

**Town of Southborough, MA  
Meeting of the Community Preservation Committee  
Remote Meeting via Zoom Conference Call  
Thursday, February 2, 2023  
7:00 PM**

Committee Members in Attendance: Andrew Mills (Chair), Benjamin Smith (Vice-Chair), Mark Murphy, David Joyner, Kristin LaVault, Anne Pfaff

Non-Committee in Attendance: Freddie Gillespie (CPC Consultant), Keith Lavoie, Kathy Cook (Selectman), Paul Desmond, Rebecca Pellegrino, Kevin Miller, Andrew Phaneuf,

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Andrew Mills (Chair) read aloud the following statement:

*Pursuant to Chapter 20 of Acts of 2021, An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency, signed into law on June 16, 2021, this meeting will be conducted via remote participation. No in person attendance by members of the public will be permitted.*

Andrew Mills (Chair) opened the meeting at 7:23 PM  
Quorum present

Due to the video not working, the meeting was re-opened at 7:23 PM. A. Mills gave an overview of what had been discussed from 7:03 PM until 7:23 PM.

**Update FY24 Budget**

No Changes to the budget. There is \$700,000 in the fund to be used for funding.

**Review Algonquin Athletic Facilities Project, Costs, MOU, Warrant Article**

The CPC previously voted to recommend this project to town meeting. CPC would like to make sure there are funds available and noted there is no CPC bonding capacity for this project. Need to have specific items identified to fund with CPC monies that are not associated with the field.

Kevin Lavoie gave a brief overview. He agrees with keeping the Southborough CPC items separate. He proposed moving forward with the Southborough portion \$679,000 with a 20 percent contingency fee. This equals \$255,811 as the Southborough portion for the tennis courts. This includes demolishes of the tennis courts and disposal. They plan on nine courts. Seven courts for tennis, one pickle ball and one basketball court. The life expectancy of these courts is 20 years but will need to assess them after 15. The courts will be available for public use when the athletic teams are not using them. Presently, there is no reserve system in place. First come, first served. They will look into Southborough Facilities using them for programming. He explained they only need 5 tennis courts for full matches, but planned on 7 total. The additional 2 courts give them flexibility for longer tournaments.

CPC asked to confirm that the \$255,811.70 would go to the 7 tennis courts, 1 pickleball court, and 1 basketball court based on agreement with Northborough. This would be a one-time thing and needs assurance that this number will not fluctuate.

Presently there is no plan for tennis court lighting although there is electrical capacity. There could be an opportunity for a future lighting project. The focus now is on stadium lighting.

A Mills informed P. Desmond, R. Pellegrino, and K. Lavoie that there will be an Memorandum of Understanding (MOU) that will need to be signed. The MOU will summarize what the project is and how the project will happen.

Kathy Cook asked if the CPC has the \$215,711.70? The CPC has \$700,000 of unallocated funds available but have not voted yet. She explained that the Selectmen and Advisory would like the CPC to use as much money as possible for this \$3 million project. The Town is requesting that the CPC funds are used to lower the bonding/tax levy of this project. She explained that an Inter-Municipal Agreement (IMA) would be done with Northborough before Town Meeting to adjust funding for Southborough.

A Mills requested P. Desmond to submit an application for just the Tennis Courts, Pickleball, and Basketball courts. A Mills also explained that the CPC never depletes its funds on one project. There could be other projects that will need funding.

Discussed key items to be included in the MOU as follows:

- The project is contingent on Northborough paying their share.
- IMA in place that Southborough will not have to pay same amount of bond as paying portion up front.
- The money will be only used for the Tennis Courts, Pickleball Courts, and Basketball Court. Complete renovation
- Contingency funds -- If project is over budget, then must come to the CPC to request contingency funds. The contingency funds are only to be used for the Tennis Courts, Pickleball Court, and Basketball court. The contingency funds have to be related to the cost estimate. Contingency funds are not included in the bonding amount.

*Motion by Mark Murphy and seconded by Kristin LeVault to recommend to town meeting the use of \$213,176.41 for the rehabilitation of the Algonquin High School Tennis Courts. To be included are 7 tennis courts, 3 pickleball courts, and 1 basketball court with a contingency that is separate which will be requested if needed in the amount of \$42,635.89.*

*Discussion: None*

*Vote: Mark Murphy – Yes, Benjamin Smith – Yes, Anne Pfaff – Yes, David Joyner – Yes, Kirstin LaVault – Yes, Andrew Mills – Yes*

*Motion approved unanimously*

A Mills will work with F. Gillespie to draft the warrant article and the MOU prior to next meeting. As the bids for the Town House will not come in until February 16 the next CPC meeting is now on February 28 not February 15<sup>th</sup>. We will ask the representatives on the Algonquin project to attend the meeting on the 28<sup>th</sup> for final review. An updated application will need to be submitted prior to the February 28<sup>th</sup> meeting. CPC will take another vote on the exact amounts at the next meeting. The Selectmen will vote on the town warrant articles on the 7<sup>th</sup> of March.

As there is a discrepancy in the amount voted for the Algonquin project, the Committee will vote again on the 28<sup>th</sup> with the exact numbers.

## **Review Draft 2023 Warrant Articles**

Nothing to add at this time.

## **Review Timeline to ATM 2023**

Discussed previously

## **Discussion Item: Warrant Article to increase CPC surcharge to 3 percent**

Kathy Cook had asked A. Mills to put this on tonight's meeting for discussion.

K. Cook is not here tonight representing the Select Board although she is a member of the Select Board. The Select Board has not taken a vote on this. She had spoken with Andrew Phaneuf about this when they were on Advisory.

She put together some numbers that will show the difference between the current 1 percent surcharge and the proposed 3 percent. 3 percent is the maximum allowed in Massachusetts. She explained not only get the increase money from the 3 percent but you get a bonus. There are some big projects coming down the road which could qualify for CPA funding. In the end the residents will vote on this.

She mentioned that the State match has started to go back up. There is no guarantee the State match will stay high but the hope is that it will. By raising the surcharge, we will be raising the amount of State match. Her most recent numbers are: at 1 percent we received a total of \$542,000. If it were to pass and was effective as of 7/1/23 then the amount would be \$1.7 Million. These are just estimated numbers.

Andrew Phaneuf added that the first time around when the 3 percent was voted on at Town Meeting the vote was 51 to 49. It lost by a small margin. Had it passed the Town would have received a total of approximately \$4.9 million in matching funds from the State.

K. Cook said there are two ways to get it on the ballot. Can ask to have it put on the ballot for town meeting or do a petition. Would need 5 percent of registered voters to sign the petition.

F. Gillespie mentioned that she was president of the ballot committee when it first went to the Town for a vote. She suggests they form a ballot question committee prior to starting a petition.

A Mills view is that in the past there are groups who call the CPC just an additional tax and would like to do away with the CPC. From the CPC standpoint it's a good thing this is not coming from the CPC asking for more funding. It would be best to vet this on Town Meeting floor. K. Cook thinks the best way to present this would be to show that we will actually be saving taxes by having more CPC money to spend through State money.

There is presently a place holder to raise the CPC surcharge at Town Meeting. It is being proposed by the Select Board. Would like the support of both Advisory and the CPC.

Question if it is possible to modify some the exemptions? It is possible. K. Cook cannot speak for the Select Board. She is not sure if the Select Board will want to have this for the Spring Town Meeting, but

thinks probably at a special Town Meeting. M. Murphy would be more inclined to support this if the exemptions were changed to help the more vulnerable members of the community. F. Gillespie believes they tried to include all the exemptions when it passed last time, but is not sure if there have been any legislative changes since 2003.

Would like to know what other towns' experience has been going from 1 percent to 3 percent. K. Cook thinks it would be easy to get this information. Although easy, there is not enough time to get this information and educate people on this. Not enough time to get this ready for Spring town meeting. K. Cook thinks they should wait until a special Fall Town Meeting.

B. Smith mentioned that every year the CPC reaches out to every department in Town asking what projects are coming down the road. He would like to know what projects K. Cook was alluding to earlier.

K. Cook mentioned there are two big projects that may have a CPC component.

- Near School – Could be a big project
- A Separate Community Center - An ad-hoc committee has been formed to investigate this. It will be focused on recreation.

Other potential projects are:

- Choate Field
- South Union if it becomes affordable housing.

B. Smith mentioned that there are limitations to CPC funding. He would like to make sure if we are asking for to increase funds that there are projects that can use CPC funds.

- K. Cook mentioned the potential for a 40B project at Park Central or perhaps the Town could decide to buy the property and turn it into a park. This isn't on the table right now but K. Cook wanted to mention it.
- Dog park in front of Neary.

Covid has raised the prices on houses but lowered the prices on businesses. K. Cook expects there to be a 5% to 6% increase on residential tax bills this year. She hopes this will be the last year of this increase and that prices have stabilized. She's not sure if this would be the right time to bring this up even at a special Town Meeting but thinks it's important to talk about an increase to 3 percent.

A Phaneuf added that they were hoping a 3 percent increase could go toward the Algonquin project. Agrees you need a big project to support asking for an increase. It is possible they may push the Algonquin project off for a year.

Question if there are enough CPC fundable items in the Algonquin project. Items such as stadium seating cannot use CPA funds. The CPA has a tight definition for what constitutes recreation. A. Phaneuf believes that \$6 million of the \$7 million are fundable. F. Gillespie is not familiar that there is \$6 million that is fundable and that it is up to the CPC to look at it carefully. She has not reviewed with Becky or the coalition and come up with \$6 million. This has not been vetted through the CPC. It is not black and white. Every town interprets differently. K. LaVault added that more research needs to be done and does not think there is enough time to have this at the Spring town meeting.

K. Cook doesn't think there is a lot of support to put off Algonquin for a year. There is a large group who would like to see it pass at this Spring town meeting so they can start the work over the summer and late fall. A. Phaneuf would personally like to push it off for a year and get the CPA increase to pay for the whole thing with a state match. Plus, construction costs are coming down. Bid time to start in July would be cutting it too close. From a fiscal point it would make more sense to push this off for a year.

A Mills said it sounds as if there is some interest in raising the CPA surcharge to 3 percent. Given that there are some projects coming down it could benefit the town fiscally. He believes it would be best to educate people at the Spring town meeting.

A Mills asked for a straw vote from the CPC members if they would support an article to go to 3 percent.

Benjamin Smith - Tentatively supports. Concerned if rush it and fail there is always the danger it would be hard to come back and ask again to get it approved. Important to get it right the first time.

Kristin LaVault – Agrees with Ben. Need it done well. Need to know the capital plan to stand behind the 3 percent increase. What are the savings we get through increasing it? Need to educate people prior to town meeting. There are social media avenues through which to educate people.

Mark Murphy – Not philosophically opposed to it. Would love to see if the exemptions could be changed. If they have never been change then it is time for the legislation to make changes. Not opposed to it and will keep an open mind and give it more thought. He would also like to hear from the real estate development companies. He'd like to know how much they would push back and their reasons for doing so.

Anne Pfaff - She supports it. She thinks it would be rushing it to put it on the ballot for next month's town meeting. She'd like to know what happens if the Algonquin project doesn't pass at next month's town meeting, then what happens? K. Cook explained that they are only approving the debt, not the project. Both towns have to approve the Algonquin project or it won't go forward. A. Pfaff is a little skeptical that town meeting would approve the debt without the CPC supporting it. She is in favor of using as much CPC monies as possible.

David Joyner – In support of the increase. The concept of leveraging additional state funding is compelling and the ability to do more work. Time is needed to make sure this is presented well so that it has a higher chance of succeeding.

A Mills will continue to discuss this with K. Cook and A. Phaneuf to see how to proceed.

### **Chairman's Report**

- Next meeting was moved to February 28, 2023
- Project for the Golf Course to tie in to the Southborough water supply. Installation of sprinklers down the fairways. Possible it will be put on the special Fall Town Meeting. Need to see if CPC funds can be used for this. F. Gillespie pointed out that the land was not purchased with CPC funds. The CPC funds were used for a conservation restriction endowment. Will need to look at what is in the CR. Irrigation was included, but need to see how it complies with what is in the CR.

**Business of the CPC**

- Minutes

*Motion by Benjamin Smith and seconded by David Joyner to approve the January 12, 2023 meeting minutes as written.*

*Discussion: None*

*Vote: Mark Murphy – Abstained, Benjamin Smith – Yes, Anne Pfaff – Yes, Kristin LaVault – Yes, David Joyner – Yes, Andrew Mills – Yes*

*Motion Approved: 5 yeas, 1 abstention*

*Motion by David Joyner and seconded by Benjamin Smith to approve the December 22, 2023 meeting minutes as written.*

*Discussion: None*

*Vote: David Joyner – Yes, Kristin LaVault – Yes, Anne Pfaff – Abstained, Benjamin Smith – Yes, Mark Murphy – Yes, Andrew Mills Yes*

*Motion Approved: 5 yeas, 1 abstention*

- Next Meeting Dates

Tuesday, February 28, 2023

**Adjournment**

*Motion by David Joyner and seconded by Benjamin Smith to adjourn.*

*Discussion: None*

*Vote: Benjamin Smith – Yes, Mark Murphy – Yes, Anne Pfaff – Yes, Kristin LaVault – Yes, David Joyner – Yes, Andrew Mills – Yes*

*Motion Approved Unanimously*

8:40 PM Meeting Adjourned