

Braintree Community Preservation Committee
Minutes

May 10, 2010
Thayer Public Library

Present: Anne Murphy (Chair) John Dennehy Darryl Mikami
 Linda Raiss (V-Chair) Dick Fletcher

Absent: Mike Dorn & Pat Flynn

Also present: Christine Stickney, Director of Planning & Community Development

Meeting convened at 7:33 PM.

Administrative:

The Chair noted that the minutes of 3/8 were previously approved on 4/12. Minutes of 4/12/10 were handed out for review and approval at the next meeting.

Kopelman & Paige invoices – 165 Pond Street

Christine Stickney circulated copies of the invoices submitted to date from K & P relative to the sale of 165 Pond Street that totaled close to \$9,000. Although she felt the invoices should be paid she was concerned that so much of CPA funds were used for the “legal” issues surrounding this conveyance. Dick Fletcher explained to members the series of events that led to the final sale of the property and the issues that arose at the closing. Members discussed their concern that K & P did not pick up on the sale of Town-owned land and the requirements for the disposition. The buyer’s lender raised the issue in November of 2009. Darryl Mikami suggested the following course of action in a letter to Kopelman and Paige: 1) As far as the CPC is concerned the project is closed there should be no more invoices forwarded. 2) The CPC wishes an explanation as to why the issue of disposition of Town-owned land was overlooked given the municipal experience of the firm and the subsequent billing that substantially increased the invoices to resolve the oversight. 3) Going forward we would hope to avoid a similar situations. John Dennehy expressed his concern that he was troubled with the amount of the invoices and that we should acknowledge that we will pay them, but suggested an adjustment should be forthcoming since the error was relative to the legal processing. It was agreed to have Christine prepare a draft letter, discuss it with the Town Counsel and then send it to K & P to see if some type of adjustment would be considered. The committee agreed to pay the bill but to wait for a response first before processing.

Spring CPA Applications (2010):

The CPA committee received four applications at the March 1, 2010 deadline. The applications submitted are for the following:

- Braintree Housing Authority - \$91,300.00 – ADA/Security for affordable housing
- Braintree Historical Society - \$18,000.00 – Restoration of East Braintree Mural
- Braintree Historical Commission - \$10,000.00 Historic House Inventory
- Braintree Historical Commission - \$3,000.00 Preservation Management Plan – II

Page 2
CPC Minutes 5/10/10

John Dennehy provided the members with some background on the historical inventory request and the mural restoration. Linda Raiss explained there was a previous appropriation for the historical inventory that the CPC had recommended be returned to the “original pot” since the project never went forward.

Christine Stickney discussed briefly the request for the preservation management plan/ Elm Street. She noted work is underway for Phase I and this is for Phase II. Members expressed their pleasure with seeing something moving forward with the cemetery. Linda Raiss **MOTION** to recommend approval to Town Council of the request from the Historical Commission in the amount of \$3,000 for the Elm Street cemetery preservation management plan – Phase II, pursuant to all invoices being reviewed and paid under the direction of the Planning and Community Development Office, seconded by Dick Fletcher – unanimously voted.

John Dennehy **MOTION** to recommend approval to Town Council of the request from the Historical Commission in the amount of \$18,000 for the restoration of the historic East Braintree mural pursuant to all invoices being reviewed and paid under the direction of the Planning and Community Development Office, seconded by Dick Fletcher. Members did discuss if additional quotes should be sought, Christine Stickney noted that work under \$25,000 requires solicitation of three quotes. John Dennehy said he would contact Paul Carr and ask him to submit to Christine two other firms that do similar work to obtain additional quotes and if possible a better price. Mr. Dennehy and Mr. Fletcher withdrew their actions. The matter was held to the next meeting on June 14th.

Members briefly reviewed the Braintree Housing Authority request. Members discussed what can and cannot be funded relative to Affordable/Community Housing requirements. Dick Fletcher provided his interpretation of the statute as to the verbiage of “support”. Darryl Mikami questioned if it is like the experience with historic restoration and maintenance and wondered where you draw the line. John Dennehy questioned if we want to define “support” for consistency in future requests. Anne Murphy suggested that we may want the BHA Director to explain a bit more about the project. It was agreed to invite the Director Lauren Murphy to the next meeting. Dick Fletcher will contact her with the committee request.

Recommendation to Town Council Administrative Funds (FY11):

Linda Raiss noted that we need to forward the FY10 recommendation previously voted in March for administrative funds in order to make payment to the Community Preservation Coalition for our annual membership. Dick Fletcher presented to the CPC a variety of motions relative to the new Fiscal Year 2011 as follows:

Page 3
CPC Minutes 5/10/10

Dick Fletcher made the following **MOTION** to recommend to Town Council in accordance with the provisions of chapter 44b of the General laws, that the Community Preservation Committee recommends a sum of **\$75,000.00** be set aside for later use for acquisition, creation, preservation, or support of **Community Housing** or the rehabilitation or restoration of community housing that is acquired or created as provided in chapter 44b, section 5, of the general laws, seconded by John Dennehy – unanimously voted.

Dick Fletcher made the following **MOTION** to recommend to Town Council in accordance with the provisions of chapter 44b of the General laws, that the Community Preservation Committee recommends a sum of **\$75,000.00** be set aside for later use for the acquisition, creation, or preservation of **Open Space** or the rehabilitation or restoration of open space that is acquired or created as provided in chapter 44b, section 5, of the general laws, seconded by John Dennehy – unanimously voted.

Dick Fletcher made the following **MOTION** to recommend to Town Council in accordance with the provisions of chapter 44b of the General laws, that the Community Preservation Committee recommends a sum of **\$75,000.00** be set aside for later use for the acquisition, preservation, rehabilitation, or restoration of **Historic Resources** as provided in chapter 44b, section 5, of the general laws, seconded by John Dennehy – unanimously voted.

Dick Fletcher made the following **MOTION** to recommend to Town Council in accordance with the provisions of chapter 44b of the General laws, that the Community Preservation Committee recommend a sum of **\$400,000.00** be appropriated from the Community Preservation Fund to the Community Preservation **Budgeted Reserve**, as provided in chapter 44b, section 5, of the general laws, seconded by John Dennehy – unanimously voted.

Dick Fletcher made the following **MOTION** to recommend to Town Council in accordance with the provisions of chapter 44b of the General laws, that the Community Preservation Committee recommends that the sum of **\$30,000.00** be appropriated from the community preservation fund **for administrative operating** expenses of the Community Preservation Committee for fiscal year 2011, seconded by Linda Raiss – unanimously voted.

Members applauded Linda Raiss and Dick Fletcher for their hard work in compiling the accounting sheets for the Community Preservation Committee since inception through this current year. Linda Raiss noted their work was accomplished with the help of Mark Lin, Town Accountant. She expressed her appreciation for his assistance. Overall the CPC accounts are in good order now.

Page 4
CPC Minutes 5/10/10

Members again discussed the issue of a separate CPA account and their concerns for the future tracking of monies. Linda Raiss suggested giving it 6-12 months and see what happens. Things are different now with staff. Members continue to feel a separate account is needed and it was agreed that Darryl Mikami would contact Ed Spellman to pursue the issue.

CPA Coalition – Request for Letter:

Christine Stickney provided members with a draft letter being requested for signature by all Mayors for their support of Senate Bill 90, “An Act to Sustain Community Preservation.” Christine noted that Mayor Sullivan would like CPC input on this legislation. Members discussed the draft letter and the consequences of passage of such legislation. Darryl Mikami noted the letter mentions there are 61 co-sponsors and he wondered if our representatives were among co-sponsors and asked that staff check this out. The general consensus was that members would like to see a copy of the bill and more information before they could make a recommendation to the Mayor. The matter was tabled.

Linda Raiss **MOTION** to adjourn the meeting, seconded by John Dennehy – unanimously voted. The meeting adjourned at 9PM.

Respectfully submitted,

Christine Stickney, Director
Planning and Conservation Department