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Community Preservation Committee

MINUTES
8 January 2019

The meeting was held on Tuesday, 8 January 2019 starting at 7:00 pm in Newton City Hall Room 204.

Community Preservation Committee (CPC below) members present: chair Peter Sargent, vice chair Mark Armstrong, and members Dan Brody, Byron Dunker, Beryl Gilfix, Rick Kronish, Susan Lunin, Robert Maloney and Jennifer Molinsky.

Former CPC vice chair Walter Bernheimer and former CPC chair Joyce Moss also attended.

Community Preservation Program Manager Alice Ingerson served as recorder.

[Blue, underlined phrases](#) below are links to additional information online.

Peter Sargent noted that the two housing projects to which the CPC and the City Council had recently committed a total of \$6.25 million in housing funds had both been invited to compete in the upcoming 2019 low-income housing tax credit round conducted by the state Dept. of Housing and Community Development (DHCD): the [Newton Housing Authority's Heywood House](#) project, and [Life Communities' Golda Meir House Expansion](#). Typically, DHCD receives about 80 pre-applications, from which they invite 50 or into the round. So having invitations extended to two Newton senior housing projects for the same round was a happy surprise. Typically, 18-20 projects get funded in any one round. Newton would be lucky to have one project funded in 2019, but the other project would probably then have a stronger chance in 2020 simply because it was invited in 2019, even if it were not funded in that first year.

discussion of program planning, outreach & staffing (early start on fy20 budget)

Alice Ingerson introduced Wally Bernheimer and Joyce Moss, former CPC members and officers who had offered to help with planning for Ingerson's intended retirement as the CPC's staff early in 2020. Sargent noted that another former CPC chair, Jim Robertson, had also offered to help.

Ingerson reported that at an informal dinner gathering in November, a small group of these and other former CPC members had urged the current CPC and its staff to undertake a strong community outreach effort during this year, to re-animate the community's sense of ownership in the CPA program. She thought one useful part of that would be accepting the League of Women Voters' standing invitation for a group of CPC members, possibly including some alumni, to appear on their NewTV program. Other options included meeting with the City boards and commissions that appoint the 5 statutory members of the CPC itself, as well as with community nonprofits involved in the CPA-eligible areas of affordable housing, historic preservation, open space and outdoor recreation to get their sense of what Newton's CPA funding priorities should be. She felt that the CPC's recent discussion of the latest edition of the City's five-year *Capital Improvement Plan* had mostly re-confirmed that this plan as currently organized did not provide the clear, long-term context for current CPC funding decisions that the CPC had always hoped it might.

Ingerson offered to share the summary of [the CPC's previous, 2011-12 online community survey](#) soliciting feedback directly from Newton residents on the CPA program and Newton's funding needs, which had been

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

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publicized partly by an insert included in all City water bills. She thought an insert in one of the City's upcoming real estate tax mailings would be even more appropriate.

Ingerson also hoped the Committee would discuss this winter how it would like to staff the program going forward. For example, perhaps the CPC would like to consider splitting the current full-time staff position into two parts, one primarily administrative, and one more focused on the content of the program (housing, historic preservation, land conservation and recreation). The CPC might also choose to rely more on consultants for substantive proposal or project evaluation, as it had recently for the Crescent Street proposal. Perhaps the CPC could also share an administrative staff person with one or more other City programs.

If the CPC wished to shift from the current, single full-time staff position to one of these other options, it would be helpful to have draft job descriptions for any new staff positions graded and "priced" by the City's Human Resources Dept., so the fy20 budget could include adequate funding for these positions. She thought the required retirement contributions for a new staff person would be less than those required for her, but that might be more than compensated for by the cost of health insurance for a new person, since she had never used that City benefit. If the CPC wished to rely more on consultants, it might want to maximize its fy20 consulting line. Ingerson said she would also ask the relevant City department about the rules that would apply to her working on a part-time consulting basis for a little while after her retirement, to help train her successor or successors, so the fy20 budget could also include funds for that.

The CPC must vote in March 2019 on its fy20 budget, for inclusion in the "budget book" the Mayor will present to the City Council in April 2019. To provide maximum flexibility in fy20, Ingerson recommended several strategies for using the full 5% of new funds for program administration, as allowed by the CPA statute, though traditionally Newton had tried to stay well below that limit. She emphasized that any job description or staffing strategy used for the budget would be tentative and could always be revised later.

Sargent agreed that it was important to get the word out about the CPA program's successes. He noted that the recent press coverage of Governor Baker's support for increasing the Registry of Deeds fees that provide state matching funds to local CPA communities, which would benefit Newton's program. He felt Ingerson's impending retirement would create a gap in the CPC's historical knowledge about the CPA program. Ingerson appreciated hearing that she would be missed but felt that the program website, www.newtonma.gov/cpa, could function fairly well as the program's community memory, even without her.

Jen Molinsky and Susan Lunin asked Ingerson what she felt was not working well now or could work better in the CPA program, including the option of part-time administrative help. Ingerson said she thought it was important to have someone present every day, to answer inquiries and keep work moving. Sargent and Molinsky preferred a full-time staff position over part-time positions, or part-time staff plus consultants.

Sargent noted that although the CPC staff position was a City position, the CPC could and should influence the job description and qualifications. Ingerson said that since the position was entirely funded through the CPC's administrative budget, it was up to the CPC to decide whether to hire staff and what type of staff it needed. Some CPCs in other communities have no staff, for various reasons. In Cambridge, for example, the CPC allocated all CPA funding to several City agencies, whose staffs made all project funding decisions. As a result, the Cambridge CPC did not need its own staff. The staff position or positions in Newton should be designed to help the CPC achieve both its own goals and the community's aspirations for the CPA program.

Ingerson was looking into how other CPA communities with the city form of government ran and staffed their CPA programs, and planned to follow up with emails and phone calls. She reported a few preliminary findings at this meeting but intended to provide a more systematic summary for a future CPC meeting, especially anything done in other communities that she thought was worth considering for Newton. She noted that Newton was also overdue for updating its CPA ordinance by specifying the City Council's process for responding to CPC funding recommendations. Since 2012 the CPA statute has required including this in CPA local ordinances for communities with a city form of government, but not in towns. Ingerson also thought Newton's requirements for the Mayor's 4 nonstatutory appointments to the CPC should be more flexible,

along the lines of Boston's requirement to use these appointments to ensure that the CPC represented the full diversity of the community, not only by neighborhood but in other ways.

Ingerson felt there were important advantages to locating the CPC staff position within City government, but she also said some cities' CPA programs had consciously based their staff positions in City departments that would never themselves request CPA funding, to avoid conflicts of interest. In Newton, the CPC staff position initially reported to the Planning & Development Director. In 2015 it was moved to report to the Director of Housing and Community Development, who in turn reports to the Planning and Development Director. In response to Rick Kronish, Armstrong, and others, Ingerson suggested that the CPC could certainly express its preference for not having its staff report directly to someone who was regularly involved in submitting CPA funding requests. Wally Bernheimer felt shielding the CPC staff position from such conflicts of interest was very important. Molinsky agreed and asked Ingerson to share any recommendations she might have for where the position should be based. Wherever the position was based, Ingerson encouraged the CPC to continue its longstanding practice of having its staff suggest questions to ask about proposals, or funding conditions for grant agreements, but avoid recommending how the Committee should vote on any specific proposal. In contrast, most City staff working with other City boards do recommend specific actions by those bodies.

Ingerson said the CPC's past public hearings and surveys had always indicated that the community wanted a "level playing field" between City and non-City proposals, for example. She felt the City Council in general supported this goal. Moss thought that when she had been a CPC member, not all City Councilors – then Aldermen – had valued the work of the CPC. Ingerson recognized this as an issue, but she felt that most current City Councilors respected the CPC's commitment to evaluating proposals and projects carefully, fairly and transparently. She did think the CPC and the Council needed a better, more regular way of communicating with each other about the CPA program, rather than just about specific proposals or projects.

Ingerson thought a new staff person could learn technical skills, such as what is CPA-eligible or how to submit annual reports to the state, fairly easily. However, she thought the CPC might want its new staff already to have knowledge of and connections to Newton as a community, to help foster the community's sense of ownership in the CPA program and help resist any pressure toward less transparency. Dan Brody was concerned that a Newton resident with stronger connections to one of the CPA-eligible resources than the others might, even if unintentionally, favor that resource. Armstrong and Sargent emphasized that regardless of where the staff position was located or the staff's background, preserving the "level playing field" was ultimately the CPC's responsibility.

In response to Beryl Gilfix and Lunin, Sargent and Armstrong assured the Committee that it could comment on the job description and participate in the hiring process. Sargent said he would distribute the existing job description to all CPC members for comments, and said Armstrong was willing to collect and collate those comments. Bernheimer emphasized that the CPC should take the lead in crafting the job description, rather than respond to a description drafted by others. Sargent agreed, but to keep the process manageable, thought it made sense to work on the job description mostly with a small group for the time being. Lunin hoped the full CPC could approve the final job description before it was posted in fall 2019.

To summarize, Armstrong thought the CPC had three basic tasks: plan for new staff, update Newton's CPA ordinance to the extent needed, and expand community engagement. Ingerson thought the engagement should feed into the other decisions. Sargent encouraged all CPC members to email him and Armstrong with their ideas, before Monday January 14 when Sargent and Armstrong would be meeting with the City's COO Jonathan Yeo and Planning Director Barney Heath about the staff transition. Ingerson and former CPC chair Moss explained that when Ingerson was hired, CPC members participated in the interviews and had to approve the final candidate recommended by the Planning Director. Moss felt the City hiring process at that time had been very open to the CPC's input and had seemed very even-handed.

Ingerson thanked all CPC members for attending this meeting, which she knew could easily have seemed less important than those that included with proposal or project decisions.

discussion of site signs for CPA-funded projects

Brody and Sargent had both asked for a discussion of how the CPC required funded projects to acknowledge CPA support, both while work was in progress and once work was completed.

Ingerson explained that the CPC had commissioned, and currently recycled from one project to the next, five large, plastic blue-and-white site signs supported by 4x4 posts. These are displayed while work is in progress. Ingerson was not enthusiastic about the appearance of these signs, which had been designed by a subcommittee of the CPC many years ago, but she was reluctant to discard them, because they are definitely not biodegradable. If the CPC wished to commission new site signs, she hoped Armstrong as the Committee's current design professional might be willing to oversee the new design. For creating "brand recognition" for the CPA program, she thought having the CPC provide signs with a distinctive appearance was worthwhile.

For projects with a large number of funders, such as Heywood House or Golda Meir House, the CPC's grant agreements did not dictate sign design but just required including on any site sign the wording "This project was supported by the citizens of Newton through the Community Preservation Act." All CPC members endorsed this wording. Most Newton CPA grant agreements also require this or similar wording on a permanent sign at each site, without dictating the sign's design. Ingerson said grant agreements did not require permanent signs on small affordable housing projects, to avoid stigmatizing the residents.

Given the CPC's limited ability to impose funding conditions for City projects, some of these projects have not included a permanent sign acknowledging CPA support. For projects in parks or conservation areas, Ingerson suggested the CPC offer to fund a bench with a plaque, rather than a stand-alone permanent sign. Brody liked the Arnold Arboretum's new memorial benches, each made from a tree that had grown near that site. Gilfix thought nonwooden benches would be more durable.

brief staff updates on current or anticipated proposals

Ingerson said the Public Buildings Department planned to request approximately \$2.3 million for the rehabilitation of the exterior granite stairs at the main entrances of City Hall and the War Memorial Auditorium. Molinsky hoped these projects would include accessible ramps.

Ingerson reported that work was underway using the CPA funding appropriated for consultant services for 300 Hammond Pond Parkway. The Mayor has committed to determining a protection strategy for that land in 2019. Once the strategy was known, the CPC would probably be asked to help implement it very quickly. For debt financing, Sargent and Ingerson explained that the CPC should receive a full schedule of bond payments, so it could include all payments after the initial ones in its future annual budgets. In response to Kronish, Sargent and Ingerson said the City would determine the details of the debt financing. Ingerson would ask the City Solicitor to advise on which if any further CPC conversations about this project could or should be conducted through executive rather than public sessions.

Ingerson also reported that former Law Dept. attorney Catherine Farrell had made significant progress toward completing the CPA program's overdue conservation restrictions. In addition to the fy18 administrative funds the CPC had already committed to this project, Ingerson might request a small amount of additional funding from the Committee's fy19 administrative budget.

approval of minutes for 11 December 2018

Based on a motion by Armstrong, seconded by Lunin, the Committee approved the minutes for 11 December 2018 with corrections as noted, by a vote of 9-0.

The Committee adjourned by consensus at 8:10 pm.