



Community Preservation Committee

Regular

~ Minutes ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Kevin Chaffee

Tuesday, October 5, 2021

6:00 PM

Utilizing Remote Collaboration Technology

I. Call to Order

6:00 PM Meeting called to order on October 5, 2021 at Utilizing Remote Collaboration Technology, (Online), Springfield, MA.

Attendee Name	Title	Status	Arrived
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II. Public Portion

III. Minutes.

Springfield Community Preservation Committee

Remote Meeting Agenda

October 5, 2021 at 6:08 pm

ANNUAL PUBLIC HEARING

This meeting was recorded and available for viewing on Facebook.com/ Springfield Community Preservation. Focus Springfield will be broadcasting on Channel 17 with the Comcast Network until October thirty first. The schedule is available on your channel lineup or the Focus Springfield web site.

Present:

Our chair is Robert McCarroll of the Springfield Preservation Trust, David Finn - (Historical Commission) - Gloria DeFillipo - (Planning Board) - (Juanita Martinez - (Conservation Commission) - Clinton Harris - (Park Board) - Willie Thomas - (Housing Authority) Ralph Slate - (Neighborhood Representative) - Lamar Cook (Neighborhood Representative) - Rhonda Sherrill -(Neighborhood Representative)

Karen opened the hearing by reading the Open Meeting Law requirement as it relates to the Springfield Community Preservation Committee and the COVID-19 pandemic.

The SCPC will continue to meet remotely until further notice. Meetings are generally at 6:00 p.m. on the first Tuesday of the month. The meetings and agendas for all meetings are available on the Meeting Portal of the City Website.

Comments tonight will be limited to five minutes. Anyone who has registered and would like to make a comment and we don't call your name don't hesitate to send me a message. If you would like to have your comment read into the record rather than speaking yourself, let me know.

Public Comments will be open until October 31st, 2021.

The presentation began with a slide show that is available to the public. Send an email to cpc@springfieldcityhall.com <<mailto:cpc@springfieldcityhall.com>> and request a copy be sent to you.

Outline of slide show.

The function of the Community Preservation Committee Act.

It is CPA legislation in Massachusetts passed it in the year 2000 and it enables communities in Massachusetts to raise funds and create the local dedicated fund to preserve Open Space, Preserve Historic Sites and Resources - Create Community Housing - Develop Outdoor Recreation Facilities. Springfield voters adopted CPA in November in 2016, and the valid initiative passed sixty three of sixty four precincts. As of May 2021 there are one hundred and eighty seven in Massachusetts cities and towns that have been adopted by CPA.

The committee will then set the 2022 timeline and adopt the revised plan. That will be done in December. Then prepare the final plan for the Committee's approval. The Committee will then

set the 2022 timeline and adopt the revised plan. That will be in December. Application materials will be available sometime in the winter and they will be due in April. Information will be on the Community Preservation page, the Facebook page as well as the City website. The project recommendations will be sent to the City Council. At this time I will let Robert take over.

Robert began by stating that the CPA has wonderful resources for the City of Springfield. However, CPA can't do everything. The state law restricts us to being used for Open Space, Recreational uses, Historic Resources and Housing. In those areas we can acquire, create, preserve, support and rehabilitate with some caveats that you can see up there. If you are here to complain about pot holes, want more police officers on the street CPA can't help you with these four areas.

Under Open Space: We can acquire, create, and preserve. We can rehabilitate or restore open space that was already required or created with CPA funds. The state law that governs CPA that they have very specific definitions: Land Protection of Scenic Vistas, Land for Wildlife or Nature Preserve, National Recreational Use, Agricultural Use, Aqua Firs Recharge Areas, Water Shed Land, Land to Protect Vistas and future Well Fields, Salt Water Marshes and Other Wetlands, Ocean, River, Stream, Lake and Pond Frontage, Beaches and Dunes and other coastal areas. This is sort of what the state has in mind when it uses in the term of law of open space.

Outdoor Recreation: Either it is active or passive recreation and can be used for things such as Trails, non- commercial and use of adult Sports, Parks, Playgrounds and Athletic Fields. It cannot be used for Maintenance, Stadiums or Gyms as well as Artificial Turf. It is basically for outdoor resources. We can help build a soccer field but we can rehabilitate a deteriorated soccer field however we cannot mow the soccer field, we cannot provide the staff that to referee games on the soccer field.

Historic Resources: Is very specific as well. It is a Historic Resource Buildings, Structure, Vessel, Real Property, a Document of our Outafact that is listed on the state register of historic places or determined by the local Historic Commission to be significant in the History, Archeology, Architecture or culture of the city.

Community Housing: Once again the State has a definition for in basically for households that make less than one hundred percent of the area median of the income as determined annually by HUD every year. We can do acquisition and rehabilitation in support of community Housing in certain circumstances.

Robert then stated that what we have to do is to do a plan that reflects the needs, possibilities and resources in regard to Community Preservation. Do we want to create a clear criteria that forms the basis of the evaluation?

- To establish a processes at the timeline.
- To provide application forms and backgrounds.
- To inform both applicants and the public of our goals.
- To provide the City Council with the background needed, and to articulate and to understand it.

These are goals in the current plan. Under recreation and open space our goals are renovating small neighborhood playgrounds and green spaces. Creating and improving community gardens. Creating and enhancing opportunities for bikeways, walk ways, trails, on park and conservation land. Controlling invasive plant species on park and conservation land. Improving access to the Connecticut River and other water bodies for water based recreation and enjoyment.

Historic Resources: A deteriorated structure a high priority. A structure that is in danger of demolition. A structure that is vacant. A structure that was built before 1850. A structure that is a landmark in a significant area of importance.

Community Housing: We are interested in rehabilitating vacant, deteriorated houses to sell to income eligible buyers. Providing first time homebuyer incentives to increase owner occupancy, especially in two or three houses and in neighborhoods that have low owner occupancy. Assist income eligible owner occupants with repairs especially in two or three family houses.

PUBLIC PORTION HEARING.

Robert then stated that we are now going into the public hearing part of the meeting and Karen will call on the people and you will have five minutes to make your presentation. We will be timing you and Juanita will be the timer and she will give you a warning when you approach the two minute and one minute before the time is up.

Karen was then asked to start announcing who was on the list.

Ellen Moorhouse: I am Ellen Moorhouse and I live on 48 Ungine Circle. I'm just a resident tonight. I live near Lake Massasoit which is also called Watershop Pond which was recently drained. I worked with Tim Allen and a group of other city officials to do a really good clean up. That was just a short term initiative which was an effort to get some of the trash out. They are trying to make a plan for bulk trash removal as the work continues. I am here to make the case for a long term initiative to support the help and body of one of the biggest bodies of water in the city of Springfield. They are repairing the damn at the other end and the city's work is on track to be completed by next April which will be refilled by the amount of water that we get next spring. Short term efforts are underway and we are trying to work with the city and there is some long term stuff. Patrick Sullivan has plans to go pesticide free for city parks and only fifty percent on fifty percent and we are trying to get him to one hundred. One of the factors that turns the water green is ultimately it is pesticides and there are no rules. I actually wrote a little plan that I submitted to the city and I had a couple of different initiatives on it. Everything from trash, mitigations to increase signage around the water in English and Spanish. After the course of this project I learned that Water shops Pond is actually made for city water run off to protect homes in suburbia. What are we doing to treat that water? There are forty one runoff pipes that go straight from the street into the water. They are still lead pipes. Not tomorrow, but what will it be like in five or ten year plan to replace that or filter trash or something like that. I am not aware of what the CPA funds could be used in terms of the water and the Open Space really appealed to me in the beginning. I would be interested in working on a long term to make a plan for the water. We have been talking to Tim Allen and what to do with that vegetation short of getting machinery and it will die in the winter. What in terms of the algae and other things that are impacting the health and safety of the water

next spring. I'm looking at initiatives to test and treat the water and the baseline of the water and ultimately have a long term plan to improve the water. We could do so much on that. There are so many exciting things.

Lisa Clauson: I represent the Carpenters Union. Our office is on 29 Oakland Street. I have a request for the CPA Funds to have some protections on them with some of the projects that they are not used as construction dollars that they are not used in a way that connects with wage theft. What wage theft is that it is a major issue in the construction industry where some contractors get a low bid through not paying their workers all the wages that they owe them when the job is done. It is often being done by cash wages too so it's not paying payroll taxes. When that happens sometimes they do it with workers comp as well. The city has a wage theft policy and the City Council has passed that helps protect against wage theft by basically saying that a contractors that have recently been found guilty so much as alleged but not guilty by an estate or a Federal Agency of wage theft they cannot be hired for a construction project because public dollars went into it. I am here to speak and ask that the committee consider adopting a solid policy or when CPA funds are supporting projects so that the public dollars are not being used to support wage theft. Whenever there is a construction involved there are hundreds of contractors to choose from so it's just taking a small number of contractors that have recently been found guilty of cheating. Those contractors you can't use and the other contractors you can use for this project. I will follow up and I appreciate any written comments that are sent in and I will follow up with some proposed language for the committee.

Devon Streeter: I live on 187 Boulder Street. I came here today to share some light on the future possible use of the funds and a little on my past experience of going through the process of trying to acquire CPA funds to assist the community on various projects in which I believe to very much needed in the community. Just a few facts or a few comments. I recently applied to CPA to restore a park and the Acorn Street park I am not sure how many people are aware that there is an open

green space that is directly next to the Boys & Girls Club Family Center on Acorn Street as well as adjacent to the athletic fields that are adjacent to American International College. Unfortunately, my application was not chosen which is okay. To the extent there were other great projects that were chosen but my comments are more to why my project wasn't chosen verses the other projects. The park has actually been in ruins for more than fifteen years. It being a city park myself thought it might be great to apply for these funds so that the neighborhood in that area could enjoy a park open space area as well as a tennis court that is standing there but in ruins. Just to make a comment today: The funds are used for the way the funds are allocated. A comment was made based on the community. I set out a petition to get the neighborhood and the residents in the neighborhood involved in what was going on with this project. I received five hundred for the community who wanted to see this park restored. What was unfortunate out of all the projects that were restored one point six million dollars went to the park department and I found that all that money went to the park department. In hine sight the restoration of the Acorn Street Park would have been ideal for the project to be funded. As mentioned in the CPA goals their priorities of restoration of the Acorn Street Park would have been right along the lines of what the goals and priorities of the CPA funding. Where my concern is that what is really for the community is not being heard in future plans I would hope the communities voice and their opinions would be taken more into consideration when it comes to applying funds to projects that actually have not only community involvement but as well as there would be more recreational for youth, elderly and just a nice space that is not an eye sore that is for more than thirty years.

Jasper McCoy: Jasper introduced himself by stating he was born and raised in Springfield and I am currently representing myself as a resident, I live at 63 Palmer Avenue. I also work for Homes City Development which is affordable housing a non-profit developer here in the city of Springfield. What I want to talk about is I wanted to know if CPA is for affordable housing here in the city. You guys do a great job in making sure the projects for open space, historic and recreational are supported. I honestly feel that as a resident and a homeowner here in Springfield, MA during the COVID pandemic we were exasperating rent, mortgage payments that weren't paid because people were furloughed off their positions and their jobs and also had employment benefits. Things were up in the air and I think and my company thinks that home ownership along with rental assistance projects that pushed affordable housing should be focused as is the CPA. We saw on the chart that all four of the yes's were only on the housing side. Springfield is known as the City of Homes. Here in our area we have near Mulberry Street and Union Street we have Historic areas in Forest Park along with McKnight area that has homes over one hundred eighty years old that were built before 1980 to 1850, so we have our historic portion of historic houses. I just want to make sure that you push forward that our economic development is pushed into the ideology that home ownership and housing are on top priority that we spend money on here in Springfield, MA.

Councilor Justin Hurst: Justin began by thanking Karen I know you have been at a couple of meetings and you and Bob McCarroll presenting the CPA awards with our approval. I just want to say that you and the committee have done a phenomenal job on the projects that have come before us are excellent and the residents of Springfield would be extremely proud of and excited to get my problems approved and just about all of them would take about ten or eleven o'clock on a couple of Mondays. Thank you to all of you and all of your hard work I was also able to sit in on one meeting and I thought that the questions the Committee asked were absolutely phenomenal. I thought that they were thought provoking. You really pushed the applicants to really explain what it is that what they were trying to do that would benefit the City of Springfield. It was the first one that I ever sat in on and I was absolutely floored and I just loved the fact that there was so much participation. That leads me to what it is that I would like to see and give a lot of credit to Bob. I have sat at a number of these meetings. The fact that you have given us some forum and other residents a forum to express our obvious is how we can approve I think it is great and certainly a credit to you all. The one thing I would like to see is for these ideas that to originate from the community. One of the things that I was a little disappointed with is when I saw a lot of projects from the park meetings that were originating from the park maintenance. For me we are talking about spending taxpayer dollars and it seems to be the idea should come from a coordinated effort for the community, neighborhood councils and civic associations. My thought is, if you have the park department that have a project they ought to partner or give the support to a certain number of residents in order to move these projects forward and so to the extent that we can get around one or two department heads presenting a number of projects that probably should be funded through a general fund, as opposed to the CPA funding and it just seems to be that it ought to a federal alternative. Just a piggy back as to what Lisa Clauson said was these in terms with the developers and using City monies. I know councilor Ramos has been in touch on it along with preventing wage theft. It seems to me that we should require these developers which is highlighted in our ordinance that we hire a significant amount of residents, a percentage of woman and minorities as well as and veterans when they are actually doing the work. So that we can put something together I would consider the Ramos proposal and I think the city would be far better off. On top of that we could use contractors, minority contractors that have been certified by the state and that would be even

more of a bonus. Just thoughts and I appreciate that you all gave me the forum and thank you for all your hard work.

I apologize for being so critical at times Bob just trying to make things as good as they can be with this process.

Lisa Thompson: I put something that I want everyone to see my proposal. It is for everybody in the city and our sisters that visit our city. Five Mile Pond, Loon Pond, Hubbard Park, conversational to our communities. Clean the water for our ponds for swimming and water activities. Park Benches, solar lights and natural walking trails. Activities, Kyack, row boats, recreation, water fountains for summer cooling and play for children. Five mile pond, concerts in the park a stage for

summer series. Springfield conservation mission is to provide community activities at a natural eco system. Our neighbors have truly struggled with their needs in this covet nineteen world and suffering hardship and our mental health is at stake. I propose that we clear the front of five mile pond making it visible from Boston Road. We have staged several weeks of concert series.

There is open land that is open for fishing and kayaks. Hubbard Park has ten walking trails in its conservation area and needs clearing as well as solar lights and trail markers. With a pod that is hidden, I suggest that making it visible to the rest of the park and add actual walking trails around the pond. Opportunities of some events use day camps, kayaking lessons and rentals. Small boat ramp, row boat rentals, small boat ramp, accessible walking trails around the pond, swimming, Summer concert series in the park, aquatic classes for elders, and most objectives are to improve overall aesthetics of parks. Provide more choices for outdoor interaction in our city. To improve our citizens quality of life in the neighborhoods. Provide all income households outdoor activities, and adventures in their neighborhood. Find a location for our elder citizens to fish and exercise. To provide a safe, clean swimming experience. To provide a place for nature and people to co-exist together in a clean eco system. Provide employment opportunities for seasonal lifeguards.

Outreach, day camp, swim class, fishing kayak classes, trail guides. Resources require the Park Department, technology in the city and private finances from ARPA, products, rowboats, life jackets, and kayaks and services for fishing, seasonal camps and mental wellbeing. I propose that we do this and I feel that we will be putting our parks in competition with neighboring towns. I spoke to many citizens and many of them agree that to be able to go outside and walk in these conservation trails. Many agree that the finances don't allow them to always take trips like many families are able to. Or go to Six Flags with their children. I propose a park entrance at Five Mile pond, free to homes surrounding the water ways. I spoke to the people around Five Mile Pond they said that they would love to have a summer concert series as long as they have some homes that are surrounding Five Mile Pond would love to enter Five Mile Pond free.

Councilor Ramos: First of all I just want to say thank you to the members of the Preservation Committee for all your hard work in the past few years and I still remember vividly the day that each of you were appointed and during the Press Conference in City Hall. I knew from the very beginning that you were going to do some great work and that has been proven true; so thank you. for each and every one of you for your commitment to our city.

My comments are related to what was mentioned earlier by Lisa Thompson from the carpenters union. I want to echo her support for comments all of her comments from waist up as well as the comments that were just made by colleague and city council Justin Hurst. In addition to the wasted ordinance that Lisa mentioned and the City of Springfield also had a responsible employer ordinance, a TIF ordinance and a H ordinance all the woods are intended to accomplish the same

thing which is to prevent tax payers money from going to contractors that are not playing by the rules and making sure that those funds are not to be used to take advantage of people. So essentially there are provisions in each of those pieces of legislation that are mentioned that prevent them from the wasting that is occurring. Many of you may or may not know the construction industry is notorious for upper waste up because it is so easy to take advantage of people and pay people with cash in that industry. So, that is where people are being taking advantage of, and so the provision and the legislation that I just described would prevent that from happening and their call backs. Financial penalties associated with companies and contractors that do participate in waste. We ask for the committee to consider adopting your similar policy which would be that no CPA funds will go to a development in which a contractor has been found to have been guilty in waste stop and or no developer will be able to use a contractor that has been found to having been guilty if they are receiving CPA funds for that project. The question came up yesterday by Bob to see if whether or not there should be a threshold. I am not certain there should be, only because the precedent has already been set. I am signing a compliance form that requires them to not use the contractors that have been found guilty. I can help with that process. If you like, we could meet and get some more as to what that policy would look like. The purpose again is not to use taxpayer funds and giving tax payer funds to companies that cheat and take advantage of our people. Thank you again and in addition to that Bob we can adopt some of the requirements of hiring requirements. That would be a responsible ordinance intending to give those that have been excluded of the industry and the opportunity to find appointments for women and minorities in the construction industry. We can put requirements in for them, to hire Springfield residents both as well as to welcome contractors. I would be happy to share more details and share the policy from Northampton with you at a later date. I believe that there is an opportunity for us to adopt this policy prior to next year's applications. Thank you for your time. Again, thank you for your service.

Karen then stated that she would read four comments that came in through the invite e-mail so I could put it in the record:

Annual Public Hearing Comments:

Steve O'Neill: Hello, I would like to suggest some funds be spent to further restore the running, biking and hiking trails in Forest Park. Hundreds of school kids use these trails for cross country meets every year, as well as the general public from surrounding regions. Funds can be used for gravel for an eroded trail areas and brush clearing along the edges. Stream erosion could also be addressed in some areas where was overflow has caused washout of the trail sections. Thank you, Steve O'Neill and the Springfield Terriers Running Group

Jay Latorie: Good morning members of the Springfield Community Preservation Committee. regarding 2022 funding cycle. Thank you for the great work that you do. Responsibly steer CPA funds to appropriate projects across the city. I have had the pleasure of listening to multiple meetings this year and I appreciate the level of professionalism that the body displays. I have two comments to share with this SCPC the first is to concur with comments by a member of your group in 2021. When discussing projects proposed by the Springfield's Park Department. On more than

one occasion the Parks Department has submitted CPA funding requests for projects that resemble more maintenance instead of preservation. Your requests for the Park's Department at times seem inappropriate. I echo the comments made by City Councilor, Justin Hurst at a recent city council meeting. I am disappointed that so many other requests for CPA funds come from municipal departments instead of neighborhood councils on profits and private citizens. Just as the Springfield Community Preservation Committee has established a formal \$250,000 limit of the amount of funds made available to any one project in a given year. I recommend the Committee establish a target percentage of funds that can be made available to municipal department's verses all other groups. To help insure that as much funding as possible is made avail to groups live and work in our neighborhoods. Perhaps, it wouldn't be any more than 33% toward municipal projects. "Thank you," Juan Latorie, 122 Forest Hills Road, Springfield, MA.

Carol Costa: I am happy to share my thoughts about priorities and projects in the coming year. I did the same last year and found I could not find a group that would sponsor an application with me. I would be grateful for any suggestions on your end. I am more than willing to do all the research on projects, details and costs on my own but it feels weird to do it on my own. My ideas are directly related to areas within the Armory quadrangle district.

One: improvements to the berm along the side of the Springfield Armory grounds including landscaping and plants.

Two: Immediate improvements to Apremont Triangle though I notice that this is considered to be as part of the venture. Part of me states that we should improve on that space sooner rather than later. Improvements would be new plantings and landscaping, benches and an expanded theme in that area, focusing on the World War One Veterans to whom the triangle is dedicated.

Three: Improvements to Merrick Park the area of surrounding the historic estate of Samuel Chapin. I know that UMass students proposed some improvements to the design several years ago. I don't know where those ideas ended up. Making some changes on landscaping including some additional walkways and plateaus and benches would be great. Also, more colorful plantings around the park and most especially the addition of lighting around the statue.

Four: In consideration of historic lighting on Temple Street which currently is the only street in our district that lacks such lighting.

Five: A small pocket park in the space to the left of MARCO CA on School Street. I'm not sure who owns them. Broka owned the former Dickinson Street that would be a great space for some basketball hoops.

Six: As always I would like to see some money allocated each year to the Campanile Restoration project. Respectfully: Carol Costa, 235 State Street. **PS:** I am gratefully applauding the awarding of funds to Parks and the Open Space projects around the city. Expanded and use of these areas is an important goal and benefits families and children.

Linda Bartlett, Secretary: On behalf of the Maple High, Six Corners Neighborhoods Council on 74 Walnut Street. Dear Springfield Community Preservation Committee we would like to propose the use of CPA funds to repair or replace the gate of the Cherry lane Cemetery on Maple Street High Six Corners neighborhood. In 2010 the Maple High Six Corners Neighborhood Counsel wanted the fencing to be restored. A few years later, after the gate was vandalized and bent but it still functions in securing the cemetery. In addition, there is a name plaque that has made an acknowledgement of the restoration of the cemetery fencing in 2010. It should be installed at the gate. We have been informed that our CPGD funds cannot be used for repairs and installation of the

plaque. We believe that this work would comply with historic resources category of CPA requirements. Cherry lane Cemetery is a final resting place for three revolutionary war veterans, and one Civil War veteran as well as some of their family members. Thank You for your kind consideration on this matter.

Best Wishes, Linda Bartlett, and Secretary on behalf of the people of the Six Corners Neighborhood Council.

Karen then stated that before we continue with the regular meeting agenda, does anyone want to make comments?

Laura Walsh then asked if she could make a comment. Thank you for your informative session. I just wanted to make a comment about the park department and working with different neighborhoods to submit applications. The department at times will submit an application on behalf of the neighborhoods. I want to make sure that it's clear to the committee and for folks at the meeting tonight. Sometimes, neighborhood residents and neighborhood councils ask the Park Department to submit an application on their behalf, because they don't have the capacity to put the application together, or they are requesting assistance. So if there is ever an opportunity for that, please e-mail the Park Department to have your project submitted by us. That is why there are so many duplicates from the Park Department.

Lisa Thompson then stated that she would like to add if the Conservation proposal that I just read is not accepted. I'm on the Board of Directors of Western Mass Tiny Homes Initiative. We are a grass

roots organization. They are trying to put homeless vets in their own substantial type of homes. We also want to work with the other homeless populations as well families and homeless teens. Percy will be submitting a proposal for that. All that we require is RFP money to get our initiative going. There is some conservation land off of Grayson Drive in Springfield. There is a great deal of homeless people that are living there. I would hope when she submits that if my proposal is not accepted the Western Mass Tiny Homes Initiative is also accepted.

Karen then asked Jasper if he had a quick comment. He stated that he wanted to add on as to make it clear that I dropped the link into the chat so you could access it but the UMass Donahue Institute has come up with a report this year based on the greater Springfield regional housing analysis. They basically described were like my comments today about how we need more substantial housing here in the greater Springfield area. When you get a chance you can look up the entire report and it does have very standard remarks but what are homeownership rates are, the conditions are etc. It is very enlightening.

Robert then thanked those present for taking the time to attend tonight. As Karen mentioned your comments will be incorporated into the summary of this meeting and it will be part of the plan in terms of Public Comments. The Committee will be discussing in November and December meetings of how much we are going to tweak the plan, and to our city councilors I will be putting on the agenda for our discussions in our own issues that you have raised. Once again, thank you. I can't stress enough that Karen said that comments tonight are not proposals to us those come in applications that will be coming in April. If you are proposing that on some type of City controlled land you should at least be talking to whatever the department that controls that land to get the on board with your proposal. Thank you so much and now we will go into the regular monthly meeting of the Committee.

Regular meeting.

1) Motion to approve the minutes of September 7, 2021:

Ralph proposed that we approve the minutes of the September meeting and David Finn second the motion.

All in Favor

David Finn: yes - Clinton Harris: yes - Rhonda Sharell: yes - Juanita Martinez: yes - Ralph Slate: yes
Lamar Cook: yes - and Bob McCarroll - yes

2) Recent project recommendations to the City Council.

Proposed is an outdoor space for the East Springfield library. There is concern expressed by neighbors and City Councilors that if the library has future expansion plans, they don't want to be hindered by a permanent restriction. Since CPA doesn't allow for temporary recreational uses and the CPC requires some type of protection or restriction, Kathy Breck from the law department was invited to offer possible alternatives.

Kathy Breck stated that she was contacted both by Bob and City Council, Michael Fenton about the East Springfield Meeting room project. Karen was kind enough to send me the minutes of the meeting where the project was discussed and the members of the Community were very much in favor of the restriction of Open Space on the land where the gardens and furniture would be placed at East Springfield Library. There was also the discussion of the permanent restriction on the Open Space. When I talked to City Councilor Michael Fenton he mentioned that there may be a long term plan to expand the library. He also stated that it is a fairly small lot. But, to the extent of where these gardens would be placed, might be in the way of a future expansion of the library and that would pose a problem. If there had been a deed restriction placed on it in the registry that could trigger an Article 97 issue under the Massachusetts Constitution in which land that has been dedicated for open space cannot be used for any other purpose without a two thirds vote in each house of the Massachusetts Legislature. It could be a very burdensome process and I wonder whether the Committee would be interested in thinking of other options so that it wouldn't be pretty much a prohibition of any kind of expansion of the library project. One example sample is to try to preserve from the Open Space if the city were to expand the library into the areas that are funded by this grant that the city would have to pay all the money back to the Community Preservation Committee and it could be reused for other purposes. In terms of municipal finance there might be a couple steps that we would have to take if we do that is the potential alternative to the Open Space Restriction on the deed in the ownership of the property. It would trigger a full repayment obligation out of CPC money. That may not happen until many years in the future but I just wanted to offer that as a potential option and the community consider. We talked about this last night by the Finance Committee and we asked that this particular project remain in the Committee so that your group could have an opportunity to discuss it and see if this is something that you would consider.

Ralph asked Kathy do you know if such a plan would be permissible under State Law for the Community Preservation Act? My understanding is that any types of improvements have to be on land that is protected essentially. If it's private property you have to have deep restriction. Normally, your money is spent on park land which also has that same provision, the two thirds

provision. That is why I brought this up because we recognize this was not park land so it didn't have any protection. How would that jive with the State Law that governs the CPA?

Kathy responded if there is a CPA statute there is a requirement in doing that Open Space restriction I would have to look some more research on that. Another option that I spoke with Molly Fogerty was could they limit the area at the East Springfield library where they want to do this improvement, to change the location of the improvements so they are in a particular area that would not be used for expansion in the future. I will do more research on that.

Robert then stated that he wasn't aware of the CPA law specifically saying that it is limited to say that it is limited to protected land. I do know there has been an unfortunate case where CPA grant was made to school play fields. Only to find out that some ten or fifteen years later because this community had CPA way back in the beginning of the century that the school wants to expand a playfield that CPA paid for and it is causing issues. What we are looking for is a way to avoid that. Certainly, if the library can confine their reading garden to an area that they know is not going to be an expansion of the building that would probably be and could live with the constriction there that would be the easier of the two. Juanita asked what would happen if there was an expansion of the library in the future? They wanted that particular space. Could the open outdoor class room be moved to another spot on the property? It would still be the outdoor classroom.

Kathy stated that if the property went forward with a recorded restriction in the registry that the land, every part of it that was improved by the grant once the restriction was on it cannot come off without a two thirds vote of the legislature. So I like your idea, to the extent any part of that property was restricted that portion of the property cannot be used with any other use without that vote. Robert then stated that could there be a interdepartmental memorandum of understanding between the library and between the CPC that says if there is at any point you are going to be building or developing plans you indeed agree that you will create, you will replace it on your own property. Robert stated that it is not a restriction. Juanita stated that the restriction could say that this has to remain. However, in the future if the library has to expand in that area it can be placed in another part of the property. It would already be written into the restriction. Kathy then stated that she has never seen anything quite like that. Once it is restricted it is restricted for good.

Unless you get the boo which is why we are trying to be creative and think if there is an alternative that could satisfy the committee and at the same time allow the future through expansion of the library down the road. Karen asked Kathy when you talk about the legislation by two thirds, are you talking about the state? Robert stated yes, "the general court." So something that happens in Springfield in order to overturn that restriction it would have to go to the State House, is that correct? Kathy stated yes to that question. Robert stated that when the DeBery Playgroud was going to be built for a school the city had to go to the state. Not only is it that you need the vote of the two legislative bodies you need to replace the park land with new park land which is why the Boland play field has been created by this city to replace what they are taking away on DeBerry. Rhonda has her hand up do you have a question? Rhonda I was just saying that if we already know that they are going to be expanding in the library. It would make sense to go to straight to them and

see what they are willing to look up where they are going to put the perimeter up of the expansion. Kathy added that they don't have a definite time table for the expansion but they wanted the flexibility of being able to do that down the road and not permanently restricted forever happening. Kathy stated that they have a very small pot of money for every single City or town that wants a new library or improved library. It is a very competitive. Kathy stated that as I said as this came up I just learned of it, not too long ago and I haven't had the chance to do that research. But I certainly will do that and report back. Robert thanked Kathy obviously this issue which was only raised recently, not going to resolve tonight. The library recommendation will stay in committee until we resolve it one way or the other. I guess Kathy for our November meeting, look into the state law Regarding Ralph's concerns it has to be on some sort of protected land and then about my suggestion which would be that an agreement between CPC and it says: If anytime you approach on what we paid for you have to on somewhere on your property find an equal amount of land to replace that. Almost like our mini state law. The other option is of repayment if it indeed that encroachment occurs. Robert stated that when he raised the issue with the library at no time did they say that to me. Obviously, there will be no action tonight. We will wait to hear from Kathy at our November meeting. Thank you Kathy!

- 3) Robert then stated that the next thing on the agenda is update from our administrator.
 - a. Karen confirmed with Stuart Signor (Community Preservation Coalition) when a project is considered complete (specifically, McKnight Community Trail). The state requires every CPA community to file an annual CP3 Community Preservation Project report for all CPA projects approved/ completed during the previous fiscal year. *A project like the Rail Trail design is in progress until the design is complete, or unless you can identify exactly what CPA funds were used for in the project, then mark it complete. If the funds were granted to help meet the budget of a larger project then the entire project should be done before it gets marked complete. The McKnight Community Trail was part of the engineering design and CPA funds contributed to the whole.* The short answer is that the project is still in progress and not complete.
 - b. Laura Walsh from the Department of Parks Building and Recreation and Management said progress reports on the various park projects and contract extensions due to unforeseen delays resulting from the ongoing COVID pandemic. These reports were all forwarded to you [the committee]. Do you want to vote on a blanket contract extension or do that next month?
 - c. In addition to the final report; the East Forest Park Rail Trail Highland Division and a CPA 2018 project were successfully completed. An electronic copy of the Highland Rail Trail Division feasibility study by the VSC group in collaboration with the Department of Public Works and East Forest Park Civic Association and Springfield Residents, was sent to you. I can deliver to you a hard copy if anyone wants a paper copy.

Robert then stated that we will have on the November agenda those projects that are requesting an extension like the various park projects and the Historic Homes program. Ralph has asked Karen to provide a breakdown and status of when the houses are expected to be complete and/or the physical work done.

- 4) Robert then stated that the other issue we had because our normal meeting is November second. That is election day and we tend to not want to meet on election day. We did a doodle poll to see whether folks wanted to do November 9th and November 16th and results came in as a tie. We have two committee members that can't be present on the sixteenth. My inclination is to meet sooner. Next meeting date is November 9, 2021.
- 5) New CPC Plan. Robert asked Karen to send to the Committee the link to the current CPC Plan. In November, we will edit/or make changes and adopt it December. We certainly can decide that we are tweaking our priorities based on what we heard tonight. We may decide that many of the things we heard still fall in the existing priorities and not have to tweak much at all. Our next goal is to firm up the time table for next year and then publish the plan in either December or early January.

Motion to adjourn: Juanita made a motion and Ralph second that motion.
The majority approves the motion.