

**COMMUNITY PRESERVATION COMMITTEE  
TOWN OF WEST NEWBURY  
MINUTES OF MEETING  
February 21, 2019**

A meeting of the West Newbury Community Preservation Committee (CPC) was held on February 21, 2019, in the First Floor Hearing Room. Members Joseph Anderson, Bill Bachrach, Chair, Mary Harada, Bob Janes, and Sherry Pruyn were present. CPC members Ray Cook and Judy Mizner were absent. Angus Jennings, Ex Officio member, and Administrator Jean Nelson were also present.

Rob Phillips of the River Access Committee was also present.

**Applications for Eligibility and Funding, Historic Sites Survey, Phase II, submitted by the Historical Commission**

Janes related that Phase I of the survey had been a great success. Another grant has been applied for from Mass Historical Commission and if received, will probably be for \$12,500 again.

Nelson asked where mapping funds will come from, if the state grant is received. Janes said the West Newbury Historical Commission decided to postpone mapping until the inventory is complete. He said that if the state requires it, the Historic Commission will find funding.

Nelson noted that she had talked with Janes, and the Historical Commission had voted their approval to submit the Applications to the CPC. She will follow up with Elisa Grammar.

The article will be submitted to the Board of Selectmen for the Special Town Meeting in April. Nelson had asked the Board of Selectmen to set a placeholder for the article when she had learned that the state would like to see funding in place as the match for the grant. Anderson said that this article is straightforward, and the Board of Selectmen had seen the grant application. He said that the Board prefers not to deal with placeholders.

Motion made by Bachrach, seconded by Anderson, that the CPC find the Application for Eligibility for the Historic Sites Survey, Phase II, eligible for funding under the requirements of M.G.L Chapter 44B. Nelson noted that when the first application was approved in 2016, the CPC had asked her to check eligibility with Stuart Saginor of the CP Coalition. She continued that the way the statute reads, it is really more for property, documents, and hard items. She read from a message received from Saginor which had noted you would have to make a case that the inventory would protect such properties from injury, harm, and destruction, which many have been comfortable with that. He noted that that with all allowable uses, this is a local decision. Nelson noted that in 2016 the Committee that had been present then had decided that this was an eligible use.

Following discussion, the vote in favor was unanimous.

Motion made by Bachrach, seconded by Harada, that the CPC approve the Application for Funding for the Historic Sites Survey, Phase II, from the CPA Historic Resources Fund Balance. The vote in favor was unanimous.

Motion made by Bachrach, seconded by Pruyn, that the CPC approve submittal of an Article Request Form for the Historic Sites Survey, Phase II to the Board of Selectmen/Town Manager for the Special Town Meeting Warrant for April, 2019. The vote in favor was unanimous.

### **Update on River Road Conservation Project**

Vanessa Johnson-Hall of Essex County Greenbelt Association (ECGA) said the appraisal should be ready next week. It is seen by ECGA as a bargain sale. The appraisal will include the value of the Conservation Restriction. The title has come back. The only issue is the deed overlap area which had been known previously. ECGA has different options for resolving the overlap of approximately half an acre. She identified the area on the plan. A piece of land has been on a plan of the Cortland Lane subdivision as part of an unbuildable lot. The hope is to reach out to the bank to acquire that piece of land, but if that is not possible, ECGA will sign a boundary agreement with the bank and allow them to keep that area. That will not impact the parcel or the value of the land, because it is not buildable, is sloped, and next to a stream. A surveyor will be hired to verify where the boundaries are on the river parcels as well. They now have a Purchase and Sale Agreement.

Nelson asked if the abutters have been notified of this project. Rob Phillips said they had started to do that but since there had not been a Purchase and Sale Agreement (P&S), the Open Space Committee has asked them to refrain. Now that there is a P&S, they plan to go back and start talking to abutters. They plan to talk to residents on Coffin and River Streets. Johnson-Hall said ECGA will start to offer site walks to understand what is planned. Nelson asked if the property lines will be staked as part of the survey, and Johnson-Hall replied yes.

Nelson noted that she has received Minutes from the Open Space Committee and an Attestation from the River Access Committee showing support of filing the Applications, which Mizner had requested at the last meeting as one of the requirements of the CPC.

Bachrach asked who will represent the articles at the Finance Committee meeting. Johnson-Hall has been notified of the meeting, and will attend, and the Historical Commission is meeting on a different night.

Johnson-Hall asked where drafting an article stands. Jennings said that he will be in touch with her before he finalizes it.

### **Meeting with Finance Committee**

Bachrach summarized the two project articles submitted, and Nelson added the standard funding article for CPA funding. Jennings said it is up to the Chair of the Finance Committee as to how multiple articles will be reviewed. He and Nelson agreed that nobody from CPC needs to attend

the Finance Committee on March 5<sup>th</sup>. The 12<sup>th</sup> of March is the date scheduled for the CPC. Bachrach said he will be attending the meeting.

### **Review of Page Generator Invoices**

Bachrach summarized that the Construction Administration invoices from Fitzmeyer and Tocci were not included in the original estimate. It had been discussed at the meeting when the Apps were approved. At the time, McCarron had said that they were not in the estimate of costs. Bachrach noted it has come back to the CPC to ask if they can be allowed under the project.

Jennings has requested that the invoices be charged to the CPA Account for the generator project. He said that the Town has incurred over \$20,000 in engineering costs and that is not at issue. What is at issue in his view is \$4817.45.

He said before seeing the project closed out, he is requesting this adjustment. The Budget for Buildings Maintenance is pretty tight.

Anderson asked Nelson's opinion. She said yes, the invoices could be paid from the CPA account. Pruyt proposed that the CPC pay them. Motion made by Anderson, seconded by Bachrach to pay the invoices in the amount of \$4817.45. The vote in favor was unanimous. The mechanics of paying them were discussed, since they have already been physically paid to Fitzmeyer and Tocci.

### **Review of Admin Funds Criteria**

Nelson had distributed a message from Stuart Saginor outlining the uses of Admin Funds from 2014. Bachrach asked if the Admin Funds get rolled over to another fund. Nelson responded that they get rolled into the Undesignated Fund Balance. He asked if we can spend over the fund amount each year, and Nelson said no, it is not possible.

### **Update of Community Preservation Plan**

Nelson said she is almost finished. She will send the final draft out for final review for all.

### **Report to Town Meeting and Preparation for Town Meeting**

Anderson said that a Citizens' Petition has been filed to reduce the CPA surcharge to 0.5%. He said that he thinks this will be positioned against the increase in taxes by the school vote.

Bachrach said that if approved, it will have to go on the ballot for the next year. He suggested this be discussed at the next meeting. Phillips said that not only committee members need to speak at Town Meeting. He noted proponents of CPA had actually ran a campaign to get this passed.

### **Minutes January 17, 2019**

Motion made by Anderson, seconded by Harada, to approve the Minutes. Vote in favor was unanimous.

### **Vouchers**

A voucher was signed to reimburse Nelson for expenses.

### **Correspondence**

A letter had been sent by Judy Mizner asking for a review of the Job Description of the CPC Administrator. Jennings added the Personnel Committee has been revived, and the letter has been sent to department heads to get all job descriptions current and complete.

### **Administrative Details**

Bachrach and Mizner will be contact people while Nelson is away.

Motion to adjourn, 8:14 PM.

Submitted by,

Jean Nelson

CPC Administrator

### **Documents Reviewed at Meeting:**

..Applications for Eligibility and Funding, Historic Sites Survey, Phase II, submitted by the Historical Commission

..Page School Construction Administration Invoices from Fitzmeyer and Tocci, and related message from Jean Nelson to Gary Bill

..Admin Funds email message from Stuart Saginor of CP Coalition to Jean Nelson dated October 8, 2014

..draft Minutes, January 17, 2019

These Minutes were approved by the CPC on April 18, 2019.