

TOWN OF KINGSTON
COMMUNITY PRESERVATION COMMITTEE

COMMUNITY PRESERVATION
APPLICATION PROCESS AND FORMS
FY 2011

SPRING 2010

GENERAL SELECTION CRITERIA

The Community Preservation committee requires that all proposed projects be eligible for CPA funding according to the requirements described in the state's CPA statute.

Projects will be evaluated according to the following minimal general criteria:

- Consistency with the Kingston Master Plan, Open Space and Recreation Plan, the Affordable Housing Plan and other planning documents that have received wide input and scrutiny.
- Satisfies multiple categories of the Community Preservation Act
- Feasibility and Practicality: Project can be implemented expeditiously and within budget.
- Urgency
- Affordability
- Efficient use of CPA funds
- Serving currently under-served population
- Serving multiple needs and populations
- Consistency with recent town meeting actions
- Preservation or utilization of currently owned town assets
- Preservation of the essential character of Town of Kingston
- Preservation, acquisition or rehabilitation of threatened resources
- Project has multiple sources of funding available and/ or leverages additional public and/or private funds
- Project has means or plans of financial support for future maintenance
- Project, when required, uses local contractors where possible
- Project is endorsed by other official town boards, departments, commissions committees or groups
- Project has public support

In addition to the above General Criteria, more specific criteria may be applicable to each of the four main funding areas of the CPA: Open Space, Affordable Housing, Historic Preservation and Recreation.

The Town Meeting will have the ultimate approval for any project that is recommended by the CPC, because the law requires Town Meeting approval for all Community Preservation Committee funding recommendations.

<p style="text-align: center;">Guidelines for Submission of Project(s) to the Kingston Community Preservation Committee</p>
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- 1) Each project request must be submitted in writing to the CPC using the attached Community Preservation Committee Project Submission Cover Sheet. Copies of this form are available on-line, at the Checkout desk of the Kingston Town Library and at the Town Clerk's Office.
- 2) Applicants should review the Community Preservation Act (CPA), M.G.L. c. 44B; the Kingston CPA Bylaw (Chapter 4, Article 13); and the *Community Preservation Plan* prior to submitting CPA funding applications.
- 3) Applicant must supply ten (10) copies of all documents submitted to the CPC.
- 4) Requests must include a written response to all points of Applicant Information, A-1 through A-6, and Project Description, P-1 through P-19 as contained in this packet. The pages of your response must be serially numbered.
- 5) Requests for funding may be for up to a 5-year period from FY 2011 to FY 2015 and if request is part of a longer-term project, include the total project cost and allocations.
- 6) For applicants that have multiple project requests, please prioritize projects.
- 7) Applicants will receive confirmation of their application's receipt, **IF** they submit the attached Receipt of Application **and** self addressed stamped envelope with their application.
- 8) Submissions must be prepared according to the guidelines set forth herein. Selection of the successful applicant(s) will be based upon an evaluation and analysis of the information and materials required under the submission.
- 9) The Community Preservation Committee shall provide notice to the Selectmen and the Town Administrator of all project applications submitted to the Community Preservation Committee.
- 10) Project applications should be received no later than October 30th to be considered for recommendation at the Annual Town Meeting in the Spring of 2010. Complex projects may need more advance time for review and their approval prior to the next Annual Town Meeting.

Please keep in mind there are legal limitations on what CPA funds can be used for.
A Community Preservation Act - Question and Answers page can be found at:

<http://www.communitypreservation.org/QandA.cfm>

- If you are in doubt about your project's eligibility, please submit it so we have the opportunity to review it.
- You may also review information on the Community Preservation Act, Town of Kingston's Community Preservation Committee, and CPC Funding application information at the Town of Kingston's CPC website at <http://www.kingstonmass.org>
- You may also contact the Chairman of the CPC.
- Please submit your completed application and supporting documents to:
Community Preservation Committee
Kingston Town Hall
26 Evergreen St.
Kingston, MA 02364

APPLICATION PROCESS

STEP 1: Complete Current Fiscal Year CPA Project Submission Application.

Submit completed application and all supporting documents (10 copies of all) to:

Chairman, Kingston Community Preservation Committee
Kingston Town Hall
26 Evergreen St.
Kingston, MA 02364

- Application deadline is no later than October 30th. However, the Kingston Community Preservation Committee may accept late applications after this deadline, for emergency or other appropriate reasons, solely at the Committee's discretion.
- Applicant will be notified by return of "Receipt of Application Form" at end of this application

STEP 2: COMMUNITY PRESERVATION COMMITTEE REVIEW AND PUBLIC COMMENT

- A. Application Review: The Kingston Community Preservation Committee (CPC) will review applications as submitted to determine whether:
- Application is complete
 - Proposed projects are eligible for Community Preservation funding
 - Proposed projects meet the General Selection Criteria requirements outlined in this packet
 - Proposed projects are sufficiently developed in terms of their work plan and merit further consideration
- Applicants will be notified if additional information is required. Failure to respond to requests for additional information will eliminate proposal from consideration.
- B. The Committee reserves the right to reject any and all proposals if it believes that such rejection is in the best interests of the Town of Kingston.
- C. The Committee may ask to meet with the applicant(s) or its representatives at a Committee Meeting, to discuss their applications. The Committee may ask for further information from the applicant(s) or to schedule a site visit.
- D. Public Comment: Applicants chosen for consideration will be given an opportunity at a public hearing to present the project and to respond to questions from the CPC and the public. Applicants or their representatives must be present at this public hearing.
- E. Following the public hearing(s) the CPC will make its final funding recommendations to the Board of Selectmen in the form of warrant articles to be voted on at the next Annual Town Meeting.
- F. Submissions may be modified, corrected or withdrawn only by written notice, received by the CPC prior to the last public hearing held before upcoming Town Meeting. The notice must reference the original proposal.
- G. Applicants will be notified in writing if their submission is to be recommended favorably to Town Meeting, by the Committee. The CPC will draft the appropriate Warrant Articles for Town Meeting, however, applicant(s) should expect to aid the CPC in preparing its information about the project in advance of Town Meeting.

STEP 3: TOWN MEETING APPROVAL

Town Meeting has the final authority to award funds from Kingston's Community Preservation Fund. A majority vote is required to approve funding; a two-thirds vote is required for borrowing. An applicant(s), or their representative, of a project that is to be recommended by the CPC to Town Meeting will be required to attend Town Meeting to respond to questions, aid in the presentation or present information about the proposed project.

STEP 4: FUNDING AWARD

- A. Applicants will be notified in writing as to the status of their application within four (4) weeks after the end of the Town Meeting, which carried the corresponding article for their application.
- B. Funding for Town Meeting approved projects will be available following Town Meeting, subject to satisfaction of any closing conditions established by the CPC.
- C. Project milestones will be established for all Town Meeting approved projects. Periodic status reports will need to be filed according to a schedule agreed to by the applicant and the CPC. These milestones will guide the release of funds to successful applicants.
- D. Funds are awarded on a disbursement basis. In order to receive disbursement funds, the applicant must submit an invoice (that includes your organization's tax ID number) and receipts of expenditures. The CPC will supply the successful applicants with a detailed memo describing the complete award process, which adheres to the guidelines of Massachusetts Procurement Law.
- E. Unless an agreement has been reached between the applicant and the CPC prior to funding, all allocated but unexpended funds will be returned to the Community Preservation Act Funds on or before June 30 of the funded fiscal year. Funding for projects will not be available before July 1st of the funded fiscal year.
- F. Before July 1, of the funded fiscal year all successful applicants for the purchase of a real property interest with monies from the Community Preservation Fund must have on file with the CPC a copy of either an appropriate historic preservation restriction, affordable housing restriction or open space restriction running in favor of an entity authorized by the Commonwealth to hold such a restriction for expenditures of said resources, meeting the requirements of Chapter 184 of the General Laws pursuant to section 12 of the Community Preservation Act. In short, the applicant should be aware that appropriate deed restrictions on the proposed project would be necessary to obtain funding. In a case whereby a project is believed to be exempt from such a deed restriction, the Applicant must provide proper documentation supporting this exemption. It is the ultimate decision of the Committee to accept or reject this exemption from the deed restriction.
- G. The applicant is advised that there may be additional legal and regulatory requirements, including but not limited to Massachusetts General Law, Chapter 44B and the applicable Department of Revenue Regulations, that need to be met before funds are disbursed.

STEP 5: USE OF FUNDS

- A. CPA monies are public funds raised from dedicated Kingston tax revenues and from State subsidies to the Town. Therefore, projects financed with CPA funds must comply with all applicable State and Town requirements, including the State procurement law, which requires special procedures for the selection of products, vendors, services and consultants. For Example: Purchases over \$5,000 require the solicitation of at least three quotes. Purchases over \$25,000 require the publication of "invitations for bids" or "requests for proposals". Contracts for goods and services must be awarded to the lowest qualified bidder, which may be someone other than who assisted the applicant with a project application. Project purchases cannot be split to avoid the State procurement laws.
- B. Funds for creating, implementing and monitoring any deed restrictions associated with the project may not be derived from CPC funds.
- C. Funds may only be spent on items listed on the submitted budget within the approved application. All changes to budgets must be approved by the CPC first. Funding from the CPC may not be used to replace, or free up for any other use, alternate funds or revenue sources.
- D. Applicants must note the CPC as a funding source for their project. This notation must appear on any materials involving this project (i.e. press release, brochures, etc.) In order for Kingston citizens to see the result of their tax funding, CPA signage shall be displayed on the property until the completion of the project.

Project Submission COVER Sheet

Fiscal year 2011

Town of Kingston Community Preservation Committee

Project Name: _____

Submission Date: _____

Applicant Name: _____
Applicant Address _____

Applicant's email address: _____

Applicant's Phone Number: (____) _____

Co-Applicant's email address: _____

Co-Applicant Name: (if needed) _____
See NOTE BELOW
Co-Applicant Address _____

(Provide Contact Name if not same as Applicant)
Project Contact's email address: _____

Co-Applicant's Phone Number: (____) _____

Total CPA Fundings to be requested:
(Including any anticipated requests for future CPA funding on the same project)
\$ _____

Project Contact Name: _____
Project Contact Address _____

Project Contact's Phone Number: (____) _____
Sponsoring Organization, Committee/Commission (if applicable): _____

Sponsoring Organization-Public or Private? _____

PLEASE NOTE: If the proposed project is on Town-owned real estate, either the Applicant or the Co-Applicant must be the Town Board or Department in control of the land or building.

- Purpose: (please select all that apply)
- Open Space
 - Affordable Housing
 - Historic Preservation
 - Recreation

Signature of applicant _____
Date: _____

Signature indicates that the applicant has the right to enter into contracts for the organization seeking funding and has read and understands all regulations within this CPC Funding Packet.
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For Community Preservation Committee Use

Received on: _____ Associated Town Committee: _____

Reviewed on: _____ Determination: _____

APPLICANT INFORMATION: Respond to **ALL** the following questions/points. To facilitate the review of your application, number your responses to match the questions below. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

A-1. Organizational goals and objectives of the Applicant:

A-2. History of the applicant within the organization:

A-3. Names of members of governing board of organization of applicant (if applicable)

A-4. Legal and tax status of applicant and organization:

A-5. Description of previously completed projects similar to proposed project:

A-6. Complete and attach the Tax Compliance Certification, Certification of Non-Collusion Forms with your submission. The authorized individual(s) representing the submitting entity must sign these forms.

PROJECT DESCRIPTION: Respond to **ALL** the following questions/points. To facilitate the review of your application, number your responses to match the questions below. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

P-1. Summary and Goals: Provide an Executive Summary of the Project, including but not limited to:

- A description of the property involved and its proposed use.
- A description of how the projects meet the requirements of the Community Preservation Act.
- A description of the project and its benefits to the Town.
- Information indicating how this project can be used to achieve additional community benefits.

P-2. Community Need: Why is the project needed? Does it address needs identified in existing Town Plans or other publicly vetted priority setting planning documents? Does it address one or more of the specific criteria identified as Town priorities with respect the Town of Kingston Community Preservation Plan with respect to the CPA category or categories applicable to the Project?

P-3. Community Support: What is the nature and level of support for this project? Include letters, petitions and other documentations of support. Provide information that the project will foster long-term stewardship and generate a community ethic through citizen involvement, such as public participation in the project. Provide information about how the project will involve public outreach, and seek to disseminate information

on project goals, results, project partners and the sources of funding and other support provided, or otherwise compliment or encourage other local projects.

P-4. Timeline: What is the schedule for project implementation, including a timeline for all critical elements including commencement and completion dates?

P-5. Credentials: How will the experience of the applicant contribute to the success of this project?

P-6. Success Factors: How will the success of this project be measured? Be as specific as possible.

P-7. Budget: What is the total budget for this project, and how will CPA funds be spent? All items of expenditure must be clearly identified. Provide detail specifying if the funds will be used for actual project implementation or program support such as administration. Include actual project quotes if possible. (NOTE: CPA funds may NOT be used for maintenance.)

P-8. Other Funding: What additional funding sources are available, committed or under consideration? Include commitment letters, if available, and describe any other attempts to secure funding for this project.

P-9. Multi-Year Funding: If project is expected to continue over more than one year or if bonding the project is anticipated detail the cost of project on the following chart.

Fiscal Year	CPC Funds Requested	Other Funding Sources	Total Cost
2011			
2012			
2013			
2014			
2015			
Total			

- Indicate type of match here; “C” for cash, “K” for in-kind, “O” for other. Include source of match in the budget detail with documentation supporting whether the match is promised, in-hand, or requested.
- Provide a detailed breakdown of costs identified in the above table and a justification for those costs.
- Include a work plan showing the anticipated steps or phases for completion of the Project and their timing and estimated costs.

Please note that projects on Town-owned land may require public bidding under applicable statutes (M.G.L. c. 30, 30B, and 149). Projects on private land will require a funding agreement between the Town and the applicant. The funding agreement will provide for project timelines and status reports as appropriate.

P-10. Maintenance: If on-going maintenance is required for your project, how will it be funded?

P-11. Control of Site: Documentation that you have control over the site, such as a Purchase and Sales Agreement, option or deed. If the applicant does not have site control, please explain how public benefits will be protected in perpetuity.

P-12. Deed Restrictions: In order for funding to be distributed, all applicants must have filed with the CPC a copy of the appropriate restriction as described in “Application Process STEP 4, ITEM F. Provide a copy of the actual or proposed restrictions that will apply to this project.

P-13. Acquisitions: For acquisition projects, attach appraisals and agreements if available. Please set forth name of present owner and attach copy of deed up to present owner. In addition to property address, please provide the Kingston assessors office identification Map, Block and Lot Numbers.

P-14. Feasibility: Provide a list of all further action or steps that will be required for completion of the Project, such as environmental assessments, zoning or other approvals, agreement on terms of any required conservation, affordability or historic preservation restrictions, and any other known barriers to moving forward.

P-15. Hazardous Materials: Provide evidence that the proposed project site is free of hazardous materials or there is a plan for remediation in place.

P-16. Permitting Applicants are responsible for all costs associated with permitting, including, but not limited to abutter mailings and appropriate advertising. Provide evidence that the project does not violate any zoning ordinances, covenants, restrictions or other laws or regulations. What permits, if any, are needed for the project? Provide list and expected date of receipt of those permits. Provide copies of any permits already acquired. Provide assurance that the project will expeditiously meet environmental and other permitting requirements, so that on-the-ground activities will begin within the first 12 months after the project’s start date. (Evidence of consultation with Conservation Commission, Highway-Dept, Tree and Parks Dept., Planning Board, Historical Commission, Board of Selectmen, etc. where applicable, is strongly recommended.)

P-17. Environmental Concerns: Identify all known wetlands, floodplains and/or any natural resource limitation that occur within the boundaries of your submission.

P-18. Professional Standards: Evidence that appropriate professional standards will be followed if construction, restoration or rehabilitation is proposed. Evidence that the applicant has the proven or potential capacity to conduct the scope and scale of the proposed project, as evidenced by project leaders with appropriate qualifications and technical experience or access to necessary technical expertise.

P-19. Further Attachments:

Assessor's map showing location of the project

Photographs, renderings or design plans if applicable

Architectural plans and specifications for new construction or rehabilitation

Historic structure report or existing condition reports

Mass. Historical Commission Historic Inventory Sheet

Include Names and addresses of project architects, contractors and/or consultants

Any other information useful for the Committee to consider the Project

NOTE: The Community Preservation Committee **WILL NOT BE RESPONSIBLE FOR ANY EXPENSES INCURRED IN PREPARING AND SUBMITTING RESPONSES.** All submittals shall become the property of the Town of Kingston. All plans, specifications and other documents resulting from this contract shall become the property of the Town of Kingston. Unless specifically exempt under the Massachusetts public records law, the Town has the right to disclose information contained in submissions.

CERTIFICATE OF NON-COLLUSION

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any person. As used in this certification, the “person” shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of person signing application

Print Name

Title

Name of Organization / Business

Project Name (As is on your submission)

Date

TAX COMPLIANCE CERTIFICATION

Pursuant to M.G.L. 62C, 49A, I certify under the penalties of perjury that, to the best of my knowledge and belief, I am in compliance with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

Federal Employer ID Number

Name of Corporation

By: _____
President's Signature

Date:

Printed Name

By: _____
Treasurer's Signature

Date:

Printed Name

Project Name (As is on your submission)

RECEIPT OF APPLICATION

(For Applicants' Records)

Community Preservation Committee

Received from _____, an application

Entitled: _____

On the Day of _____ 200__.

Received by: _____
(signature)

Please indicate the person and address where you would like this receipt sent:

Name: _____

Address _____

