

West Newbury Capital Improvements Committee Meeting Minutes

Meeting date & place: 7:30 pm, January 20, 2021, Remote Participation via Zoom.

Members Present: Via remote participation Chair Nathan Kelly, Julie Boria, Rick Parker, Elisa Grammer, Polly McDowell, Judy Mizner, and Patrick McCoy. Also participating remotely: Department of Public Works (DPW) Director Wayne Amaral, Fire Chief Michael Dwyer, and Town Manager Angus Jennings, ex officio.

At the outset, Chair Kelly read the following statement: “Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor’s March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the West Newbury Capital Improvements Committee (CIC) will be conducted via remote participation to the greatest extent possible.”

Call to order

7:36 pm

Approval of Minutes

By unanimous roll call vote, the Committee approved the minutes of December 9, 2020, as revised.

Public Comment

None

Late File Items

Litmus test

Chair Kelly noted that he had emailed Committee members the litmus test, used in the past to rank priorities among different proposed capital expenditures. He noted that the bylaws do not mandate use of the litmus test and stated his concern that the test seems subjective. He said that the test includes criteria that may not apply to certain proposed capital items. When Ms. Mizner asked what test Mr. Kelly proposed in lieu of the litmus test, Mr. Kelly replied that requires additional consideration.

State guidance for CIC and CIC duty to recommend funding sources

Ms. Grammer said that the state Department of Revenue’s Division of Local Services (DLS) has guidance and best practices for CICs, which are posted on the website. She quoted the DLS saying that the CIC’s analysis of all proposed capital improvements “helps the CIP committee to propose a funding source schedule designed to:

- Keep the tax rate stable

- Balance debt service and operating expenditures
- Determine available debt capacity and acceptable debt service levels
- Maximize intergovernmental aid for capital expenditures”

Ms. Grammer also quoted DLS as saying, “Based on adopted policies and an assessment of the town's financial capacity, the CIP committee must recommend a method to finance each project. There are various ways to finance capital improvement projects. The broad range of options include bonding for municipal debt, strategically managing local financial resources, and taking advantage of state and federal grant programs.”

Ms. Grammer said that she is interested in understanding when and how the CIC would be addressing the funding issues, and was willing to defer this to a later meeting.

Spring Town Meeting schedules

Mr. Jennings said that Town Meeting is scheduled for May 22, 2021, likely starting at 10 am. Mr. Parker said that the final date for submitting warrant articles on February 12, 2021, and April 16, 2021 is the target date for finalizing the warrant.

Liaison Reports

Parks and Recreation

Ms. Boria said that she has been in contact with Park and Recreation Chair Jack Foley but has not yet had a substantive discussion. Currently the indication is that a number of small improvements (with dollar values below the cost amount the CIC considers) may be contemplated. It appears that big-ticket items, such as a possible artificial turf field, are currently aspirational possibilities.

Mr. Jennings said that he is actively involved with the Parks & Recreation Commission, which is still coming together as a group. The Commission members will need to prioritize and vote on and sponsor capital improvements.

The Action Cove playground is on the capital improvements schedule for replacement. Mr. Amaral said that there needs to be consensus about what would replace Action Cove. Mr. McCoy observed that Action Cove is a really cool playground.

Review of FY22 Capital Proposals and Voting Process

Mr. Amaral advised at the outset that the proposed numbers for FY22 are valid, but beyond that, it is a best guess.

\$95K Recoating Roofs (DPW)—no funding source proposed in meeting materials

Mr. Amaral said that various Town building roofs are starting to leak and that it would cost some \$462K to replace these rubber roofs. He noted that the roof on the Public Safety complex, which is a combination of rubber and shingle, is in particularly bad shape. The rubber roofs at Town offices and the annex are in better shape.

Mr. Amaral spoke with a contractor and did considerable homework about whether the application of a coating over the rubber roofs (which must first be repaired) could extend the roofs' lives. He added that some in cases, DWP could do the application itself. Because of unique aspects of the Page School, it is not clear that this coating technique would work on that building.

Mr. Amaral said that the coating material is designed to bond with the rubber roof and provides a hardened protective surface. He noted that the application should be applied now—in a few years it will be too late. In response to Ms. Mizner, Mr. Amaral said that recoating (in lieu of full roof replacement) might be feasible depending on how the initial coating wears down.

Mr. Kelly applauded DPW for finding this efficient, cost-saving solution.

\$105K Town Hall Painting (DPW)—Community Preservation funding proposed in meeting materials

Mr. Amaral said that DPW will be seeking CPC funds of \$105K to give Town Hall a badly needed coat of paint, replace rotted trim, remove unused exterior wires (with no interior wiring addressed at this time), remediate the gutters and some drainage, and install a new handicap access ramp. Regarding the last item, Mr. Amaral noted that DPW identified a Town-owned code compliant metal ramp available for use, and the additional cost will involve labor for installation. Additionally, Mr. Amaral has received Fire Department permission to relocate the obtrusive red fire pull box at the front door to a more aesthetically appropriate location nearer the side of the building. This project entails no interior work.

Future work may involve replacement of windows, ideally with a Green Communities grant with help from the Energy Advisory Committee. In response to Mr. Parker, Mr. Amaral agreed that it might be worthwhile to look at insulation in this building.

\$600K Middle Street Bridge (DPW)—Capital Stabilization funding proposed in meeting materials

Mr. Jennings reported that an engineer has been hired and is working on this bridge replacement project with the Conservation Commissions of West Newbury and Newburyport. A memorandum of understanding is in place between West Newbury and Newburyport, with

equal apportionment of the grant funding (the Town obtained \$1M, Newburyport \$500K) and of the remaining \$1.1M in estimated costs. He added that the Town's \$1M grant from the state imposes ongoing reporting and deadline requirements, which should help pin Newburyport down on committing its part of the funding in its FY22 budget.

As to maintaining the bridge once it is rebuilt, Mr. Amaral said that the division of responsibilities between the two jurisdictions is not yet clear, but new bridges are largely maintenance free in their early years.

\$500K Tanker Truck (Fire Dept) —no funding source proposed in meeting materials

Chief Dwyer said that the current tanker truck dates from 1984 and was thoroughly rehabilitated in around 2000. Now, however, it does not comply with applicable standards. In a recent annual test, the pumping mechanisms failed to achieve requisite high-pressure output levels. A failure when firefighters are taking hoses into a building could be devastating. If retired soon, this vehicle may be resold for not much money for use not in firefighting but as a water vehicle perhaps used in construction. Ms. McDowell noted that the tanker truck had a very long life and was clearly well maintained.

Chief Dwyer said that 3 manufacturers are under consideration for a new vehicle that would not be off-the-shelf, but rather somewhat customized. The process involves fire department representative trips to the manufacturer for consultations. In response to Ms. Mizner, Chief Dwyer said that the materials do not currently include price quotes; he awaits a definitive answer for delivery from each manufacturer. COVID-19 created a backlog, and there may be a 12-month window for delivery unless the department acquires an off-the-shelf model. Some manufacturers offer annual factory service as well as cleaning of the frame and chassis. This prolongs the vehicle's life.

In response to Mr. Kelly's inquiry about Engine Nos. 23 and 24, Chief Dwyer said that they are well maintained and in good shape overall. They hold around 1,200 gallons. Mr. Kelly asked whether replacing the tanker truck plus Engine No. 23 with one combination truck could save perhaps \$300K in addition to the resale value of No. 23. Chief Dwyer said he supports that approach, but the Board of Fire Engineers prefers having a tanker plus two frontline engines. In response to Ms. Mizner, Chief Dwyer said he was unsure of the Board's reasoning. He noted that changes in staffing capacity as volunteer firefighters work from home and technological innovations such as homeowners' internet based alarm systems are providing more rapid fire alerts and changing the nature of firefighting.

In response to Mr. Parker, Chief Dwyer said redundancy in firetrucks can be important. Some places in Town have no hydrants, hydrants with poor water pressure, or water infrastructure that can be damaged with high-pressure drawdowns. At least two tankers should be at a fire scene. At Ms. Grammer's request, Chief Dwyer described mutual aid arrangements with other

Towns, in which trucks and equipment are brought in or sent out to neighboring municipalities. He added that dispatching upgrades have improved this process.

It was generally agreed that a replacement is needed and Chief Dwyer will revisit the matter and the possible acquisition of a combination truck with his Board. It was also agreed that adverse changes to insurance ratings in Town would be an important consideration.

In response to Mr. McCoy, Chief Dwyer gave an overview of his resume, saying that he went to Pentucket High School and joined the fire department in 1995. Since 2004, he has been responsible for fire department purchases.

\$35K Jaws of Life (Fire Dept) —no funding source proposed in meeting materials

Chief Dwyer said that this acquisition would replace the current hydraulic cutter, spreader, and ream jaws of life system used to extract auto accident victims. The replacement would be a battery-powered system of much the same style. The difference is that the current hydraulic system requires a generator and uses hoses to connect the tools. The new system would be more mobile and would have all the tools ready to go at once. Other towns have had success with the battery-powered jaws of life.

The request is for the full \$35K, but the fire department hopes to obtain a grant of \$10K to buy one of the three tools to reduce the cost. In response to Ms. Mizner, *Mr. Jennings agreed to forward to CIC members the cost estimates for this item.*

\$33K Page School Fire Alarm Control Panel (Fire Dept)—Capital Stabilization funding proposed in meeting materials

Mr. Amaral said that currently the fire command center panel is in a relatively inaccessible location in the basement, as opposed to a preferable location at the old front door at Page School. Also, said Chief Dwyer, the current location impedes speedy communications in the event of a police or other emergency. Additionally, the location was discussed with the Page School principal, who is concerned about his ability to communicate to alert the school. The old panel in the basement will still work, providing redundancy.

In response to Ms. Grammer, it was explained that COVID-19 has delayed work on the \$304K project approved last year to upgrade Page School's fire alarm system. That is now in the permitting phase and \$11K has been spent so far. The larger project will include preparing wires to connect to the new control box. This year's \$33K will be used to buy the box.

Pipestave Tank (Water Dept)—Water Dept free cash funding proposed in meeting materials

Ms. Grammer inquired whether there would be any discussion of the Pipestave water tank

rehabilitation project. *It was determined that this will be addressed at the next meeting.*

Discussion of Page School Study

The Committee discussed the report from 10-15 years ago describing many needed capital improvements to Page School. A number of items have yet to be completed. Mr. Parker noted that the Selectmen were surprised at the prospect of evaluating the capital investments Page School requires vs. alternatives such as another school.

Mr. Kelly again said that his meeting at Page School revealed numerous problems requiring redress. Mr. Amaral said that prospective capital improvement for Page School (not least the elevator) are very costly. Mr. Parker noted that energy costs will become more problematic as climate change strictures and energy efficiency requirements advance. Mr. Parker noted that Page School is not at all energy efficient. Mr. Kelly added that it is very costly to heat and that operating and maintenance costs, some of which are shared by Pentucket Regional School District, are high but not so easily tracked.

Ms. Grammer noted that the Historical Commission recently examined the status of the Town Hall as a structure listed on the State Historical Register. Such listing comes with numerous restrictions on what can be done with a building, although painting is exempt. Although a historic structure, Page School is not listed on the State Register—and if the Town wants to maintain flexibility in what to do with the building, such listing is not advised.

Ms. Grammer noted that the Town has steadily been making capital investments in Page School since it was acquired in 1972. She asked whether the Town maintained records of this. *Ms. Grammer will go through past Annual Town Reports to compile cumulative capital investments in Page School.*

The proposed cost for a study of future capital improvements Page School would need was estimated as \$40K, but this is tentative. Ms. Boria and others inquired about better determining the cost of a study. It was noted that the study could be funded from the Capital Stabilization Fund. Ms. Mizner said that it could present a conflict of interest if the CIC were to propose the study and then rank it at the same time. *It was generally agreed that DPW would be the sponsor of an article seeking funding for a study, Mr. Amaral will work on obtaining a more certain scope and cost estimate, and that the evaluation should be done sooner rather than later, particularly in view of considerable known capital costs looming in the next few years.*

Discussion of Capital Improvements Committee Bylaw

The Committee discussed a proposed amendment to the CIC bylaws submitted by Mr. Jennings on January 15, 2021, which added the limiting phrase “Capital Stabilization or Water Stabilization” so as to restrict the Committee jurisdiction to capital items funded through those

accounts. Ms. Grammer pointed out that the provisions as amended do not work—even with the revisions, *all* departments still must report to CIC and CIC is still required to evaluate *all* proposed capital improvements. Mr. Jennings said that he rewrote the bylaws in 10 minutes and could work on the amendments.

Ms. Grammer repeatedly asked how this revision comports with DLS guidance and best practices. Mr. Jennings said that the CIC process involves too much extra work, particularly for entities like the Water Department, which is highly stressed and understaffed. In response to Ms. Grammer’s query how capital improvements would be transparently evaluated and prioritized if removed from the CIC purview, Mr. Jennings said that he is authorized to do this as Town Manager.

Mr. Jennings added that he reads section 4 of the bylaws (“Such Capital Improvement Program, after its adoption, shall permit the expenditure of Capital Stabilization Funds and Water Stabilization Funds on projects included therein of sums from departmental budgets for surveys, architectural or engineering advice, options or appraisal; but no such expenditure shall be incurred on projects which have not been so approved by the town through the appropriation of sums in the current year or in prior years, or for preliminary planning for projects to be undertaken more than five years in the future.”) as conferring power on the CIC to veto proposed capital improvements by not reporting them to the Town. Ms. Mizner responded that she read the bylaw as requiring the CIC to review and report on all proposed capital improvements submitted. Therefore the CIC could not veto any project; the decision is up to the Town. Ms. Grammer referenced various bylaw provisions requiring the CIC to report recommendations to the Selectmen and the Town, much as the Finance Committee does.

In response to Mr. Kelly’s observation that items funded with Free Cash are not in CIC’s wheelhouse, Ms. Mizner repeated that the bylaw has not been amended and does not contain such a limitation. Mr. Parker observed that the bylaw cannot be amended before the upcoming Town Meeting and that it appears unlikely that major capital improvements will be addressed at the fall meeting—so this is not an urgent matter requiring immediate resolution. *It was agreed to table the proposed amendment.*

Next Meeting: February 3, 2021 7:30 pm

Agenda items include—

Meet with Water Department

Determining how to prioritize and vote on the items presented and doing so

Recommending how much money should go into the Capital Stabilization fund

Continuing review of the Page School study item

Adjournment

The meeting adjourned at 10:04 pm

Meeting Documents

[40-page meeting packet sent by Town Manager 1/15/2021](#)

[160-page tanker truck materials sent by Town Manager 1/17/2021](#)

[Litmus test sent by Chair Kelly 1/20/2021](#)

Respectfully submitted

Elisa Grammer