

MINUTES

August 24, 2010

Members present: Howard Baker-Smith, Chair
Jacquelyn McDonald, Vice Chair
Margaret Latimer
Mark Lawton
Stuart MacGregor
Kevin Shea
John Sousa

Members excused: Chris Markey

Members absent: John Costa

The meeting was called to order at 6:47 p.m.

Motion:

Ms. McDonald made a motion to open the meeting to a public hearing. The motion was seconded and approved by a 7-0 vote.

The public hearing opened at 6:48 p.m.

Proposals for the fall funding round were presented.

DARTMOUTH COMMUNITY PARK PHASE II

The Town of Dartmouth Department of Parks and Recreation is seeking \$154,980 to develop the Community Park. Parks and Recreation Superintendent Timothy Lancaster spoke on the proposal. Phase I was first updated. A retention basin is required and will be put into place. The School Department has provided funds for 10% of the cost of the access loop. The project is on track and expected to be complete in September. The Town has applied for State funding via a PARC grant which would cover 58% of the cost for Phase II. The CPA grant would cover the remaining 42%. Mr. Lancaster expects a decision from the State in November.

The play equipment for the park is estimated to cost \$317,000. Tables and benches are estimated to cost \$12,000. Additionally, \$12,000 will be needed to fund lighting, grading and landscaping costs. Mr. Lancaster referred to layout designs and stated that there will be play structures for ages 2-5 and 5-12. There will also be swings.

Mr. Lancaster said that when a community is awarded State funding, the grantee must hold a series of hearings. Neighborhood residents are to be encouraged to attend and provide input.

The PARC grant requires that all Phase II bills be submitted to the State for reimbursement which will be at the rate of 58%. CPC had asked what would the impact be should receiving CPA funds be contingent upon the Parks Department receiving State funding and State funding is denied. Mr. Lancaster said that the project would be put on hold. Tables and benches could be installed. He stated that the Parks Department would apply at a future CPA funding round for the funds needed to complete Phase II.

Selectwoman Lara Stone was present as a volunteer and discussed community fundraising. A group seeks to raise \$12,000 from private citizens. \$1,500 has been raised so far. They will also seek in-kind donations from local businesses. A \$15,000 Lowe's grant has been applied for.

Ms. McDonald asked Mr. Lancaster about security. Mr. Lancaster said that there will be good lighting. The park can be seen from Dartmouth Street. Additionally there is floodlighting at the library and school. Mr. Lancaster said that there was a concern about the park being closed to the public during school hours. He stated it will be open to the public at all times.

Ms. McDonald is concerned about the maintenance of the retention basin. Mr. Lancaster said the Parks Department will keep it clean and the grass mowed. Mr. MacGregor asked if the equipment proposed in the application is based upon the expected State funding. If so, what equipment would be purchased if the PARC grant fell short? Mr. Lancaster said that the Parks Department would hold out until they had enough funds to purchase the equipment it proposes rather than scale back the plan. The current plan is for 60-70 patrons of use. The best commercial quality equipment is a must. All the work must be done at once to secure the best price.

Ms. Latimer asked about the success of State PARC funding. Do communities tend to get the full amount they apply for? Mr. Lancaster said the State tries to fund as many projects as possible, usually by giving out smaller grants. The amount Dartmouth has applied for is within a favorable range. Mr. Baker-Smith asked what could be achieved if only CPA funding was awarded. Mr. Lancaster said that the playground portion of Phase II would be put on hold. It cannot be done piecemeal. Work such as lighting, benches, tables and landscaping could be done.

Mr. Sousa asked if the Cushman school will be affected if the playground is not built. Is a playground required by law? Mr. Lancaster said the school will not be affected. Ms. Stone said that recess in a proper space is required. Play equipment is not. Mr. Sousa is pleased that public access will be available. He asked if the entire community will be encouraged to attend the State-required public hearings. Mr. Lancaster said yes. Bilingual information will be available.

Mr. MacGregor asked what is meant by "Environmental Justice." Deborah Melino-Wender, Director of Development for the Town of Dartmouth, was present and said that the State identifies Environmental Justice Areas as those whose residents are often left out of

environmental planning. They are ordinarily not engaged in the community development process. Those areas are typically lower income and are underserved by the public process. The area in which the Community Park is being constructed is considered an Environmental Justice Area.

Mr. Sousa asked what the consequence will be if either the CPA grant or the State grant is not approved. Mr. Lancaster said that if the CPA grant is denied, the project will not move forward. The State will not award funds if the CPA grant fails. What will happen to the land? It will be an open field that will contain benches, picnic tables and trees. It will be listed as a park and the Parks Department will maintain it.

In addition to the public hearing presentation, Mr. Lancaster submitted to the CPC a written response to the CPC questions that had been included in the CPC letter to the Town prior to the public hearing.

RUSSELLS MILLS LIBRARY STABILIZATION PROJECT

The Town of Dartmouth is seeking \$133,000 to ensure the historical integrity of the Library in order to make the building saleable to a private party. Executive Administrator David Cressman was present and spoke on the proposal. A meeting had been held where members of the Historical Commission, Russells Mills Historic District and neighbors of the Library discussed what could be done with the Russells Mills Library. One solution is a Town department using the building for its purpose. So far, none has shown an interest. Further, the Town would need to keep up the building and prevent it from continued deterioration. Another option is to sell the property. In its current condition, the building is unsaleable. The septic system needs to be upgraded and the underground oil tank must be removed. There are structural issues as well. If these problems are remedied, a buyer may be able to secure a mortgage to purchase the property.

Community members want to see the building preserved and reused. A residence with a studio or office is a possible use for the building. General fund dollars are not available at this time. A request was submitted to the Bristol County Sheriff's Department for use of its work program. The program is currently shut down but may resume in the fall. Ms. McDonald asked where the septic system is situated. In response to a CPC inquiry about the status of the septic system, the Town submitted a letter from Wendy Henderson, Director of Public Health, which included a copy of the septic system permit from the 1950's.

Ms. Latimer said that this is a great opportunity for a relatively small investment to not only preserve the building but to contribute to the revitalization of the Russells Mills area. Mr. MacGregor is in favor of the project. A good effort needs to be made to dispose of buildings the Town wants to sell. Ms. Latimer said the Historical Commission wants to save the building. Mr. Baker-Smith said the septic system is a problem. Title V compliance should be the first

issue resolved. Mr. Cressman said the underground oil tank is of equal concern. Testing may reveal contamination, which would have to be remedied prior to selling the property.

Mr. Sousa wants to see CPA funds spent on historic preservation more often, but he is concerned about spending \$133,000 on a building that is appraised at \$247,000. There has been a poor success rate of the Town disposing of surplus properties. Could the property be sold at auction? Mr. Cressman said no. The law requires a minimum price be set when offering a public building for sale. Mr. Sousa is concerned there may have to be more funds expended for unknown problems. The Town may not be able to recoup what will have been spent upon sale. Try to sell it "as is" first.

Ms. Latimer spoke on the perspective of preservation and stewardship. The Town has an obligation to invest in saving the building. Potential buyers will see that the Town respects the building and wants to save it. Mr. Sousa asked if the structural work proposed meets the Russells Mills Historic District's standards. Mr. Cressman said yes. Mr. Baker-Smith said that CPC will require an architect with historic preservation experience be retained to oversee the structural work. Mr. Cressman said that it is expected that the project will be completed in time for the June, 2011 Town Meeting at which permission will be sought to sell the property.

Ms. McDonald said that doing this work may generate interest in the property. She wants to see the building preserved. Mr. Sousa asked about setting the selling price. Mr. Cressman said an appraiser will determine what the property is worth. If it does not sell, the appraiser can be asked to reset the price, more than once, if necessary. Mr. Sousa does not want to see the Town returning for more funds to do additional work on the property in order to sell it. When the property is sold, CPC will recapture the \$133,000 grant award.

In addition to the public hearing presentation, Mr. Cressman submitted to the CPC a written response to the CPC questions that had been included in the CPC letter to the Town prior to the public hearing.

Mr. Baker-Smith noted that, in its written answers submitted in response to the CPC questions, the Town was agreeable to potential grant conditions that had been outlined in the CPC letter to the Town.

Motion:

Ms. McDonald made a motion to close the public hearing. The motion was seconded and approved by a 7-0 vote.

The public hearing closed at 8:13 p.m. The Committee recessed until 8:21 p.m.

Motion:

Ms. McDonald made a motion to approve the minutes of the August 4, 2010 meeting. The motion was seconded and approved by a 7-0 vote.

Mr. Baker-Smith distributed copies of the most recent financial report from the Town Accountant, Claire Karvonen. Mr. Baker-Smith pointed out that the report includes corrected fund balances as noted on the statement for the Historic Preservation Reserve and the Open Space Reserve. Mr. Baker-Smith reported that Ms. Karvonen had contacted him to let him know that she had found an error in her previous financial report to the CPC. The fiscal year beginning fund balances for the Historic Preservation and Open Space reserves had been misstated and had not accounted for all of the prior fiscal year encumbrances. These two reserves actually had a total of \$215,000 less than previously reported to the CPC. Mr. Baker-Smith met with Ms. Karvonen to review the corrected financial statement and confirm that there were sufficient funds for the two current proposals under consideration by the CPC. It was confirmed that there are sufficient funds in FY11 for these proposals if the CPC chose to recommend funding for the amounts requested. However, because the CPC June warrants identified Open Space reserve funds for the Dartmouth Community Park and Historic Preservation reserve funds for the Stone Barn Farm project, there are not sufficient funds in the specified reserves for these two projects. FY11 annual surcharge revenue is sufficient to cover the balance of funds for these two projects in addition to the proposals under consideration. But warrants addressing this accounting shortfall will be needed for the October Town Meeting. Ms. Karvonen will prepare these draft warrants and the CPC will vote on them at its September meeting.

The two proposals for the fall funding round were discussed.

DARTMOUTH COMMUNITY PARK PHASE II

Motion:

Mr. Sousa made a motion to recommend Town Meeting appropriate \$127,980 to fund the Dartmouth Community Park Phase II Project. The motion was not seconded and failed.

Mr. Sousa said he moved for the lesser amount because the outreach and fundraising that is being done is not for the main part of the project. He feels that the raised funds should contribute to the major project. Ms. McDonald said the CPC should fund the whole request. If CPA funds are not received, State funding will be denied.

Motion:

Ms. McDonald made a motion to recommend Town Meeting appropriate \$154,980 to fund the Dartmouth Community Park Phase II Project. Mr. Shea seconded the motion. A discussion followed.

Mr. MacGregor wants more information on the play structures. He wants more solid cost figures. Mr. Sousa is pleased with the fundraising efforts. He would like to see more volunteer

work. He wants a contingency plan submitted showing how the CPA funds would be used should the PARC grant be denied.

Motion:

Ms. McDonald's motion was put to a vote. The motion was approved by a 7-0 vote.

Motion:

Mr. Baker-Smith made a motion to recommend Town Meeting appropriate \$1,000 for legal fees relating to the Dartmouth Community Park Phase II Project. The motion was seconded and approved by a 7-0 vote.

The committee discussed possible conditions for the grant agreement. One concern is what will happen to CPA funds if the PARC grant and other fundraising efforts are not realized. It is important to show some product from the CPA grant even if there is a delay in securing full funding for Phase II, as proposed.

Motion:

Mr. Baker-Smith made a motion to include as a condition of the grant agreement the requirement for the Parks Department to submit an amended scope of work for the CPA funds, subject to the approval of the CPC if the PARC grant is not approved. The motion was seconded and approved by a 7-0 vote.

RUSSELLS MILLS LIBRARY STABILIZATON PROJECT

Motion:

Ms. McDonald made a motion to recommend Town Meeting appropriate \$133,000 for the work to ensure the historical integrity of the structure (Russells Mills Library) in order to make the building saleable to a private party. Mr. MacGregor seconded the motion. A discussion followed.

Mr. Shea is concerned about the possibility of lead and asbestos contamination. The bathroom may contain a small amount of asbestos. Ms. McDonald said that in such cases, it is better to cover the contaminated area rather than disturb it.

Committee members discussed the underground oil tank. Removing it could cost more than planned. Can CPA funds be used for this purpose? Town Counsel had been consulted, and the CPC received a letter from Attorney Savastano indicating that rehabilitation projects for historic preservation can include repairs and upgrades to utility systems. The oil tank removal and septic system work would be allowable expenditures for CPA funds. Members agree that work needs to be done to stop the building's deterioration. It must be preserved. The Town needs to be aggressive in its efforts to sell the property.

Motion:

Ms. McDonald's motion was put to a vote. The motion was approved by a 7-0 vote.

Motion:

Mr. Baker-Smith made a motion to recommend Town Meeting appropriate \$1,000 for legal fees relating to the Russells Mills Library Stabilization Project. The motion was seconded and approved by a 7-0 vote.

The CPC discussed conditions for the grant agreement, referring to those outlined in the CPC letter to the Town. Mr. Baker-Smith reviewed the conditions in the letter. Mr. Sousa thought that it was also important to emphasize the need for the Town to make a concerted effort to sell the property once the grant's scope of work has been completed.

Motion:

Mr. Baker-Smith made a motion to include the following conditions in the grant agreement.

The conditions of the grant agreement will be as follows:

1. Proceeds from the sale equal to the amount of the CPA grant are to be returned to the Town's CPA Fund for future historic preservation use.
2. A historic preservation restriction will be placed upon the property.
3. A qualified preservationist or architect with historical preservation experience must be retained.
4. The Town will market the property with due diligence as soon as possible.

The motion was seconded and approved by a 7-0 vote.

Mr. Baker-Smith assigned September 7, 2010 as the date for the next meeting. He will invite Deborah Melino-Wender to attend.

Motion:

Mr. Sousa made a motion to adjourn. The motion was seconded and approved by a 7-0 vote.

The meeting was adjourned at 9:36 p.m.

Respectfully submitted,

Approved,

Susan D. Dorschied
Administrative Clerk

Howard Baker-Smith
Chair