



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Barney S. Heath
Director

Community Preservation Committee

MINUTES
8 June 2016

The meeting was held on Thursday, 8 June 2016 at 7:00 pm at Angino Farm Barn, 303 Nahanton Street.

Community Preservation Committee (CPC below) members present: chair Jim Robertson, vice chair Jane Sender, Don Fishman, Beryl Gilfix, Joel Feinberg, and Rick Kronish. Members Mike Clarke, Laura Fitzmaurice and Jonathan Yeo were absent.

Community Preservation Program Manager Alice Ingerson served as recorder.

Blue, underlined phrases below are links to additional information online from www.newtonma.gov/cpa.

PROPOSALS & PROJECTS

Newton Highlands Playground (Bob DeRubeis, Commissioner of Parks & Recreation)

Commissioner DeRubeis asked that the CPC now forward to the City Council the Committee's recommendation for \$2.5 million in CPA construction funding, based on its December 2015 vote (7-1, Gilfix opposed, Fitzmaurice absent). The CPC docketed this funding as item 357-15 in late December 2015 but has held its written recommendation since then, at the Commissioner's request. Chair Jim Robertson thanked the Commissioner and explained that the CPC had not wanted to leave this item on the City Council docket indefinitely.

The Commissioner explained that the recommended CPA funds would cover all components of the this \$3.3 million project except lights for night play on the fields and the support building (with restrooms, changing rooms & some storage space). The CPA funds will also cover the cost of installing conduits for electrical service and plumbing, for the lights and building. If the lights take some time to fund, the fields will be fully usable without them. Partly in response to strong interest from neighbors, the tennis courts and play structure will also be included in the CPA-funded part of the project. DeRubeis confirmed that the project's playing fields would have natural rather than artificial turf. If the City Council appropriates the recommended CPA funds, Parks & Recreation hopes to start construction in fall 2016, while working to find the other funds needed in time to complete construction in spring 2017.

Robertson supported including the conduits in the initial work, but felt the CPC as a whole would still like to see some private donations toward this project from the sports leagues, which raise revenue through fees charged to their participants for playing on these City fields. Joel Feinberg felt it would be appropriate for the leagues to fill the entire gap between the CPA funds and total project costs.

DeRubeis has spoken with the leagues about potential donations, as well as with the City's Chief of Staff/Chief Financial Officer about potential additional City funds for the project. He believes the leagues will be willing and able to raise funds for the project, especially once they see actual work at the site, and that the lights for night play may be added to the City's next *Capital Improvement Plan*.

Don Fishman described this site as a "linchpin park" for the entire City. All City fields are being more heavily used for many reasons, including growing participation in new sports (lacrosse) and women's' sports. This

website www.newtonma.gov/cpa

contact Alice E. Ingerson, Community Preservation Program Manager

email aingerson@newtonma.gov phone 617.796.1144

site's fields have been badly underused in the past, partly because of their poor condition. Unusually, the neighbors have agreed to the lights for night play, and the park has easy access from many parts of the City.

In response to Beryl Gilfix, DeRubeis said the City had recently stepped up parking enforcement, to reduce the overflow use by abutting businesses of spaces that are already part of this City park.

VOTE: Don Fishman moved submitting to the City Council the \$2.5 million funding recommendation based on the CPC's previous 7-1 vote, on 10 December 2015. Rick Kronish seconded the motion. The motion was adopted by a vote of 6-0.

Museum Archives, Accessibility & Fire Suppression

Public Buildings Dept. Project Manager Rafik Ayoub said the contractor had just met with the Inspectional Services staff to finalize the final Certificate of Occupancy. Historic Newton's staff has moved back into the portions of the building that had been unusable during construction. The archival collections will be returned to the building once the new compact shelving is installed, which should be next week. Historic Newton Executive Director Lisa Dady said Historic Newton would organize a ribbon cutting in September, once the archives are back in their new, climate-controlled and fire-protected space.

Ayoub and Dady asked the CPC to approve using remaining unspent CPA funds appropriated for this project toward approximately \$14,000 of additional repairs at the Jackson Homestead, especially the currently unsafe back stairs and railings and a deteriorated historic wooden gutter. The City's staff carpenters are not able to do this work. Since it is related to life-safety issues, Ayoub believes the best way to ensure that the work is done well and in a timely way is to have it done now by Classic Construction, the company that did such high-quality, cost-effective work for the rest of the project – this company's first for the City of Newton.

Ayoub said some charges for the original project remain to be paid, including street trenching by the City's Dept. of Public Works (DPW), the alarm system and tweaking the HVAC system. Public Buildings is asking DPW to waive at least part of their charges but even if all of these bills must be paid in full, the project's CPA account should have a remaining balance of about \$13,000 (out of a total \$1,142,345 in CPA appropriations).

In response to Jane Sender, Ingerson confirmed that the CPC had occasionally agreed to similar past requests to use unspent CPA funds for additional, CPA-eligible work, rather than return all unspent funds.

Feinberg felt that some of the work described sounded like CPA-ineligible deferred maintenance rather than CPA-eligible capital improvements. Robertson agreed, but he also believed that the wood rot shown in the photos circulated by Dady and Ayoub might indicate that these building components were simply beyond their life expectancy. Fishman agreed that the CPC should be concerned about acquiring new assets with CPA funds without funding from other sources to maintain them, but he also acknowledged that it was difficult to draw a clear line between CPA-ineligible maintenance and CPA-eligible rehabilitation or capital improvements. In response to Robertson, Ayoub assured the Committee that the replacement wooden gutter would be waterproofed appropriately, with oil or tar, and would be maintained correctly by Public Buildings.

Robertson felt it was appropriate to use remaining CPA funds for the requested additional work, in part to reward the project managers for bringing the larger project in under budget.

VOTE Sender moved approving the requested expansion of this project's scope to secure the Jackson Homestead and ensure public safety by repairing the building's rear stairs, railings, and wooden gutter. Fishman seconded the motion, which was adopted 6-0.

COMMITTEE BUSINESS

Ingerson introduced Barney S. Heath, Newton's new Director of Planning and Development, to the Committee. Heath said he did not yet have any questions for the Committee but had asked Ingerson to take him on a tour of past and potential future CPA project sites.

Robertson provided a brief overview of key aspects of Newton's CPA program, including: flexible target allocations that exceed the required minimum 10% for the three core CPA resources of affordable housing (30%), historic resources (25%), and open space or recreation land (20% for acquisition, 20% for rehabilitation); pre-proposals, which allow the CPC to advise project sponsors prior to the public hearings held on their full proposals; an annual funding round, which helps the CPC to weigh the relative merits and urgency of multiple proposals; and the option of off-cycle consideration for projects that cannot wait for the annual deadline, usually because they involve real estate acquisition. He also contrasted City projects, for which the CPC cannot really enforce conditions such as requiring non-CPA funding as leverage for CPA funds, with private projects, for which such conditions are included in legally enforceable grant agreements. Robertson explained that this difference makes it especially important for City departments to build credibility with the Committee. Heath left the meeting after this short discussion.

Ingerson summarized for new members the main components of the CPC's 2011-12 10th anniversary community outreach, including 5 neighborhood and 3 citywide community meetings, a year-long online survey, and deferring any major new appropriations until after the new funding guidelines had been developed and adopted. She asked what special activities, if any, the Committee wanted to consider for the program's 15th anniversary in 2016-17.

Robertson felt that the benefit of the 10th anniversary outreach was not proportional to the effort it had required, partly because of repeat attendance at community meetings by many of the same people. Rather than impose another funding moratorium, he hoped the CPC would use its current guidelines to reserve funds for future spending and would not recommend funding for proposals that were less worthwhile simply because they were the only ones submitted. After a brief discussion, by sense of the meeting the Committee agreed to defer the next special celebration to the program's 20th rather than 15th anniversary.

In answer to members' questions, Ingerson said the City was still discussing whether it would submit stand-alone CPA funding requests for play structures, though such a structure had been included in the Newton Highlands Playground request. Robertson had asked Parks & Recreation to base any structures-only requests on a clear policy.

In response to Gilfix's request for an update on the Homebuyer Assistance Program, Ingerson noted that the last buyer assisted had been in 2012. Robertson thought the CPC should ask the Planning & Development Dept. to return remaining unspent funds for this program and submit a new pre-proposal and full proposal to modify the program or use these funds for housing in other ways. Sender felt the CPC needed a better understanding of how to spend CPA housing funds wisely. Kronish suggested having this discussion with new Planning Director Barney Heath.

Ingerson reported that the WPA mural had been delivered successfully to the restorer in Pennsylvania (Hartmann Fine Art), whose specific treatment recommendations the School Department is now considering. Fishman hoped that any public or permanent interpretation of the restored mural would make it clear that it was not a historically accurate depiction of Newton, even in the 1930s.

Kronish reported that in a recent meeting on another subject, the Massachusetts Inspector General had suggested to him that CPA-funded projects might be subject to Mass. Chapter 30B procurement requirements. Ingerson said current City policy for CPA-funded City and private projects alike requires competitive bidding at cost thresholds lower than those in state procurement law, though not all CPA communities impose this requirement for private projects. After further discussion, the Committee asked Ingerson to submit this question to the Inspector General for formal clarification, through the Newton Law Department.

Sender moved and Kronish seconded approval of the draft CPC minutes from 14 April 2016, which were approved 5-0 because Feinberg had not attended this meeting.

The Committee then adjourned by consensus at 8:15 pm.