



Community Preservation Committee

Regular

~ Minutes ~

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

Kathy Calvanese

Tuesday, December 7, 2021

6:00 PM

Utilizing Remote Collaboration Technology

I. Call to Order

6:00 PM Meeting called to order on December 7, 2021 at Utilizing Remote Collaboration Technology, (Online), Springfield, MA.

Attendee Name	Title	Status	Arrived
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II. Public Portion

Springfield Community Preservation Committee

Regular Meeting

December 7, 2021 at 6:00 pm

Due to the Covid-19 Pandemic and pursuant to the Governor's Executive Order concerning the Open

Meeting Law, the Springfield Community Preservation Committee will continue to meet remotely until further notice. A video recording of this meeting can be viewed here:

<https://www.facebook.com/SpringfieldCommunityPreservationCommittee/>

[<https://www.facebook.com/Springfield%20CommunityPreservationCommittee/>](https://www.facebook.com/Springfield%20CommunityPreservationCommittee/)

Public comments can be mailed to Community Preservation Committee, City Hall Room 412, 36 Court Street, Springfield, 01103 or e-mailed to cpc@springfieldcityhall.com
<<mailto:cpc@springfieldcityhall.com>>

Present:

Robert McCarroll, Chair (Springfield Preservation Trust) - Ralph Slate (Neighborhood Representative)
Juanita Martinez (Conservation Commission Representative) - Gloria DeFillipo (Planning Board Representative) - Willie Thomas (Housing Authority Representative) Quorum present.

Not present: Lamar Cook (Neighborhood Representative) - David Finn (Historical Commission) - Clinton Harris (Park Board) Rhonda Sherrill - (Neighborhood Representative)

Agenda

Approve Minutes of November 9
Anti-Wage Theft Policy
REO/Prevailing Wage
East Springfield Library Recreation Agreement
Project Contract Extension Requests
Community Preservation Plan Modifications
Administrator's Updates
DOR Revenue Update
Other Matters
Next Meeting-January 4

Approval of November 9, 2021 minutes: postponed

Robert stated that we will start with the East Springfield Library Recreation Agreement. Kathy Breck from the Law Department is with us and Molly Fogarty, Director of the Library is here.

Robert stated just to recount for Committee members and for folks watching, we recommend a grant for the library in East Forest Park to establish a reading garden. Obviously, we want our improvements to be permanent. Kathy and Molly have been looking for other ways that we can restrict the property without going to an actual preservation restriction. With that I'm going to turn it over to Kathy who has come up with the wording that I am comfortable with. The Committee initially voted on one of the restrictions that were on the grant of the East Springfield library reading garden, that there be an open space and recreation deed restriction. That would be filed in the registry as part of the conditions of the award. After discussions with Councilor Mike Fenton and Molly Fogarty we realized that if in the future the library wanted to expand, it may impact the area that is being improved by the grant. Once it's on record as a deed restriction you cannot change the use of such property without a two thirds vote of each house of Massachusetts Legislature and the approval of the Governor. I did some research and I looked into the Preservation Act. In the act on chapter 44B section twelve states that the restriction is required when you are acquiring the property with the Community Preservation money. The city already owns it. If the Community Preservation Committee is so inclined to grant a change from the

the deed restriction this would be the Proposed Language: If at any time following the execution of the grant agreement by all parties the city decides to expand or otherwise alter the East Springfield Library footprint. Or construct a library at this site. In any way the city library will notify the Community Preservation Committee in writing and the city shall make arrangements to repay the grant funds in full within X number of days of that decision. The repayment obligation shall survive the expiration of this agreement. That is the proposal and the Library is on board. Bob McCarroll said that it is up to the committee to decide. If it decides to expand or alter the East Springfield area in anyway, the whole amount of money has to be paid back by the city. Ralph asked Kathy can we be notified, when this is in effect. Molly stated that it would be in the records of the library department. However, Mr. Slate it has to go back to the City Council to be approved with the change of condition. It would also be in the records of the City Council. The issue is if you put it in a deed restriction. What triggers the state code? Kathy replied "right." Ralph said the city in the past has put deed restrictions on Historic Preservation, they had fixed terms, they sort of pop up when you do a deed search. Robert then stated that the other possibility could be that the Committee creates a tickler file that contains whatever the administrator

and the committee can keep track of. If there is a big red file somewhere that says TICKLER FILE at an appropriate time that someone will look at that file.

In the future if we decide to re-arrange the configuration of the park and would like to make changes that we have funded. With the library we could sell it to a private developer. Eileen, I know we have an East Forest Park Branch. We received \$138,000 from this committee for the outdoor reading garden and gazebo area. We do have a contract that basically states that if we do something it has to be paid back and that's in our file. Something could be in the Capital Assets Department so that this contract is in place so that anytime you start doing anything to a branch location that contract would be in the files.

Ralph stated that we technically acquired recreational land. The city is not acquiring the land. It would require the conservation land in perpetuity. If they are in favor of it with the library paying us back at whatever point, that is the sticky point. The question is whether we are comfortable in terms of having this contractual arrangement that states as long it is there we are good. If you ever change the use of this land you need to pay us back. Robert then stated that if Molly were to say it's harsh and didn't want to do it, then I would be far more apt to take that comment given that the library states it's comfortable.

The last grant rounds were in 2017 that is why you got funding for East Forest. They still have fourteen libraries on a waiting list. They are looking at five to eight years. It's about seventeen thousand square feet and the library's footprint is a basement that is about six or seven hundred square feet and the main level about 2,000 square feet. The only size addition that could add to the library is about two

thousand square feet. I would hope whoever is managing that project would take into consideration and say let's build in the back. I would hope that it would be a consideration that there is an addition and there is funding for an addition. That depends on who is on the administration at that time.

If whoever ends up doing an addition, takes into consideration that the public outdoor space which right now a lot of libraries are doing. You can have seating, programing space especially with COVID. I feel comfortable with the proposal. If the pay back of that area was in any way disturbed that could be what the \$85,500 could be a part of the cost of the project. So the city is going to spend five million dollars and part of that will be the \$85,500. Robert then suggested that we have a motion to approve what Kathy and Molly have put forth. Ralph then stated that we approve the condition on the grant on the East Springfield Library as presented. Juanita second that motion.

All in Favor:

Ralph Slate: yes - Juanita Martinez: yes - Gloria DeFillipo: yes - Willie Thomas: yes and

Clinton Harris: yes - Robert McCarroll: yes

Robert thanked Molly, and stated we will let the City Council know and hopefully they will have it on their agenda sometime soon. Then, we will get a contract out to you so that you will be ready to start in the spring. Robert stated that while Kathy is still with us please update the Committee on the anti-wage theft policy. We will have it on our January agenda. Kathy then stated that whatever the violation is she is getting a clarification, we just want to use the correct terms. I don't know that they are set wages other than minimum wage on a non- public construction project. Kathy stated, let me check with Lisa on that. When CPA money is given to a municipal department they have to do prevailing wage and therefore it is given to a municipal department. If they are guilty of cheating their workers out of the prevailing wage that was required, then they are in violation. The non- municipal departments who don't have to apply prevailing wage, have to deal with minimal wage. Kathy when I looked at the definition of the REO project it states that it doesn't apply to projects, that the city is not the only funding source. So, I took that to mean that multiple funding source projects are by the city's own ordinance exempt. Kathy stated that it is correct. The ordinance applies to the public construction projects which are building construction, Under Chapter 149 and 149A and they have to be over \$500,000. Robert thanked Kathy for her work.

Project Extension Requests:

Karen began by saying the Department of Parks Building and Recreation management is asking for an extension date to June thirtieth of 2022 for the following studies: At the last meeting the Committee

voted for all the projects to have an extension date of November 30th, 2022. However, since the committee wanted individual dates for the studies, Laura Walsh from the Park Department responded with a letter asking for an extension of all studies to June 30th to 2022. That would be the Dog Park Study, Old First Church, The Indian Orchard Water Study, Rockrimmon, the Boat House Study and the

Spanish American War Memorial. Robert suggested that we have a motion to extend the studies.

Ralph made the motion and Juanita second the motion. Robert then stated that the current motion is to extend to June 30th, 2022 in various parks study.

All in Favor:

Ralph Slate: yes, - Juanita Martinez: yes, - Gloria DeFillipo: yes, -Willie Thomas: yes, - Clinton Harris: yes

Robert McCarroll: yes

Re-Green Knotweed

The other extension request is from Re-Green Springfield, needs an extension until November 20, 2022.

You all received the material that David Bloniarz sent. Ralph made the motion to extend the Re-Green Knotweed eradication project until November 30, 2022. Juanita seconds the motion. Robert stated we cannot help with knotweed eradication if it's not with conservation or park land. So we need to make that clear and Karen needs to be working with him. He is making sure what the CPA money is paying for is conservation or park sources. Robert asked for a vote for an extension.

All in Favor:

Ralph Slate: yes, -Juanita Martinez: yes, -Gloria DeFillipo: yes, - Willie Thomas: yes, - Clinton Harris: yes

Robert McCarroll: yes

Karen then stated that the next one is the French Row House, and the Parsons House asking for an extension to November 30th, 2023. They are looking to proceed without the TIF and are requesting an

extension on both projects. I am hopeful that both projects will be completed in two years. Robert stated that we could decide that we will give him an extension until next year. If there is work underway we need to see some working in that year. Robert stated that this was a 2019 grant. Gloria stated that she would like to hear what he could tell us about what work he can get done within a one year extension. Gloria made a motion that we table and have him come in January. Ralph second the motion.

All in Favor:

Gloria DeFillipo: yes, -Ralph Slate: yes, -Juanita Martinez: yes, -Clinton Harris: yes, -Willie Thomas: yes

Robert McCarroll: yes

Robert then stated the Community Preservation Plan Modifications. Basically, we created the plan in 2017 and every year we tweak it. Robert then stated we will take a motion to adopt the community preservation plan for 2022. Juanita made the motion that we adopt the preservation plan for 2022.

Clinton Harris, second the motion.

All in Favor:

Juanita Martinez: yes, - Clinton Harris: yes, - Ralph Slate: yes, - Gloria DeFillipo: yes, - Willie Thomas: yes,

Robert McCarroll: yes

The Historic Homes:

Two homes were completed and payments were made for vendors.

Two homes are in the process with first payments made to vendors. The remaining homes are not completed and they did not apply for first payment. The Historic Home plaques arrived at Alvin Allen's office today.

Ralph stated that we had a bit of a misunderstanding in the calculations of reimbursement levels for the Historic Homes Program. The spread sheet used by the office of planning was ambiguous. Planning assumed that if you are at or below sixty percent of area medium income (AMI) the grant would be one hundred percent reimbursed, the CPC assumed a contribution by the homeowner and a reimbursement level of 95%. There were only two projects that received one hundred percent reimbursement.

Robert stated that the Department of Revenue every November does the state distribution. I think we raised more money than we had planned and because the trust fund was doing better than the state had planned. Our distribution was \$695,665 dollars which was about \$160,000 more than what we had budgeted for. We have extra money that is in our Fiscal 22 budget.

Ralph stated that the McKnight Program for the Historic Homes did seem to be a pretty good job. I am a little disappointed that the City didn't apply for another round of funding in 2021. It would be available for any Historic District in the city. Gloria then asked are we going to need to hire someone to assist Karen? Robert then said that if she is willing and has the time she could indeed take it on. We would obviously be numerating her more money that would either come out of our administrative budget or CPA projects. If she were not able to take it on we would have to find a part time person. Ralph would be the committee of one and could have a discussion with Phil Dromney at Planning. Is planning interested in it? We want it to run for all the Historic Districts. If not, we would take it over. The Planning Departments fear is doing it city wide. They don't want to be a part of the vetting process. Robert stated we will have a motion to adjourn. Juanita made a motion to adjourn. Ralph made the second motion.

All in favor:

Juanita Martinez: yes,-Ralph Slate: yes,-Gloria DeFillipo: yes,-Clinton Harris: yes, -Willie Thomas: yes,-

Robert McCarroll: yes

Our next meeting is January 4th, 2022