



## Town of Barnstable

# Community Preservation Committee

[www.town.barnstable.ma.us/growthmanagement/PropertyManagement/CommunityPreservation](http://www.town.barnstable.ma.us/growthmanagement/PropertyManagement/CommunityPreservation)

Lindsey Counsell, Chair  
Laura Shufelt, Vice Chair

Marilyn Fifield, Clerk  
Alisha Parker, Project Coordinator

Monday, February 25, 2013

### Public Hearing APPROVED MINUTES

Town Council Hearing Room at 367 Main Street, Hyannis at 5:30 pm

Meeting called to order at 5:36 pm

**Members present:** Lindsey B. Counsell, Laura Shufelt, Terry Duenas, Richard Sawyer, Tom Lee, Marilyn Fifield, and Sue Rohrbach.

**Members absent:** Paul R. Curley and Paula Schnepf

Chair Counsell reads into record before calling meeting to order: "Please note that tonight's meeting is recorded and broadcast on Channel 18 and, in accordance with MGL Chapter 30A, s. 20, I must inquire whether anyone is taping this meeting and to please make their presence known." No members of the public are taping the meeting.

**Minutes:** Minutes from Monday January 28, 2013, can't be accepted at this meeting as the members making the motions were not clearly identified during the last meeting. Alisha will check with the Town Attorney for the correct procedures on how to proceed. These minutes can be accepted at the next meeting in March.

### Correspondence

Open Meeting Law Guide— Town Attorney (**Exhibit #1**)

Open Meeting Law Meeting Notes— Town Attorney (**Exhibit #2**)

State Ethics Email – GMD Director – Due by April 5, 2013 – Each Member must complete and provide Alisha with a copy of the Certificate of Completion (**Exhibit #3**)

SAB Budget –Mark Marinaccio, as requested by Committee at last meeting (**Exhibit #4**)

Sesame Street – Conservation Commission late file (**Exhibit #5**)

The Assistant Town Manager's attendance was requested by the Committee; however, Dan Santos, newly appointed DPW Director, is in attendance to answer the specific questions asked by the Committee. Mr. Santos provides the committee with a written response to the questions. (**Exhibit #6**)

1. **Does DPW have a line item for maintenance for all of the CPA-funded rehab projects?** *The Structures and Grounds Division of DPW is budgeted to maintain Town buildings. The funds are intended for maintenance of the entire building, which would include those portions of buildings that have been rehabbed. We can provide spreadsheets of maintenance budgets for Town buildings.*
2. **If yes for any, were those funds spent this year? If not, why not?** *Yes. Maintenance funds are virtually always fully expended, as the nature of maintaining public facilities is that there is always more work than money. It is catch-as-catch-can, and often "maintenance by repair." Mr. Santos can provide spreadsheets showing maintenance expenditures on Town buildings.*
3. **Why are CPA funds used for salary of DPW staff when statute specifically says CPA funds cannot be used to replace General Operating Funds?** *CPA funds are not being used for DPW salaries and are not being used to replace General Operating Funds. Soft costs, as opposed to hard (bricks and mortar) costs, are allowed for CPA projects; in fact the projects could not proceed without them. Project management and administrative costs are funded through CPA projects, just as architect and engineer fees are. In the case of OPM, the Town chooses to have those positions on-staff, but funded solely by Capital or CPA projects, not General funds.*
4. **Wouldn't professional assessments like those recently completed for five Town-owned historic buildings also benefit the remaining few Town-owned historic buildings in identifying their needs and prioritizing appropriate maintenance and other improvements to help avoid the maintenance backlog experienced in recent years?** *Professional assessments are always helpful as evidenced by the 5 that have been completed, resulting in substantial capital improvement. Two other Town-owned buildings, the West Barnstable Community Building and Centerville Community Building have undergone internal evaluations and*

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*are in good shape. DPW is certainly open to the possibility of professional evaluations of other buildings that the Committee deems appropriate.*

Tom Lee would like to see the numbers that have been budgeted on town buildings to do the maintenance work. Richard Sawyer asks if there will be a maintenance budget set aside for other CPA funded projects that are not just structures (e.g., beaches, recreation fields). There is a maintenance budget set aside for all Town facilities, and the priorities are generally based on need (e.g., public safety). Mr. Santos will provide the Committee with the policy on prioritization of these projects. Some Committee members would like to see that a maintenance budget is placed on CPA-funded projects so no more funds are being requested in the future due to deferred maintenance. If there aren't enough funds to maintain all the buildings being rehabbed with CPA funds, then there should be a priority list of which ones will be the top priority. It costs less to do regular maintenance than to do the deferred maintenance which is usually much worse. The Committee could support DPW maintenance funding requests before the Town Council in order to avoid the need for further CPA funds due to deferred maintenance. Terry Duenas would like to see a long-term capital plan that will extend out a number of years to show a partnership with the CPC and its funding.

**Project update by John Juros, Owners Project Manager, DPW** – Updates the Committee on various CPA-funded projects. The Old Selectmen's Building contract has been awarded for the foundation, and the work will begin immediately, once the gas line is capped. Once the foundation work is complete, the siding will be done. The roof is complete. The Trayser Museum (US Custom House) contract will be awarded next week. Windows will be restored in a few weeks. The School Administration Building exterior project will be before the Council on Thursday February 28<sup>th</sup> to appropriate additional funds which will enable the project to begin.

#### **Discussion on Applications**

**Cahoon Museum for American Art, Historic (Exhibit #7) – Richard Sawyer makes a motion to forward the CPA application for the Cahoon Museum for American Art to the Town Council in the amount of \$200,000.00 and is seconded by Terry Duenas. Laura Shufelt adds that the funds shall come from the Undesignated fund set aside, which she comments is another \$200,000.00 over and above the designated funding for historic preservation. Marilyn Fifield reminds that a Historic Preservation Restriction is to be placed on the property. VOTE - Aye: Sawyer, Lee, Rohrbach, Counsell, Fifield, Duenas; Nay: Shufelt**

**Discussion:** Shufelt notes that this year alone approximately \$500,000.00 has been taken out of the Undesignated set asides for historic preservation. Richard Sawyer reminds the Committee that the historic funds have been ultimately used for the Town's own historic buildings. Terry Duenas states that there are no other projects coming forward to fund, so these are the only projects being voted. Sue Rohrbach states that the undesignated funds are there for the purpose of funding any eligible projects and suggests reaching out to other communities to learn best practices on how Housing projects are being funded. In reply to Committee query, Cahoon Museum representatives explained that additional State grant funds are being sought to supplement the CPA funds sought to complete the project.

**Habitat for Humanity of Cape Cod – Sesame Street, Housing (Exhibit #8).** Point of clarification: the letter dated February 25, 2013, to the Chair from Habitat, Re: Ginger Lane Community Housing should read "Sesame Street Community Housing." Leedara Zola, Director of land acquisition and permitting at Habitat for Humanity of Cape Cod, along with John Terry, a board member at Habitat and pastor at Federated Church, are present for discussion of the Sesame Street project. Habitat has a sweat-equity model that has been working so well that it is employed in all Habitat projects. The Sesame Street project is a land acquisition project. Chair Counsell reads into the record an excerpt from the February 14, 2013, letter from J.M. O'Reilly and Associates, Inc. that states, "they recommend conducting onsite soil and percolation testing, an existing conditions survey and recommend filing with the MEPA" to determine if they have any opposition to the project (Exhibit #9). Habitat would rather not pursue these recommendations until the CPA funds have been committed. The vote can be conditioned to require obtaining **all** necessary permits. A purchase and sales agreement is in place. Habitat is asking for \$100,000.00 or approximately 25% of CPA funds as matching grants. CPA funds would be available at closing, contingent on buildability. A letter of support from the housing committee (Exhibit #10) was submitted to the Committee for the record. **Laura Shufelt moves that the committee recommend to the Town Council approval of \$100,000.00 from the Community Housing set aside for the Habitat of Humanity Sesame Street project, contingent on the lots being buildable, and is seconded by Terry Duenas. VOTE - Aye: Sawyer, Lee, Rohrbach, Counsell, Fifield, Duenas, Shufelt**



**General Discussion:**

Town Attorney provides Chair Counsell with correspondence to read into record regarding the details of the School Administration Building. Chair Counsell reads, "I was informed this afternoon that both Town Council agenda items 2013-071 for \$275,000.00 for the West Parish and 2013-073 for \$300,000.00 for the School Administration Building contain a Committee recommendation to transfer \$102,995.00 for each from historic set-aside when, in fact, the historic set-aside only has a balance of \$102,995. Since this was unanticipated and both items were fully endorsed by the Committee and both are under consideration for appropriation this Thursday, I would suggest we endorse modifying our recommendation for the SAB to a transfer of \$200,000.00 from undesignated funds and no transfer from historic set-aside." (Exhibit #11) **Sue Rohrbach moves the transfer of \$200,000.00 from the undesignated fund for the School Administration Building project and is seconded by Terry Duenas. VOTE - Aye: Sawyer, Lee, Rohrbach, Counsell, Fifield, Duenas, Shufelt**

Five CPA project items will be before the Town Council on Thursday the 28<sup>th</sup> of February. These are the; West Parish Meetinghouse, Osterville Recreation Fields, GMD AAAP, SAB and Habitat for Humanity – Ginger Lane.

With \$204,999.85 to be returned to Historic and Undesignated funds (25/75), respectively, approximately \$51,000.00 will be going back into the Historic set-aside.

The 70 Stage Coach Road project has closed today as updated by the Legal department. There are 12 units and 5 funding sources, each with its own restrictions.

The idea that the Committee should be more proactive in seeking projects needed in the community was discussed, and it was considered important to see what other communities are doing regarding housing issues and how to be better advocates. With rental housing cited as the greatest need throughout the Commonwealth, and especially on the Cape, a Community Housing discussion could be placed on the agenda for the annual meeting that will be held in March in order to seek public input on CPC policies. The Chair would like to see housing advocates join in the annual meeting. Alisha will get names from Paula and Laura for invites.

Planning a CPA workshop or summit with other Cape committees was considered to see what they are doing for their projects. This could be televised if done in Terry's studio, with topics to be determined.

**Closing Public Comment: NONE**

**Motion: Sue Rohrbach makes a motion to adjourn the meeting, and the motion was seconded by Tom Lee. Vote - Aye: Unanimous**

**Public hearing concluded: 6:36 pm**

Respectfully Submitted,

*Alisha Parker*

CPC Project Coordinator

**Exhibits\*\*:**

*Open Meeting Law Guide–Town Attorney (Exhibit #1), Open Meeting Law Meeting Notes–Town Attorney (Exhibit #2), State Ethics Email–GMD Director (Exhibit #3), SAB Budget (Exhibit #4), Sesame Street–Conservation Commission late file (Exhibit #5), DPW written response to Committee questions (Exhibit #6), Cahoon Museum for American Art Application, Historic (Exhibit #7), Habitat for Humanity, Sesame Street Application, Housing (Exhibit #8), Feb 14 JM O'Reilly and Associates letter regarding Sesame Street project (Exhibit #9), Barnstable Housing Community letter of support for Sesame Street project (Exhibit #10), SAB Language (Exhibit #11).*

*\*\*All Exhibits may be reviewed in the office the Growth Management Department upon request*