

Southfield Redevelopment Authority
Board of Directors Meeting
Monday, November 28, 2016 @ 7:00pm
Conference Room, SRA Office

Directors Present: Lyndsey Kruzer, Chairman
Kelli O'Brien-McKinnon, Vice Chairman
Patricia O'Leary, Clerk
Chris Primiano
Chris Aiello
Steve LeMott
Anthony Agnitti
Tom Henderson

Directors Unable to Attend: Robert Rizzi

Also in attendance: Jim Young, Land Use Administrator
Scott Bois, Finance/Treasurer
Matt Barry, Bill Ryan, LStar Management

The Chairman called the meeting to order at 7:00pm

Minutes

VOTED: Motion of Kelli O'Brien-McKinnon, seconded by Tom Henderson, to approve the minutes of the SRA Directors meeting held on November 14, 2016

8-0 Unanimous vote to approve

Board Reorganization - Vice Chairman

Kelli O'Brien-McKinnon (Rockland) and Patricia O'Leary (Weymouth) were nominated for the Vice Chairman position. Ms. Kruzer urged the nominees to give thought to having enough time to put in additional hours as Vice Chairman.

Ms. O'Brien-McKinnon indicated she had a day job, but had no problem with the additional work and could be counted on to do what was expected.

Ms. O'Leary indicated she had been serving as the Vice Chairman, and had availability during the day. She noted that Weymouth was currently at a critical time with LStar, and that it might make more sense to elect a new vice chairman next year.

A lengthy discussion ensued on the current executive board, which created a public/business world perception that Weymouth was dominating the project. Some Directors felt that Board leadership should include a representative from each of the three Host Communities.

VOTED: Motion of Chris Aiello, seconded by Tom Henderson to elect Kelli O'Brien-McKinnon as Vice Chairman

4-4 vote LeMott, Kruzer, O'Leary, and Primiano opposed

VOTED: Motion of Chris Primiano, seconded by Steve LeMott, to elect Patricia O’Leary as Vice Chairman

4-4 vote Agnitti, Henderson, O’Brien-McKinnon, and Aiello opposed

The Board agreed to re-vote the Vice Chairman position.

Kelli O’Brien-McKinnon

5-3 vote Kruzer, O’Leary and Primiano opposed

Ms. O’Brien-McKinnon was elected Vice Chairman.

Board Reorganization - Clerk

Patricia O’Leary, (Weymouth) and Chris Aiello (Abington) were nominated for the Clerk position.

Ms. O’Leary noted that she had been serving as Clerk and was willing to carry on.

Mr. Aiello noted that he would accept the position to send the message that the Towns were represented equally and favorably.

VOTED: Motion of Steve LeMott, seconded by Lyndsey Kruzer, to elect Patricia O’Leary as Clerk

4-4 vote Agnitti, Henderson, O’Brien-McKinnon and Aiello opposed

VOTED: Motion of Anthony Agnitti, seconded by Kelli O’Brien-McKinnon, to elect Chris Aiello as Clerk

4-4 vote LeMott, Kruzer, O’Leary, and Primiano opposed

The Board re-voted the clerk position after Mr. Aiello agreed to remove himself from nomination.

Patricia O’Leary

8-0 unanimous vote

Ms. O’Leary was elected Clerk.

FOST 4, 5A, 5B-1 and 5B-2 PBC Constructive Possession

Mr. Young noted that the National Park Service (NPS) was prepared to grant the SRA constructive possession of 36 Public Benefit Conveyance (PBC) parcels totaling 123.455 acres (FOST 4, 5A, 5B-1 and 5B-2), and would require SRA to accept all obligations and liabilities of ownership, and responsibility for the care and handling of the property. Constructive Possession would allow SRA additional flexibility in property management for public parks and recreation purposes. NAVY had assigned the parcels to NPS in 2011. Discussion ensued on delays in the NPS land transfer to SRA; the 225 acres of PBC property that were transferred from NPS to SRA in 2003; and the tri-party (NPS/NAVY/SRA) legal review process of the terms, restrictions and covenants assigned to each of the 36 parcels. Mr. Young noted that SRA was responsible for the long term maintenance of its PCB property after initial improvements were built by the master developer.

Board Measure 16-053

VOTED: Motion of Chris Primiano, seconded by Steve LeMott,

RESOLVED: That the Authority is authorized to take constructive possession of the FOST 4, 5A, 5B-1 and 5B-2 PBC Parcels from the United States of America, acting by and through the Regional Director, National Park Service, Northeast Region (NPS).

RESOLVED: That the Chairman of the Board of the Authority, acting individually, be and hereby is authorized and directed, in the name and on behalf of the Authority (a) to sign, acknowledge if

deemed advisable and deliver such documents , the execution thereof by the signer on behalf of the Authority conclusively to evidence that the provisions thereof are satisfactory to the Authority and that such documents so executed are the documents hereby authorized (b) to accept delivery of those documents necessary to effectuate the transactions contemplated by the foregoing resolution, and (c) to take such other actions as the Chairman so acting shall, as conclusively evidenced by her doing any of the things or taking any of the actions hereby authorized, deem necessary or desirable to be done or taken to carry out the transactions contemplated by the foregoing resolution.

Unanimous 8-0 vote

FOST 5C PBC Closing

Mr. Young noted that NPS was prepared to release all rights, title and interest in a FOST 5C PBC Deed consisting of six parcels (total 6.631 acres) to SRA.

Board Measure 16-054

VOTED: Motion of Chris Aiello, seconded by Tom Henderson,

RESOLVED: That the Authority is authorized to acquire the FOST 5C PBC Parcels from the United States of America, acting by and through the Regional Director, National Park Service, Northeast Region (NPS) and to accept a deed and other instruments of conveyance to the Authority by the NPS conveying the FOST 5C PBC Parcels and related rights and property in connection therewith.

RESOLVED: That the Chairman and the Vice Chairman of the Board of Directors of the Authority, each acting individually, be and hereby are authorized and directed, in the name and on behalf of the Authority; (a) to sign, acknowledge if deemed advisable and deliver such documents, the execution thereof by the signer on behalf of the Authority conclusively to evidence that the provisions thereof are satisfactory to the Authority and that such documents so executed are the documents hereby authorized, (b) to accept delivery of those documents necessary to effectuate the transactions contemplated by the foregoing resolution, and (c) to take such other actions as the respective officer or officers so acting shall, as conclusively evidenced by their doing any of the things or taking any of the actions hereby authorized, deem necessary or desirable to be done or taken to carry out the transactions contemplated by the foregoing resolution.

Unanimous 8-0 vote

DDA Update and Interim Proposal

The Chairman stated that progress was being made with LStar on the DDA but a written proposal was not ready in time for the meeting. The proposal would keep a similar entitlement fee structure for fiscal years 2017 and 2018. Discussion ensued on the potential influx of development projects and concerns over SRA operational costs at that time. The importance of maintaining a favorable Southfield District Tax Rate was noted.

Town of Weymouth MOA, Water/Sewer

The Chairman noted that a revised Amended and Restated Memorandum of Agreement for Provision of Water and Wastewater had been received late in the day from the Mayor's office, for the Board's consideration; SRA was not directly involved in water supply negotiations with Weymouth. The Board

had limited time to review the document before the meeting. It was noted that SRA's role in the agreement remained the same. Some Directors voiced concern with insufficient time to conduct due diligence on the agreement; and with limited opportunity for development in the Rockland/Abington portions of Union Point. Several concerns were raised on a safeguard in the Mayor's summary memo that allowed Weymouth to stop providing water to Union Point for any reason; the Board agreed that further clarification was needed. It was also noted that two Exhibits referenced in the revised agreement were omitted. The Board was inclined to table the vote to the next meeting.

Mr. Barry, LStar, stated that a fully executed Water agreement was needed to close time-critical commercial development deals, and that the additional water capacity would allow LStar to open the balance of the commercial market. He stated that changes in the agreement were related to assignment language, and dates specific for an established permanent water source; he further stated that MWRA water supply would satisfy total new growth in all of Union Point.

Mr. Ryan, LStar, implored the Board to approve the agreement conditioned upon further clarification, and noted that the Mayor had extended himself making a considerable offer for additional water.

Mr. Kimball, Rockland Board of Selectmen, voiced concern that Weymouth could potentially shut off water to Union Point, and stop LStar from reaching an agreement with Abington/Rockland Joint Water Works if ARJWW water rates were more favorable to commercial developers. He further stated the three Towns were supposed to be jointly sharing development based on revised NAS zoning regulations recently approved in each Town; that Rockland could end up with significant traffic impacts from development in Weymouth without benefit of tax revenue, and could potentially miss out on commercial development should the market take a downturn. Mr. Barry stated that nothing in the Weymouth Agreement would prevent a deal for water in Rockland/Abington.

The Board agreed that the agreement should be amended by changing the word 'may' to 'shall' in Section 2. Mr. Henderson suggested the Chairman be authorized to sign the agreement after clarification was received on the summary memo, Section 2 was amended, and the Exhibits were delivered.

Board Measure 16-056

VOTED: Motion of Pat O'Leary, seconded by Tony Agnitti, to approve the Amended and Restated Memorandum of Agreement for Provision of Water and Wastewater Services and for a Consecutive Public Water System, and to authorize the Chairman to sign the agreement only after 1) Exhibits A & B are provided and 2) clarification is received from Weymouth on water supply issue

Unanimous 8-0 vote

VOTED: Kelli O'Brien-McKinnon, seconded by Tom Henderson, to amend Section 2 of the Amended and Restated Memorandum of Agreement for Provision of Water and Wastewater Services and for a Consecutive Public Water Supply to read: "Such Permanent Water Plan shall ultimately provide water to the Abington and Rockland portions of Union Point."

Unanimous 8-0 vote

Status Reports

Master Plan – next meeting Tuesday Dec. 6th.

Agreements – already covered

Infrastructure – no further update at this time

Parkway - Parkway extension opened to traffic on Nov. 23rd

SRA Operations – personnel discussion to take place in Executive Session

Staff –Southfield Tax Rate and Tax Classification to be topics at the next meeting

LStar – no further update at this time

Public Comments

Ms. Parsons, Rockland, noted that a Notice of Project Change to supply 600K gallons of water per day to Union Point had not been filed with DEP; that PBC land could not be sold to a third party; and that signs needed to be posted on land transferred from National Park Service.

Mr. Perez, Weymouth, noted the MRWA connection may be in North Weymouth and may provide additional water capacity to parts of Union Point outside of Weymouth; there was no obligation on Weymouth's part to provide a solution beyond their borders.

Ms. Parsons, Rockland, noted that the permanent water plan in the Environmental Impact Report was MWRA through Braintree, not Weymouth.

VOTED: Motion of Tom Henderson, seconded by Pat O'Leary, to enter into Executive Session to conduct strategy session in preparation for negotiations with personnel – not to reconvene in open session

Unanimous roll call vote - LeMott, aye, Agnitti, aye, Henderson, aye, O'Brien-McKinnon, aye, Aiello, aye, Kruzer, aye, O'Leary, aye, Primiano, aye

Open Session ended 8:20pm

Mary Cordeiro, Recording Secretary

Lyndsey Kruzer, Chairman

Documents reviewed during the meeting:

NPS Letter dated Nov. 14, 2016

PBC Deed FOST 5C

Amended and Restated MOA for Weymouth Water/Wastewater