

**COMMUNITY PRESERVATION COMMITTEE  
TOWN OF WEST NEWBURY  
MINUTES OF MEETING  
February 16, 2017**

A Meeting of the West Newbury Community Preservation Committee (CPC) was held on February 16, 2017, in the First Floor Hearing Room. Members Joe Anderson, Ann Bardeen, Tom Flaherty, Mary Harada, Bob Janes, and Sherry Pruyn were present. Administrator Jean Nelson was also present.

The meeting was called to order at 7:35 PM.

**Applications for Eligibility and Funding for Action Cove Rehabilitation and Restoration, Phase II, filed by Park and Recreation Commission (P&R)**

Gary Bill was present for most of the discussion.

Flaherty reviewed the documents that he had submitted at the request of the CPC. There were draft Minutes of a P&R Meeting indicating a vote in favor of submitting the Applications for Phase II for CPA funds. There was a Proposal from Brian Conn for \$17,485 for work to finish Phase I. Flaherty said that Conn will have the work done prior to school vacation in April. Bardeen asked if the remainder of the \$17,485 is coming from last year's funds, and Flaherty confirmed that it is. Anderson asked if we would be better off to have a new instead of rehabilitated playground. Flaherty said that was the first question to come up last year, or 2 years ago when they started this. He said that he believes they have 10-20 years on this playground, especially with this restoration. Park & Rec wants to get 20 years out of this playground. They also researched local communities: Georgetown, Newburyport, where new playgrounds have been built, and Newbury is in the process of building a new playground. They are using Play by Design there. The cost is significant. Newburyport and Georgetown were a minimum of \$350,000. They are modern, all plastic, or composite. Nelson said that she did not think Georgetown was so high. Flaherty said he talked to a lady who said that in Georgetown they were able to hide a lot of the costs with land issues, and if they were quite accurate with it, it was between \$400,000-\$500,000. Newburyport was \$350,000 plus. Both people he talked with said there were more costs than stated.

P&R had to decide where they were going. He and Greg Pope were in favor of doing what they are doing. He said Dana Bridges was not sure in the beginning, but she was willing to go along with Flaherty and Greg Pope. He said she now feels the way that he and Pope feel about restoration, rather than building new. Flaherty feels that for right now this is the right decision for West Newbury.

Bill referred to the recommendation in the report by Play by Design that urged replacing it. Flaherty said when they sat with the consultant at the playground, it was clear to him that the

man wanted them to build a new playground, and he understood it. There were three recommendations in that report: rehab, rebuild, or build new. Bill some of the other options were expensive. Flaherty said he suspects he won't be here when they build a new playground. He said P&R is very comfortable with what they are doing now.

Nelson had sent a message with a couple of questions. Conn told her that of the 75,000, 60% was for staining and painting, which would be approximately \$45,000. The new proposal quoted 1/3 or \$14,850 for staining and painting. That left \$26,350 for other work. Work invoiced to date has been \$2,700. She asked how does that bring us to \$75,000? Flaherty said he thought that was a high, safe ballpark figure from Conn, which is what P&R had asked them to give them. He said he thinks it will be less than three full phases. So 2/3 will not be more than \$25,000 of Phase II. He said all the carpentry is done in all of Phase I, and staining is to be done in Phase II. Bardeen summarized that it sounds like there will not be a Phase III at all.

Nelson said that going back to the last meeting, she thought that we were going to get firm prices and estimates from painting companies. She said she does not want to be a skunk at the garden party, but does not see the proposal as any kind of firm estimate. Flaherty said it is her opinion, and she said that she is putting it out to the committee, because the CPC is the responsible party here, not her. Flaherty said that for whatever the reason, this project has been a bee in Jean's bonnet, to which she replied that it is not personal, and was not always. He said that starting with the wood chips and then the Play by Design report it was. Nelson replied that neither of these items were in the original Application. She continued she feels it is the CPC's responsibility to look at these things and she has not seen other applications with things so randomly tossed in. Flaherty said the original App was a three phase effort to restore the playground, and they have gone in that direction. He said the (engineered) wood chips are now a DPW responsibility. Bill was very surprised to hear that, and said he was not aware of it.

Bill said they can't just keep adding wood chips. He said they have to be dug out and replaced. There is no more "fluff" in them. He said there should be 9-12" of fresh chips. The fall factor protection is not there. Flaherty said he does not think we have had any fall on the wood chips. He said the design is sound.

Flaherty said he has faith in his vendors, and Brian will do what he is asked to do. He said if you have read the report as he has, the bottom number is fine with him. Nelson said she tries to ask questions that others will ask, and that people who come in to see her ask. She said that the Finance Committee will be a lot tougher than she is. She related she get a message from Kym Codair asking for a copy of the inspection report, and that they will be asking the same questions that Joe asked, and ongoing, what is the maintenance plan.

Nelson had asked if Park and Rec was working on a maintenance plan based on Play by Design's report. Flaherty said that is premature now, and they will tackle that in the Spring. Splinters were discussed. Flaherty said that the splinters have been taken care of.

Bardeen asked what P&R is expected to maintain with a rather small budget. She suggested there may need to be a different mandate or budget to maintain it properly. Anderson said if they need it, they should request it. Flaherty said he thinks they can do it. Most of the work will be labor when this work is done. He asked Bill about a line item for Playgrounds which he sees every year. Bill replied that there is a line for field maintenance which is strictly for Pipestave. It is \$15,000 and it all goes to those fields.

Pruyn said she does a lot of financing and works with a lot of contractors and if she got something like this (Proposal), she would not accept it. She would want each line to be itemized with a cost. Then they would come up with a percentage of overall cost, and that is how you create your budget. 10% would be added for contingency. She is always working with numbers. When a request for payment is received, she checks on the work invoiced before releasing payment. Nelson said she had suggested to Tom a breakdown of stain and labor costs, because perhaps DPW could get a better price on the stain, so she had expected two dollar amounts.

Flaherty said he hoped he did not have to read this. He said he had sent a text to Conn. The reply was that when Conn gives a quote, he does not break it down. If Park & Rec wants to hire him at an hourly rate, he will quote that. He has done lots of work for the Town, and nobody has ever asked him to break it down. He is done doing any more research. He will give Tom a list of painters. Flaherty said that when Brian Conn gives him an estimate, it is fine with him. Bill said that he buys the materials, and hires Conn for the labor.

Nelson referred to M.G.L. Chapter 30B and its requirements. She said she feels that both P&R and DPW are bound by 30B, and need to comply with the requirement. Flaherty gave the example of the basketball court. They had put it out to bid, and received no bids. They had then gone to DPW and asked if they could do it. He said he asked Brian if he would give them an estimate for Action Cove, which is the \$75,000. He felt it was good enough. Bill said if it is under \$10,000 for labor, he does not need to put it out for bid. Nelson agreed and said she had talked to the Chief Procurement Officer, who had said that the limit is per project, not per invoice. Nelson said her wish is to bring these requirements to the attention of the Applicants and the CPC. That was why she suggested that he get a price for the stain separate from the labor, and was trying to help Flaherty out. Flaherty said he does not need her help—all he is trying to do is restore a playground and he would have Brian give us two estimates, which would both be less than \$10,000.

Nelson recapped the procedure CPC had followed to get an analysis of the Carr Post structure assessment. She had solicited written quotes from a list of firms, based on a scope of work. Only one firm responded, but she had solicited as required by 30B. She said she is not the enforcer or the policeman.

Flaherty said that he will ask Brian to give us two or three estimates: one cost of stain, one being the labor, and one being the labor for the carpentry. He asked if that would satisfy the law.

Bardeen asked why Phase I is being discussed and Nelson said she felt that firm estimates must be obtained for Phase II. Bardeen quoted the CPA statute which requires developed estimates and a timeline. Pruyn said he should give an idea of the stain and labor cost. Bill suggested that Flaherty get an amount of the quantity of stain required, then go to a supplier to get a quote for the stain needed. Anderson asked Flaherty what he would like to do, and offered to hold a special meeting to vote on the Application if Flaherty can supply the amounts. Flaherty said he will wait for a special meeting.

### **Applications for Eligibility and Funding for Carr Post Rehabilitation and Restoration, filed by Carr Post Committee**

As requested at the last meeting, Gary Bill had asked Spencer and Vogt for an estimate for architectural and engineers fees for structural repairs. Nelson distributed the message from Lynne Spencer. She had estimated \$105,000 to \$115,000 for construction documents (plans and specifications, bidding, and construction administration), and an estimate of \$680,000 to \$750,000 for the exterior envelope and structural repairs. Bardeen asked what work had been done to date. Bill said the walls have been shored up, turret taken down, and there is now a weathertight shell, which was considered “critical stabilization”. A use for the building has not been determined yet. Janes said he feels that the use is a Town-wide decision, and not to be decided by the Carr Post Committee alone. Anderson suggested putting a suggestion box on the Town website for ideas. Pruyn said she would like to see it used as a museum. Janes said the library has many documents in storage, he has lists with names of veterans, and applications from people to the Boyd Post, which could all be part of a museum.

It was suggested that the building could be sold to a private owner or developer with conditions to maintain its appearance and structure. A Go Fund Me or friends group could be started. Bill and Janes decided that the Application for Funding filed with the CPC will probably be withdrawn. Bardeen suggested that the Post Committee present a report to Town Meeting which would give voters a choice as to how they want to proceed.

### **Applications for Eligibility and Funding for 31 Dole Place, filed by the Water Commissioners**

Bob Janes said that the Water Commissioners have talked to the Board of Selectmen. The Town will apply for the funding from CPC for land purchase money, instead of the Water Commissioners. He said that DEP has given verbal but not official approval of the wellfield. Anderson said that he had talked to the Open Space Committee which was in favor of the expenditure, but could not vote at their meeting because they did not have a quorum at their last meeting.

Anderson said that the Board of Selectmen will apply for CPA funds, with \$300,000 coming from Free Cash, and the balance needed from CPA and Water Enterprise Funds. A discussion of why voters not on the water system should support this followed.

**Motion** made by Anderson, seconded by Pruyn, to approve the application for Funding for \$800,000, for purchase of 31 Dole Place, from the Open Space and Recreation Reserve, and Undesignated Reserve, subject to Conditions. The vote in favor was unanimous.

### **Next Meeting**

Anderson asked that Flaherty be notified to have quotes submitted by Wednesday, February 22, 2017, for stain and labor for the Phase II work, so that a meeting on February 27<sup>th</sup> can be scheduled.

### **Minutes**

**Motion** made by Anderson, seconded by Pruyn, to approve the Minutes of January 19, 2017. The vote in favor was unanimous.

Motion to adjourn, 9:35 PM.

Submitted by,

Jean Nelson

CPC Administrator

These Minutes were approved by the CPC on March 23, 2017.