

Town of Ayer
Community Preservation Committee

Town Hall * One Main Street * Ayer, MA 01432

Minutes for 1/4/2017 - Approved 2/1/2017

Location: Town Hall, 1st Floor

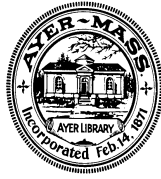
Members present: Janet Providakes (JP) [Housing Authority]- Chair, Beth Suedmeyer (BAS) [At Large], Richard Durand (RD) [Parks & Recreation], Jess Gugino (JG) [Conservation Commission]- Clerk, Julie Murray (JM) [At Large]

Not present: Barry Schwarzel (BES) [Historical Commission], Mark Fermanian (MF) [Planning Board]

APAC taped: NO

6:08 PM – Open Meeting

- **Approval of Meeting Minutes**
 - BAS moved to accept the minutes for 12/7/2016 as written; RD 2nd.
 - Motion approved unanimously.
- **Correspondence/Bills**
 - Sandy Pond School Association (SPSA), Conditions Assessment Project
 - David E. Ross Associates: \$1676.26, survey/site plan (invoice # 63727, 12/22/2016).
 - CPC previously approved payment of a \$400 retainer for this work (11/2/2016).
 - This invoice covers the remainder of the costs for this work, now complete.
 - The total cost comes in under the \$2500 initially estimated.
 - RD moved to approve payment of \$1676.25; JM 2nd.
 - Motion approved unanimously.
- **OLD BUSINESS**
- **Ayer Housing Authority (AHA): Generators**
 - Kenneth R. Martin, Executive Director of AHA, presented two Pre-Application submissions.
 - In order to be ready for a Spring Town Meeting vote in May, the completed Applications will need to be submitted to CPC for its February meeting.
 - Public Hearings would then be held in March in order to have Articles ready for the Town Meeting Warrant, which closes in April.
 - Mr. Martin was advised to secure letters of support for these funding applications from other groups – the Board of Selectmen, Historic Commission, Fire Department, DPW, Town Administrator, and so forth.
 - 18 Pond Street
 - AHA has 3 buildings on Pond Street:

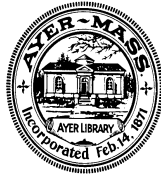


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- Building A is 3 stories and houses 34 units of elderly housing.
 - An emergency generator was recently installed with funds from a State grant at a cost of \$120,000.
 - The generator powers heat, the elevator, emergency lighting, and common areas.
- Building B is 2 stories and houses 20 senior apartments.
- Building C is 2 levels and houses 7 congregate units for frail elderly as well as the Council on Aging space where other programs, including a hot lunch program, are run.
- AHA is asking for \$150,000 in CPC funding to provide an emergency generator for Buildings B and C.
 - Mr. Martin noted that in the ice storm outages of 2008, the elderly residents had had to be evacuated.
 - An emergency generator would enable these two buildings to be used additionally as temporary shelter for other elderly persons who are not residents.
 - In previous outages, people have used not only flashlights but also candles as light sources, the latter presenting obvious hazards.
 - Neither B nor C qualify for State grant monies for this purpose since those funds are limited to buildings over 2 stories in height.
- The CPC category applicable for this application is 'Community Housing'.
 - JP has asked Town Administrator Robert Pontbriand to consult with Town Counsel (KP Law) to ensure the legitimacy of the use of CPC funds for this purpose.
 - In conversation with JP, Stuart Saginor, Executive Director of the Community Preservation Coalition, has raised some questions as to the legal use of funds for this purpose.
 - The AHA buildings/community housing were not acquired or created with CPC funds.
 - Actions to rehabilitate or restore, including building improvements (e.g. a generator), are permissible only if CPC funds were used to acquire or create the Community Housing in the first place.
 - The question, then, is whether funding this generator can be done legally as a 'Preservation' action using CPC funds, rather than a 'Rehabilitate/Restore' action.
- 62 Pleasant Street (former Pleasant Street School, now used as senior housing)
 - The Pleasant Street School is a 4 story building housing 21 senior living units.

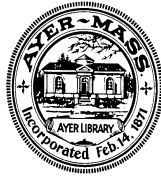


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- AHA, which controls this housing, is submitting a Pre-Application for \$120,000 in CPC funds for an emergency generator at this location.
 - This cost is an estimate, based on the recent cost of the generator installation for Building A on Pond Street.
 - State funds cannot be applied for in this case because the School was formerly federal property.(????)
 - The historic school was renovated and restored a number of years ago.
 - The Town gave AHA the building and land, which AHA runs in partnership with Ayer Elderly Housing, the latter being a non-profit.
 - Six funding sources were used to restore the building, including CPC funds under the categories of both 'Historic Preservation' and 'Community Housing'.
 - Mr. Martin noted that in past outages requiring evacuation, the Fire Department had to use gurneys to bring residents down from the upper floors.
 - This application for CPC funding is also under both CPA categories ('Historic Preservation' and 'Community Housing').
 - JP has asked Town Administrator Pontbriand to also consult with Town Counsel (KP Law) to ensure the legitimacy of the use of CPC funds for this purpose.
 - Only a portion of the funding to restore the building came from CPC, raising the question of whether that is enough to legally justify the use of additional CPC funds to pay for a generator.
 - As above, CPC funds can be used for 'rehabilitation/restoration', including improvements (e.g. a generator), if the property was initially acquired or created with CPC funds.
- **NEW BUSINESS**
 - **Parks & Recreation: Pirone Park Perimeter Path**
 - JP was contacted by Jason Mayo, Chair of the Park Commission, with initial estimates of the cost of installing a Perimeter Path at Pirone Park.
 - The mock-up plans and estimates were prepared by the DPW.
 - The question of whether the DPW would do this work needs to be clarified.
 - The CPA category is under Recreational Land, and CPC funds can be used to create a new feature; there is no requirement for the land to have been initially purchased or created as a park with CPC funds.
 - Two estimates were provided.
 - The first estimate , at \$66,624.71, is for installing a contiguous perimeter path around two of the playing fields and along Grove Pond.



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- The second, at \$84,714.33, installs the main path as well as an extension that runs in between two additional playing fields and would dead-end.
 - Under the second estimate, it is possible this extension could be added to, making it a complete loop rather than a dead-end, in the future.
 - This, however, would involve resolving issues in conjunction with Ayer Housing Authority, whose buildings and parking lot are up a steep hill that abuts this potential leg of the path.
 - Future work would be expensive in this area because it would require a substantial retaining wall for the AHA parking lot.
 - CPC members generally felt that only the first estimate, for the single contiguous path, be considered at this time.
 - JP has advised Mr. Mayo to have a completed Application ready for CPC's February meeting.
 - A Public Hearing for this project could be held in March at the same time as Hearings for the AHA generator applications.
- **7:03 PM – Adjourn Meeting**
 - CPC's Next Meeting: February 1, 2017, 6 p.m.
 - BAS moved to adjourn; JM 2nd.
 - Motion approved unanimously.