

**CCOMMUNITY PRESERVATION COMMITTEE**

**MINUTES: APRIL 11, 2017**

**CITY COUNCIL HEARING ROOM**

**OPEN MEETING LAW**

Chairman, Kenneth Pacheco, read the Open Meeting Law Advisement

**CALL TO ORDER/ROLL CALL**

**MEMBERS PRESENT**

Antone Dias, Keith Paquette, John Brandt, James Souza/Vice-Chair, Kenneth Pacheco/Chair, Kristen Cantara Oliveira, Jason Caminiti,

**MEMBERS ABSENT**

David Underhill

**MINUTES**

A motion was made by Tony Dias to accept the minutes of the April 6, 2017 meeting. That motion was seconded by John Brandt

Result: Unanimously approved

**EMERGENCY PROJECT FUNDING**

**OAK GROVE CEMETERY**

**Wall/Iron Work**

Mike Keene was unable to attend meeting. Tony Dias gave an update on the project and the reasons for the additional \$99,630.00 was cost over-runs. Mr. Dias also explained that the probability of this project coming in at much higher bids cost overruns. if it were to wait for next round of funding.

Jason Caminiti

Jim Did due diligence and pro bono work

Ken Pacheco asked if the committee want to move into funding

Jim Souza motion to move \$99,630.00 to fund this project to completion of project

Tony Dias Second the motion

This is Going to council separate as a stand alone

All in favor - Yes - Unanimous

**Preservation Plan**

Tony Dias spoke on project as well as the history of circumstances that brought this to the committee for funding.

Sometime in November City Council had special meeting and invited Park Board, Friends of Oak Grove, Historic Commission to address what happened at Oak Grove cemetery.

Meeting was to see what could be done moving forward so it doesn't happen again.

The one thing city council felt was to hire a consultant to come in and look at cemetery to figure out current condition and give recommendations.

Tony Dias personally believes we needed to do that in November and spoke about why waiting another year would delay projects. Tony asked for everyone's support in this application.

Jason Caminiti - Expressed confusion. Thought we had a voted on this a month ago as to whether it was an emergency or not.

Tony explained that it was part of an open meet complaint.

There was discussion among the committee members on the complaint and the process.

Sandy will get a copy to complaint

Ken Pacheco asked if Park Board voted to accept this as project

Jason Caminiti comment was that he doesn't think the Park Board voted to accept anything as a board.

Ken Pacheco indicated a letter did come before Park Board to ask for permission.

Again, further discussion among the committee members on the process currently and moving forward and who ultimately has responsibilities over projects. Ken Pacheco stated that the Park Board, ultimately, would have responsibility over park projects.

Tony Dias requested the Park Board send a letter to committee

John Brandt asked if this project could come back as an emergency.

Ken Pacheco followed John's lead and felt you don't need to call emergency and when we funded what we want to fund come back and re-visit this project.

Jason Caminiti will bring it up to Park Board

Jason Caminiti feels it doesn't go far enough but is a good start and will support it if it comes back at another time.

Jim Souza asked if after the other 20+ projects we will re-visit?

Ken Pacheco said if board so chooses. If not, no action.

Jim Souza felt it should have been approved by Park Board.

There was discussion about why it didn't go back to Park Board in addition to the City Council's special meeting to address this issue.

Kristen Oliveira Cantana indicated she was is in favor and that part of issue is trying to move forward in doing this to deal with issue of cemetery. It would be helpful to have this to use to move forward with direction of projects. Pushing off could create more problems. This only happened in November not earlier and came in response of something that happened.

Jason Caminiti said if someone can make a different argument on why this is an emergency to vote for, he could reconsider.

Tony Dias asked on the status of his first motion to move forward to move forward to Park Board. Jason-I will  
Jason Caminiti said he would second to bring to Park Board.

Ken Pacheco brought up the issue of perpetual funds. There was discussion on this matter among the committee members.

Tony Dias - Withdrawing motion

## **VETERAN'S CENTER/PINE STREET**

### **Roof Replacement**

**Moto to move down after the last deliberation of School Administration Building. 2<sup>nd</sup> by**

**Tony Dias 2<sup>nd</sup> motion**

**All in favor - Yes unanimous**

## **Historic DEED RESTRICTIONS**

### **Review update of draft Historic Deed Restriction**

Ken everyone has copy.

Paul provide with example of Nantucket Preservation Restriction. TD just crossed off that said Nantucket and replace with Fall River Historic Commission. Kept everything else. If this group agrees mark ups are good, it would be considered a good start and it would be a starting point

Jim take home to review

Jim made motion to move

Tony Dias go to word document and email everyone

2nd Christ

Jason - did go to Corporation Council. There was discussion related to the document going to Corporation Council and moving forward to get this document complete and start to move forward.

Ken Pacheco had questions on signature page and who it will be signed by.

Tony Dias said the signature page will be signed by Fall River Historic Commission, the Commission would be the grantee.

Jim Souza asked if Tony would want to send Stuart an email to see his response.

There was additional discussion regarding signatures, overseeing, fees. Etc. Will send Stuart an email for further clarification.

Jason Caminiti thinks this is one of the most important things and needs to be done.

Ken Pacheco stated that we have the Funding Agreement signed by city and recipient that they know they are getting a restriction but also feels this needs to get done and should have it in place before we pass money next round.

Motion made by Tony Dias and seconded by Kristen Oliveira Cantana

All in favor - Yes - Unanimous

## **DELIBERATIONS**

### **Eligible Projects 13 - 23**

#### **Old Superior Court**

Tony Dias feels that the change in occupancy requires a sprinkler system and is not in support of project.

Tony Dias felt air shouldn't be put in before sprinkle. Would love to see certificate of occupancy. My problem was they go through a mech. company. From what seen they should have hired an architect not engineer.

Have many issues with this project

Jim-what could they have done? Tony Dias went on to suggest what could have been done.

Ken Pacheco said he is in favor of this project because he would like to see it finished. If we felt we made mistake not fixing it makes the mistake even worse. Ken went on to talk about how air conditioning preserves older buildings but agrees with Tony Dias on the architect.

Jason Caminiti agrees with his colleagues and added that the use of the building is an important factor for him and feels you can't leave the project half-finished and doesn't want to see it languish.

Keith Paquette feels this is a great project and likes that the building is used for a very good purpose. See lots of people go through this build.

Any other comments - None

#### **River to Recovery**

Tony Dias mentioned they are looking to a passenger elevator. Not in favor of funding roof but does like idea of funding this elevator. Elevators attract tenants. It is import to put a preservation restriction on this build

Jim Souza asked Tony if this group was going to contact him regarding an elevator company.

They were supposed to get copy of lease - did not receive a copy.

Jason Caminiti asked if the original funding included roof.

Jim Souza commented that they were going to contact and we have not heard back

Tony Dias only feels comfort with the elevator.

Keith Paquette asked if this is this only a portion of mill.

Discussion regarding placement of elevator

Ken Pacheco - anything else - None

#### **Fall River Historical Society**

Jim -great project - has been putting other funds toward. A gem in city. Recent project was top notch historically accurate. In full support

John I like this project too.

Tony Dias, I have nothing bad to say.

### **Fall River Fire Museum-Anawan No. 6**

Tony Dias feels this is a super project. Very meticulous about every single item. Looking to see final project and wants to see how previous money was used.

Jim Souza is still in favor of this project. Jim talked about how this project was awarded two years in a row but not in favor of entire amount because of their efforts in trying to get other funds to help with project.

Tony Dias mentioned that they have applied for CDA funds.

Kristen Oliveira Cantana asked about getting matching fund from CDA. Only asking for ½

Jim Souza questioned pending approval as of application. Don't recall they had CDA grant in hand

Ken Pacheco said it may be happening as we speak because it is on the City Council agenda tonight

Much discussion on CDA funding

Jim Souza said he is not against project, just not for entire amount

Kristen Oliveira Cantana had questions as to what happens if they don't get CDA funding and what happens if they get other grants.

Tony Dias said if they get other grants the money could go towards other items.

Jim Souza questioned when will they hear about CDA funding

Ken Pacheco said the committee is not making decision today. We can always say pending this pending that.

They are working hard to open. Important to keep it moving.

We can inquire about CDA funding

Sandy will look into CDA funding or get a list if he has heard anything.

Any other discussion? None

### **Cook Pond Stone Wall**

Jim Souza indicated he is in favor of this project. More of a continuance and finish

Ken Pacheco - I agree

Tony Dias likes that they tried to cut trees/brush and that the neighborhood does a lot of work

Ken Pacheco - anyone else -none

### **Kennedy Park Benches**

Jason started by saying the Park Board did not vote at all of this and is not in favor of this and want same benches same bench as in all parks. Safety was an issue. Simple math of maintenance. A different bench would mean different bench in stock. Did not want to hear it.

As in previous meetings, there was discussion about where this fits and where it came in, Historic Preservation and/or Open Space & Recreation.

Tony discussed that it did not qualify for open space & recreation and some committee members felt it did.

Kristen Oliveira Cantana felt it could be considered stationary recreation.

Tony Dias said it is not creating something new.

Kristen Oliveira Cantana stated that benches are stationary recreation. Not open space but it is recreation

Jason-we did vote it was not open space/recreation

Tony-Went into historical.

Keith Paquette read approved recreation category and mentioned that Paul Machado wasn't 100% sure.

There was much discussion on the open space/recreation and reference to a letter from Nancy Smith of the Park Board about a preservation restriction from a previous project from another grant.

The discussion went back to the style of the benches in the park and who has overall authority.

Ken Pacheco went on record to say - It's sad that the city is going to bite nose to spite face so two board can't come together to help a park. We will live with deuteriation of park because we can't compromise and that's sad I want that in record.

Ken Pacheco stated that the Park Board has ultimate say and went on to talk about their authority as a board.

Keith Paquette asked what if we vote and park board doesn't want them.

Tony Dias disagrees that the Park Board has final say.

Again, there was quite a bit of discussion related to who has ultimate authority, letter from Park Board and a determination from the Mass. Historic Commission.

Jason Caminiti asked if the committee could get something in writing from the MHC and CC the committee members.

Tony Dias said he would contact the MHC and whatever their response is, he would approve it. He does feel it would be better coming from the Park Board.

Ken Pacheco - Any further discussion - None

### **Mann Murals**

Jim Souza feels this is a good project and that these murals are in beautiful shape. Everything around it is a mess and feels this a worthwhile project.

Ken Pacheco feels this could force other issues and actions

Kristen Oliveira Cantana only issue is that the public does not have access to see these murals.

Ken Pacheco said not currently because there is no way to get there but that is the situation that's today.

There was discussion among the committee regarding the location of the murals and that the Superintendent was open for suggestions and accessibility if they were to remain at their current location.

Kristen Oliveira Cantana loves the idea just wish there was access for public

Jason Caminiti agrees with the issue of them being open to public. Issue is they are so close to being destroyed and feels this border lines on emergency. Without this study, there is no way to preserve.

Ken Pacheco added that the School Department is going to keep build as a School Department building and will repair roof and replace, re-point etc.

Anything else - None

### **Mount Hope Bike Path**

Jim Souza feels this is an exceptional.

Jason Caminiti said the Park Board feels this plan is a great way to connect the parks. The Park Board would be in favor of this. Good thing.

Ken Pacheco, don't know if this has been to Park Board. It does have to go through Park Board. Would be looking for support.

Tony Dias expressed his reservation are with the folks that own rail road and that they may not want to allow access and we would be dependent on RR. Tony would have like to have something from RR that said you are more than welcome to do study.

Jason Caminiti mentioned they are already doing something.

Jim Souza mentioned they are not replacing RR it would be next to it.

Jason Caminiti said it was his understanding things were already happening and to look at Attachment D

Ken Pacheco indicated there is a letter from MA DOT dated April 3, 2013 that specifically says MA DOT controls. They are committed to improving bike/walking paths. Read the letter

Much Discussion on the RR matter.

Jim Souza indicated the city is on board

Ken anything further - None

### **School Administration Building**

Jim Souza toured the building top to bottom and said it desperately needs a new roof and that there has been major damage. He is personally in favor of this project.

Ken Pacheco -for record, I wasn't there.

Tony Dias said he has been on roof I agrees they need roof. Would like to see them come back regarding windows next.

Ken-anything else - None

## **VETERAN'S CENTER/PINE STREET**

### **Roof Replacement**

Jim Souza made a motion to go back to #4 Veteran's Center/Pine Street

Tony Dias 2<sup>nd</sup> the motion

Jason Caminiti is this also come before us again because of open meeting violation

Yes

Hearing none -all in favor - yes

Chris Gallagher is asking for 130K for the roof replace. We discussed early on. There was an issue, roof is in bad condition. Chris went over all the details of the building and roof and work they plan on doing. Chris also went through to quotes (refer to packet)

Tony Dias had questions regarding roof drains

Jim Souza indicated it is a building that needs work. Jim expressed his feelings that this project came before us 2 years ago didn't go to fund only eligibility. It's being occupied and for this reason don't see the emergency in that regard. As bad as it is I don't see the build coming done. Giving this funding takes away others that went through the process. Came two years and dropped off. No follow through.

Chris discussed the hazards associated with not approving now and waiting and feels it is an emergency. Can't speak for two years ago.

Jim Souza explained that this project is before the committee again because of an open meeting law violation

Tony Dias looking for 1 of 3 agencies to get a letter stating an emergency

Tony Dias said this would help swing his vote.

Chris will go back and do it for you.

Ken Pacheco asked if the city prepared to do any kind of match or other work

Chris indicated yes - already spending and went on to discuss some of the projects they are currently working on and planning to do.

Ken Pacheco asked if Chris had a \$ amount

Chris \$75K this year.

Ken Pacheco agrees with Jim on projects like this jumping ahead of other projects and not coming in September.

Discussion on what is an emergency moving forward I will support because we don't have anything in place now to address ER or coming in in a variety of other angles. Glad city is spending other dollars.

This is a situation this board is going to have to look at.

John Brant stated that he knew it came two years ago and it wasn't well done and there was no follow through. Do we let another year go by? I think it is an emergency.

More discussion on emergency and process

Kristen Oliveira Cantana said to keep in account the water going into the building and feels this is an emergency because water=Mold and it will affect health of who is in this building. Kristen doesn't feel comfortable putting them through this. This is a building that is used all time and the worse it is getting with water getting in.

Jim Souza referenced the same thing is happening at Durfee High School

Jason Caminiti addressed that the building is habited now, sounds like maybe it shouldn't be. Jason asked Chris if it is possible that during the next funding cycle this could be inhabitable?

Chris said it could be depending on what more happens and deuteriation.

Jason Caminiti said his reason for thinking it is an emergency. We look at armory. So much neglect now not occupied. Look at Police Station.

If we look at it in a way, the building is used now but couldn't be occupied by the next cycle. I think that is an emergency. Should we wait for it to be unoccupied or fix it now?

Ken Pacheco agrees with Jim but will vote for the project but these are manufactured emergencies. This is neglect in my own opinion.

Anything further

Ken Pacheco as if this was voted on and sent to council.

Yes

pulled it from council Mayor pulled it.

Jason - why pulled

Chris - come back for windows do it as a package

Ken Pacheco told Chris that the city knows that the window would have to comply to standards and none of the other stuff matters

Jim Souza made a motion to move this project to go along with all the other proposals as a regular application 2<sup>nd</sup> by Tony Dias

Any further discussion - Hearing none all in favor - yes/Unanimous

This will go in as all the other projects as is/roof 1-23 this is 24

Chris will get information Tony was looking (letter)

Schedule next meeting now

Tony had a question about Safe Haven and that it wasn't listed.

There was question as to their submitting a funding application. They submitted letter

Ken put as item on next agenda

Next meeting

Sob House for deliberation.

If anything from city will put on agenda

Nothing on agenda unless request

Preliminary go around with tier rating and explanation

Date May 1<sup>st</sup>

Does 1<sup>st</sup> work for everyone

Why don't we do May 1<sup>st</sup>

May 2<sup>nd</sup> as an alternative

Anything further - None

#### ADJOURN

Motion was made by Jim Souza to adjourn meeting 2<sup>nd</sup> by Tony Dias

All in. Yes, unanimous

#### NOTE

For further details on meeting items, refer to Fall River Government TV On Demand Pod Cast

<http://vod.frgtv.us/video/212278046>