

Community Preservation Committee Meeting Minutes
 Held at the Shutesbury Town Hall upper level Conference Room
 December 19, 2013

Community Preservation Committee (CPC) members present: Chairman and Community at Large Member Donald Fletcher, Select Board and Recreation and Parks Committee Representative Al Springer, Conservation Commission Representative Linda Avis Scott, Historical Commission Representative Leslie Bracebridge, Finance Committee Representative Allen Hanson, Housing Authority Representative Rita Farrell, Open Space Committee Representative Susan Essig arrived at 6:35 PM. Absent: None. Vacant Positions: Planning Board and Recreation Committee Representatives.

Others present: Shutesbury resident Michael Vinskey

I. Chairman Fletcher opened the meeting at 6:02 PM and welcomed a motion and second to approve the minutes of the October 10, 2013. **The CPC unanimously voted to approve the minutes of October 10, 2013 as written.**

II. Subjects Discussed:

A. Review and vote on two Determination of Eligibility applications:

1. Preserve and protect the floors of the M.N. Spear Library:

- The definition of “authorized representative” will receive future clarification in Shutesbury’s relatively new Community Preservation Act (CPA) funds application.
- Citizens of the town are not yet completely familiar with the process and role of the CPC in the distribution of CPA funds.
- Citizen Mike Vinskey applied for use of CPA funds to finish the Library’s floors.
- It was Mr. Vinskey’s understanding that if the CPC liked his suggestion, the Committee would recommend the project to town meeting.
- Though Mr. Vinskey is correct that the CPC selects projects to recommend to the town meeting, the party/parties actually responsible for the subject of the application apply to the CPC for funds to help with their projects.
- The CPC decides from the preliminary application if the project qualifies for CPA funds in keeping with the Department of Revenue’s (DOR) allowable projects chart.
- If the project is eligible, then the applicant (party responsible for the property) brings back a full application for CPA funds that includes total project costs, a complete picture of how the full project is intended to be funded, and project recommendations, which give a sense of how much community support is behind the project.
- The CPC then votes whether or not to recommend the project to town meeting.
- The “responsible party for the preservation and protection of the library floors, is the Board of Library Trustees. In this case, it was reported that the Board of Library Trustees did not know the project was being recommended, and in fact do not wish to do the floors at this time, due to no place to remove the books to during the work.
- The places for a citizen to suggest an idea would be at the annual CPC public hearing or at a meeting of the responsible party, the Board of Library Trustees in this case.
- The Department of Revenue (DOR) applicability chart for allowed uses of CPA funds is up for interpretation, but would likely interpret the preservation and restoration of the library floors as routine maintenance, which would not be eligible for CPA funds.

- When in doubt, it is recommended that the CPC refer project eligibility to Town Counsel for review, as that is the entity that would be defending a CPC decision.
- The final decision is left up to the CPC, but it can still be challenged.
- The Department of Housing and Community Development (DHCD) drafted an agreement with DOR about eligible projects because interpretations vary so widely.
- Rita will bring a copy of that draft agreement, based on life expectancy and capital investment, to the next Shutesbury CPC for reference and further discussion.

The Community Preservation Committee unanimously voted the application for the Library floors was not eligible for CPA funds based on the DOR allowable uses chart.

2. Restore and rehabilitate the Old Town Hall:

- Committee members voiced a variety of ideas about who was the responsible party for the restoration and rehabilitation of the Old Town Hall.
- Members compared the Old Town Hall application to a previously unsuccessful application for the South Schoolhouse sills repairs because it lacked specificity and it did not present a full picture of the total restoration project.

The Community Preservation Committee unanimously voted not to approve the application for the restoration and rehabilitation of the Old Town Hall at this time.

B. Review and confirm the dates, times, and locations for the January, February, and March CPC meetings and the annual public hearing:

1. Rita will bring DHCD documents related to project eligibility to the next meeting.
2. The CPC will clarify “authorized entity” on the application form.
3. The public hearing will be Thursday February 20th at the school (if available) at 6 PM.

III. Other Business:

1. Who would be the responsible party for an Open Space purchase? The Open Space Committee, which actually works on behalf of the Conservation Commission, which is the responsible party for Open Space properties.
2. Timelines for projects that have missed deadlines for the annual CPC cycle would be created based on the urgency of a project.

A. The next meeting was scheduled for February 20, at 6 PM.

IV. The Community Preservation Committee adjourned at 6:20 PM.

Respectfully submitted,

Leslie Bracebridge
Community Preservation Committee Member