

**COMMUNITY PRESERVATION COMMITTEE
TOWN OF WEST NEWBURY
MINUTES OF MEETING
October 23, 2019**

A meeting of the West Newbury Community Preservation Committee (CPC) was held on October 23, 2019, in the First Floor Hearing Room. Members Ray Cook, Mary Harada, Bob Janes, Rick Parker, and Sherry Pruyn, Chair, were present. Judy Mizner participated in the meeting remotely. Bill Bachrach was absent. Angus Jennings, Ex Officio member (arrived 7:40 PM) and Jean Nelson, Administrator, were also present.

Nelson had distributed a Sign-In sheet. Present in the audience were:

Ann O'Sullivan	56 Ash Street
Annie & Martin Madden	50 South Street
Jean & Scott Berkenbush	19 Chestnut Lane
Jane Wild	760 Main Street
Dick Shea	93 Crane Neck Street
Dick Cushing	8 Maple Street
Fay & Russell Gill	360 Main Street
Marlene Switzer	13 Follinsbee Lane
Steve Swallow	131 River Road

The meeting was called to order at 7:35 PM. Pruyn said the meeting is being recorded for the purpose of preparing minutes.

She announced that Judy Mizner has requested that she participate remotely, due to the provisions of CMR (29.10.(5)(e), Geographic Distance. She asked the members present to introduce themselves.

Motion made by Pruyn to conduct the meeting tonight under the provisions of Remote Participation, to allow Mizner to participate. A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, aye; Rick Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Continued review, discussion and vote: Application for Funding, Preservation and Restoration of the Soldiers & Sailors Memorial Building (Carr Post), submitted by Board of Selectmen with recommendation of Carr Post Building Committee

Pruyn made a **motion** as follows:

I move that the CPC approve the Application for Funding for Preservation and Restoration of the Soldiers and Sailors Memorial Building (Carr Post), in the amount of \$1,500,000, to pay costs of preserving, restoring and making extraordinary repairs to the Soldiers and Sailors Memorial Building (Carr Post), including but not limited to, interior and exterior preservation and

restoration of the building, installation of a subsurface sewage disposal system, installation of walkways and signage, hazardous materials remediation, replacement of electrical, plumbing, HVAC and fire alarm systems, and for the payment of all other costs incidental and related thereto; and that to meet this appropriation, (i) \$250,000 shall be transferred from amounts in the Community Preservation Fund, with \$141,100.33 coming from the Historic Resources Reserve Fund and \$108,899.67 from the Undesignated Fund Balance, and (ii) the Treasurer, with the approval of the Selectmen, is authorized to borrow \$1,250,000 under and pursuant to M.G.L. c. 44, §7(1), M.G.L. c. 44B (the Community Preservation Act), or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

The motion was seconded by Janes.

Nelson suggested that since the topic had been continued from September, there may be questions. Pruyn opened the discussion for questions.

Nelson asked who will be responsible for the project at the Town level? She said that there will be an Owners Project Manager (OPM), and oversight by the Architect. Invoices will be submitted to someone, who will verify that the work has been performed by signing a voucher, then it will be submitted to the CPC, and a member of the CPC will sign it. It was decided to wait until Jennings arrived for an answer to this question.

Jennings arrived and responded that he as Town Manager and the DPW Director will be responsible for oversight of the project.

Ann O'Sullivan asked what if a motion is made from Town Meeting floor to change the amounts of CPA funds being expended? After discussion, it was decided that the CPC vote tonight prevails, and the amounts could not be revised. Nelson summarized that the motion tonight includes \$141,100.33 coming from the Historic Resources Reserve Fund and \$108,899.67 from the Undesignated Fund Balance, with the balance of \$1,250,000 to be bonded.

Mizner said that she feels what the CPC votes tonight will be what Town Meeting votes on. O'Sullivan asked if everyone is comfortable with those amounts and the response was yes.

Lark Madden asked if there is a concrete bonding proposal, and how the figures were decided. Jennings said that our financial advisor worked with bond counsel, but that is not locked in. The Board of Selectmen felt that the cost should be spread out over generations who would benefit from it, with the expectation that the building should have a useful life. For budgeting purposes, the term of the bond is assumed to be 2.5% over 20 years. Parker said that the \$250,000 should cover the up-front costs of design and construction documents. Pruyn added that borrowing terms now are favorable.

Nelson pointed out a memo from the Interim Town Accountant with current and up to date funds available balances. She said he still must research some questions. She had prepared a spreadsheet with correct beginning balances, articles, and remaining balances if approved.

Nelson suggested two conditions to the motion made by Pruyn: 1. With reference to Page 3 of the Application, that the amount of CPA expenditures shall be reduced by any grants received,

and 2. In compliance with M.G.L. Chapter 44B, the work performed shall comply with the Department of Interior Standards for Rehabilitation.

A roll call vote was taken on the proposed motion, with the Conditions suggested: Ray Cook, aye; Mary Harada, aye; Bob Janes, aye; Rick Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Vote to make recommendations to Town Meeting for Articles submitted (M.G.L. Chapter 44B, §5.(b)(2))

Motion made by Pruyn, seconded by Cook, that the CPC recommend Town Meeting Approval of the following Articles:

Article 8. \$363,367 for Kitchen and Bath Modernization at 1-6 Hills Court and 1-6 Boynton Court, with \$280,978.95 from Community Housing Reserve, and \$82,388.05 from Undesignated Fund Balance, submitted by the Housing Authority.

A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, no; Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Article 9. \$600 for a Historic Marker for Julian D. Steele, from the Historic Reserve Fund Balance, submitted by the Historical Commission.

A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, aye; Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Article 10. \$1,500,000 for Preservation and Restoration of the Soldiers and Sailors Memorial Building (Carr Post), submitted by the Board of Selectmen, with \$250,000 from available CPA funds, comprised of \$141,100.33 from Historic Reserve Fund Balance, and \$108,899.67 from the Undesignated Fund Balance, and \$1,250,000 to be bonded. The proposal is for expenditure of a combination of CPA funds and bonding.

A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, aye; Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Review and vote on amended motion for the Housing Authority Kitchen and Bath Modernization Application for Funding

Nelson explained that the motion made on September 19, 2019, 1. had a condition that the Application filed be revised to include flooring for the kitchens, and 2. That the motion was based on dollars rounded. The exact amount of funds available had not been available at the time she had drafted the motion earlier in September. Tracy Watson had confirmed to her that she was not filing a revised Application, and that flooring is not included in this Application. Nelson had revised the dollar amounts voted to the penny, based on updated information from the Accountant.

Nelson said that Watson had said at the last meeting, and in a later email, that if the Housing Authority does not receive the HILLAP grant, she will withdraw the Application and file a scaled back version.

Motion made by Pruyn, seconded by Harada, to revoke the CPC approval of the Application for Project Funding for the Housing Authority-Kitchen and Bathroom Modernization, 1-6 Hills Court and 1-6 Boynton Court, in the amount of \$363,367.00, with \$280,978.95 from Community Housing Reserve and \$82,388.05 from Undesignated Fund Balance.

A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, no; Rick Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Vote to rescind Article 3. Of the Special Town Meeting of April 29, 2019, G.A.R. Memorial Library ADA Compliant Access Ramp, at the request of Wayne Amaral, DPW Director, Applicant, and with support of the G.A.R. Memorial Library Board of Trustees

Motion made by Pruyn, seconded by Janes to rescind Article 3. Of the Special Town Meeting of April 29, 2019, G.A.R. Memorial Library ADA Compliant Access Ramp, in the amount of \$17,000, and that the funds be returned to the Historic Resources Reserve Account. This motion is made at the request of Wayne Amaral, DPW Director, Applicant, and with support of the G.A.R. Memorial Library Board of Trustees. Pruyn also move that the Town Accountant be requested to revise the CP-3 Report accordingly.

A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, aye; Rick Parker, aye; Sherry Pruyn, aye; Judy Mizner, aye.

Preparation for Town Meeting

Nelson said that usually she receives a copy of the motions which she reviews and may make comments. The proponent reads the motions at Town Meeting. Harada confirmed that Tracy Watson will be coming to Town Meeting. Nelson continued that at the Fall Town Meeting, the Chair usually makes a brief report to Town Meeting. She suggested members bring their notebooks in order to be able to answer questions.

Jennings said the Selectmen will be reviewing the motions on Monday night, and he will send a copy to Nelson. He asked if the Committee thinks the Architect should come to Town Meeting to answer questions. They have technical expertise. Cook said the bigger issue is the philosophical debate, rather than technical details. Jennings said that the designer selection is subject to the public bidding process. Cook felt the plans have been shared and questions fleshed out, and it would be better if they do not attend. Harada agreed with Cook that it is not so much the design itself, as how the Town wants to commit itself.

Cook and Janes said that the architect does not have anything to do with the use of the building. Janes said it is up to the residents to decide the use, and not up to the Building Committee.

Nelson said when the first article was presented at Town Meeting, the CPC had asked the architect to choose 10 to 15 photos of the building, to be prepared with a PowerPoint. He was not asked to comment. The CPC had prepared two posters with photos, and Jennings said his office could prepare posters.

..Report of Vouchers Signed under Municipal Modernization Bill, 57-58

There were none.

Administrative Details

Suggestion of revision to Guidelines

Nelson suggested establishing a deadline for Applications to be filed. Some Applications have been filed late, and decisions must be turned around in a short period of time. Jennings agreed. He felt it would be helpful with planning, and the capital planning process. Nelson observed that the Warrant deadline had been later this Fall due to the Carr post article, but otherwise it would have been a much earlier date.

Public Hearing

Nelson asked if there is any input regarding the Affordable Housing topic, which had been discussed in June. Jennings said he and Parker will be ready for the Public Hearing. She said that people come by her office and ask how we can have a Tree Committee, but not an affordable housing effort. Mizner signed off.

Status of filling the CPC Administrator position

Pruyn asked Jennings the status of filling the position. He said that he has other positions to fill, and will address it at a later time, if possible. Nelson said out of devotion to the Committee, she will stay until a suitable replacement is found. Jennings said he reached out to MVPC, who cannot help for an interim period, and to other towns to see how they handle it. Pruyne said Nelson is the backbone of keeping us all together, and asked Nelson if she can stay longer until a person is found with knowledge of CPA. Nelson said she does not feel this is an average administrative job. Jennings said he is the HR Director, and this will not be an easy position to fill. He said the new Finance Department Administrator has started, and the new Town Accountant will begin next Monday. That position includes an HR function. The situation as it has existed has not been sustainable.

Nelson said that it has been a struggle for her dealing with all of the Accountants, and she has discovered errors in the past. She related that at one time it had become so difficult that she had asked Joe Anderson to help out. Parker said the information is not well assembled now, but it will be. Nelson said she is not criticizing the Interim

Accountant, but she wants to make the Committee aware that she has discovered mistakes and she wants to make it clear that the burden is not on her. Jennings said the Interim has had a lot to learn and said she should cut him a little slack. She said the new Accountant does not come from a CPA community, so there will once again be a learning curve.

Nelson said it will be easy to point the finger at her when she is gone, but she has not made the errors, and has done her best to find answers.

Motion to adjourn by Pruyn, seconded by Harada to adjourn at 8:35 PM. A roll call vote was taken: Ray Cook, aye; Mary Harada, aye; Bob Janes, aye; Rick Parker, aye; Sherry Pruyn, aye.

Submitted by,

Jean Nelson

CPC Administrator

List of Documents Reviewed at Meeting:

Proposed Motions for Recommendations to Town Meeting and Library Ramp