

**Community Preservation Committee**  
**Tuesday, May 5, 2009**  
**Estabrook Hall**  
**6:30 pm**

**Present:** Betsey Weiss, Chair; Marilyn Fenollosa, Vice Chair; Joel Adler, Norman Cohen, Jeanne Krieger, Wendy Manz, Leo McSweeney, Nathalie Rice, Admin. Asst.; Sandra Shaw, and Dick Wolk.

Ms. Weiss called the meeting to order at 6:40 pm. Mr. Wolk left the meeting at 9:20.

The purpose of the meeting was to discuss the acquisition of the Busa property, and the possible methods of financing. Mr. Valente made a presentation regarding the purchase of the property Ms. Simmons discussed possible recreation opportunities for the land, and Mr. Addelson, Assistant Town Manager for Finance, was in attendance to discuss financing. Members of the Capital Expenditures Committee (CEC) and members of the Appropriation Committee (AC) were also in attendance.

The meeting was followed by a Public Information Session on the acquisition, but many members of the public arrived early and attended the CPC meeting as well. There were approximately 30-40 members of the neighborhood and Town Meeting Members in attendance.

- 1. The Busa Property** – Mr. Valente commenced the meeting with a PowerPoint presentation about the Busa land. He discussed its location, acreage, the purpose of the acquisition, described neighboring parcels of interest, and informed the Committee that the negotiated price for the land was 4.1 million. The appraisal had come in at 4.4 million for the 7.93-acre parcel. Mr. Valente explained that the possible uses for the property included recreation, housing, community gardens, and “other” uses. He specifically noted that the latter category had been added because of neighborhood input. He showed a concept plan for the land, which highlighted a full soccer field, two lots devoted to housing, and associated parking for the recreational use. Mr. Valente noted that new recreational fields had not been constructed in Town in many years, and pointed out that the Town had in fact lost soccer fields when the new Harrington School was built. He stressed, however, that the concept plan was only one of many possibilities.

Mr. Valente explained that the request for funding to the CPC was for a total of \$4,197,000. This included requests for the land itself (\$4,100,000), a master plan (\$25,000), survey work (\$25,000), legal work (\$35,000) and a site assessment under Massachusetts General Laws, Chapter 21E (“Massachusetts Oil and Hazardous Material Release Prevention Act”) (\$12,000). He said the Letter of Intent had been signed by the Busas, making

it possible to bring the proposal for the acquisition of the land to the Special Town Meeting the following night.

Ms. Karen Simmons, Director of Recreation, then explained the Recreation Department's need for fields, some of which might be met with the purchase of the Busa land. Ms. Simmons noted that the demand for recreational fields in Town had "exploded" due to the fact that so many sports were now available in three seasons (specifically soccer, lacrosse and Ultimate Frisbee). She explained that in 1995, approximately 1,800 children in Town played soccer, while in 2008, this number had increased to 2,500. She said there are now approximately 300 boys and girls in the lacrosse program and 1,500 players in the baseball and softball programs, all of whom are limited by field availability. In 1998, the Recreation Department scheduled 30,000 hours of field time for various athletic games and practices, a figure that jumped to nearly 50,000 in 2008.

Ms. Simmons noted that despite the increase in demand, there has been no concurrent increase in the availability of recreational fields. In fact, the Town lost fields (two-full size soccer fields and one ¾-size soccer field) when the Harrington School was constructed. She added that the high school presently has a demand for several sports; football, baseball, softball, lacrosse, field hockey, soccer and Ultimate Frisbee, all of which vie for space. To make matters more difficult, several of the existing fields are poorly drained, which makes the field availability very limited in the spring. There is also little opportunity to rotate fields or to rest those which might need standard maintenance and/or require additional drainage work.

Ms. Simmons raised the question of Lincoln Park, which she reminded those present, was a reconstruction of existing playing fields, not an addition of new fields to the inventory. She also brought up the Hennessey field. She noted that the Selectmen's Hennessey Use Ad Hoc Committee determined that there was a recreational need for more fields, but determined Hennessey was not the most appropriate location.

The meeting then turned to questions from the CPC. In response to a question from the Committee, Mr. Valente explained that the Town would lease the land to the Busa family, who would continue to farm it for up to a period of three years. This would allow the Town to conduct the proper planning needed to determine its use. Mr. Adler asked about hazardous wastes on the site to which Mr. Valente said that the Town would be conducting inspections on the site to ensure compliance with Chapter 21E, and that the Busa family would be responsible for any cleanup if hazardous materials were found.

The question of a roll-back of the reduced real estate tax arose since the Busa farm is presently under an Agricultural Preservation Restriction (APR). Mr.

Valente reported that if the Town purchases the property, he anticipates minimal taxes, if any. Ms. Shaw asked if the roll-back taxes were included in the appraisal, to which Mr. Valente responded that they were not.

Ms. Manz then moved for a vote to acquire the Busa property for the purchase price of \$4,197,000. The CPC voted to approve the purchase by a 9-0 vote.

Discussion then turned to financing the Busa acquisition, and specifically whether to bond the purchase. Mr. Addelson gave a brief update on the options before the CPC, and suggested the CPC come up with a policy regarding bonding vs. cash for their large projects. There was a lengthy discussion about the various options for financing, with a short-term bond or bond anticipation note (BAN) being one option. A BAN would be issued for one year, giving the CPC an opportunity to evaluate FY 2011 projects, and to assess whether it should consider a longer-term bond. Charles Lamb, Chairman of the CEC, stated that the CEC was generally supportive of the purchase but that the Committee had not met formally to take a vote on the acquisition or financing. Due to the short time frame and the public meeting requirements, the CEC would not meet until twenty minutes before Special Town Meeting the following night. He urged Mr. Valente and the Selectmen in attendance to consider postponing Special Town Meeting until the following week.

Mr. Levine, Chairman of the Appropriation Committee reported that his Committee was in a similar position. He said there had been little information reaching the Committee, and they too, were not scheduled to vote on the acquisition until the following night. He said he would prefer the CPC not specify the use of the land, for he believed the elementary school population was dwindling and he preferred to assess the need for recreation fields in three years once the land was available for Town use. He said the AC had discussed the question of cash vs. debt, and reported that the Committee was open to borrowing if the term of the bond was in the 5-7 year range. He reported, however, that one member objected to any bonding whatsoever.

There was a final question about the impact of the purchase of the parcel owned by the Goldingers, abutters to the Busa Farm. Ms. Fenollosa asked about the cost of the parcel, in light of the discussion of bonding vs. cash. Mr. Kelley responded that it was landlocked, and therefore not of high value.

The CPC meeting was adjourned at 7:25 pm. The Public Information Session followed at 7:30 pm.

After the Public Information Session, at 9:20 pm, Ms. Weiss reconvened the CPC for further discussion of financing. The issue of financing had not been fully discussed in the earlier meeting.

Mr. Lamb, Chair of the CEC opened the discussion, stating that he felt some bonding of the Busa property made sense. He felt a short term bond anticipation note (a BAN) at interest only would be a good idea, perhaps with a due date in February. By that date, he surmised, the finance committees and the CPC would have time to meet, formalize CPC policies, and decide on bonding or cash payment for the acquisition. The question arose whether the Town would have to vote for the continued bonding each year at Town Meeting. Mr. Valente said the payment would come up year to year as a matter of standard Town finances. Questioned what would happen if the CPA were repealed or if the Town voted not to pay the bond, Mr. Valente said the Town would have the obligation to pay the bond.

There was a general discussion of short term bonding in light of anticipated annual income of approximately 4 million dollars from the CPA surcharge and State Match.

Ms. Krieger made a motion that the method of payment for the Busa property be bonding, and that in February or when the bond becomes due, that the CPC and financial committees re-examine the climate for funding and decide accordingly. The motion passed with a vote of 7-1, with the dissenting vote being Mr. McSweeney.

There was further discussion of the financing and the need for flexibility in determining the length of the short term bond. Ms. Krieger subsequently refined her motion to state that, “the method of funding be bonding, and that at the appropriate time, the decision to pay off the debt or bond the payment be decided upon in a process that involved the Board of Selectmen, the Appropriation Committee, the Capital Expenditures Committee, and the CPC.” A vote was taken on this new motion, and passed 7-1, with Mr. McSweeney again being the dissenting vote.

The CPC meeting was adjourned at 9:45 pm.

Respectfully submitted,

Nathalie Rice,  
Administrative Assistant  
Community Preservation Committee