

Town of Ayer
Community Preservation Committee

Town Hall * One Main Street * Ayer, MA 01432

Minutes for 3/6/2013 - Approved 4/3/2013

Location: Town Hall, 1st Floor

Members present: Janet Providakes (JP) [Housing]- Chair, Gary Luca (GL) [BOS], Michael Pattenden (MP) [FinCom], Beth Suedmeyer (BAS) [At Large], Jason Mayo (JM) [Parks & Rec.], Barry Schwarzel (BES) [Historical], Jess Gugino (JG) [ConsCom]- Clerk

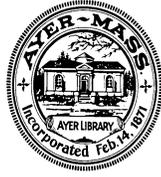
Not present: Mark Fermanian (MF) [Planning Board], Vacancy [At Large]

APAC taped: NO

7:05 PM – Open Meeting

• **Discussion: Jennifer Goldson, of JM Goldson**

- Ms. Goldson was invited to appear before CPC to describe the services she could provide and an approximation of charges.
- Ms. Goldson managed the City of Newton's CPC from 2002-2006 before beginning her private consulting firm.
 - Ms. Goldson's specializes in working with CPA communities to figure out goals, evaluate proposals, implement projects, purchase open space, and help leverage CPA funds with other funding sources.
 - Ms. Goldson previously worked as a consultant for Ayer's CPC in constructing its Community Preservation Plan (CPP) for FY 2010-2014.
- Several areas in which Ms. Goldson's services might be useful were discussed.
 - This does not preclude CPC soliciting bids for these services from other providers.
 - Projects under \$5000 would not need to be put out to bid.
 - Projects costing from \$5000-25,000 would be required to solicit 3 phone bids.
- Community Preservation Plan (CPP)
 - Ms. Goldson estimated that the cost to update the CPP, due to expire next year, would be a flat rate of around \$10,000.
- Open Space Implementation (OSI)
 - Ms. Goldson estimated a retainer of \$10,000 would cover 8-10 hours/month for a year.
 - This is based on \$75/hour plus mileage.
- Renewal of Open Space & Recreation Plan (OSRP)
 - Ayer's OSRP expired in 2009 or 2010.
 - BAS has a digital version of a draft but not the final of the expired OSRP.
 - Ms. Goldson said she has not done an OSRP herself but said she would be willing to take this on.
 - She suggested CPC look at other consultants who do OSRPs regularly.
 - Ms. Goldson estimated her cost for working on Ayer's OSRP would be around \$20,000.
 - Some consultants charge up to \$35,000 or more.

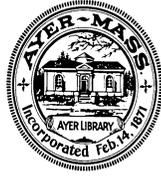


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- Ms. Goldson's estimate is based on the assumption that the Town would do the GIS work necessary.
 - If not, this would add an additional \$5000 to the cost.
- Open Space purchases
 - JG asked about Ms. Goldson's work with other towns in facilitating Open Space purchases.
 - Ms. Goldson has helped approach developers, secure appraisals, negotiate lower prices, and leverage CPA funds with other funding sources.
 - Her charges for this type of service would be \$75/hour plus mileage.
- Discussion continued after Ms. Goldson left.
 - Spring Town Meeting begins May 13, 2013.
 - To maintain flexibility in moving forward on some of these projects, GL suggested the annual transfer of CPA funds for general open space purposes be raised from \$12,000 to \$30,000.
 - If CPC is able to form an OSRP planning group, then money for this project will be available.
- **Meeting Minutes Approval**
 - GL moved to accept the minutes for 2/6/13 as written; JG 2nd.
 - Motion approved unanimously.
- **Announcements**
 - An Open Meeting Law Training session will be held in Town Hall on 3/28/13, from 6-8 p.m.
- **Approval of Expenses**
 - Goldsmith, Prest & Ringwall (GPR): \$1931.25, for professional services rendered through 1/31/2013, in review and revisions to Pleasant Street Pocket Park plans.
 - GL moved to approve payment of \$1931.25; BES 2nd.
 - Motion approved unanimously.
- **Discussion: Kohler Place as potential Open Space purchase**
 - Ed Cornelier, representing the Sandy Pond Investment Trust, contacted JP and offered to have the Trust's attorney talk to CPC about the status of the controversial crossing easement.
 - A narrow strip of land, owned by a different resident, separates Kohler Place from the end of Wright Road.
 - Crossing of this strip was the subject of litigation in Land Court several years ago.



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- While the case was dismissed “with prejudice,” there is nothing in writing from the Court that specifically upholds the crossing easement.
 - Mr. Cornelier has said in the past that the easement was written into the deed of the initial purchaser of the strip from the family decades earlier but that it appears to have disappeared from the deed as the property has gone through several new owners.
 - The Conservation Commission, which might be asked to sponsor a potential purchase, has said that it will not agree to do so unless the crossing easement is specifically upheld in writing and extended to new ownership.
 - GL said it would not hurt to hear what the Trust’s attorney has to say.
 - JP will contact Mr. Cornelier to see if he and his attorney can appear at CPC’s April 3rd meeting.
 - JP will let Mr. Cornelier know in advance, however, that legal documentation will nevertheless be required before the Town could consider moving forward on a potential purchase.
- **Upcoming Town Warrant Articles.**
 - There will be 3 CPC articles on the Warrant for Spring Town Meeting (5/13).
 - One article will seek an amendment to the Town’s CPA By-law that reduces the size of CPC from 9 to 7 by eliminating the BOS and FinCom members.
 - A second article will specify the allocation/set-asides of CPA funds from FY2014 Community Preservation Fund revenues and State matching funds.
 - This year’s estimated base of revenue for allocation is \$192,310.
 - It was decided to allocate:
 - \$5000 maximum to meet administrative and other necessary CPC expenses
 - \$79,000 to Open Space and Recreation purposes
 - \$39,000 to Community Housing
 - \$39,000 to Historic Recourses
 - The third article would allocate \$30,000 for general Open Space purposes, as discussed earlier in the meeting.
 - BAS asked that the wording of this article be broadened to include due diligence, etc.
 - GL moved to approve the set-asides as specified above; JM 2nd.
 - Motion approved unanimously.
- **8:45 PM – Adjourn Meeting**
 - GL moved to adjourn; MP 2nd.
 - Motion approved unanimously.