

**COMMUNITY PRESERVATION COMMITTEE
TOWN OF WEST NEWBURY
MINUTES OF MEETING
September 19, 2019**

A meeting of the West Newbury Community Preservation Committee (CPC) was held on September 19, 2019, in the First Floor Hearing Room. Members Bill Bachrach, Ray Cook, Mary Harada, Bob Janes, Judy Mizner, Rick Parker, and Sherry Pruyn, Chair, were present. Angus Jennings, Ex Officio member, was also present.

Also present: Michael McCarron, Ann O'Sullivan, Peter Ringenbach, KC Swallow, Steve Swallow, Marlene Switzer.

The meeting was called to order at 7:30 PM. Pruyn said the meeting is being recorded for the purpose of preparing minutes.

Motion to submit Article for the Fall Town Meeting Warrant to the Town Manager for Historic Marker-Julian D. Steele (follow-up vote: article has already been submitted)

Motion made by Mizner seconded by Cook to submit the Article Request Form for a Historic Marker for Julian D. Steele to the Town Manager for inclusion on the Special Town Meeting warrant. Seconded by Parker. The vote in favor was unanimous.

Applications for Eligibility and Funding, West Newbury Housing Authority, Kitchen and Bath Modernization, Twelve Units, submitted by Tracy Watson, Housing Authority Executive Director

Tracy Watson said the Applications came about because the state has put a HILLAP grant opportunity. The grant will match dollars leveraged. The Housing Authority (HA) is looking for funding from the Town and from DHCD. They will be applying to the state and they feel they have an excellent chance. Nobody has applied for the grant to date. West Newbury is in a good position to receive the grant. If grant is not received, she would withdraw the Application and come back in the Spring with a scaled down Application.

The HA is trying to maintain the units. They are original kitchens and baths in the units. The units were built from 1989 to 1991. [With reference to the Public Housing Notice 2019-11], Mizner asked if the actual Application attached is what is being submitted. Watson said the deadline has been extended to the end of November. Our housing is 667 and 705, which is scattered housing. It is an expansion of the original DHCD Notice. Watson said it has been expanded to include families, in addition to the elderly. Watson said she works closely with the regional Housing Assistance Team and with DHCD.

Mizner asked if the HA Minutes of the vote to submit the Application have been approved. Watson said they will be signed on Tuesday.

Parker asked if this is 2.5 % of the \$15 million available from DHCD. Watson said yes. She feels confident that we will be awarded the grant. Watson said they went a bit aggressively because of the HILLAP. If the grant is not approved, they would probably come back for less, such as just kitchens or just baths. DHCD will probably make the first awards, then put the grant out again.

Mizner asked where the cost numbers come from. Watson replied from the regional Capital Assistance Team, which is located in Chelmsford. The in-house architects and engineers put the estimates together. The project must go through public bidding. Mizner asked where the Application states that floors in kitchens will be replaced. Watson reviewed the costs and said flooring is in the baths application. Watson said is included for all units in the costs for the baths, so it is in the wrong place. Mizner said it is her preference to continue this review. She has not had enough time to go through the Applications tonight. Watson said she can confirm that the flooring for the kitchens is 300 square feet and 200 square feet, estimated in the bath section.

Mizner asked if the residents will have to move out. Watson said no, but they have a relocation service if needed. Cook asked if the total for both projects is \$750,702, and Watson confirmed that. Watson said they are subject to public bidding. Cook summarized total is approximately \$60,000 per kitchen and bath.

Mizner asked what the soft and hard costs are. Watson said hard costs are cabinets, flooring, and fixtures, etc., and soft costs are labor and design. Mizner asked if there is any contingency figure, since construction will be beginning in March of 2021. Watson replied that no contingency is proposed. If costs increase, they will go back to DHCD and request funds from the HILLAP grant. Watson corrected her previous statement and said there is an inflationary cost built in at a 2% rate that is always used. They are not subject to sales tax.

Parker asked if she knows what prevailing wage is. The reply was no. She said it changes annually and is different for each skill.

Miner asked how the project will be invoiced. Watson said same as for the roof project. Before invoices are approved, they are approved by three people, including her. Nothing is sent to the Town until approvals have been obtained.

Parker asked what type of discretion the HA has with bidding. Watson said there is always room for change orders and alternates. Bids could come in higher or lower. Any change orders must be approved by the engineer, architect, and project manager.

Mizner asked if there is a description of materials that would be used. Watson replied no—she said that is at the design phase, not here. All over the state, they use standard fixtures, materials, etc. That would be done by the office in Chelmsford by staff. The design will probably come from the HAs formula funding, or HILLAP money.

Bachrach asked what happens when damage is found to flooring, structure, etc. Watson said it is common but we are dealing here with a younger asset. Every unit has been tested for air quality. If such damage is found, there is the formula funding, or they could go back to DHCD for

emergency funding. It would be separate from this Application. They know they do not have a mold issue.

Mizner asked if we know how long the grant approval takes. Watson said there is no way to tell. She estimates by mid-Winter. Cook said he is OK with approving the submittal tonight, even though the flooring item is out of place.

Motion made by Mizner to approve the Application for Project Eligibility for the Housing Authority-Kitchen and Bathroom Modernization, at Hills Court and Boynton Court, since it falls within the category of preserving and supporting. Seconded by Cook. Parker asked if prior to Town Meeting we can have a simple correction of the placement of the flooring. Watson said yes, absolutely. Watson said she can bring an account representative to Town Meeting also, who would be more technical, and it was agreed this would be a good idea.

The vote in favor was unanimous.

Motion made by Mizner to approve the Application for Project Funding for the Housing Authority-Kitchen and Bathroom Modernization, 1-6 Hills Court and 1-6 Boynton Court, in conformity with the Application submitted, in the amount of \$363,367.00, with \$280,979.00 from Community Housing Reserve and \$82,388.00 from Undesignated Fund Balance, subject to the following condition: contingent upon a revision showing the flooring in the kitchen project. Seconded by Cook. The vote in favor was unanimous.

Peter Ringenbach, River Road, asked if the motion is dependent upon the grant. Mizner said that the CPC decided to approve the funds whether or not the grant comes through.

Motion made by Mizner to submit an Article Request Form to the Town Manager for the Housing Authority-Kitchen and Bathroom Modernization project for the Fall Special Town Meeting, in the amount of \$363,367.00, with \$280,979.00 from Community Housing Reserve and \$82,388.00 from Undesignated Fund Balance. Seconded by Cook. The vote in favor was unanimous.

Ann O'Sullivan asked if that article will result in using all of the Housing funds. Mizner said we do not have a final number yet, and will not receive notice of the state match until November.

Application for Funding, Preservation and Restoration of the Soldiers & Sailors Memorial Building (Carr Post) submitted by Angus Jennings, Town Manager

Jennings said he has submitted the Application on behalf of Board of Selectmen. The Selectmen had voted to submit the Application on September 9th, 2-0, but Glenn Kemper was absent. They voted again, 3-0 as a full board, on the 16th to submit the Application.

Jennings said that going back, the Town has been wondering what to do with the property for several years. Every year that goes by changes the situation, and not in a favorable way. He has worked with the Carr Post Committee and others to bring forward a well-conceived professionally prepared proposal, understanding that the cost will be substantial. Many disciplines have had a hand in bringing this application forward. The methodology used has been described by Sullivan, Spencer and Vogt (SS&V). Short of putting the project out to bid,

Jennings feels the Committee has a true cost of what it will take to stabilize and restore the building.

His office has been corresponding with financial advisors and bond counsel. A section of the proposal shows a 20-year bond calculation. Bond counsel has provided recommended language for an article. He said that it is not formally proposed, but highly likely that the Board of Selectmen will approve bonding. Bachrach asked if the bonding is based on future CPA funds, and how difficult that is to get. Jennings said it is not difficult, and referred to the financial tables. Local receipts only are factored into projected revenue, to see what can be leveraged in historic funds. If it is a 20-year borrowing, you can't reduce the CPA surcharge to a figure that will not cover the debt service. Bachrach said it appears to be approximately 33% of all CPA funds coming in.

Mizner asked if the Board of Selectmen will make a decision on bonding. Parker said the Board started talking about options on Monday. There are some details to be looked at. Mizner asked if there will be a resolution by mid-October, and Jennings said there needs to be a resolution before that.

Jennings handed out draft motion language. The Board of Selectmen had discussed bonding the whole amount vs. using CPA funds and bonding. Bachrach said we rarely spend more than 30% of CPA funds. Mizner asked what amount of money comes out of the CPA funds if bonded. Jennings said usually there is no payment in the first year, and he would like to look into that question. Mizner wanted more opportunity to review the Application, since it was just submitted on Monday. He confirmed that there would be no debt service the first year.

Cook said there are errors in the structural plans. He gave some examples.

Peter Ringenbach is on the Building Committee. He said what you have in front of you is schematic design. There was a lot of pressure to get these documents done. If there are any comments, they will be welcome. Cook said some errors were noticeable. Ringenbach said this is early in the design process, and there are a lot of people to go through before the design is completed. Ringenbach said there are various monetary contingencies.

Mizner asked if the Board of Selectmen is supporting the proposal, or leaving it to the will of the town? Jennings said it is not known. The Board may get there. There was a meeting with the architects on September 9 and he encouraged the Board that this is such a big decision, with the money and aesthetic value, it is incumbent upon us to bring the voters a choice. He feels the Board will offer a recommendation before Town Meeting.

Parker said the Board recognizes the building as iconic, and are supportive, but are cognizant of the cost. The decision deserves to be made by the Town. Cook said he is torn, and he hopes he can decide before Town Meeting. Tighter answers as to use would be good before Town Meeting.

Bachrach referred to the project objectives. "Reclaim ..." and his comment is, how does this differ from the Annex? There is more parking at the Annex. He feels the preservation piece is

more compelling than what the use is. Parker said that sometimes the Annex is highly in demand. He asked Michael McCarron how often the Annex is in high demand. McCarron said it is used for Town Meeting, elections, and approximately 400 events that occur there for the year. There may be 2-3 events in a day. He said facilities use is high and there were so many uses proposed for the Annex, that the Board of Selectmen has restricted the use to Town groups.

Jennings said that the Community Center Committee had done good work with McCarron documenting use of facilities. He said that he can take documentation and brainstorming and share it with the committee. There are restraints on parking, so the facility could only be used for small groups, or those willing to take a shuttle for a special event.

McCarron added that the use can be grappled with but if something is not done now, the decision will be made for us. Parker said there is not a second round here —the building is falling apart.

Mizner asked if there will be additional costs for the second floor? Jennings said it is proposed to be a fully completed space. Cook asked design for pounds per square foot. Ringenbach said the second floor can only accommodate 8 work stations. Jennings said that question was asked in a previous meeting, and he can look it up. Cook asked that it be confirmed that the first floor has a capacity of 100 pounds per square foot, and what the second floor capacity is. Ringenbach said that if the basement is filled in, then the first floor capacity would be unlimited. Cook asked to see the detail for supporting the first floor. Ringenbach said that in the state code, if the second floor is limited to office space, we do not need a second means of egress, according to the architect.

Bachrach asked who did the cost estimate? Ringenbach said SS&V did the cost estimate, and they have talked with contractors in the community also. Bachrach asked which areas have the highest risk with regard to the cost estimate? Ringenbach said the foundation is in good shape. Money has been included to take down and rebuild the octagon, and reusing the existing brick. Work had been done on the roof and interior 5 years ago. There was a study on asbestos, and it was present only in the first floor tiles.

Bachrach said that in the past, Janes had wanted to move Civil War objects from the library to this building. Janes said this is one of his objectives. Janes said also, there should be a memorial to men and women from the Town who have served. He said upstairs in the Library there are 10-12 boxes of material of original applications to apply to the Grand Army of the Republic, among other documents. Those records should be preserved and displayed.

Bachrach said that what Janes has described could be a third bullet point in the Application.

Ann O'Sullivan said she understands the interest in defining the use of the building, but her concern is it takes the focus off of the preservation of the building. She feels we need to look at the worthiness of using the building, and it could change over the years. She suggested documenting history by interviewing people with A/V equipment available. Janes said he thinks we should preserve now and determine uses later. He said he does not agree with a full blown kitchen there. McCarron said the building use has changed through time.

Steve Swallow, chair of the Bicentennial Committee, said they have thought of various community service projects. Discussion has always come back to this building. This is one of the favorite icons of the Town. The Bicentennial Committee knew the building was completely out of their scope. He said if we do not move forward, then it will be torn down.

Marlene Switzer, member of the Open Space Committee and Carr Post Committee, said that when the Riverbend Project was proposed, it was compelling because Page School students had it available as a STEM site. She said this project is similar—high school students could be part of the interview process.

KC Swallow said she had talked with Susan Babb at the Library. It is not just Civil War artifacts stored there. There is a treasure trove of documents and artifacts stored. Memoirs of the Emery sisters were not stored at the Library because there was not space or climate control to conserve them there.

Mizner asked if the plans here do provide for climate control and document preservation. The response from Jennings was no.

Ringenbach asked if there was agreement by the Town when it took the building over to do something with it? Did the Town oblige itself to maintain and restore it? Janes said he remembers asking that the Board of Selectmen leave it as a meeting place for any veterans to meet. Harada said there was not such a commitment. Cook said when the town took it, they knew it required a lot of work.

Jen Solis reminded everyone that during the Bicentennial, artifacts were displayed at the old Town Hall, and many people had asked why these items were not on permanent display. She asked specifically, that at a Selectmen's meeting, there had been talk of using some Free Cash, and she asked if that is still on the table. Parker said there has not been a resolution yet, but it seems unlikely to him. There may be some form of hybrid, and it gets complicated, and there is not a simple answer. Jennings said that it was on the table and discussed.

Mizner asked about estimated operating costs. Jennings noted the estimated cost savings on insurance, and a cost to pump the tight tank. Jennings said the costs could probably be tightened up. Jennings said that the Board of Selectmen can put the article on the Warrant and if CPC does not approve, Town Meeting would have to pass it over. McCarron added that a decision as to funding does not have to be in the Article. That would be in the motion. Mizner said she would rather get more input from the Selectmen on funding.

Cook said this strikes him as a worthy project to support. He said this is the "signature structure" of West Newbury. Janes said if we can use less Town funds such as Free Cash, and more bonding and CPA funds, he feels the less money we take from taxpayers' pockets, the better. Parker said bonding against CPA funds does not raise the tax rate.

McCarron reminded that if you borrow money, the required vote is 2/3. O'Sullivan proposed designating the 10% each year for payment of the debt, and Jennings said he and Mike will look into it. Bachrach asked why the funding and dollars will not be in the article, but only in the motion. He said he feels it should be in the article also. KC Swallow, [Town Moderator]

explained why the article might not explain the dollars, and the rationale. Jennings said he believes the CPC will not approve something without knowing the financial arrangement. He said he expects at the next month's meeting to know what will be put forward at Town Meeting. Ringenbach asked if the CPC can give a number of what they would approve tonight.

Jennings said that if the CPC proposes a number, the Selectmen can propose that in a motion.

Bachrach asked how we are going to publicize this. Many people do not understand what the CPA is. He asked how this will be marketed prior to Town Meeting. O'Sullivan hopes to get funds from interested residents to pay for a mailing, signs, etc. KC Swallow said that she would like to see getting the word out for all activities. Harada said based on the last Town Meeting, it is a step forward that so many people attended and are now aware of Town Meeting.

Motion made by Mizner to continue the discussion to the October 17 meeting. Parker said there would be three motions that would have to be made. Mizner summarized-Eligibility, then Funding. Bachrach asked if there will be time to get all of this done. McCarron said that the Warrant article can be written and placed on the Warrant. The motion will be written and read at Town Meeting. Discussion of options took place.

Jennings asked that any questions be sent to him, and he will seek out the answers. On the finance side, he will be working with the Board. The Soldiers and Sailors Building/Carr Post will be taken up at the October 8th meeting.

Mizner asked Jennings about an invoice from Sullivan, Spencer, and Vogt for \$7500. Jennings confirmed that the work has been completed.

Parker asked for a non-binding straw poll. If the Board of Selectmen opt for bonding and some CPA funds, how would the CPC feel? Cook said for him it is a combination. Others voiced to be in favor of a combination. Pruyn reserved her opinion. Jennings said the next meeting of the Board of Selectmen will be October 14th [it will be the 15th] and they will make a recommendation then.

The vote in favor was unanimous.

Annual Public Hearing to be held on October 17, 2019

Mizner said the Public Hearing will be held on October 17, 2019.

Vouchers

The Sullivan, Spencer, and Vogt voucher was already discussed. It was signed by those present.

McCarron said he has vouchers for Brown Spring Farm and River Road, and requested that they be signed. The River Road project will be closing on September 30th. The APR for Brown Spring Farm has to be reviewed by the state. McCarron said nothing will get paid until we are ready to close. Discussion followed. The vouchers were signed.

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

None.

Discussion of potential Open Space, Recreation, Historic Preservation, and Community Housing projects for future discussions

Jennings said for the Page School Playground, we have pro bono design concepts from two firms. The near goal is to use the \$20,000 state grant for swing sets, which he feels can be done this Winter.

He said the project for the Library Walkway has been released by the Library Trustees. Bachrach asked why this has happened. Several reasons were listed. Pruyn said it has made more sense to wait.

Motion to adjourn, 9:32 PM.

Submitted by,

Jean Nelson

CPC Administrator

These Minutes were approved by the CPC on November 21, 2019

Documents reviewed at Meeting:

..Applications for Eligibility and Funding, West Newbury Housing Authority, Kitchen and Bath Modernization, Twelve Units, submitted by Tracy Watson, Housing Authority Executive Director

..Application for Funding, Preservation and Restoration of the Soldiers & Sailors Memorial Building (Carr Post) submitted by Angus Jennings, Town Manager

..Documents distributed by Angus Jennings regarding Motions

