

MINUTES

October 13, 2009

Members present: Howard Baker-Smith, Chairperson
Mark Lawton
Stuart MacGregor
John Sousa
Nancy Thornton
Barry Walker

Members absent: Jacquelyn McDonald, Vice Chairperson
Charles Sisson
Lisa Tavares

The meeting was called to order at 6:33 p.m.

Motion:

Mrs. Thornton made a motion to approve the minutes of the September 8, 2009 meeting. Mr. Walker seconded the motion. The motion was discussed. Mr. Sousa wants to change the language on page 5, paragraph 5 to read: Ms. Tavares left the meeting at 10:05 p.m. due to a prior commitment. Mr. Baker-Smith polled the Committee, and the motion was approved by a 6-0 vote.

Mr. Baker-Smith circulated an invoice from Simmons Concrete for review and signatures for work done at the Grange on the handicap ramp. An invoice from Southcoast Media Group for advertising the public hearing was also circulated.

Mr. Baker-Smith read a notice from the Town Clerk regarding meeting scheduling restrictions in the months of December and January.

A discussion took place regarding news from the Community Preservation Coalition, which included the amount of the State match.

Christina Styan was present and gave an update on the Friends Meeting House Project. The project is almost complete. The stone wall, tree work and structural work are done. The Department of Public Works seeded the property. The composting toilet may have to wait until spring. Mass. Historical Commission must approve any excavating. An archaeological survey is required prior to the installation of the toilet. Such a survey cannot take place during the winter months.

Mr. Sousa is pleased with the work that has been done. He wants to see the grantee maintain the property into the future. Mr. Walker is also pleased with the project. Mr. Lawton inquired about the sign. The sentiment of the Committee is that the sign is appropriate.

Motion:

Mr. Sousa made a motion to approve payment of the invoice from Simmons Concrete in the amount of \$4,445.00. The motion was seconded and approved by a 6-0 vote.

Motion:

Mr. Sousa made a motion to approve payment of the invoice from Southcoast Media Group in the amount of \$245.00. The motion was seconded and approved by a 6-0 vote.

A discussion took place regarding the Historical Building Inventory Phase II. Peggy Latimer of the Historical Commission was present and answered questions. Mr. Baker-Smith had drafted a Request for Proposals with an attachment entitled "Attachment A - Scope of Work." He wants the documents ready for the public on October 20, 2009. Proposals received will be discussed at the November meeting. The documents were reviewed and discussed. The inventory work will be put out to bid by advertising the RFP. Changes to the RFP are as follows:

Under the heading "Introduction," sentence two of paragraph two shall read: The CPC will evaluate all timely proposals, and on a competitive basis, award a contract.

Under the heading "Project Fee for Completion of Project as Described," the first sentence shall read: The Dartmouth Community Preservation Committee appropriated a flat fee of \$14,500 in fiscal year 2010 for the Scope of Services (Phase II) described herein. Sentences two and three shall remain the same. Sentence four shall read: The CPC intends to commit an additional \$14,500 in each of the fiscal years 2011 (Phase III) and 2012 (Phase IV) subject to the availability of funds.

Under the heading "Schedule of Work," sentence three shall read: It is expected that Phase II of this project will be completed by May 31, 2010.

Under the heading "Submissions," two sentences shall be inserted at the beginning of the paragraph located below the address of Town Hall and shall read as follows: Proposals must be submitted by hand or by Postal Service in sealed envelopes. Facsimile or electronic submissions will not be accepted.

Motion:

Mr. Sousa made a motion to approve the "Request for Proposals" and the attachment "Scope of Work," as amended. The motion was seconded and approved by a 5-0-1 vote. Mrs. Thornton abstained from the vote.

The RFP will be posted on the Town's Web site. Mr. Baker-Smith will e-mail candidates from a list he has obtained from Preservation Massachusetts of qualified persons, inviting them to submit a proposal. A legal ad will appear in the Standard-Times and will also be posted at Town Hall.

Mr. Baker-Smith distributed copies of a document he composed entitled "Current Language Regarding Fund Disbursements." The document pertains to the grant agreement and the Treasurer's policy. The document was reviewed and discussed. The funds disbursement language needs to be clarified for future agreements. Language regarding invoice submissions and quarterly reports will also be clarified. The matter was tabled until the November meeting. Attorney Matthew Thomas will be invited to assist with the rewrite.

Mr. Baker-Smith distributed copies of a document he composed entitled "Exhibit D Funding Acknowledgement Guidelines." The CPC requires that project grantees acknowledge their source of funding. Projects involving land or buildings must post a temporary sign that is to remain in place for the duration of the project. Mr. Sousa stated that Joel Reed, the Zoning Enforcement Officer, should give his approval. The size and color were discussed. Exhibit D was amended to change the size of the signs to be at least 4' X 5' and lettering to be at least 5" high. Mr. Walker will contact Diane Gilbert to obtain the code of the color used for the lettering of the Akin House Project sign. The Committee approves of the green used. The background should be white and the trim the same green as the lettering.

Motion:

Mr. Sousa made a motion to approve the Exhibit D, as amended (subject to the approval of the Zoning Enforcement Officer). The motion was seconded and approved by a 6-0 vote.

A discussion took place regarding the Needs Assessment. The Community Preservation Act Statute requires communities who have adopted the Act create an annual plan that must have public input. Mr. Baker-Smith circulated Dartmouth's current plan as well as excerpts from other community's plans. The Committee will determine how best to get the public's input. The Assessment should be ready by early February, 2010 for fiscal year 2011. Town boards' and commissions' comments will be sought as well as those from past grantees. The Coalition's Web site contains relative information. The matter was tabled until the November meeting.

A discussion took place regarding the public hearing of September 8, 2009. Mr. Sousa is concerned that two attorneys were present, both representing the Town. Attorney Amy Rodrigues was present as a Town Counsel associate. Attorney Matthew Thomas, who has represented the CPC in the past in developing documents for projects, was present but representing the Town as an applicant. Mr. Sousa feels Mr. Thomas should not be representing both sides. He also feels that other Town agencies should have had the same kind of representation available to them in the past.

Mr. Baker-Smith stated that Anthony Savastano, Town Counsel, must be apprised of what goes to Town Meeting. Mr. Savastano agreed Mr. Thomas could work on the Committee's grant agreements. He is also doing the project close-outs. Project opinions come from Town Counsel.

Mr. MacGregor and Mr. Walker concur with Mr. Sousa. They all feel Mr. Thomas has served the Committee well, but Mr. Thomas should choose to work for either the CPC or the Town. Mr. Thomas will be invited to the November meeting for other business. The Committee will then move into executive session and discuss the representation matter with Mr. Thomas.

Diane Gilbert will be invited to the November meeting to give an update on the Akin House Project. Doris Copley will also be invited to discuss the Housing Rehab Project.

Mr. Baker-Smith assigned November 10, 2009 as the date for the next meeting.

Motion:

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

The meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Approved,

Susan D. Dorschied
Administrative Clerk

Howard Baker-Smith
Chairperson