

Oak Bluffs Community Preservation Committee

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Joan Hughes, Chairman
Jevon Rego, Vice Chairman
Amy Billings
Stephen Durkee
Charles Rock
Alison Shaw
James Westervelt
Adam Wilson

Oak Bluffs Community Preservation Committee

Regular Meeting, November 21, 2011, 7:00 p.m. CPC/Conservation Office

CPC Present: Amy Billings, Steve Durkee, Joan Hughes, Jevon Rego, Charles Rock, Alison Shaw, Jim Westervelt, Adam Wilson

Also Present: Margaret Knight CPC Ass't, Cheryll Sashin, Bill Alwardt/Fin Com

Financial information: Joan reported that she and Margaret are still working on getting correct figures including money promised and money being returned. CPC may need to go to TM for return of \$160,000 from Niantic Park project approved in 2011 ATM. Joan wants to get figures certified; is allowed one hour of the accountant's time, so should have figures in a couple weeks. She was fairly certain there would be at least \$913,598 to give out.

Project sample record keeping: Board looked at Edgartown cover letter which is filled out for all their project applications. Charles suggested listing a point person there. Jevon said after approval of applications there should be another meeting to get details, including estimated time frame, manager, payment disbursement, depending on how involved the committee gets with shepherding projects. Charles suggested a designated manager for bigger projects, and maybe someone from CPC for smaller projects. Joan suggested one easily reachable person from project and one from CPC. Jim said they should come in and give a progress report a couple times a year. Joan referred to sample Nantucket document that is filled out every time a bill is submitted, and have grantees come back every couple months with printout of what spending. Also, keep track of projects where other funds are expected which sometimes don't turn up.

Discussion about all bills coming through CPC office before going to accounting dept. so that CPC can make sure money is being spent correctly and not over budget. Joan said there is a need for CPC to appear more in control of funds in the public eye. Adam said accounting dept. and CPC need to be in communication about payments. Jevon said initial numbers on application are not hard and fast, and would like to see if money being spent correctly, that sometimes money spent because that was what was allocated. Alison questioned if CPC has the expertise to know what a project should cost. Joan said for some of the projects committee members would know, and for others, could seek counsel of

someone with expertise. Joan said we should set up protocol, including turning up every three months. Looked at Boxboro sample of project tracking from Stuart Saginor, and agreed for need of excel sheet for each project as well as summary. **Adam agreed to work on a summary spread sheet.**

Agreed all bills need three signatures; MK can e-mail members to come and sign, or bring to a meeting.

Oak Bluffs Affordable Housing Trust: Jim said there is \$300,000 held by CPC for housing trust, but he hasn't followed Trust since he resigned. Joan mentioned the \$22,700 granted to 54 Pacific Ave project and not used. Jim suggested sending a letter to Trust to find out status since the committee is reorganized, although may not be doing anything until next spring. If land not still available, there is a need to go to TM to free the money. Jim said applicants for affordable house grants could be sent to Trust. Jevon said if we decide a project is not appropriate for CPA funds, could go to Trust which would have different criteria. The money is not CPA money once it's in the Trust. It was agreed to **send a letter to Bob W. town admin. and the selectmen asking status of Pacific Ave. and starting process of returning \$22,700 if appropriate.** Jim said Abe Seimans is Trust chair now. Alison suggested inviting him to next meeting [invitation postponed until after meetings to hear applicants]. Amy asked about putting time limit on projects, and Steve said we could up to a point, but they need to go out to bid, sometimes more than once. Charles asked about letter to architects in Seaview project, **and Jevon said he would craft the letter for CPC approval.**

New Applications (2012ATM/ 2013FY)

1. Niantic Park: Jevon said this project is not legally allowable because park was not acquired with CPA funds. Adam said it's a rehabilitation project (referred to Newton case in which work not allowable on a park not purchased with CPA funds) and the town should raise funds for work; CPA not a slush fund. He said the park needs the work and it's a great project, though. Joan questioned final outcome of Newton case and whether there was now more leeway for this kind of project. Discussion of Senate Bill 70 that may change wording of what's allowable in open space/recreation category, and includes 75% minimum for matching grants, coming up for a vote. Joan said she'd like to wait to decide on this project to hear about the bill. Charles questioned the possibility of it being designated historic, so be allowable. Steve said committee decided that we can't revise applications. Alison said it would be stretching it to call it historic. Jim said law says can "preserve and protect from injury or harm." Steve said repaving court would be bandaiding because it needs to be torn up. Jevon thought although all loved the project, it was not appropriate. Joan agreed but would like CPC to adopt a few visible projects benefitting town because of perception about value of CPA. Committee agreed to wait to decide; **Joan will e-mail Stuart Saginor regarding Bill 70. Not voted on.** Stuart has offered to help with any specific project's applicability.

2. Frye Property Acquisition: Joan said assessed value listed as \$313,000. Alison said the \$400,000 requested must include landscaping. Alison thought this was a lot of money for a sliver of land, and she would rather see a building there. Amy said Richie has not approached sellers directly yet. **Agreed project is appropriate use of funds. Margaret will schedule applicants to come in.**

3. Oak Bluffs Bathroom Landscaping: Alison said it's appropriate. Adam asked how landscaping fits. Charles and Alison agreed grounds are part of building's historic designation. Adam asked about historic plantings. Amy said Mark Crossland had given Friends of Oak Bluffs an estimate, which they used for CPA grant application. Plan is for \$15,000 of which \$5,000 is donation. Adam said any project over \$5,000 is required to go for three bids by law, and probably should be advertised. Vote: **four yes, three no, and Amy abstaining. Project is appropriate use of funds.**

4. East Chop Bluff and Road Preservation: Joan said this is a continuation of a project already funded, and this is for the final piece of engineering. She said MEPA (Mass. Environmental Policy

Act) people were here and say OB is in top tier of towns likely to get Tiger Two grant, used primarily for MA waterfront projects – been told to ask for \$10 million. Adam said it qualifies as preserving open space. **Agreed project is appropriate use of funds.**

5. Restoration of Stained Glass Windows: Agreed project is appropriate use of funds.

6. Everett Rogers Municipal Building(Police Station): Jevon asked if anyone thought this qualifies. Alison said historic committee is not writing a letter. Agreed CPC is not alternative means of funding. **Agreed project is not appropriate use of funds.**

7. Martha’s Vineyard Museum: Steve said town counsel said last year it doesn’t qualify. Joan said another town using same counsel deemed it appropriate, and other towns moved it through town meeting except OB and West Tisbury. Steve said we wouldn’t be paying for preservation but for someone’s salary. Alison said it’s contract work. Joan said is gray area, would like to continue discussion as is an all island application. Jim said he had problem with the way cost is proportioned to each town. Jevon said every project is eligible unless someone takes it to court. Joan said town counsel Ron Rappaport advised could do a dubious project if don’t think you’ll be sued. **Did not take vote.**

8. Dukes County Regional Housing Authority – new roofing: Jevon said he didn’t think new roofing qualifies. Discussion of what exactly they’re asking for. Charles suggested it be sent to OB Affordable Housing Trust. Adam said that since these properties were not acquired with CPA funds, they do not qualify for rehabilitation/restoration, that this is maintenance. Joan said that some other towns’ CPCs ask how an applicant will maintain project in years to come. Charles said there is a precedent in the past when CPC rejected storm doors for elderly housing complex as maintenance. **Agreed project is not appropriate use of funds. Margaret to write letter.**

9. Dukes County Regional Housing Authority – Rental Assistance: Joan said this is a continuing project. **Agreed project is appropriate use of funds.**

10. Oak Bluffs Affordable Housing Inventory: Jim said it’s a worthwhile investment, that there would be a data bank of every town’s housing, which is not known now. Jevon agreed it’s worthwhile, but not see that it necessarily qualifies, that we would be using affordable housing money to do computer work. Joan said it’s like engineering, getting a ground idea of what is there. Jim thought it would come under support. Adam said it’s allowed in affordable housing. Jevon said he was persuaded. **Agreed project is appropriate use of funds.**

Formal Vote:

Projects not qualifying for funds: Affordable housing roof and Police Station roof: vote is Unanimous.

Adam said a letter should say the project is not an appropriate use of CPA funds, and thank you for submitting your application – no need for explanations.

Discussion of other projects committee hasn’t yet made decision about applicability. Town counsel will eventually look at all projects recommended, and committee vote will be put on town meeting article.

Amy asked if bathroom landscaping project can be approved with Mark Crossland’s design. Joan said it needs to go out to bid. She said original line item in contract was just for dirt not landscaping. If it goes out to bid, each person should bid using their own plan. Adam said they should be given parameters and come up with their own design, given budget limits.

Jim said he was surprised Sunset Lake didn’t make an application. Joan said they’re still viable and trying to put together an RFP.

December 5 meeting to start interviewing. Talk about financial info for first half hour and then see applicants at 15 min. intervals and talk afterward. Two questions about applicability: MV Museum and Niantic Park. Discussion of which projects to see first. Joan said there is enough money to fund everything this year, but maybe should keep some aside until something that really needs it comes along. Amy commented projects recommended by CPC always get approved at town meeting. The

warrant articles for TM are done in February, so need to be done with proposals by end of January. Adam said warrant articles need to be reviewed by Fin Com and Board of Selectmen. Jevon asked what happens if someone needs more money than they applied for. Steve said they would need to apply the next year. Others suggested CPC could recommend more money than is applied for, although that has never been done.

Voted to accept minutes from last meeting. Alison abstained. Motion to adjourn.