playground rests with the Acton Boxborough Regional School District, not with the town. Conversely, a very large portion of the school population (80%?) lives in Boxborough and the vast bulk of the after school and weekend use was for Boxborough residents. It was agreed that these issues were a discussion to be held before the vote on the final application.

It was moved and seconded that this project was an appropriate use of CPA funds. Moved by Rita, seconded by Ron. **Roll Call Vote:** passed unanimously.

The committee identified three topics that should be addressed in the final application:

- 1) A sponsoring department needs to be identified.
- 2) How many students are there at Blanchard School and from which towns?
- 3) How much, if any, in the way of funds is the Acton Boxborough Regional School District willing to commit to the project?

v) P-FY 25-05: \$6,000: Fencing Improvement Flerra Community Gardens: Submitted by Owen Neville for the Agricultural Commission: new project

John N. explained that present rules only allow temporary fencing to be used at the Flerra Community Gardens and this situation is both burdensome and ineffective in keeping produce losses to wildlife to an acceptable level. The purpose of this project is to set up permanent fencing. He further noted that implementing this project would require permission from the Conservation Commission and a change in rules that would require a public hearing at which neighbors would get to express their opinion.

It was moved and seconded that this project was an appropriate use of CPA funds. Moved by John N. , seconded by Kathy. **Roll Call Vote:** passed unanimously with Becky recusing herself from discussion/abstaining from vote due to a possible familial conflict of interest.

vi) P-FY25-06: \$9,500: Cemetery Restoration : Submitted by Owen Neville for the Cemetery Commission: repeat project

Ron explained that this submission is the same as in prior years and provides funds for the Cemetery Commissions to continue its project of restoring headstones, monuments, and other stonework.

It was moved and seconded that this project was an appropriate use of CPA funds. Moved by Chad, seconded by Rita. **Roll Call Vote:** passed unanimously with Becky recusing herself from discussion/abstaining from vote due to a possible familial conflict of interest.

7) LATEST INFORMATION FROM COMMUNITY PRESERVATION COALITION

a) Ron reported that no further information has been received from the Coalition on the status of additional CPA funding by the State.

8) NEXT MEETING: Thursday, November 2, 2023, 7:30 pm in person in the Grange Room at town hall.

Meeting Adjourned 9:00 p.m. -- It was moved and seconded to adjourn. Moved by Becky, seconded by Chad. **Roll Call Vote:** passed unanimously.

Respectfully submitted,
John Fallon, Clerk