

Braintree Community Preservation Committee  
Minutes  
January 14, 2013

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

Absent: Patrick Flynn

Also Present: Rev. Leanne Walt, Craig Barnes & Rick Durham – First Congregational Church  
Christine Stickney, Director Planning and Community Development

Meeting convened at 7:31 PM

Old Business:

**Elm Street Cemetery:** Ron Frazier was unable to attend the meeting. The Chair summarized the status of the application. At the last meeting the Committee asked Mr. Frazier if the restored grave stones could be stored at the contractor's site. Mr. Frazier had informed Christine that this would be possible. The Chair suggested the matter be tabled until the next meeting so that Mr. Frazier could join the Committee. Dick Fletcher questioned what would we expect him to tell us. John Dennehy added that he and Mr. Frazier had reached out to BELD and the Police Chief to see if more could be done with lighting and patrolling the area, but that was not part of the BHC application for funding. Although the Chair acknowledged that these issues were not part of the application, she felt the applicant should address the Committee regarding plans for preventing further vandalism to the stones along with the gate/fence, etc. Anne Murphy stated that funding is not problematic, but that the project needs further definition, along with an understanding of the level of interest for the project. She noted a recent article in The Boston Globe (12/27/12) relative to a group of volunteers in Plymouth who provide upkeep of an historic cemetery and asked if there anything like this with Elm Street Cemetery. John Dennehy commented that only the BHC has stepped in to bring attention to the cemetery and they may not be the group to handle these issues. Perhaps a sit-down with different town departments is needed to address the neglect, maintenance and safety issues. The Chair stressed that she did not want funds expended for repair of the stones only to have them vandalized. A plan is needed. Anne Murphy also expressed concerns on restoring the grave stones without some plan in place. John Dennehy said he would speak with Ron Frazier regarding these concerns and the need for a plan. It was the members' consensus to continue to next month for Ron Frazier to be present.

**First Congregational Church/Adams Memorial Plaza:** Present on behalf of the church were Reverend Leanne Walt, Craig Barnes and Rick Durham. The Chair informed the Committee of the status of the application and materials submitted since the last meeting. She commented there are two outstanding issues: getting the kiosk estimates & final plan, as well as finalizing the MOU. Craig Barnes provided a plan that could be used as an exhibit for the MOU [currently under review by the Town Solicitor], the final Mento estimate and the kiosk estimate from Advanced Signing. Christine noted that the Committee had not received an opinion from Town Solicitor regarding the MOU. Paul Machado and Mr. Barnes conferred on a few details to be added to the MOU. The plan will be Exhibit A and the legal description of the property Exhibit B and Mr. Barnes agreed to get the description.

The Chair, looking at the estimate submitted with the application, commented that she feels the applicant should pay for the recording of the MOU at the Registry. Mr. Barnes agreed to do the recording at the expense of the applicant. Anne Murphy asked about use of the facility by another church and their sign and Mr. Durham indicated the sign would be removed. Darryl Mikami questioned

the kiosk estimate which stated the inclusion of two revisions. He also asked who would be researching information for, and reviewing the text to be included on, the kiosk and who would be responsible for the final product. Mr. Durham assured the Committee it will be historically accurate. Darryl Mikami commented that he had originally struggled with the project. He is now in favor of it, but would not vote to include the landscaping cost. He asked if a member of the church could do the plantings and maintain, adding that with the number of projects coming forward the Committee needed to work with bare bones and be minimalist with each project. The Chair read off each item from the original project estimate [minus recording fees, the charge to re-do the plan, the surveying costs and landscaping estimate]. It came to a total of \$37,555 and a total of \$40,980 with the inclusion of plantings.

John Dennehy **MOTION** to approve appropriation of \$40,980 for the John Adams Memorial Plaza, funds to be taken from the unreserved account and spent under the direction of the First Congregational Church, seconded by Dick Fletcher. Discussion: John Dennehy noted this as an appeal to celebrate the site and event. Anne Murphy expressed her opinion that the cost should be minus the flower beds and asked Reverend Walt if there was someone in the congregation that could do this. Reverend Walt said perhaps, but she hadn't spoken with anyone. Craig Barnes noted that the church would be absorbing an additional cost of \$5,000 under the revised Mento estimate. Christine asked Mr. Barnes if the benches required a poured concrete pad. He said yes and that increased the original price.

Anne Murphy **MOTION** to amend the previous MOTION to reduce the appropriation to \$39,500, seconded by Darryl Mikami – the Chair called the vote on the amendment: unanimous. The Chair noted at this point she would like the Committee include in their vote that this would not move forward to the Council until the MOU was approved and agreed to by the applicant. John Dennehy questioned if it could be similar to the Gallivan House and conditional. She responded that the Gallivan House “process” was what she was actually trying to avoid. Dick Fletcher felt this would not be as much of an issue since there was agreement already to the MOU language. John Dennehy **MOTION** to amend the main motion to include signing and prior expenditure with an appropriation schedule of 75% and 25% upon completion, seconded by Anne Murphy. Christine noted that the amended motion should include the CPA agreement. Christine read the Motion as amended for members:

John Dennehy **MOTION**: To approve an appropriation of the project for \$39,500.00 for the John Adams Memorial Plaza to be taken from the unreserved account and spent under the direction of the First Congregational Church conditional on the signing of a CPA Agreement along with satisfactory signing of the Memorandum of Understanding (MOU) prior to expenditure and an appropriation schedule of 75% initially and remaining 25% once the project is completed, seconded by Anne Murphy.

The Chair asked for the amended motion vote: unanimous. The Chair stated that outstanding items were to be completed prior to staff's movement of the recommendation to the Mayor's office. The applicants indicated their understanding of the vote.

On a separate matter John Dennehy asked the applicants if they would be willing to help with the issues of the cemetery across the street. They agreed to meet with him and discuss.

**Gallivan House:** Christine updated the Committee informing them of a conversation she had had earlier in the day with Matt Mees, President of the Braintree Historical Society. He told her the Trustees were unable to get together for their meeting. Members discussed what the Trustees need to do. Christine will keep members informed for the next meeting.

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**Announcement:** John Dennehy informed members that he will be informing the Mayor of his intention to resign due to increasing demands on his time with his teaching schedule and other matters. He added that his replacement should be from the Braintree Historical Commission per the CPA statute, but that the Mayor will be making the appointment.

New Business:

**Outside Counsel:** John Dennehy said he had asked for this to be on the agenda for discussion relative to seeking counsel that would assist the Committee. He has been talking with the CPA Coalition, Preservation Mass and other communities relative to the restriction issue and concluded that everyone handles restrictions differently, if at all. Paul Machado noted that Kopelman and Page had done a fairly good “generic” restriction, but each project has different issues. All members seemed to agree that restrictions should be perpetual. Dick Fletcher questioned if outside counsel would be just for restrictions or other legal issues. John Dennehy felt if they did a few restrictions that would alleviate work for staff and the Town Solicitor. Dick Fletcher suggested that this should be discussed with Carolyn Murray, Town Solicitor, before we go any further. He felt we should not have on-going assistance which would consume administrative funds quickly. Paul Machado asked if the Committee would want to have a mini-seminar with someone coming in to discuss restriction issues. The Chair asked if the Committee could invite Carolyn Murray to one of its meetings to have this discussion. Christine suggested that members send their issues to her and she will extend the invitation to Carolyn for next month’s meeting.

Administrative Matters:

**Annual Public Meeting:** Members scheduled the public meeting for April 8, 2013 and Christine will advertise and post notice.

**Financial Report:** Staff had e-mailed the spreadsheets received from Town Accountant to members and a summary sheet was available at the meeting. The Chair informed members of the Town Accountant’s new format which breaks each project down as to appropriation and expenditure.

**Minutes:** The Chair noted some minor corrections to the minutes, Dick Fletcher **MOTION** to accept the 12/10/12 minutes as amended, seconded by John Dennehy - unanimously voted.

**Other items of interest:** Staff has sent requests for updates to all parties responsible for projects still open. Dick Fletcher commented the Heritage Lane funds will be used in conjunction with state funds. Darryl Mikami noted he had an opportunity to talk with Joe Powers who said all the bidders on his projects had made mistakes and he has to go out to re-bid. All incomplete projects will be reviewed at the next meeting. The Chair wished the members to consider putting a time limit for applicants to begin drawing down funding for their projects. At that meeting she also would like the Committee to approve a sign-off sheet for forthcoming applications which would indicate when an applicant had met with the Director. Anne Murphy **MOTION** to adjourn the meeting, seconded by Paul Machado – unanimously voted.

Meeting adjourned at 9:25PM

Respectfully submitted,  
Christine Stickney, Director of Planning and Community Development