

FINANCE COMMITTEE MINUTES

Meeting Date: 24 April, 2008

CALL TO ORDER

The Meeting was called to order at 7:00 P.M. in First Floor Meeting Room. Town Hall. Morton chaired the meeting.

COMMITTEE MEMBERS IN ATTENDANCE

Brian Morton (Chair), Marilyn Blaustein, Alice Carlozzi, Doug Slaughter, Andrew Steinberg.,

OTHERS PRESENT

John Musante (Assistant Town Manager/Finance Director), Sonia Aldrich (Comptroller), Denise Barberet (Planning Board, Community Preservation Act Committee), Louis Greenbaum (Historical Commission, Community Preservation Act Committee), Roy Rosenblatt (Community Development) Jonathan Tucker (Planning Director), Walter Wolnik

COMMITTEE AGENDA

1. CPA Articles
 - a. Article 18 - Affordable Housing
 - b. Article 19 - Affordable Housing
 - c. Article 20 – Historic Preservation
 - d. Article 21 – Open Space
 - e. Article 22 – Kimball House
 - f. Article 23 – Administrative and Reserve Fund
 - g. Article 24 – CPA Ballot Question
2. Zoning Articles – Planning Board
 - a. Article 25 – Density Calculations
 - b. Article 26 – 500 – 502 Sunderland Road
 - c. Article 27 – Municipal Parking District
 - d. Article 28 – Design Review Districts
 - e. Article 31 – Inclusionary Zoning
3. Article 40 - Nuisance House
4. Article 44 - Eveningstar Drive - Revote
5. Article 8 - FY 08 Budget Amendments
6. Votes on Articles Previously Heard
 - a. Articles 29, 30, 32 - Zoning - O'Connor
 - b. Article 36 - Free Cash – Gawle
 - c. Article 46 – Right to Farm
7. Remaining Speaking and Writing Assignments
8. Member Reports
9. Minutes
10. Next Meeting and Agenda
11. Miscellaneous

COMMITTEE ACTION

Carlozzi moved to support dismissal of Article 44. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Steinberg moved to postpone committee action on Article 8 until May 19, 2008. The Motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 1 member absent.

Carlozzi moved to take no position on Article 46. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Slaughter moved to refer Article 36 to the Finance Committee. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Slaughter moved to support referral of Article 29 to the Planning Board. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Blaustein moved to support dismissal of Article 30. The Motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 1 member absent.

Blaustein moved to support referral of Article 32 to the Planning Board. The Motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 1 member absent.

Steinberg moved to recommend Article 18. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Steinberg moved to recommend Article 19. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Carlozzi moved to recommend Article 20, Part A. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Carlozzi moved to recommend Article 21, Parts A, B, and C. The Motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 1 member absent.

Slaughter moved to not recommend Article 21, Part D. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Slaughter moved to recommend Article 22. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Carlozzi moved to recommend Article 23, Part A, and dismissal of Article 23, Part B. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Blaustein moved to not recommend Article 24. The Motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 1 member absent.

Blaustein moved to take no position on Article 25. The Motion was seconded by Carlozzi and passed with 5 in favor, 0 opposed, 1 member absent.

Slaughter moved to take no position on Article 26. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Slaughter moved to recommend Articles 27 and 28. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

Blaustein moved to recommend Article 31, Motions I, II and IV, and to recommend referral of Motion III to the Planning Board and Disability Access Advisory Committee. The Motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 1 member absent.

Carlozzi moved to recommend dismissal of Article 2. The Motion was seconded by Blaustein and passed with 5 in favor, 0 opposed, 1 member absent.

DISCUSSION

Rosenblatt presented information on Spring Town Meeting warrant Articles 18 and 19. Article 18 will amend the terms of an affordable housing initiative established by the 2007 annual Town Meeting that uses Community Preservation Act and Community Development Block Grant funds to assist low and moderate income first-time buyers. The revised program will authorize the use of these funds for purchase price buy-down assistance. Town Counsel advised that the original program would assist individuals and that the funds must be used to create affordable housing. The Town would acquire an affordable housing restriction in exchange for providing the assistance. Rosenblatt did not believe that the redesigned program will be less expensive to administer, though it might have that affect at the beginning.

Article 19, in two parts, will appropriate current Community Preservation Act funds for affordable housing purposes as recommended by Housing Partnership/Fair Housing Committee and approved by the Community Preservation Act Committee (CPAC). The first part will provide \$150,000 the cost to obtain a comprehensive permit to construct housing on Olympia Drive that will provide a minimum of 25% of the units for households with incomes below 80% of median income, in accordance with M.G. L. Chapter 40B. Rosenblatt confirmed that the permitting expense will be in the cost range of \$150,000 by consulting others who have overseen similar projects. If the amount exceeds \$150,000, the developer will be asked to bear the addition cost. The second part of the request is for \$30,000 for Habitat for Humanity to be used for infrastructure and materials to construct an affordable house on land donated by Amherst College, on Stanley Street.

Louis Greenbaum, Denise Barberet and Jonathan Tucker explained the proposals for Historic Preservation initiatives proposed by the Historic Commission and supported, with dissenting votes, by CPAC. The proposals include \$8,800 for expenses to preserve the historic carriage house that is part of the Woman's Club property, an historic mansion; \$20,000 for conserving and restoring important historic documents at the Clerk's office and the Special Collections Division of the Jones Library; \$25,600 to continue the fulfillment of prior commitments related

to the preservation of the Kimball House on North East Street; and debt service from the Town Hall restoration.

Most of the discussion was about a proposal designated as Article 20, Motion B, to allocate \$200,000 for the acquisition of two lots that will preserve the view from Main Street to the Hills Mansion, and the historic district that is developing in that area. There were two votes in CPAC, the second supporting the motion 4-2 with 1 abstention and 1 absence. Barberet voted against the proposal and explained the minority position. The proposal is to acquire two of five frontage lots that have been created on Main and Gray Streets, and depends in part on Amherst obtaining a state grant. Both Main Street lots are needed to preserve the open view of the Hills Mansion. If the grant is obtained, only \$120,000 will be needed to obtain the two lots which are priced by the seller at \$200,000 for each one. If the grant is not obtained, the \$200,000 will be used to purchase one lot. The minority on CPAC is concerned about the pressure placed on the Committee by the speed with which the proposal was presented, the manner in which the price was determined, and whether the goal of an open view of the Hills Mansion is really preserved with houses having been moved to the other lots. Tucker explained that the Town is obtaining an appraisal and the seller is willing to adhere to the \$200,000 price if the appraisal is higher. The town cannot pay more than the appraised value. There were questions from the committee about the cost to maintain the land as a park and the taxes that would be collected on the properties if it remained in private ownership. Tucker explained that the maintenance cost would be minimal, mostly mowing.

The committee and staff explained the open space proposals in Article 21 including allocation of funds for appraisals and surveys (Motions A and B), funds to purchase an APR to protect land that is part of the Lawrence Swamp aquifer (Motion C), and funds to appraise property on South East Street. This last proposal, which will be Motion D, is for the property that is referenced in Motion E, which will be dismissed because there is not a willing seller. CPAC supported motion D by a 3-2 vote and rejected a proposal to dismiss the motion on a tie vote, 4-4.

Aldrich explained the proposal that is Article 22, which allocates \$50,000 to fulfill commitments to the Commonwealth connected to the release of land from APR in order to complete all agreements needed to preserve the Kimball House on North East Street.

The Committee discussed Article 24, which is a Select Board article to authorize placement of a proposal on the November election ballot to increase the percentage tax surcharge for Community Preservation funds from 1½% to 3%. Musante reported on the Select Board discussion, which was not unanimous because one member was concerned about the timing and the priority for any increase in taxes. Carlozzi offered that this is not the time to present this proposal since the long-term financial planning process has just begun. She pointed out that many necessary services cannot be funded from the CPA. Steinberg expressed his agreement with Carlozzi.

Tucker explained Planning Board Article 26 and Articles 25, 27 and 28. These proposals will make technical changes to existing zoning By-Laws, and do not establish complex new policies.

Article 26, would establish a village center in an area on Sunderland Road. It was referred back to the Planning Board at the fall Town Meeting. Tucker and Barberet explained the pros and cons.

Article 25 is needed to clarify the methods of calculating density. Articles 27 and 28 are needed to assure that zoning in areas of Town Center are uniform and on a zoning map, as required by state law. These motions will not change existing policy, but they will enable us to continue to implement current policy and adhere to legal requirements. Morton said that he might support those changes as necessary "housekeeping."

Tucker then explained petition Articles 29, 30, and 32, and Planning Board Article 31, which is linked to Article 30. The Committee had postponed this discussion until later in the meeting to allow the petitioner to attend. The Planning board voted to ask Town Meeting to refer Article 29, to discourage and limit construction on steep slopes, back to the Planning Board for further consideration. Articles 30 and 31 pertain to inclusionary zoning and address important matters pertaining to the requirements of a minimum percentage of low-income affordability in mandated inclusionary housing units, handicapped accessibility, and required recreation facilities. With the exception of the provisions relating to handicapped access, these changes are ready for adoption and assure that the Bylaw addresses our needs. Article 30 will be dismissed with the Petitioner's agreement. Article 31 will be presented as four separate motions, which Tucker explained to the committee. Article 32 will be referred back to the Planning Board by agreement.

Votes were taken on motions that were presented and previously discussed.

Musante explained that a decision regarding Article 8, the FY2008 budget amendments, should be postponed so that more current information is available. He explained the current projections. Steinberg stated that Article 36, the petition article to transfer funds to the Stabilization Fund should be dismissed or referred to the Finance Committee for consideration at a future Town Meeting, after the long-term financial planning process is complete. Carlozzi agreed.

Steinberg asked whether the Committee should consider the divided vote on Article 20, Part B. Carlozzi queried whether the Town would end up spending \$200,000 to acquire one lot and a limited view of the Hills Mansion, if the grant is not received. Alternatively, she asked if the Town Meeting could vote to authorize \$120,000, the amount needed to acquire both lots with the grant. Due to these questions, action was postponed until a subsequent meeting.

Musante reported that the Library Trustees planned to meet on April 25 to discuss Article 9. Plans were made by the Finance Committee for writing and publishing a supplemental report to Town Meeting. Steinberg reported on the scheduling of a first meeting for the Community Choices Facilitation Committee.

The meeting adjourned at 11:00 P.M.

Respectfully submitted,
Andrew Steinberg, Acting Clerk