

COMMUNITY PRESERVATION COMMITTEE

Town Hall · 40 Center Street · Fairhaven, MA 02719

January 11, 2023

1. Administrative Business

Chairman's Welcome Media Notification: Jeff Lucas, Chair, opened the meeting at 6:31 PM and welcomed all. He then proceeded to read the revised Open Meeting Law Statement per the State of Emergency issued by Governor Baker with instructions that public hearings may be conducted remotely via Zoom.

Quorum/Attendance: Present:

Jeff Lucas, Ann Richard, Karen Isherwood, Gary Lavalette, Roger Marcoux, Beth Luey, Terrance Meredith, Gary Souza

Paul Foley, Planning Director, was also present.

Marcus Ferro was not present for this meeting.

Minutes:

Ms. Richard made a motion to approve the December 7, 2022 minutes and was seconded by Mr. Lavalette. The motion passed unanimously via roll call vote, with Mr. Souza abstaining due to being temporarily unavailable via Zoom.

Correspondence:

Mr. Foley received an email from Stuart Saginor of the Community Preservation Coalition requesting a \$1,750 payment for Fairhaven's yearly membership dues with the Coalition. Chair Lucas and Vice-Chair Richard both noted the great value the Town derives as members of the Community Preservation Coalition.

Ms. Richard made a motion to pay the \$1,750 membership dues for the Community Preservation Coalition and was seconded by Mr. Meredith. The motion passed unanimously via roll call vote.

2022 Annual Report:

The committee was provided with copies of the 2022 Annual Report as drafted by Mr. Foley for the Town. Ms. Richard noted that Ms. Luey had not been included in the member list, but Mr. Foley had already corrected the draft to address this error.

Ms. Richard made a motion to approve the 2022 Annual Report as amended and was seconded by Mr. Meredith. The motion passed unanimously via roll call vote.

2. Public Hearings

Mr. Lucas officially continued the Public Hearings at 6:39 PM and noted that this meeting would include decisions on which applications would be approved for inclusion on the Town Meeting warrant.

Historic Preservation

Fairhaven High School - Southeast Gable Repairs - Phase I Work Scope (\$200,000)

Mr. Foley noted that there were no representatives of the High School or Spencer Preservation group present, though he had spoken with the architect the prior week. He once again covered the discrepancies in the totals cited in the original application and the amount approved at Town Meeting as a difference between the construction costs (\$1,750,000) and the full project costs with additional contingency and soft costs (\$2,275,000). The application is requesting funding to purchase new slate tiles and/or replace the copper roofing pans on the dormers. The exact work required cannot be specified until the gable is partially deconstructed during its initial evaluation phase.

Ms. Richard stated that she personally did not wish to fund this project as the High School had already received \$2,275,000 from the Capital Planning Committee at the prior Town Meeting. Should they find a specific issue that needs funding once the project is underway, then they can make a new application during the next CPC grant funding cycle. Similarly, Ms. Isherwood also pointed out that she did not have the details she requested from the architect at the prior meeting.

Mr. Lucas requested putting a hold on this hearing to get a sense of which applications the committee already had a consensus on, and which would require further consideration. The committee concurred that they were broadly in favor of the Salt Winds Conservation Project, the Mattapoissett River Valley Water Supply, the Bike Path Resurfacing, and Dana Court Brick & Balcony work. They would require further discussion for the High School Gable Repairs, the Town Hall Window Repairs, and the Livesey Skate Park resurfacing.

After that discussion, the committee resumed deliberating the Fairhaven High School Gable Repairs. Mr. Lavalette concurred with Ms. Richard that the High School should have included this funding in their original Town Meeting request. Ms. Luey shared the same concerns as Ms. Isherwood that the committee did not receive the additional information requested at the prior meeting with Mr. Lucas agreeing that the application did not seem well planned out. Mr. Souza noted that it was closer to a contingency fund and not appropriate for the CPC to fund.

Ms. Isherwood made a motion to not approve the Fairhaven High School - Southeast Gable Repairs - Phase I proposal and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

Town Hall – Town Hall Repairs Windows & Granite Stairs (\$200,000)

Mr. Foley covered the revisions to the project which now covers the weather stripping of the 105 double-hung windows (\$168,865) and an evaluation of the stained glass windows. He has spoken to a conservator who agreed to visit the Town Hall in two weeks to provide a free estimate on the cost of a full evaluation of the stained glass windows. Estimates currently range around \$10,000 but the exact figure requires an in-person visit to determine. The \$200,000 would fully cover the double-hung window repairs, as well as any evaluations needed. The main concerns for the future will be the restoration to the weatherization of the three large stained glass windows which have been covered by sheets of protective acrylic for over twenty years.

Mr. Lucas wanted to define the exact scope of the project, with the committee agreeing that the \$168,865 for the double-hung windows would be approved. When discussing the original application, which included

95 funding for repairing the stairs on the northwest side of the building, Mr. Foley explained that the Town
96 Facilities Manager, Mr. Kevin Fournier had been forced to open up the northwest stairs for emergency repairs.
97 Fournier and Mr. Lavalette have been working to find a contractor for the repairs after removing the damaged
98 step. Originally, the plan was simply to replace and re-caulk the stairs, but once the stairs were opened, further
99 problems were revealed with the underlying bricks and the wiring. Mr. Lavalette explained that the original
100 contractor had estimated \$900 but backed out and now a mason that will do the work is estimating that it
101 would cost approximately \$16,000 to rebuild the stairs and rewire the historic lamps.
102

103 At Ms. Luey's request, the committee returned to discussing the two window projects. Mr. Lucas explained that
104 he would like to see the project broken into two pieces – one for the double-hung window repairs and one for
105 the stained glass evaluation – as the two projects would require different contractors and timetables. Mr.
106 Lavalette suggested taking advantage of having either a material handler or scaffolding present to evaluate
107 other damages to the building.
108

109 Ms. Luey stated her concerns that maintenance of the building should be funded outside of the CPC, though
110 Mr. Foley explained that there is sometimes a fine line between restoration and maintenance when it comes to
111 historic buildings. There was a brief discussion concerning the use of drones to evaluate the issues on the roof
112 and the amount of work needed to restore the stairs.
113

114 Ms. Richard cut in that the stair project would need immediate attention and funding, whereas any project
115 funded by the CPC grants would not receive the funds until the start of FY24.
116

117 **Ms. Richard made a motion to fund \$168,000 for the double-hung window repair and \$32,000 for the stained**
118 **glass window evaluation and was seconded by Mr. Meredith.**
119

120 When there was a call for questions on the motion, Mr. Foley explained that the double-hung window repair
121 may go over the stated \$168,865 estimate and the stained glass window evaluation may be far less. As such, a
122 lump sum of \$200,000 for both projects would be preferable. Ms. Richard replied that she was separating out
123 the projects at the request of Mr. Lucas. But the committee agreed with Mr. Foley on the single lump sum.
124

125 **Ms. Richard rescinded her motion.**
126

127 **Ms. Richard made a motion to approve recommending both the Town Hall double-hung window repairs and**
128 **the evaluation of the stained glass windows to be funded for \$200,000 and was seconded by Mr. Meredith.**
129

130 When there was a call for questions, Ms. Isherwood asked for clarification as the original application mentioned
131 repairs of both windows and doors. She wished to confirm that the project would only be for windows, which
132 Mr. Foley and Mr. Lucas affirmed.
133

134 **The motion passed unanimously via roll call vote.**
135

136 Before moving on, Mr. Foley explained that the Town Hall repairs committee is currently an ad-hoc committee
137 consisting of Jeff Osuch, Frank Fostin, Kevin Fournier and himself and that it should be formalized by the Select
138 Board as this will be something that needs attention throughout the years. If possible, it should also include a
139 representative from the Historical Commission, possibly the Building Inspector and other knowledgeable
140 citizens. Ms. Luey requested that it officially be called the "Town Hall Restoration and Maintenance
141 Committee."
142

Open Space

BBC – Salt Winds (732 SNR) Conservation Project (\$50,000)

Mr. Meredith made a motion to approve the Salt Winds Conservation Project to be funded for \$50,000 and was seconded by Ms. Luey. The motion passed unanimously via roll call vote.

BPW - Mattapoisett River Valley Water Supply Resilience Project (\$85,000)

Mr. Meredith made a motion to approve the Mattapoisett River Valley Water Supply Resilience Project to be funded for \$85,000 and was seconded by Mr. Marcoux. The motion passed unanimously via roll call vote.

Recreation

BPW – Livesey Skate Park - Phase 3 (\$150,000)

Mr. Lavalette was invited to voice his concerns about the project, which mainly revolved around the amount requested by the BPW. He suggested that \$100,000 should be sufficient for the project. Mr. Meredith countered that the amount had already been researched by the BPW and that if the project came in under budget, they would return the remaining funds. Ms. Isherwood wished to know if there was room in the budget for the full \$150,000 request, which Mr. Foley assured her that there was, and that the committee would have a more in-depth discussion on the budget after the public hearings.

Ms. Richard made a motion to approve the Livesey Skate Park Phase 3 to be funded for \$150,000 and was seconded by Mr. Meredith. Mr. Lavalette voted nay, while all other members of the committee voted aye. The motion passed 7 to 1.

BPW – Bike Path Resurfacing - Phase 1 (\$140,775)

Mr. Meredith made a motion to approve the Bike Path Resurfacing Phase 3 to be funded for \$140,775 and was seconded by Mr. Marcoux. The motion passed unanimously via roll call vote.

A note regarding how the phases were referred to: During the application process, the BPW and the Bikeway Committee considered which of the three possible sections of the Phoenix Bike Path to have as Phase 1 with the sections each having different estimates. For the sake of clarity, "Phase 3" in this instance refers to the section of the Bike Path that runs from Main St. to Sconticut Neck Rd.

Community Housing

Fairhaven Housing Authority - Dana Court Brick & Balcony Work (\$75,000)

Mr. Meredith made a motion to approve the Dana Court Brick & Balcony Work to be funded for \$75,000 and was seconded by Mr. Marcoux. The motion passed unanimously via roll call vote.

Once the public hearings and the list of projects that would be approved for funding were completed, the committee then began to discuss how best to appropriate the funds.

Project Funding

Ms. Luey made a motion to approve \$15,000 to cover the committee's administrative costs and was seconded by Mr. Meredith. The motion passed unanimously via roll call vote.

Mr. Foley began with a review of the running balances, noting that as of June 30, 2022, the committee had \$568,021.41 in the bank. He then covered the Estimated receipts for FY23 and FY24, noting that the State Trust Fund Matches are conservative estimates as the percentage has been higher in recent years.

Est. FY23 Town Surcharge (w/ 2.5%)	\$453,211
Est. FY23 State Trust Fund Match (@20%)	\$ 88,431
Expected (6/30/23):	\$541,642
Est. FY23 Town Surcharge (w/ 2.5%)	\$474,920
Est. FY23 State Trust Fund Match (@20%)	\$ 94,984
Expected (6/30/24):	\$569,904

Mr. Foley noted that approximately \$200,000 of the FY23 estimated funds had already been allocated during the FY23 budget discussion towards the various reserve funds. Also, the \$15,000 CPC approved administration budget for FY23 was halved to \$8,500 by the Town Administration which left an additional \$8,500 in FY22 Estimated Undesignated Receipts. As the CPC has received more funding recently, he and Mr. Lucas recommend allotting \$75,000 instead of \$65,000 for the reserve funds.

Mr. Foley then covered the status of the reserve funds:

Open Space	
Current as of 6/30/22	\$31,594.18
Minus FY23 Pickleball \$90K	-\$90,000
FY23 Appropriation	\$65,000
Total W/ FY23 Appropriation	\$ 6,594.18
Historic	
Current as of 6/30/22	\$ 1,560.77
Minus FY23 Whitfield-Manjiro Friendship Society \$60K	-\$60,000
FY23 Appropriation	\$65,000
Total W/ FY23 Appropriation	\$ 6,560.77
Housing	
Current as of 6/30/22	\$ 60,480.57
FY23 Appropriation	\$ 65,000
Total W/ FY23 Appropriation	\$125,480.57

To create a complete picture of the CPC Funding, Mr. Foley then showed the totals of all funds along with the estimated receipts:

Exiting Unreserved Balance as of 6/30/22	\$ 568,021
Est. FY23 Receipts	\$ 541,642
Existing Plus Est. FY23 Receipts	\$1,109,663
FY23 Est. Receipts Expenditures	-\$ 203,500
Est. FY23 Receipts <i>Minus</i> FY23 Est. Expenditures	\$ 338,142
Existing Plus Est. FY23 Receipts <i>Minus</i> Appropriations from FY23 Receipts	\$ 906,163
Open Space W/FY Appropriation	\$ 6,594.18
Historic W/FY Appropriation	\$ 6,560.77

Community Housing W/FY Appropriation	\$ 125,480.57
Total	\$1,044,798.52
FY24 Est. Receipts	\$ 569,904
Total Plus FY24 Est. Receipts	\$1,614,702.52

Mr. Foley then presented a spreadsheet he created with his proposal on how to allocate the funds approved by the Committee for FY24, shown here in a condensed format. Please note that the spreadsheet initially included a line item for the Fairhaven High School Gable Repairs to use \$200,000 in funds from the Existing Unreserved/Undesignated Fund Balance but as that was immediately removed, it is not included in this table:

Project / Expense	Amount	Source of Funding
Appropriations for Reserve Funds: Open Space/Recreation	\$75,000	Est FY24 Receipts for Open Space/Recreation
Appropriations for Reserve Funds: Historic	\$75,000	Est FY24 Receipts for Historic Funds
Appropriations for Reserve Funds: Housing	\$75,000	Est FY24 Receipts for Housing
Town Hall Repairs (Portion 1)	\$75,000	FY24 Estimated Historic Funds
Town Hall Repairs (Portion 2)	\$125,000	Existing Unreserved/Undesignated Fund Balance
Mattapoissett River Valley (Portion 1)	\$75,000	Estimated Receipts for Open Space/Recreation
Mattapoissett River Valley (Portion 1)	\$10,000	Existing Unreserved/Undesignated Fund Balance
Salt Winds Conservation Project	\$50,000	FY23 Estimated Undesignated Receipts
Livesey Skate Park – Phase 3	\$150,000	FY23 Estimated Undesignated Receipts
Bike Path Resurfacing – Phase 1	\$140,775	Existing Unreserved/Undesignated Fund Balance
Dana Court Brick & Balcony Work	\$75,000	Estimated Receipts for Housing
Administrative Costs	\$15,000	Estimated Undesignated Receipts

Mr. Foley noted that any projects using FY23 Estimated Undesignated Receipts would only have their funds available at the start of FY24 on July 1, 2023.

In discussing the fund allocations, Mr. Lavalette asked if additional funds could be added to the Open Space Reserved Funds. Mr. Lucas then explained that once funds are placed in a Reserved Fund, they cannot be taken out save for funding specific projects. As such, it is to the committee's benefit to keep the majority of its funds in the undesignated accounts, especially given previous issues with arranging how funds are spent. However, they are required to place 10% of funds into the Reserve accounts every year and increased the amount from \$65,000 to \$75,000 as the estimated receipt numbers are conservative and the committee will likely receive more from both the Town Surcharge and the State Trust Fund Match.

While discussing what further projects may come up in the next grant session, Ms. Luey inquired about the current Town Hall stair repairs. Mr. Foley explained that the project is being funded out of a \$100,000

231 emergency fund. Mr. Lavalette also asked if there would be further requests from the BPW to complete the Bike
232 Path resurfacing, and Mr. Foley answered that they were already looking for other funding options.

233
234 Mr. Lucas and Mr. Foley verified all of the funding allocations and ensured that all members of the committee
235 agreed with them as presented. Ms. Richard then prompted discussion on the creation of an emergency
236 reserve account, as this had been a previous concern of the committee. At Mr. Lucas' request, she explained
237 that this would create an emergency reserve fund that could be used to fund projects outside of the normal
238 application process cycle and without having to wait for the annual Town Meeting. Those projects would still
239 need to be voted on at a Special Town Meeting for approval. While most municipalities set aside a percentage
240 for their emergency reserve funds, the committee could instead allocate a specific amount.

241
242 Mr. Souza asked for clarification on the benefits of having an emergency reserve fund, with Ms. Isherwood
243 explaining that it allows for flexibility outside of the normal application process, and Mr. Lucas following up that
244 it would ensure that the committee would not spend the entirety of their funds.

245
246 Ms. Luey outlined a hypothetical situation that if the committee had an emergency reserve fund, they could
247 fund a project such as the ongoing Town Hall stair repairs within the next few months without the Town Hall
248 having to go through the annual application process in September. Presently, they were not able to do so. Ms.
249 Richard concurred with that analysis. Ms. Isherwood agreed that the flexibility afforded was the main benefit.
250 Ms. Luey pointed out that appropriating money to the emergency would remove it from consideration for
251 projects for next year. However, the committee as a whole agreed that creating an emergency reserve fund
252 would be the correct decision.

253
254 The conversation then turned to deciding the exact allocation amount or percentage to use. Ms. Luey
255 advocated for allocating a larger sum this year to establish the fund. As for where the funding could come from,
256 Mr. Foley suggested using the Existing Unreserved/Undesignated Fund Balance, currently at \$292,246 after the
257 FY24 appropriations. Ms. Isherwood presented a sum of \$250,000 as a possible seed money figure. She and Mr.
258 Souza then debated the usage of the money and differences in philosophy that would lead to CPC having
259 emergency projects they would want to fund rather than the Town itself. Mr. Lucas noted that other
260 municipalities often create safety nets by only ever spending their existing funds. He also asserted that if the
261 fund did not prove to be useful, then it could be dissolved, and the money would then return to the
262 Undesignated Fund.

263
264 Given the concerns of the committee, Ms. Luey suggested \$100,000 as the seed money figure. The committee
265 then asked Ms. Richard for her suggestion.

266
267 **Ms. Richard made a motion to appropriate \$150,000 from the Existing Unreserved/Undesignated Fund for**
268 **this fiscal year and was seconded by Ms. Luey.**

269
270 When there was a call for questions, Mr. Souza asked how much would be left in the Existing
271 Unreserved/Undesignated Fund Balance and Mr. Foley answered approximately \$140,000 (actual figure
272 \$142,246). Mr. Lavalette asked if they would also need to decide on the percentage to set aside for next year,
273 but that was not necessary at this time.

274
275 **The motion passed unanimously via roll call vote.**

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277 **3. Other Business**
278

279 Mr. Lucas inquired as to if one or two warrants would be required for Town Meeting as projects were being
280 funded from both existing and estimated funds. However, he then decided to set that question aside until the
281 actual warrant writing process.

282
283 Ms. Richard informed the committee that at the BPW meeting on Monday, January 9, 2023, Mr. Travis Rapoza
284 was named the new BPW Representative to the CPC.

285
286

287 **4. Tentative Future Meeting Schedule**

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289 The date of the next meeting is to be determined.

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291 **The motion to adjourn was made by Ms. Richard and was seconded by Mr. Meredith. The motion passed**
292 **unanimously. The meeting adjourned at 7:58 PM.**

293

294 Respectfully submitted,
295 Stephanie A. Fidalgo
296 Recording Secretary,
297 Community Preservation Committee

298

Approved, April 19, 2023