

**Minutes**  
**Town of Acton Community Preservation Committee (CPC)**  
**October 26, 2017**  
**Acton Woman's Club**

Members Present: Bill Alesbury (Vice-Chair), Tory Beyer, Dean Charter (Associate), Amy Green, Susan Mitchell-Hardt, Carolyn Kirkpatrick (Associate), Nancy Kolb, Joe Will (Clerk)

Others Present: Roland Bourdon (Acton Finance Committee), Gregory Johnson (Windsor Avenue resident),

Members, including Ray Yacoub, gathered at the Acton Woman's Club which hosted a 6:30-7:30 wine and cheese reception to allow members to see how improvements made possible by Community Preservation Funds are helping to keep the Club's historic building attractive, safe, and accessible for future generations.

Bill opened the business meeting at 7:34 P. M., expressing the CPC's gratitude to the Acton Woman's Club for hosting the reception and the business meeting.

**I. Citizen Concerns**

- none

**II. Minutes of September 28, 2017**

- It was moved, seconded, and voted unanimously to approve the minutes as presented.

**III. 161 Newtown Road open space land acquisition article**

- A purchase and sale agreement for an \$800K acquisition of 161 Newtown Road using \$770K of the CPA set-aside fund was signed today. The purchase must yet be approved by the Town. Townsfolk will have the opportunity to vote on the appropriation at the December 4 Special Town Meeting (TM). It is Warrant Article 4 in the Draft of the Special TM Warrant. Some points made by the CPC in its discussion of the Warrant Article:

- Walter Foster (not present) sent word to the CPC that the Warrant Article is in the purview of the Legal and Planning Departments and that the primary focus of the CPC should be on the nature, content, and clarity of the Summary statement.

- Susan: The Acton Conservation Trust has been asked to fund-raise up to \$30K to offset the free cash that the Town has volunteered to make up the difference between the purchase price and the CPA funding. Now that the purchase and sale is finalized, the ACT can move ahead on this. The ACT has a promise of \$15K in matching funds.

- Concern and some discomfort were expressed over the lack of specificity on other costs related to the purchase and for the cost of the conservation restriction required for the property, all as expressed in Part b of the Warrant

Article. Some felt that these should be addressed “up front” in the Warrant Article. Some felt that the CPC needs to resolve where the money is to come from.

- Susan provided some information about conservation restrictions, conservation restriction monitoring, and their costs, pointing out that a conservation restriction is needed for every purchase of land that uses CPA funds. She pointed out that most Land Trusts are not in a position to accept conservation restrictions unless there is an endowment, or some other known source for their funding.
- Dean explained that the Town budget is a “bottom-line budget” and how, at the end of the fiscal year, some budgets could supplement other budgets.
- It was felt that how the Part b costs are to be covered should be “nailed down” before the Town Manager retires in June and a new Town Manager replaces him. - It would be good to have the Town Manager make some commitment on this before the Special TM. Perhaps Walter should talk to the Town Manager to get something into the Warrant (as was done for the Wright Hill purchase) about costs for closing, conservation restriction, etc.
- Maybe the same thing could be said for the extra (Part b) funds needed as will be said for the \$30K.
- The Town has CPA dollars to cover expenses associated with appraisals and due diligence. Could these funds be used for costs described above? Per Susan, No, at least that is what Peter Ashton told Susan when he was CPC Chair. Susan doesn't know if this still holds.
- To get CPA funds for these (Part b) expenses would require a separate application.
- Why does the CPC have to worry about these other expenses? It doesn't. The questions being asked are about things not within our purview. They are not a CPC problem. A member of the Open Space Committee or the Conservation Commission should be at the TM prepared to answer questions about these other expenses.
- The deadline for the Warrant is the end of this week. What wording do we want in the Warrant Article Summary, or is the wording of the Summary sufficient? Whatever we decide, there still is time to be prepared to respond to all TM questions.
- Bill spoke with Peter Berry. Peter had no concerns about the Summary statement and Peter would let us know if any come up.
- Who will present this Article at TM? Probably Walter, if he's there. Andy Magee could present it, or Tom Tidman. Bill will address the Part b concerns with Walter directly. We need to have answers at the ready, or know a person who has answers and to whom we could direct the questions.
- On the assumption we have path forward for addressing financial implications of Part b, are there any other issues with any part of the Warrant? No.

It was moved, seconded, and voted unanimously to accept the Warrant Article Summary as written.

Action Item: We should raise the issues associated with Part b with Walter and Peter Ashton so that answers are “at the ready” should questions about Part b come up at TM.

#### **IV. Administrative and Project updates**

- Greg, who is interested in joining the CPC, has an 11/13 meeting scheduled with the Volunteer Coordinating Committee.
- Susan, who is resigning from the CPC, will stay on until she is replaced. She has yet to hear a response from anyone to her letter of resignation.
- Re Acton Housing Authority funding (denied at the 2017 TM), Nancy said that the AHA will apply for Development/Acquisition funds in the Spring and not December because of the School Budget proposal being a dominant issue at the December Special TM. Could the AHA apply for two-year's worth of funding if it could justify such a request? Yes, there is no limit to what could be requested. Could the AHA apply for development funds and funds for a specific project in one proposal, i.e., an application for multiple purposes? No, there should be specific applications for specific projects.
- Bill noted that because of last year's denial, the CPC “owes” money to the Housing set-aside fund.

8:22 PM — It was moved, seconded, and voted unanimously to adjourn.