

MINUTES

February 2, 2010

Members present: Howard Baker-Smith, Chairperson
Jacquelyn McDonald, Vice Chairperson
Stuart MacGregor
John Sousa
Nancy Thornton

Members absent: Mark Lawton
Charles Sisson
Lisa Tavares

The meeting was called to order at 6:38 p.m.

Motion:

Mr. Sousa made a motion to approve the minutes of the January 5, 2010 meeting. The motion was seconded and approved by a 5-0 vote.

Mr. Baker-Smith is in receipt of a letter from Christina Styan regarding the Apponegansett Meeting House Project stating that a contractor they have used has changed its business name.

The Members are in receipt of the Community Preservation Fund Financial Report for the second quarter of Fiscal 2010. The report will be discussed at the next meeting.

Mr. Baker-Smith has completed the CPC's submission for the Annual Report. Editorial changes were suggested.

Mr. Baker-Smith circulated an invoice for review from Attorney Matthew Thomas in the amount of \$1,600 for work he has done for the CPC.

Ms. McDonald expressed frustration over Committee Members not coming to meetings. She feels that if any member is unable to attend regular meetings, they should ask their committee to appoint a new delegate. Mr. Baker-Smith will look into the matter.

Motion:

Mr. Sousa made a motion to approve payment of the bill from Attorney Thomas. The motion was seconded and approved by a 5-0 vote.

The invoice was recirculated for signatures.

Diane Gilbert, of Dartmouth Heritage Preservation Trust, was present and gave an update on the Akin House Project. She referred to the 10% hold-back of the Grant Agreement. Ms.

Gilbert feels that 10% is too high and asked to amend the agreement to lower the retainage to 5%. She stated that the feasibility study will not get done this year. The weather has hindered work on the house. The work cannot resume without the remainder of the grant funds.

Mr. MacGregor inquired about grant hold-backs. Mr. Baker-Smith stated that a grantee must present an accounting of its project and display the full performance of the project in order to receive the balance of funds. Attorney Matthew Thomas was present and added that all projects must present a close-out report upon completion. The hold-back is to encourage grantees to comply. Mr. Sousa feels the retainage percentage could be lowered on projects, but on a case-by-case basis. Mr. Thomas stated that future grant agreements and procurement policies could be written to allow for a change in hold-back, at the Committee's discretion. All agreements would contain the same percentage at inception.

Motion:

Mr. Sousa made a motion to request that the Town revise its CPC Disbursement Policy so that once a project has expended 85% of its funds, the retainage may, at the discretion of the CPC, be lowered from 10% to 5% for that project. The motion was discussed and amended as follows:

To request that the Town revise its CPC Disbursement Policy such that for projects that have expended 80% of their grant funds and are in substantial compliance with the Grant Agreement, the retainage for the final disbursement may be reduced from 10% to 5%, at the discretion of the Community Preservation Committee. The motion was seconded and approved by a 5-0 vote.

Motion:

Mr. Sousa made a motion to revise the Akin (House Project) Grant Agreement Disbursement Schedule to lower the hold-back for the final disbursement from 10% to 5%, subject to the Town revising its CPC Disbursement Policy. The motion was seconded and approved by a 5-0 vote.

Mr. Baker-Smith will send a letter to David Cressman informing him of the Committee's action. Upon confirmation of the policy change from Mr. Cressman, Mr. Baker-Smith will inform DHPT in writing.

Mr. Thomas gave an update on the Dartmouth Pride Equity Program. The Project was on track until the economic downturn caused the Federal Home Loan Bank and MassHousing to each withdraw their participation. In November, 2009, the project was revived. Bank Five is in receipt of draft documents from the Town which they have forwarded to MassHousing for approval. Mr. Thomas is expecting the final drafts to be available for the CPC to review at its March meeting.

All property purchased through the Dartmouth Pride Equity Program will be affordable housing units into perpetuity. No other Massachusetts community has such a program in place. Mr. Thomas reported that the Schofield Farm property was offered for sale as affordable housing, however, no applicant qualified under the guidelines.

A discussion took place regarding project close-outs. Attorney Thomas distributed drafts of two close-out reports. A close-out report will contain information about the entire project from beginning to end. Included will be the project description, photographs and the Town Meeting Article which approved the funding. Also included will be a list of all expenditures.

The first draft close-out discussed was for the Burgo Basketball Project. The project was funded by two CPC grants, as well as other matching funds. There was one expenditure for paving the basketball courts that was not allowable within the language of either of the approved Articles. Mr. Thomas and Mr. Cressman met with Mr. Burgo to discuss this item in the project close-out. Mr. Burgo stated that the paving was charged to the CPA grant in error and that other charges that were allowable were paid out of other funds. He will provide supporting documentation.

Older projects did not have grant agreements. Close-out reports for the newer projects will include exhibits from their grant agreements. Projects will be self-closing. Invoices will be submitted to the Town Accountant who will authorize the disbursement of funds according to the grant agreement. A project liaison can keep track of the progress of a project and determine when it is complete. Mr. Sousa would like to see the details of other funding, if any, a grantee had obtained. Mr. Thomas stated that such details could be included as long as they are verifiable. Final close-outs will contain scans of all invoices and will be posted in PDF format on the Town's Web site.

The second draft close-out discussed was the Gulf Hill Ice Cream Bucket Restoration Project. The project experienced delays including a shortage of labor of vocational students and an insufficiency of funds. This information will be included in the close-out report. The project has no issues that need to be resolved.

Mr. Thomas suggests that future applicants seeking funds for the acquisition of a building must obtain septic, pest and structural inspections prior to submitting an application for funding. He also suggests title searches for all real property acquisitions.

A discussion took place regarding the Housing Rehab Loan Project. David Cressman was present and gave an update on the project. Seven rehabilitation projects have been completed for a total of \$88,847. Approximately \$75,000 worth of future projects has been approved. Twenty-five applicants are on a waiting list. None of the salary money has been expended. The rehab specialist has been paid out of the block grant, which will be closing out on June 30,

2010. At that point, the grant, including the salary money, will be the sole source of funds for housing rehabilitation.

Mr. Cressman spoke about the Russells Mills Library. He stated that there are no deed restrictions on the property. He has spoken with some of the neighbors to get their feedback on ideas for reuse. Mrs. Thornton stated that the Historical Commission has discussed the Library and is concerned about saving and preserving the building. The property has septic and parking issues. Mr. Cressman suggested a feasibility study.

A discussion took place regarding the Needs Assessment. The first paragraph shall state that the 1.5% surcharge applies after the first \$100,000 valuation.

Motion:

Mr. Sousa made a motion to approve the Needs Assessment for FY11, as amended. The motion was seconded and approved by a 5-0 vote.

A discussion took place regarding the application Selection Criteria. The current criteria list was reviewed. Mr. Sousa suggested item 4 regarding the urgency of the need for project funding be removed. He felt that that particular criterion may entice an applicant to present its project as urgent when it is not in an effort to increase its chances of receiving funding. The Members deliberated, and it was agreed that item 4 shall remain intact. Mr. MacGregor questioned the wording of item 5. He feels the word "affordable" may be interpreted as the Committee's ability to provide funding for a project. The Members deliberated, and it was agreed that "affordable" shall be replaced with "cost effective."

Motion:

Ms. McDonald made a motion to approve the Selection Criteria, as amended. The motion was seconded and approved by a 5-0 vote.

Mr. MacGregor asked to further discuss the Housing Rehab Loan Project, inquiring about its duration. Ms. McDonald stated that the grant funds were awarded many years ago, although little has been spent. Mr. Baker-Smith indicated that the funds are being used more now. Mr. MacGregor asked how long the grant will remain open. Mr. Baker-Smith stated that all the money could be expended resulting in liens being put on homes that have been rehabilitated. As those homes are sold or refinanced, CPC funds are recaptured by the Town for use on other rehab projects.

A discussion took place regarding the grant applications. The application shall be amended by changing the page numbering so that the instructions are one section, and the actual application form is another. The form shall be numbered F1, F2, etc. The instructions shall be reordered.

Motion:

Ms. McDonald made a motion to approve the application, as amended. The motion was seconded and approved by a 5-0 vote.

Mr. Baker-Smith will e-mail the final draft of the application to Michael Courville in Computer Services for posting on the Web site on February 5, 2010. He will also e-mail it to Ms. McDonald so she can make copies for distribution at the Town Clerk's Office and the Libraries. She will also put a notice in the Chronicle and The Standard-Times as well as on DCTV.

Mr. Baker-Smith has been asked by Mr. Cressman to submit the Committee's recommendations for the Town Meeting Warrant by March 26. The public hearing for this funding round will not be held until April 7. Since the warrant language for most project recommendations is the same, Mr. Baker-Smith will draft articles for all proposals, entering no dollar figures. Ms. McDonald suggests a disclaimer that the articles are only drafts. If the Committee votes to not fund a proposal, that article will be withdrawn from the warrant. Mr. Cressman is asking for early warrant submissions to allow enough time for Town Counsel to approve all the language. He wants warrant information ready by August 13 for fall Town Meeting. The CPC's fall funding round will need to begin in June.

Proposals for the spring funding round will be delivered by Ms. McDonald to Committee Members on March 18. The Committee will meet on March 23 to discuss them. Following the March 23 meeting, applicants will be notified of any further information needed. Applicants will be invited to a public hearing on April 7 to explain their project and to answer any questions the Committee may have.

Mr. Baker-Smith has spoken with a person he knows who is interested in becoming a member of the CPC. The gentleman will be submitting a letter of interest to the Selectboard. Mr. Baker-Smith will e-mail Susan Guiducci of the Agricultural Commission to see if she may be interested in becoming a Committee Member.

Motion:

Mrs. Thornton made a motion to adjourn. The motion was seconded and approved by a 5-0 vote.

Respectfully submitted,

Approved,

Susan D. Dorschied
Administrative Clerk

Howard Baker-Smith
Chairperson