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**Community Preservation Committee**

**MINUTES**  
31 March 2015

James Freas  
Acting Director

The meeting was held on Tuesday 31 March 2015 at 7:30 pm in Room 204 of Newton City Hall.

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

Community Preservation Program Manager Alice Ingerson served as recorder.

Chair Joel Feinberg welcomed Planning & Development Board appointee Jonathan Yeo as the Committee's newest member.

**Angio Farm Barn Final Report**

(\$748,000 appropriated, 15% historic resources & 85% recreation)

Former Public Buildings Dept. Project Manager Ted Callahan summarized his written report, followed by comments from former Newton Community Farm, Inc., President Peter Barrer and Planning & Development Dept. Chief Planner Alexandra Ananth, who staffs Newton's Farm Commission.

Several causes contributed to project delays, including challenges of timing and coordination among the contractor, utility companies and City departments for adding new water, sewer, gas and electrical service from the street to the barn, previously served only via the farmhouse. The main floor had to be re-leveled by several inches at one side before the old floor planks, which required significant planing, could be re-installed. Some structural timbers and walls required more reinforcement than originally anticipated. The green doors on the lower, field level had to be replaced with historically accurate reproductions, as they were too deteriorated to be restored. After receiving a temporary certificate of occupancy for its public opening in late September 2014, the barn received a permanent certificate in November 2014 and is functioning as intended.

Callahan and Barrer confirmed Ingerson's understanding that this 19<sup>th</sup>-century barn had been constructed in part with wood from even older buildings. In response to Jim Robertson, Callahan explained that the approximately \$30,000 in change orders included extra work required to meet building code standards; unanticipated but necessary structural replacement and reinforcement; special temperature controls for the sinks in the two public restrooms; some changes in the required smoke detectors; and a decision to enlarge the concrete patio on the street side of the barn.

As past president of the nonprofit licensed by the City to operate the farm, Newton Community Farm, Inc. (NCF), Peter Barrer summarized his organization's experience on the project. The project's final costs as determined through public bidding were much higher than originally estimated. Public Buildings had to request \$180,000 in supplemental funding through the CPC, even after reassigning some project features from public funding to private fundraising, including sprinklers and space for NCF staff offices. Barrer felt having to defer the sprinklers was particularly unfortunate, given the building's uses. NCF saw the requirement for filed sub-bids, using the same labor-intensive process as for the larger general contract, as one reason why the few

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bids received for sprinklers and heating were double the original budget. In the end, NCF itself finally found a contractor willing to do the HVAC work for closer to the budgeted cost.

Under its operating license, NCF alone is responsible for site operating costs and therefore preferred not to heat the lower floor, which it did not plan to use in the winter. Public Buildings nevertheless chose to install heating there because it might be wanted later and without it, NCF would have to drain the pipes on that level every winter. On the other hand, NCF was grateful to Callahan for eliminating a planned rise of 4 inches in the floor of the lower level's walk-in cooler. The installed flush floor is much more functional for farm operations.

NCF was also frustrated by the process of obtaining a final Certificate of Occupancy. Ananth explained that Inspectional Services (ISD) applied to the entire building the code requirements for a "place of public assembly." This particularly affected the extended stone foundation on the building's back (northern) side, which had been carefully rebuilt to continue its previous use for storing a tractor. The original slightly pitched roof of this bay was replaced by a nearly level deck that will also serve as the floor of a new three-season porch. Since the deck and porch will be used for educational and public events, ISD determined that flammable materials, such as oil and gas, could not be stored in the bay beneath the new deck and required the installation of bollards across the bay opening to prevent its use for tractor storage.

Finally, Barrer reported that NCF has raised \$135,000 privately toward the cost of renovating the barn interior, in addition to the \$230,000 it had previously raised for exterior renovations. NCF is now raising additional private funds for a NCF staff office loft on the main floor and a sprinkler system.

An estimated 15% contingency had been built into all lines in the project's original 2009 budget. Robertson suggested that the Angino Farm barn project illustrated why a much larger contingency than this was often justified for complex rehabilitation projects involving historic buildings.

### **Committee Business**

Ingerson reviewed the proposed fy16 budget for the program (attached), including the required estimate of state funds provided by the state Dept. of Revenue on March 26. In recent years, she had reconvened the CPC to approve a revised budget when final City compensation policies required changes to the program's administrative budget. To avoid the need for this, she suggested a dual motion:

- ◆ to approve Fy16 budget as presented, but also
- ◆ to delegate to the CPC officers approval of any minor budget changes required by new information, as long as the administrative budget does not exceed the statutory maximum 5% of annual new funds.

VOTE Rick Kronish moved, and Jane Sender seconded, both motions as proposed. Both motions were adopted by a vote of 7-0, with Gilfix and Clarke absent.

After a motion by Sender, seconded by Fitzmaurice, the 12 February 2015 minutes were approved by a vote of 6-0 with minor corrections as noted. Yeo abstained because he had not attended the February meeting.

### **Committee Process & Procedures**

Kronish had requested this discussion after the December 2014 meeting, his first as a member of the CPC. Overall, he felt that at this meeting the CPC had not examined the Waban Hill Reservoir proposal or the arguments of that proposal's supporters as carefully and critically as it should have done. He was concerned that the Committee's vote to recommend funding for the project had been rushed in part because of urging from the Ward 7 Aldermen to approve all funds requested as quickly as possible. He suggested that the CPC should consider construction funding requests only if they were based on completed designs and cost estimates. This backup had not been available for the Waban Hill Reservoir request.

Don Fishman and Jim Robertson noted that the December 2014 CPC meeting had been unusual for both its large public attendance and those attendees' nearly unanimous support for the proposal, though Fishman's fellow member of the Parks & Recreation Commission, Richard Tucker, had offered a few criticisms and suggestions for ways to improve the project. Fishman thought the project's supporters had been well

organized overall, though he also noted that it would have been more efficient to include in the initial presentation some information that was provided piecemeal during the comments and discussion.

Laura Fitzmaurice and Jane Sender agreed that many CPC members might have preferred to recommend construction funding based on a completed master plan and design specifications, as suggested by Kronish. However, Sender pointed out that the Parks & Recreation Commissioner clearly did not want to acquire the Waban Hill property without also having funds to make it secure and minimally usable.

Robertson, Fishman, Fitzmaurice, Sender and Feinberg all felt that the Committee should listen to all comments offered at any public hearing, even at the risk of some duplication, and that in this case, the Committee had ultimately made the right decision, to recommend most but not all of the funding requested.

Feinberg noted that the CPC needed to work collaboratively with the Board of Aldermen to get projects funded. At the same time, he felt the CPC's role in the funding process was essentially non-political, and that CPC members should draw their own conclusions based on the merits of each proposal, even if those conclusions sometimes differed from the views of elected officials or the public.

After further discussion, most members present supported Robertson and Feinberg's recommendation that at future public hearings, the CPC should hear all comments offered but should then close the hearing definitively, allowing CPC members to discuss the proposal among themselves and arrive at their decision without further interruptions or rebuttals.

The meeting was adjourned by Committee consensus at 8:15 pm.

City of Newton, Massachusetts COMMUNITY PRESERVATION FUND  Program Budget	Fiscal 2015  Approved by Board of Aldermen September 2014	Fiscal 2016  Approved by CPC 31 March 2015	Notes
<b>REVENUE</b>			
fy16 local CPA surcharge	\$2,774,541	\$2,843,904	Fy16 as 2.5% increase over projected fy15 local revenue.
fy16 state matching funds <i>(estimate)</i>	\$622,706	\$499,417	Fy16 budgeted as 18% of projected Fy15 local surcharge revenue, per Dept. of Revenue estimate issued 26 March 2015. ----- Final confirmed state funds for Fy15 were 31.5% of confirmed Fy14 local revenue, vs. 23% estimate issued for budgeting by Dept. of Revenue.
undesigned fund balance	\$830,824	\$229,184	Fy15 state revenue received above amount budgeted in Fy15. State funds are confirmed each year after the last possible date for local budget approval, so any positive difference between the amount originally budgeted & the amount received must be budgeted the following year.
<b>TOTAL REVENUE</b>	<b>\$4,228,070</b>	<b>\$3,572,506</b>	
<b>EXPENDITURES</b>			
<b>PROGRAM ADMINISTRATION &amp; DEBT SERVICE</b>			
Program Administration	(\$152,559)	(\$150,505)	Fy16 budgeted as 4.51% of annual new funds (excluding budgeted "fund balance"). Statutory maximum under CPA is 5%. See separate detail for program administration.
Debt Service: 20 Rogers St. <i>(recreation)</i>	(\$280,500)	(\$269,344)	Final payment on this debt service will be made in fy17.
<b>BUDGETED RESERVES</b>			
Community Housing Reserve <i>(10% of annual new funds)</i>	(\$422,807)	(\$357,251)	
Historic Resources Reserve <i>(10% of annual new funds)</i>	(\$422,807)	(\$357,251)	
Open Space Reserve <i>(10% of annual new funds)</i>	(\$422,807)	(\$357,251)	
General Reserve <i>(all annual new funds not budgeted for debt service, program administration or restricted reserves.</i>	(\$2,526,590)	(\$2,080,905.15)	
<b>TOTAL EXPENDITURES</b>	<b>(\$4,228,070)</b>	<b>(\$3,572,506)</b>	

Newton, Massachusetts **COMMUNITY PRESERVATION PROGRAM**

Budget Detail for Program Administration	Fiscal 2014 Final Actual	Fiscal 2015 Final Budget September 2014	Fiscal 2016 Approved by CPC 31-Mar-15	NOTES
<b>PERSONNEL</b> (after budget approval, funds may be transferred among these lines or from these lines to non-personnel lines only with Board approval)				
Prog Mgr: FULL TIME SALARIES	\$86,366	\$88,945	\$91,964.00	Feb 2015 projected 1% increase (\$89,834.45), updated to \$91,964 per R. Symanski, 30 Mar 2015.
Prog Mgr: CONTRIBUTORY RETIREMENT	\$8,242	\$9,217	\$10,531.00	Per retirement board staff email, 7 July 2014.
Prog Mgr: DENTAL INSURANCE	\$0	\$0	\$0.00	
Prog Mgr: HEALTH INSURANCE	\$0	\$0	\$0.00	
Prog Mgr: BASIC LIFE INSURANCE	\$57	\$57	\$60.00	Feb 2015 projected 1% increase (\$57.21), rounded up to \$60 CPC staff est. 30 March 2015.
Prog Mgr: MEDICARE PAYROLL TAX	\$1,247	\$1,290	\$1,350.00	Feb 2015 projected 3% increase (\$1,328.70) rounded up to \$1,350 CPC staff est. 30 Mar 2015.
Program Manager (salary plus benefits)	\$95,911	\$99,509	\$103,905.00	
Work by Other Depts.	\$543	\$6,200	\$5,850.00	Project mgmt assistance from staff in Planning & Development Dept. (primarily Housing), custodial staff cost for use of City-owned mtg spaces outside City Hall.
Transfer to General Fund (work by Engineering staff)	\$0	\$6,200	\$5,850.00	Project mgmt/oversight from Engineering Division for projects that involve construction.
<b>SUBTOTAL Personnel</b>	\$96,454	\$111,909	\$115,605.00	
<b>OTHER</b> (after budget approval, the CPC or its staff may transfer funds among these lines, or to new lines in this category, w/o seeking Board approval)				
Consultants	\$2,350	\$23,650	\$21,500.00	To support CPC decision-making & program evaluation: appraisals, project budget analyses or peer review, etc. Fy14 budget included \$3,528.52 of fy12 funds carried over to complete fy13 website & online data conversion/verification project.
Advertising/ Publications	\$0	\$500	\$500.00	
Audiovisual Equipment	\$0	\$500	\$500.00	Allows for purchase of a portable/mini projector for use at community meetings, or a new digital recorder if the current 7-year-old one stops working.
Computer Software	\$400	\$0	\$0.00	
Computer Supplies	\$0	\$0	\$0.00	
Dues & Subscriptions	\$7,900	\$7,900	\$7,900.00	Newton's Community Preservation Coalition dues were raised for the first time in fy14, from \$7500 to \$7900. Coalition staff does not expect another increase in fy16.
Office Supplies & Equipment	\$220	\$500	\$500.00	
Postage	\$179	\$3,000	\$1,500.00	City of Newton mailroom, plus direct-mail costs for possible special mailing (see printing line item for details).
Printing	\$277	\$2,000	\$1,500.00	City & outside printing services. Fy12 color inserts for 25,000 water bills cost \$1,458. In fy15 or fy16, budget for a direct-mail postcard to all Newton taxpayers (or all Newton households) explaining what the CPA is, summarizing recent grants & available funds, referring people to website for more info. Ideally, the CPC should do this mailing every other year.
Signs	\$0	\$1,250	\$1,000.00	Design & purchase new project site signs that will be easier to move and store and less expensive to replace if damaged.
<b>SUBTOTAL Other Expenses</b>	\$11,325	\$39,300	\$34,900.00	
<b>TOTAL All Expenses</b>	\$107,779	\$151,209	\$150,505.00	For fy16, 4.51% of total new local surcharge + DoR estimated state funds = \$150,783.80.