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TOWN CLERK
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MEETING MINUTES

Town of Acton Community Preservation Committee

July 12, 2007

Acton Memorial Library

Attending: Jon Benson, Tory Beyer, Walter Foster, Andy Magee, Ken Sghia-Hughes, Nancy Tavernier and Ed Starzc.

Ken Sghia-Hughes called the meeting to order at 7:35 PM.

1. Approval of Minutes. The minutes of the June 14, 2007 meeting were approved as drafted.

2. Appearance of Stuart Saginor, Executive Director of the Community Preservation Coalition. Stuart described the Community Preservation Act as "the most terrific act ever seen". One hundred and twenty six Massachusetts communities have adopted the act. For the CPA to be a truly effective group on the state level, Stuart believes more than 150 communities representing a cross section of the Commonwealth will need to adopt the CPA. Stuart cited the need for less affluent cities to adopt CPA. Much of the growth, Stuart noted, is coming from tiny communities in western Massachusetts.

The CPA trust fund stands at \$87M. Stuart anticipated there will be a 100% match with a projected \$70M payout when the matches are awarded in October. (This compares to \$57M paid out to 102 communities in October, 2006.) He hastened to add that there would be a likely match of only 55% in October, 2008. Stuart explained this was due to the decreased volume of real estate transactions recorded at Deeds registries in the Commonwealth due to the down real estate market. The revenues generated for fiscal year ended June 30, 2007 is estimated at \$32M. This compares to \$37M for 2006, \$36M for 2005, \$50M for 2004 and \$53M for 2003. Stuart indicated sixty seven communities are funding CPA at the full 3%.

Stuart next reported on pending CPA legislation in which the Community Preservation Coalition is actively involved, in particular Senate Bill No. 137. The twin goals of the legislation are to direct more money to the CPA Trust Fund and to make the CPA more attractive to cities. Never according to

Stuart was there an expectation of a 100% match. The match was contemplated at between 25% and 50%. In quick order, however, the suburbs adopted the CPA and the real estate market soared resulting in a very substantial volume of real estate transactions.

Senate 137, as proposed, guarantees an annual 75% match, with the registry fees indexed to assure the revenue stream to meet the 75% match. In turn, cities can come into CPA at 1% provided they vote and physically move 2% of their general revenue into their CPA account annually.

Another aspect of Senate 137 is the proposed removal of the restraint that CPA funds cannot be used to "rehabilitate and/or restore" recreation land if the underlying land was not acquired or created with CPA funds. The restraint has resulted in communities stretching the statutory criteria of "creating" or "preserving" land for recreation use to accommodate what is essentially rehabilitation and restoration purposes. It should be noted that the use of CPA funds for the maintenance and upkeep of recreation land is prohibited under the statute.

The third component of the pending legislation discussed by Stuart is to allow moneys earmarked under the 10% Open Space set aside to be used for active as well as passive use. At present, the 10% set aside funds can only be used for passive use (e.g. purchase an undeveloped parcel and let it sit). Under the proposed legislation, 10% set aside funds could be used to buy an undeveloped parcel and turn it into a soccer field. Stuart explained this aspect was insisted upon by the cities as part of the trade-off for the 75% match. On a practical basis, the cities, Stuart noted, have little open space or conservation land.

3. Election of Officers. For the 2007-2008 year, the officers elected were Ken Sghia-Hughes, Chairman, Ed Starzec, Vice Chairman and Jon Benson, Clerk.

4. Community Preservation Plan for 2008. The Community Preservation Plan for 2008 with final amendments was approved.

5. CPC Website. Members were asked to look at the updated website with discussion deferred until the August 9 meeting.

6. Volunteer Coordinating Committee/CPC. The members responded very favorably to Ken Sghia-Hughes' email response to

Dore Hunter's email on alternatives to the VCC interview process for perspective CPC associate members. The Board of Selectman will discuss the application/interview process at their meeting on August 13. Ken will attend on our behalf.

7. Committee Membership. In addition to the two associate membership positions which are open, the Recreation Commission has not named a successor to Matt Lundberg.

The next meeting of the committee will place on Thursday, August 9 at 7:30 p.m.

The meeting was adjourned at 9:55 p.m.

Jon Benson