



Town of Bridgewater, Massachusetts

Community Preservation Committee

August 21, 2008

Meeting Minutes

Community Preservation Committee

Dan Buron
Recreation Commission

Peter Colombotos,
Vice Chair/Secretary
Master Plan Implementation
Committee

Robert Iafrate
Planning Board

Marilee Kenney Hunt, Chair
Citizen at large

Jim Tebou
Conservation Commission

David Moore
Housing Partnership

Rick Kranes
Open Space Committee

Bob Vazza, Treasurer
Housing Authority

Robert Wood
Historical Commission

Location – Senior Center
Recorded by: Laurie Miller

Members Present:

Dan Buron [], Peter Colombotos [x], Jim Tebou [x], Rick Kranes [],
Marilee Kenney Hunt [x], David Moore [x] Robert Iafrate [],
Bob Vazza [x], Robert Wood [x]

CPC Liaison: Sharon Travers Gay [x]

Guests:

Carlton Hunt

The meeting was called to order at 6:45 PM.

Approval of Minutes: The minutes of the July 17, 2008 meeting were reviewed. Motion by Bob Vazza, seconded by Peter Colombotos to approve as amended.

Treasurer's Report: \$1,866,542.92 in the account but the through August 8, 2008 including receipts and July interest of \$3,163.44. There are unreserved funds in the amount of \$1,073,742.39 as of June 30, 2008.

Committee Appointments: Still no updates.

CPA Liaison Update: Sharon Travers Gay's contract was signed by the BOS and by Sharon. Sharon brought the Committee a print out of the Scope of Service since it had not been shared with Committee by the BOS or Town Counsel prior to or after the signing. The Contract period is from July 1, 2008 through December 31, 2008 with a stated amount not to exceed \$12,000. The Contract may be extended by mutual agreement. It was noted that one of the stipulations of the Contract was the designation of a single point of contact for Sharon. The Contract does not specify who that will be. Sharon wondered who she should contact to find out about the single point of contact and Marilee said that it was her impression from a meeting she had with town counsel and Selectman Herb Lemon that Selectman Lemon would be the point of contact since he is the CPC liaison. Sharon will contact Herb.

Marilee noted that the \$12,000 for the contract is expected to be taken from the CPC Administrative money, yet the Committee has not voted to invest that money in the liaison position nor does it have any discretion about what duties Sharon will perform. She noted that, for Sharon to receive any payment for her work, the Committee must vote on the use of

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its Administrative money. A discussion ensued about whether Sharon should routinely come to the Committee over the next few months seeking approval for funding of specific work/hours or whether the Committee should approve funding up to \$12,000 through December 31, 2008. There was acknowledgement that, if the Committee approves the full \$12,000, it will have no control over the work Sharon is directed to do. However, the CPA works well only if all entities are actively collaborating and communicating. It was pointed out that, should the BOS or other Town Departments ask Sharon to do non-allowable work, or work that takes her away tasks needed to keep the CPC compliant with its obligations, then the Committee will not be obligated to commit it administrative financial support in the future.

A discussion ensued regarding the fact that the Coalition notified Marilee Hunt that Sharon, as a Liaison paid out of CPA funds can not provide assist to projects that have already received funding. Although the Contract specifically sites Sharon's duty to provide project management for the Girl's Softball fields, that is not an allowable expense with the CPA administrative money. The Coalition was very specific in the statement that no CPA money in excess of what the Town has voted for a project can not be added to that project without approval of the town through the warrant process. Using Sharon, who is being paid with CPA funds, is considered adding CPA money to a project.

Marilee noted that whoever is supervising Sharon, needs to be aware of the CPA provisions and what is allowable and what is not under statute and protocols.

Sharon asked for direction from the Committee on the priorities for the next few months. After receiving direction from the Committee, she will meet with Herb to determine what the his priorities are for her work.

The Committee asked that Sharon's priorities be as follows:

1. Developed the legally mandated a CPA Plan and have it completed by the end of the current contract.
2. Aid those who submitted pre-applications for proposals due on September 9. Help them identify potential funding sources to match CPA funds, give them input gathered from tonight's meeting and provide other technical assistance that will enable them to present sufficient proposals. Sharon is not to write the grants for the grantees.
3. Assist with the legally mandated annual public forum which is currently scheduled for October 18, 2008 but may be moved back to November.

Motion by Bob Wood, seconded by Jim Tebou to approve funding for Sharon Travers Gay's in an amount not to exceed \$12,000.

Other Business: Marilee has fielded several phone calls asking about Randolph hiring a "Town Planner" with CPA funds. She tracked down the specifics and spoke to the Town Clerk of Randolph who is the CPC Chair. Randolph did indeed use CPA funds out of their Housing set aside and presume that, although they know it is not truly the intended use of the money, the DOR will let it slide. Marilee reiterated that this practice was not allowable under the CPA statutes and is not a model she hopes Bridgewater will follow.

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The CP-3 Application that we have to submit to the State to receive the state match has not been an on-line form. The process has recently changed and the Committee appointed Bob Vazza to be the point person to be responsible for submitting the form every year. Marilee has spoken with the Town Accountant who will ensure that it is on their calendar as well just in case there is ever a change in Committee make-up etc.

Pre-Applications: The Committee went over the ten applications that were submitted by the 4 Building Study Implementation Committee.

Jim Tebou asked if, after giving a extension to the Study Implementation Committee, the pre-apps were submitted on time. Marilee told him that they were not. Jim wanted it noted that he did not agree with the process and said that someone should be held accountable for the lack of proper process in submitting the pre-apps.

Marilee agreed that she was very unhappy with the process but that the Committee is committed to the buildings and it is necessary for us to keep the big picture in mind.

Jim noted that in the real world if he had to submit a bid at 10:00 AM – showing up at 10:01 would not be acceptable. Marilee concurred and hoped for times in Bridgewater when professional processes will replace the unprofessional way things are currently handled.

The Committee reviewed each pre-app individually and determined its eligibility under the CPA. Many of the pre-apps did not delineate for which building the funds were being requested. The Committee spent a long time on each pre-app and with both Sharon Travers Gay and Peter Colombotos expected to act as conduits to take information back to the Study Implementation Committee. That Committee has only until September 9th to complete the full applications and file them with the CPC. No extension of the deadline will be granted.

Marilee will send out the Pre-applicant response as quickly as possible so the Study Implementation Committee will have the maximum amount of time to work on its Application. (Letter Attached)

The Committee expressed its disappointment in the lateness of the pre-apps, the lack of pertinent information and the fact that the Pre-applications were not presented with a clear plan from which to draw. Marilee noted that the applications will be much stronger than the pre-applications if the Implementation Committee uses the NCA report and gives the CPC a clear 7 year plan for the changes, uses and maintenance of the buildings. She also noted that these Applications should have letters of support from various town committees, boards, departments and commissions, i.e the Historical Commission.

An extra meeting is scheduled on September for the 11th along with our regularly scheduled meeting on the 18th to allow time to process and vet the proposals. Hopefully that will give us enough time to peruse the Applications and prepare the warrant articles for presentation to the Selectmen on September 26th.

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Marilee noted that it is commonly accepted practice for the CPC to prepare the warrant articles and it is her intent to do just that this year.

The meeting was adjourned at 9:00PM.

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Pre-Application Response

Memo

From: Bridgewater Community Preservation Committee
Date: August 22, 2008
To: **Bridgewater Building Study Implementation Committee**
C/O Selectman Christopher T. Flynn
Address: **Memorial Building**
Selectmen's Office
25 South Street
Bridgewater, MA 02324
Sent via e-mail to: christflynn1@comcast.net
Aggregate Amount Requested: **\$602,000**

For expedience and paper conservation, the Community Preservation Committee is responding to the 10 pre-application submissions in this one memo. General principles apply to all proposals submitted by the Implementation Committee and specific actions for a particular proposal are called out separately.

General principles for all proposal submissions:

- When calculating budgets do not neglect to include costs that may be incurred for legal fees, a writer for any needed RFP's or RFQ's, the posting of RFP/Q's, a project manager and any other needed town function expenses (with the exception of accounting expenses for administering the CPA which are not allowable);
- Include the town's long-term, building maintenance plan for each building. The CPC is not allowed to fund routine maintenance, thus, it is important that the town show how it intends to maintain buildings into which CPA funds are invested;
 - Because maintenance is vital, the Committee is expected to have considered the best use of materials to ensure the least maintenance possible. Those considerations and the conclusions drawn by the Committee should be fully explained in the proposal;
- All construction must be allowable within the Department of Interior standards for historical preservation/restoration. Each proposal must specifically cite its acceptability under those standards;
- Each proposal must be acceptable to the various town departments and Committees affected by it. Specifically, entities such as, but not limited to, the Bridgewater Fire Department, Bridgewater Inspectional Services Department, Historic District Commission, Historical Commission and the Master Plan Implementation Committee must submit letters of support containing language that evidences their complete understanding and approval of the proposed project;
- All budgets must include costs calculations based on prevailing wage with built in allowances for inflation given the fact that work will not be able to begin until next spring after the Fall Town Meeting is approved by the Attorney General and the Department of Revenue;

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- Ensure that the work proposed will not cause any of the town buildings to reach the threshold that triggers full American with Disabilities (ADA) compliance.

Project Specific Responses:

Project #1: The request for \$92,000 to install new ceilings in the first and second floors of the Town Hall IS **IS NOT** eligible to apply for CPA funding. This project is not allowable under CPA guidelines as it is not historic preservation, restoration or renovation.

Project #2: The request for \$18,000 for the installation of a fire alarm system in one unspecified building **IS** IS NOT eligible to apply for CPA funding under the historic preservation provision of the statute.

This project falls under the preservation allowance of the CPA statute.

The CP Committee is not sure which building is being referred to in this pre-application but feels strongly that the all three (3) downtown buildings need the protection of fire alarm systems. We strongly encourage the Study Implementation Committee to apply for sufficient funds to safeguard the Academy, Memorial and Town Hall buildings from fire.

In the final proposal(s), be sure to explain what standard of protection will be met by the fire alarm system(s) proposed.

Project #3: The request for \$9,000 to repair the fire escape and non-functional first floor emergency egress door **IS** IS NOT eligible to apply for CPA funding as an Americans with Disabilities (ADA) improvement to the building which is allowable under the statute.

The CP Committee had strong reservations about whether this project is actually eligible to apply under the ADA portion of the Community Preservation statute and why has been prioritized by the Study Implementation Committee. If a proposal is submitted, it is a very strong, convincing argument must be made about why this is more than a public safety issue but is necessary under ADA and why it needs to be undertaken during this round of funding. Assurance must be provided that the work proposed is not merely maintenance. Documentation must be provided showing the last official inspection, what was required to be replaced and why.

Project #4: The request for \$29,000 to repair the front portico of the Academy Building **IS** IS NOT eligible to apply for CPA funding under the historic preservation and restoration provisions of the statute.

The CP Committee would like to ask the Study Implementation Committee to request sufficient funds to ensure completion of the proposed work should additional repairs be discovered as the restoration work commences. It is possible that the roof of the portico needs repairing and that rotted materials may be discovered. It would be unwise to begin the project then not be able to complete it because of a lack of funds.

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Project #5: The request for \$310,000 to repair and restore the complete exterior of the Academy Building including the siding, windows, water/leak mitigation, etc. **IS** IS NOT eligible to apply for CPA funding under the historic preservation and restoration provisions of the statute.

In addition to a proposal setting forth the exact projects proposed and the means by which they will be addressed, the CP Committee urges the Study Implementation Committee to closely adhere to the requirements listed in the "General principles" listed above which include provisions for maintenance and support from various town boards, committees and departments.

Project #6: The request for \$58,000 to repair and replace window sashes or windows **IS** IS NOT eligible to apply for CPA funding under the historic preservation and restoration provisions of the statute.

The building to receive the window repairs and restoration is not delineated in the Implementation Study Committee's pre-application but, since Project #5 provides for window repair and restoration in the Academy Building the CP Committee presumes this project for the Town Hall.

The CP Committee asks that the Implementation Committee strongly investigate the cost of this proposal. It is possible that, once the "General Principles" request for maintenance free materials is fully considered, \$58,000 may not be sufficient to complete the project.

Project #7: The request for \$30,000 for the repair/replacement of the exterior siding on the Town Hall **IS** IS NOT eligible to apply for CPA funding under the historic preservation and restoration provisions of the statute.

The CP Committee urges the Study Implementation Committee to closely adhere to the requirements listed in the "General principles" listed above which include provisions for maintenance and support from various town boards, committees and departments.

Project #8: The request for \$17,000 for the reconstruction/reinforcement of the first floor, rear wall of the Town Hall **IS** IS NOT eligible to apply for CPA funding under the historic preservation and restoration provisions of the statute.

While the affected area has been found to be sagging, the CP Committee would like documentation that is it unstable or in need of repair/reinforcement/reconstruction. The possibility exists that the sagging is historic and neither unsafe or in immediate need of repair. If it is possible to safely post-pone this project, the CP Committee would like to know the eventual use of the building and the need to make the repair before recommending funding.

Project #9: The request for \$22,000 for the repair/restoration of the drainage system of the Town Hall **IS** IS NOT eligible to apply for CPA funding under the historic preservation and restoration provisions of the statute.

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Consider combining project #9 with project #7 to repair/restore the entire Town Hall building envelope.

Project #10: The request for \$17,000 to install handicap accessible bathrooms and doors on the first floor of the Town Hall **IS** IS NOT eligible to apply for CPA funding as an Americans with Disabilities improvement to the building which is allowable under the statute.

Pay close attention to the "General Principles" listed above.



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Attachment A

Pre-Application Response

Memo

Community Preservation
Committee

Dan Buron
Recreation Commission

Peter Colombotos,
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Bob Iafrate
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Rick Kranes
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David Moore
Housing Partnership

Open
Capital Planning Committee

Bob Vazza, Treasurer
Housing Authority

Robert Wood
Historical Commission

From: Bridgewater Community Preservation Committee
Date: July 17, 2008
To: **Bridgewater Recreation Commission**
Address: **Town Hall**
64 Central Square
Bridgewater, MA 02324
Sent via e-mail to: csimonds@bridgewaterma.org
Amount Requested: **\$98,784**

It is unclear to the Community Preservation Committee (CPC) whether the pre-application to purchase and install 2,600 linear feet of four foot galvanized chain link fencing at the Crescent Street softball fields is eligible for CPA funding. The CPC's brief analysis leads us to believe that it is not eligible and that the project is premature.

Explanation:

Eligibility for CPA recreation projects requires categorization into one of the following: 1.) *acquisition*, 2.) *creation* or 3.) *preservation* of recreational land.

Since the CPC cannot definitively say that the fence does not fit one of the above categories (perhaps *preservation*), it will allow the submission of a full proposal, if such an application is submitted, with a very strong and compelling argument to show how the Bridgewater Recreation Commission has determined eligibility. Minimally, the Recreation Commission should seek the advice of Bridgewater's Town Counsel, Mark Gildea (508-586-1411; markgildea@cbglawfirm.com) and the Community Preservation Coalition (617-367-8998;

stuart.saginer@communitypreservation.org) to ensure that the application meets CPA eligibility standards.

Additionally, the CPC believes that the request for funding to install fencing at the softball fields is premature since the fields have not yet been developed. The FY '07 CPA appropriation to the Recreation Commission has not yet been used to develop the four fields promised in that application--the proposal voted upon favorably by the Town. The CPC suggests that the funded work be completed making the four fields be operational before seeking additional CPA funding.

This is a highly competitive funding process. There are no guarantees of funding made by submitting a full application and following these recommendations.



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Attachment B

Pre-Application Response

From: Bridgewater Community Preservation Committee
Date: July 17, 2008
To: **Ursula Garfield and Laurence Spector**
Address: **462 Summer Street
Bridgewater, MA 02324**
Sent via e-mail to: u1012@hotmail.com
Amount Requested: **\$TBD**

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The pre-application for the purchase of 6.7 acres of your property to be used for walking trails for the public IS IS NOT eligible to apply for CPA funding.

CPA eligibility for this proposal may fall in either the *Open Space* or *Recreation* provisions. The CPA permits three possibilities in each category: 1.) *acquisition*, 2.) *creation* and 3.) *preservation* of open space or recreational land. Additionally, if the land is purchased using CPA funds, the statute then permits the rehabilitation or restoration of recreational land.

In addition to an application submitted with the full support of Bridgewater's Open Space Committee, the Conservation Committee, the Master Plan Implementation Committee and the Board of Selectmen naming which department of Bridgewater Town Government will own and maintain the land should it be purchased, the CPC requires that the proposal include a written guarantee of perpetually access and parking for residents using the site. It is admirable that you are in touch with Bridgewater State College but, if perpetual access to the site will be located on state land, state officials beyond BSC (probably the Department of Capital Assets Management—DCAM) must be consulted and must grant a written, guarantee for a deeded of right-of-way or other access and parking provisions.

If access will be granted through property owned by you, a written guarantee of that perpetually deeded right-of-way or other access must accompany the application. To ensure sound legal provisions, the CPC recommends that you consult with Bridgewater's Town Counsel, Mark Gildea (508-586-1411; markgildea@cbqlawfirm.com).

Additionally, the proposal must include a price for the project. Such a price will include both the land value and the cost of legal and appraisal fees associated with evaluation and purchase. Please make a reasonable estimate for those costs (including the legal costs for a deed restriction should a private entity be asked to hold such on the land) in the proposal. If the application is successful, the CPC will fund an appraisal of the property to determine best and highest value.

This is a highly competitive funding process. There are no guarantees of funding made by submitting a full application and following these recommendations.