

## MINUTES

November 10, 2009

Members present: Howard Baker-Smith, Chair  
Jacquelyn McDonald, Vice Chair  
Mark Lawton  
Stuart MacGregor  
John Sousa  
Nancy Thornton  
Barry Walker

Members absent: Charles Sisson  
Lisa Tavares

The meeting was called to order at 6:34 p.m.

### Motion:

Mr. Sousa made a motion to approve the minutes of the October 13, 2009 meeting. The motion was seconded and approved by a 7-0 vote.

Mr. Baker-Smith welcomed David Cressman, the new Executive Administrator. Introductions were made.

Mr. Baker-Smith circulated a voucher with invoice from Southcoast Media Group in the amount of \$313.60. The invoice is for advertising the Request for Proposals for the Historic Building Inventory Phase II in the Standard-Times. The members reviewed and signed the invoice.

Mr. Baker-Smith presented the Schedule A from the Town Accountant. The document was explained and circulated for signatures.

### Motion:

Ms. McDonald made a motion to approve payment of the invoice from Southcoast Media Group. The motion was seconded and approved by a 7-0 vote.

Diane Gilbert, of Dartmouth Heritage Preservation Trust, was in attendance and gave an update on the Akin House Project. She presented photographs of the project and described some of the work that has been done. The Akin Grant Agreement provided for \$10,000 to be used to repair the garage outbuilding. DHPT has since determined that the structure has no inherent historical significance to the property. The cost to repair it would far exceed the \$10,000 allocation. DHPT requested that the funds assigned to repair the garage be reassigned to fund a change order for work needed on the house. The work to be done includes exterior painting and chimney work.

Mr. Baker-Smith thanked Ms. Gilbert for her detailed quarterly reports. Also, he is pleased with the job Mr. Walker has done as project liaison. Mr. Sousa inquired as to how the demolition and removal of the garage is to be funded. Ms. Gilbert stated that DHPT is not planning to demolish the structure within the next "couple of years." The Trust will raise the funds to do it at that time. The building is currently being used for storage. Mrs. Thornton asked if the \$10,000 should be used for some other work, specifically work that was not approved in the application. Ms. Gilbert indicated that the painting and chimney work is a priority.

Mr. MacGregor asked what DHPT will do for storage when the garage is eventually demolished. Ms. Gilbert stated there is a foundation on the property where a barn once stood that the Trust would like to build a visitor center upon. A storage unit could also be built. Mr. Walker asked what the Trust has planned for the house after the project is done. Ms. Gilbert wants to construct a handicap accessible ramp incorporating stones from the site to maintain the property's integrity.

Motion:

Mr. MacGregor made a motion to transfer the \$10,000 allocated for the garage work to work on the house. The motion was seconded and approved by a 7-0 vote.

Mr. Baker-Smith will notify the Town Accountant in writing that the Akin House Grant Agreement has changed.

A discussion took place regarding the Historic Building Inventory Phase II. A Request for Proposals took place in October and included advertising in the Standard-Times as well as a posting in the Town Hall and on the Town's Web site. Five proposals were received. The proposals were reviewed by Mr. Baker-Smith, Mrs. Thornton, Peggy Latimer and Judy Lund. The recommendation to the Committee was to award the contract to TTL Architects, which firm best met the selection criteria.

Motion:

Ms. McDonald made a motion to award the contract (for the Historic Building Inventory Phase II) to TTL Architects. The motion was seconded and approved by a 7-0 vote.

Mr. Baker-Smith will notify all the proposers in writing as to the outcome of the RFP.

The Town will enter into an agreement with TTL Architects for the Inventory. Mr. Cressman provided a sample "Service Agreement" for the Committee to review. The document was discussed. Mr. Sousa suggests that a payment schedule be included. He also suggests a holdback of funds until all the work is complete.

Motion:

Mr. Walker made a motion to use the contract form (for the Historic Building Inventory Phase II) and include a 10% retainage provision and a schedule of payments, to be worked out with the contractor. The motion was seconded and approved by a 7-0 vote.

Motion:

Ms. McDonald made a motion to authorize Mr. Baker-Smith, on behalf of the CPC, to work out the details of the contract with the contractor. The motion was seconded and approved by a 7-0 vote.

A discussion took place regarding grant agreement revisions. Signage was first deliberated. Mr. Baker-Smith had sent a letter to Joel Reed, Director of Inspectional Services, regarding signage allowances and restrictions. Mr. Reed responded in a letter with his opinions. He also referred to ordinance and by-law restrictions. Changes to the Guidelines shall be as follows:

The word "temporary" shall be removed. Signs are to be posted during project implementation. Signs shall be 4' X 5'. Lettering size will not be specific. The code for the green color shall be PMS343C. Signs shall not exceed 8 feet in height. Signs shall be set back 5 feet from the property line and must comply with intersection site triangle setback requirements, as applicable. Signs shall not be lit internally or externally. CPC may waive or alter signage requirements under special circumstances, as requested by the grantee. A footnote will be inserted stating the date of revision.

Motion:

Mr. Walker made a motion to adopt the revised signage guidelines. The motion was seconded and approved by a 7-0 vote.

Disbursement schedules were discussed. Attorney Matthew Thomas was present and assisted in the deliberations. Currently, grantees receive 25% of their award upon execution of a grant agreement. Subsequent disbursements are available throughout the duration of the project, which are project specific. The CPC seeks clarity as to when those subsequent funds should be released. Mr. Thomas presented language that included the allowance of disbursements to cover projected costs. Mr. Baker-Smith drafted language that would limit disbursements to project costs already incurred. The grant agreements shall be amended using Mr. Baker-Smith's language as follows:

Section 5 shall contain a sentence at the end of the paragraph that reads: "Except for the Initial Disbursement, all subsequent disbursements will be limited to project costs incurred in excess of previous grant fund disbursements as of the date of the disbursement request."

A section shall be added to Exhibit "B" following the "Initial Disbursement" section and shall be entitled: "Projected Subsequent Disbursements." The added section shall read: "The actual amount of each subsequent disbursement is limited to project costs incurred in excess of previous grant fund disbursements as of the date of the disbursement request."

Motion:

Mr. MacGregor made a motion to accept Mr. Baker-Smith's version. The motion was seconded and approved by a 7-0 vote.

Mr. Walker wants to add language to the grant agreement which indicates where disbursement requests should be sent. The grant agreements will specify that fund disbursement requests shall be made to the Treasurer's Office.

Motion:

Ms. McDonald made a motion to approve adding language to the grant agreement specifying that fund disbursement requests are to be made to the Treasurer's Office. The motion was seconded and approved by a 7-0 vote.

Mr. Baker-Smith had composed a draft grant agreement with the Massachusetts Audubon Society for the Stone Barn Farm Preservation Plan Project. A discussion followed. Page 3 section 6 references Exhibit "D" incorrectly. The exhibit should be "E." Mr. Sousa wants revision dates put on the agreement and on each exhibit.

Motion:

Ms. McDonald made a motion to approve the grant agreement with the Audubon Society, as amended. The motion was seconded and approved by a 7-0 vote.

Grant agreements will no longer contain a signature line for Town Counsel. Attorney Savastano stated it is not necessary for him to execute them.

A discussion took place regarding the Waterways Public Access Project III. The Waterways Commission is a Town entity; therefore a grant agreement will not be used for the project. The Commission was sent an award letter, a copy of which was sent to the Town Accountant. Since the scope of the third project is the same as that of the second, Mr. Thomas suggested that the grants be combined using one line item. The CPC agrees. Mr. Baker-Smith will notify the Town Accountant of that decision.

Ms. McDonald, who is the Chair of the Conservation Commission, stated that her Commission is changing its meeting times to the second and fourth Tuesdays of each month. CPC schedules its meetings the same and uses the same room. Her Commission is requesting that CPC change its scheduling to the first and third Tuesdays. The members have no conflict and will now meet on the first Tuesday of each month and, if necessary, the third. Ms. McDonald also stated that she is putting in a request with her Commission that she be removed as the delegate to the CPC citing personal circumstances.

A discussion took place regarding the Dartmouth Pride Equity Program. No activity has taken place with the grant. Mr. Thomas explained that due to the downturn in the economy, many affordable housing programs became unavailable. A representative from Bank Five recently contacted him stating that some programs are being reinstated and that the Pride Equity Program is now able to move forward. Houses purchased using Pride Equity grant funds will be added to the Town's affordable housing inventory.

Mr. Thomas also gave an update on the Schofield Farm property. The house, which contains an apartment, will be sold through a lottery process in November. The dwelling will add two units to the affordable housing inventory. The septic system replacement, which is to be funded with a CPA grant, will be going out to bid in November, as well.

Mr. Baker-Smith assigned December 1, 2009 as the next meeting date.

Ms. McDonald left the meeting at 8:30 p.m.

A discussion took place regarding project closeouts. Mr. Thomas has been working on the closeouts and stated that so far he has encountered only one problem. He has reviewed the two Burgo Basketball Complex grants and sees that there were many restrictions put in place by Town Meeting. There was one invoice paid for the paving of the basketball courts. Such work was not allowable under the grant. The grantee may have submitted the invoice in error, but since it was not allowable, the money will need to be paid back to the Town. Mr. Thomas has met with Mr. Burgo and will be meeting with him again to resolve the matter. There are also lease and public access issues, but these are not CPA related.

Mr. Thomas will be bringing five project closeouts to the next meeting for review. All closeouts will be put into a database on PDF format allowing public access. Under current grant agreements, closeout reports must be complete before the final 10% of funds will be disbursed.

Mr. MacGregor circulated a draft CPC logo image and a brochure card concept. The Committee reviewed and commented. The matter will be discussed at the December meeting.

The Needs Assessment will begin to be discussed at the December meeting. Mr. Baker-Smith will invite people whose entities have received CPA grants to future meetings to discuss various topics. It is planned that housing and open space will be discussed in December as well as ways to seek public input. The Assessment is to be completed in February, 2010.

Mr. Baker-Smith took a roll call vote to move into Executive Session. The vote was unanimously in favor.

Executive Session began at 8:51 p.m.

A roll call vote was taken at 9:14 p.m. to end the Executive Session. The vote was unanimously in favor.

Motion:

Mrs. Thornton made a motion to adjourn. The motion was seconded and approved by a 6-0 vote.

The meeting was adjourned at 9:14 p.m.