

**Community Preservation Act Committee (CPAC)  
Meeting Minutes  
Thursday, March 28, 2013**

The meeting was called to order at 7:05 pm by Peter Jessop, Chair, in the Community Room at the Police Department.

**COMMITTEE MEMBERS IN ATTENDANCE:** Sandy Anderson, Marilyn Blaustein, Paris Boice, Peter Jessop, Chair; Ellen Kosmer, Jim Oldham, Mary Streeter, Vice Chair; Stan Ziomek

**COMMITTEE MEMBERS ABSENT:**

**STAFF / OTHERS IN ATTENDANCE:** Sonia Aldrich; Staff liaison, Diana Stein; Select Board liaison, David Ziomek; Assistant Town Manager, Connie Kruger; Amherst Housing Authority (AHA), Laura Quinn; AHA, Francine Rodriguez; Family Outreach of Amherst (FOA), Vince O'Connor, Bonnie McCracken, Greg Stutsman; Housing and Sheltering Committee, North Amherst community members, members of the public

**AGENDA**

- Discuss Amherst Housing Authority Project
- Review and finalize Town Meeting report
- Review Warrant Article and assign speakers and movers
- Discussion of grant agreements and timelines
- Approve any minutes
- Topics the Chair did not reasonably anticipate 48 hours before the meeting

**DISCUSSION**

**Topics the Chair did not reasonably anticipate 48 hours before the meeting**

Moved to the top of the agenda to accommodate members of the public who were present for a new request. Before listening to the presentation on the new request for CPA funds, the chair explained the CPAC process to members of the public and various committee members who came to support the new request.

Connie Kruger, from the Amherst Housing Authority, AHA, spoke about the new request for \$15,000 to create an Amherst Renters Emergency Fund, AREF. She explained that the AHA has had the idea for the AREF on their radar for quite a while, but with the recent events at Echo Village it became clear that this fund was needed immediately. She said that the AHA considers this a community emergency funding request and knows that filing a request this late in the CPAC process is unusual. She explained that Family Outreach of Amherst, FOA, will operate the fund, that they will be the ones to determine eligibility and the ones who disperse funds.

Laura Quinn, also from AHA, discussed how they were going to fundraise for additional funds. She explained that the \$15,000 in CPA funds would be seed money.

**Discussion on new AHA request for \$15,000 for Amherst Renters Emergency Fund, AREF**

Marilyn asked if this was an appropriate use of funds?

Mary responded that it was and cited information received from Stuart Saginor.

Jim asked how the AHA is looking into this?/ What role may the Housing Authority have had in creating this situation? /How did this happen?

Connie Kruger explained that she was not prepared to answer, and that others at AHA, who would be better suited to answer this question, wanted to be present at this meeting but could not because of extenuating circumstances.

Peter stated that in the request it refers to a sustainable fund, and he wanted to know how this might be achieved.

Connie Kruger explained that there has been some discussion of how to distribute funds, but as of now it will be a grant.

Stan asked the committee if we have ever used funds for this purpose.

Peter explained that no, we haven't. He said it's clearly an appropriate use, but we would have to convince Town Meeting that it is a good use.

Connie Kruger added that due to recent changes to CPA legislation this use is now appropriate.

Marilyn asked if \$15,000 is all that is needed.

Laura Quinn answered, saying no, the actual fund would be more like \$50,000.

Mary said this might be a tough sell if people at Town Meeting thought some of the funding was going to help families secure affordable housing in other towns. Mary asked if we could be certain that the funds contributed by CPA could be used just for families relocating in Amherst.

Laura Quinn clearly stated that the priority is to fund the families with school-aged children in Amherst, so that they could stay in the school system.

Jim said it was his understanding that this money is being used in the near future to assist Echo Village renters, but asked if other renters would use it in the future.

Francine Rodriguez from FOA introduced herself and discussed the issues that families have in getting first and last months rent and a security deposit. She said that she hopes that in creating this fund that others in Amherst will donate to assist these families. She also said that the renters in this case want to stay in Amherst, but the issue is finding affordable housing.

Sandy asked if this was a one-time request.

Connie Kruger said, not necessarily, but CPA will not be the only source.

Marilyn asked if renters [at Echo Village] have any last month or security deposit coming back to them.

Francine Rodriguez explained that no, the previous owner did not require it.

Mary stated that there are currently a lot of citizens concerned about student housing. She suggested approaching landlords in town to discuss housing families instead of students.

Stan asked, if the situation is so dire, why not appeal directly to Town Meeting?

Peter explained that Town Meeting has outsourced to social service agencies.

A member of the public spoke to this issue and stated that Echo Village renters were getting together to appeal directly to Town Meeting.

Vince O'Connor spoke in support of funding this application.

Bonnie McCracken asked if there were another opportunity to present information on this application, or if CPAC needed more information.

Peter explained that this was really the only time to present to the CPA due to timing and that there seemed to be enough information to make a decision.

Greg Stutsman, co-chair of the Housing and Sheltering Committee, spoke in favor of this project and said that although the Housing and Sheltering Committee did not have the opportunity to vote on the proposal due to timing, that he was strongly in favor, as were other members of the committee.

David Ziomek said that from a staff standpoint, they look favorably on this proposal and he said he would be bringing up the issues brought up at this meeting with Town Manager John Musante.

Jim said that he thinks the situation at Echo Village is a human crisis created by an individual in our town. He said that he supports this request. He also stated that he recommend that CPAC schedule another meeting to allow another potential request to come forward regarding buying the Echo Village property. Peter stated that if that were to happen, we would have to reconsider all proposals from this round of funding.

Mary was in agreement with Jim and stated that she didn't think we should be the committee to shut the door on this potential proposal for buying the property. She said we should schedule a meeting if there is a package put together.

Sandy reminded the committee that we have had proposals come to us in the Fall, but in those instances we had remaining funds available.

Stan made the point that if the Survival Center can raise 2 million in a couple of years, this group should be able to get the necessary funds.

Marilyn brought the group back into focus, reminding CPAC that the immediate need was just \$15,000. She stated that securing property is a lot of money and we would need a lot more information to consider a proposal of that size.

#### **MOTION**

Sandy Anderson made a motion to recommend to Town Meeting to allocate \$15,000 for this proposal from the AHA and FOA. Mary Streeter seconded the motion.

One additional question was brought up at this time. Would all of the funding be tied to families in Amherst? The chair answered by stating that it will be up to the proponents of the proposal to make that argument at Town Meeting.

Voted unanimously. 8-0. Sandy Anderson, Marilyn Blaustein, Paris Boice, Peter Jessop, Ellen Kosmer, Jim Oldham, Mary Streeter, and Stan Ziomek voted in favor.

#### **Discussion on Amherst Housing Authority Project**

Based on information from Town Counsel it was found that this proposal meets the requirements for CPA funding.

#### **MOTION**

Ellen Kosmer moved to recommend to Town Meeting to allocate \$110,000, to be bonded, for improvements at Ann Whalen apartments. Paris Boice seconded the motion.

Further discussion was made at this time regarding the requirements for CPA funding.

Jim said that there are two different legal opinions about this allocation of funding, one from the Mass. Department of Revenue and one from Town Counsel, and he wants to stay within the rules of CPA funding.

Mary discussed the handouts she provided on use of CPA funds for the purposes stated in the AHA proposal. She was worried that this use of CPA funds would tie up funds and that we may not have available funding for new units of affordable housing to be built.

Connie Kruger explained how the degradation of the Ann Whalen apartments was critical. She agreed that the CPA literature on this use of funds was confusing, but she spoke in support of using CPA funds for these much-needed improvements.

Diana Stein referred to Town Counsel's letter to the CPAC and David Ziomek explained that Town Counsel was extremely confident that this was an allowable expense. He said that if Shirin Everett were here in person to have a discussion it would be clearer to the CPAC.

Jim asked if we could ask Shirin Everett, Town Counsel, to address the arguments in the DOR opinion.

Diana Stein thought it might be helpful to have Town Counsel to clarify because there are two members who question if Town Counsel's finding on the use of funds is legitimate.

Voted 6-2 in favor of the motion.

Sandy Anderson, Marilyn Blaustein, Paris Boice, Peter Jessop, Ellen Kosmer, and Stan Ziomek voted in favor.

Jim Oldham and Mary Streeter opposed the motion.

### **Review and finalize Town Meeting report**

Give edits to Sonia via email as soon as possible.

Add AHA proposal for bonding \$110,000 for Ann Whalen apartment improvements, and for allocating \$15,000 for Amherst Renters Emergency Fund.

As a side note, if we were the only entity to bond, it would cost us an additional \$60,000.

### **North Amherst Group**

A group of residents from the Cushman area of North Amherst came before the CPAC to express their concern about the potential development of 154 acres of land in North Amherst. They brought up the conservation values, the history of North Amherst, and the many recreation opportunities. They wanted to come speak before the CPAC to alert us of a potential application for future CPA funds.

Peter Jessop left the meeting at 8:41 in order to present a report about CPA projects to the finance committee.

Stan Ziomek left the meeting at 8:42

### **Review Warrant Article and assign speakers and movers**

Marilyn will move articles A & D

Mary will move articles B & C

Peter will give an overview.

Individual speakers for each project:

Affordable Housing- Peter

Open Space- Paris

South East St. Property- Mary

Admin- Mary

Recreation-

Historic-

### **Approve Minutes**

#### **MOTION**

Paris Boice made a motion to approve the minutes of February 28, 2013. Marilyn Blaustein seconded.

Voted 6-0 in favor of the motion.

Sandy Anderson, Marilyn Blaustein, Paris Boice, Ellen Kosmer, Jim Oldham, and Mary Streeter voted in favor. Peter Jessop and Stan Ziomek were absent.

**MOTION**

Ellen Kosmer made a motion to approve the minutes of February 7, 2013. Marilyn Blaustein seconded. Voted 5-0 in favor of the motion.

Marilyn Blaustein, Paris Boice, Ellen Kosmer, Jim Oldham, and Mary Streeter voted in favor. Peter Jessop and Stan Ziomek were absent. Sandy Anderson abstained.

**Discussion of grant agreements and timelines**

Ellen and Mary looked at other towns' draft grant agreements and presented a version that they created.

The grant agreement they produced is intended to address projects going forward, but not past projects.

Sonia and Sandy both thought that we should put this information into the proposal application. And Sonia thought we should create a document on policies and procedures.

Sonia said that there are grant agreements already within the individual departments, so Ellen and Mary will meet with various town staff to see which agreements already exist.

The committee thought another meeting would be necessary to discuss these grant agreements.

**ADJOURNMENT**

A motion was made by Paris Boice and seconded to adjourn at 9:37pm. Voted unanimously.

**NEXT MEETING**

Our next meeting will be April 18, 2013 at 7:00 pm in the Community Room at the Police Station.

**DOCUMENTS DISTRIBUTED**

CPAC Draft Report to Annual Town Meeting

Letter from Shirin Everett; RE: Amherst Housing Issue

Letter from Sandy Pooler regarding borrowing for Housing Authority related projects

Draft CPA Grant Agreement

CPAC Public Hearing and Meeting Minutes, February 28, 2013

CPAC Meeting Minutes, February 7, 2013

Family Outreach of Amherst and Amherst Housing Authority CPAC Proposal Request Form

Respectfully submitted by Paris Boice, acting clerk

Approved May 29, 2013