

**Town of Hamilton
Community Preservation Committee
Sub-Committee on Bylaw and Operating Procedures
February 23, 2015 Minutes**

Attendees

The sub-committee meeting began at 9AM. The meeting was held at Hamilton Town Hall with the following Sub-Committee members in attendance: Ed Howard and Jay Butler. Community Projects Coordinator Rachel Meketon was also present. Town Manager Michael Lombardo and Planning Director Patrick Reffett participated in the public hearing discussion.

Approve Minutes from 1/15 Sub-Committee Meeting

The minutes were approved.

Discuss Public Hearing with Town Manager Michael Lombardo and Planning Director Patrick Reffett

Ed, Jay and Rachel discussed which committees are supposed to share their input in the Community Preservation Plan (CP Plan). The bylaw lists several relevant committees, but states that input is “not limited to” those committees. Jay suggested that we ask all boards and committees to list their priority projects that could be funded with CPA monies and share the projected costs.

Michael and Patrick joined the meeting.

Rachel summarized the section of the bylaw that describes the public hearing process:

The Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including but not limited to the Conservation Commission, the Historical Commission, the Planning Board, the Board of Selectmen in its capacity as the Board of Park Commissioners, the Housing Authority and the Open Space Committee, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

Michael suggested that the CPC provide other boards and committees with something to respond to, like a revised version of the CP Plan. Ed asked Michael what an appropriate date might be. Michael responded that we should avoid the spring school vacation week.

Michael suggested the possibility of convening an all-boards meeting to exclusively discuss the CP Plan, but there were concerns about timing for both an all-boards meeting and a public hearing. Rachel shared the agenda for the Beverly CPC’s recent public hearing. In the

first part of the meeting, various boards and committees briefly presented their priorities, and then in the second part of the meeting, residents were invited to provide input.

Jay expressed an interest in the Town's capital plan. He said that the Community House's capital plan that Melissa Elmer shared at the January CPC meeting was very helpful and that likely the Community House, the American Legion, and perhaps other community institutions that the CPC has supported would also like to share their top priorities at the public hearing. Michael said that the renovation of Town Hall is by far the most important capital project for the Town right now. The building looks good on the outside, but has very significant internal repair and redesign needs.

Michael suggested that the CPC send a missive to all Town boards and committees to invite them to participate in the public hearing. He can represent the Town at the meeting. Ed mentioned that the Open Space Committee is listed as an important committee in the bylaw, but it has not met in a long time. Michael and Patrick suggested that the CPC contact Jim Hankin to reconvene the Committee or prepare the open space priorities with the Conservation Commission.

Michael expressed his agreement with the CPC's decision to plan for the use of its funds long-term. He sympathized with a CPC member's concern at the January meeting that the funds were being depleted by many small projects. And he suggested that the CPC allocate a specific amount each year for smaller projects so that those applicants are aware in advance how much the CPC will award.

As far as what we are asking from residents, Michael expressed it as their thoughts and opinions and commended the CPC process for increasing the openness of municipal governance.

Butler brought up the Piri property and the Blueberry Brae Farm proposal and asked if there was a way to prepare for land acquisition applications of that sort. Patrick suggested that the CPC decide on an amount that they want to have available for such purchases, and save towards that amount each year, so that the CPC is prepared when an appropriate parcel becomes available. Michael said that the Board of Selectmen does want to review the large properties in town to determine priority parcels, but it's a sensitive process. Patrick said that, in addition to setting aside the funds, the Town needs to simply delineate or clarify its priorities. Is the parcel contiguous with other Town-owned properties? Does it offer some public benefit or utility? Is it easily accessible? These are examples of the criteria that could be used to determine what property to purchase.

For logistical details, Ed advocated that the public hearing be held at the library; that we set up a microphone and speaker system; and that we use the room beyond the library's regular hours. Michael concurred and said that it would be a nominal cost to keep the library open. As far as facilitation, Jay suggested that Tom Catalano preside over the session. Tom could also offer welcoming remarks, and then Rachel could provide an overview of the CPA process. Patrick said that providing residents with a context for the

CPC would allow them to contribute more fully to the discussion. Michael suggested that the PP and even a video of the presentation could later be posted online for applicants.

Rachel clarified the agenda for the public hearing as: A welcome from Tom; an overview from Rachel; presentations of priorities from boards, committees, and former CPA applicants; and then one hour for public comment. Ed, Jay, Michael and Patrick agreed that that was an appropriate agenda. Ed expressed concern that some presenters may speak at length. Rachel suggested that the board and committee presentations could be limited by giving each group a single pre-formatted slide to list their priority projects and costs, and by being clear that they have just three minutes to review the slide. Comments from residents could also be limited to three minutes. If there is time after everyone has had a chance to speak, then people can return to the microphone for additional three-minute intervals. A CPC member could be responsible for timing the presentations and the public comment section. Jay offered to be the timer and said that he would try to gain access to a timer device that his company used. Rachel also asked if there was a way for residents who are unable to attend the meeting or uncomfortable with speaking at the meeting to register their opinions. Michael suggested a survey, which could also be shared online after the hearing.

To advertise the hearing, the CPC will use approximately \$1,000 from its administrative budget to send a postcard to every household in Hamilton. Ed reminded the group that the bylaw requires that an announcement be posted in a newspaper of general circulation during the two weeks prior to the public hearing.

Ed, Jay and Rachel thanked Michael and Patrick for their input. Michael and Patrick left the meeting.

Review Action Items from 1/15

- **WEBSITE UPDATE** - "Rachel will amend the minutes and post them on the website." "The group requested that Rachel update the website with the most recent projects that the CPC has funded as well as her contact information. The CP Plan could also be updated with Rachel's name and recent projects. And it would be good to post information about how seniors can file for abatement from the CPA property surcharge. Rachel will update the website."
 - Done
- **OUTREACH** - "The group agreed that a postcard to entice people to visit the webpage or attend the public hearing would be better. Rachel will get the cost of printing and sending a postcard to Hamilton residents."
 - \$47.60 (USPS Every Door Direct Mail for Hamilton) + \$519.40 (USPS for S. Hamilton) + \$404.90 (Minuteman) = **\$971.90**
 - 3,250 8.5" x 5.5" post cards with full-color (no bleed) on one side and black ink on the other side

- **OPERATING PROCEDURES** - “Tom suggested that the Sub-Committee members review the Falmouth and Vermont League of Cities and Towns procedures and discuss it at the next meeting.”
 - Do we want to adopt anything from these?

Rachel found a policies and procedures document that had been drafted in 2009. The sub-committee reviewed the document. Jay commented that it is very similar to the CP Plan. Rachel agreed and said that it was still useful.

The sub-committee reviewed the Vermont League “model rules” for items that would be useful and items that are irrelevant for the CPC. Ed requested that Rachel consult Town Counsel on whether the CPC should elect a vice-chair or a clerk, in addition to a chair. Jay pointed out that there is clearly a difference between Vermont’s open meeting law and Massachusetts’, and we have to be careful of that in adopting ideas from the Vermont model. Jay liked the “public participation” section because the CPC has been in situations in the past in which members of the public have spoken inappropriately at meetings.

The sub-committee reviewed the Falmouth CPC’s operating procedures. Ed pointed out that their meetings are “guided by Roberts Rules”, and Jay replied that the “guided” was important because it would be very tedious to follow Roberts Rules exactly. Jay liked many of the sections in the Falmouth procedures.

Earlier in the meeting, Jay had requested that Rachel create a revised draft of the application guidelines and operating procedures for the CPC. This was reconfirmed.

- **APPLICATION EVALUATION** – “A rubric would allow the CPC to be more transparent in its selection process. Tom asked if other CPC’s use rubrics and particularly large communities that have many applicants. Rachel offered to research this.”
 - Beverly, Groton, Great Barrington
 - Other
 - Massachusetts Cultural Council
 - Score sheet (attached)
 - Revere
 - Scoring sheet (attached)

The sub-committee reviewed the various sample evaluation sheets. Rachel described the different approaches as:

- A simple checklist like the one that she created. CPC members can use it at the meeting to get a sense of which criteria a given project does and doesn’t meet.
- A scoring sheet, which could be used at the meeting, or could be filled out by designated CPC members before the meeting, so that they can form an opinion on the application and then share it at the meeting.

- An Excel document in which CPC members rate each project according to the criteria and then add the scores, ideally before the meeting.

Jay confirmed that Rachel's checklist could be recreated for each of the CPC's funding categories (not just Historic Preservation). Jay and Ed were more interested in a scoring sheet than the checklist. Jay was concerned that if just one or two CPC members reviewed a project beforehand, they would apply their personal biases and preferences. He suggested that Rachel review the applications beforehand and bring her score to the CPC meetings. Rachel replied that that was possible, and that it would be interesting to try to separate the criteria that could be considered objectively from those that are more subjective. They also discussed adding the score sheet to the application so that it would be visible to applicants and attached to the applications that CPC members review.

Jay and Ed said that the Excel documents were unwieldy. They would prefer to have a scoring sheet, and then Rachel could enter the CPC members' scores into the document either at or after a meeting. Jay also said that he preferred the detailed descriptions in Beverly's Excel document to the abbreviated descriptions in Great Barrington's document.

Rachel offered to mock something up for review.

- **FUNDING GRAPHIC** – “Tom also expressed the importance of knowing the CPC's budget as the Committee considers applications. The group suggested a pie chart or some other visual that shows current and reserve funds. The visual could be displayed at public meetings. Tom also suggested that a bar graph that shows how the reserves have fluctuated based on specific project allocations would be helpful. Rachel will create a visual.”
 - See attached

Rachel described the financial graphics. The bonding capacity graphs do not yet reflect Deborah's input. Deborah calculated the CPC's bonding capacity for a single, mixed-use project that is bonded at 3.5% with a 20-year term and two payments per year as approximately \$5,000,000. Rachel will attempt to represent this graphically.

Jay and Ed offered their comments. Jay said that the fiscal year is confusing, and that it would be better to use dates instead (“as of...”). Ed suggested that Rachel include a 1-3 sentence description of what each graphic represents. Jay suggested that Rachel create an additional chart with the funds that have been allocated but not spent.

The sub-committee discussed the use of the graphics. They could be on the laptop and projected at CPC meetings. And they could be posted on the CPC website.

Prepare for 3/12 CPC Meeting

Jay confirmed that Rachel would prepare an update to the CPC on the sub-committee's discussions. The update would include the proposed public hearing, and the draft procedures, submission guidelines, evaluation sheet, and financial graphics. Rachel

mentioned that Tom had brought up the surcharge at the January meeting as a point of discussion. Ed and Jay have already polled a few people, and the reception has been skeptical. Jay made the point that it would be best for the CPC to understand the full cost of the town's priority projects (through the planning and public hearing process), and whether or not the cost could be covered by the current surcharge level, before considering a raise in the surcharge. An additional agenda item could be the election of a vice-chair or clerk depending on which is more appropriate.

The sub-committee meeting ended at 11AM.