

The hearing and meeting were held on Wednesday 20 January 2010 in Newton City Hall, Room 209.

Attending members of the Community Preservation Committee (CPC): Nancy Grissom, Zack Blake, Leslie Burg, Thomas Turner, Walter Bernheimer, Joel Feinberg, Michael Clarke, Dan Green (arr 7:10 pm), and Steve Fauteux.

Program manager Alice Ingerson served as recorder.

Current Committee Chair Nancy Grissom opened the meeting at 7:05 pm.

Nancy Grissom introduced to the committee those members of the Board of Aldermen who were attending the first half-hour of the meeting: Susan Albright as Chair of the Board's Committee on Community Preservation (CCP), Brian Yates as Vice-chair of the CCP, Ruthanne Fuller as member of the CCP, and John Freedman as Vice-chair of the Board's Finance Committee.

Grissom also clarified that this meeting was a public meeting, rather than a public hearing, so the public is welcome to attend, but the CPC Chair chooses whether and when to accept public questions or comments.

COMMITTEE BUSINESS

BUDGET PLANNING for FISCAL 2011, with Comptroller David Wilkinson

Wilkinson reviewed the revenue forecast for fiscal 2011. The state Department of Revenue has declined to issue any clear estimate for the state match in fiscal 2011. However, for budgeting purposes a total of about \$3.1 million, in combined local and state funds, seems reasonable. Newton will still be paying debt service costs for the Kessler Woods and 20 Rogers Street purchases in fiscal 2011. The maximum 5% allowed by the CPA statute for program administration would be about \$155,000. The statutory reserves of 10% for community housing, historic resources, and open space will each contain about \$311,000, with all remaining funds available for any eligible use. April is the deadline for forwarding a fiscal 2011 budget to the Board, as part of the Mayor's overall City budget.

Wally Bernheimer noted that the Comptroller's estimate of total available resources for fiscal 2011 assumed no grantable funds would be carried over, but that the CPC's own calculations suggested a probably carryover of about \$2 million.

Leslie Burg commented that the funding forecast distributed by Alice Ingerson assumed a 5% decline each year in the state match. Ingerson noted that this was a very conservative forecast, which she hoped would be proven wrong. Wilkinson noted that the conservative forecast could turn out to be correct, however, even though relatively few new communities have been adopting the CPA, because the funding source for the state match — deed registration fees — has been declining.

Wilkinson then discussed the use of CPC administrative funds to pay for program and project management assistance from staff other than Ingerson in the City's Planning and Law departments and Engineering division (Dept. of Public Works). He explained that the entire cost of these other staff positions has usually been included in the Mayor's general-fund budget each year. In that case, payments for this assistance from the CPC administrative budget are treated as additional revenue, and usually go into the City's "free cash" at the end of the budget year. Wilkinson also noted an October 2006 advisory letter from the state Dept. of Revenue stating that the work done by central administrative depts. to implement the CPA should not be charged back to the CP Fund as program administration.

Nancy Grissom noted that it seemed appropriate to use the CPC's administrative budget for work that was not project-specific. Steve Fauteux commented that the cost of administering these funds, by creating timesheets and paying inter-program or inter-departmental "transfer bills," was essentially wasted.

Leslie Burg felt that the Law Dept. should just be reviewing the eligibility of proposals as part of their regular work, and should not charge the CPC for that time. She felt it was more appropriate to hold the funds previously used to cover this time in the CP Fund than to have them go to free cash. Joel Feinberg noted that once a project is in process, some oversight from program staff is still needed. Walter

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Bernheimer advised Ingerson to ask this question of all the other departments that had been paid from the administrative budget in past years, such as Public Works.

Ingerson noted that the Law Dept. had recently stated that they would to end the current system of keeping timesheets and billing the CPC for their work on proposal review and funded projects; that she was waiting to hear whether the Mayor and his staff would endorse this new approach; and that she was meeting with the Commissioner of Public Works to discuss the same issue. In the meantime, the tentative fiscal 2011 budget she had distributed to the Committee did not reflect these proposed changes.

Ingerson also noted that with declining state funds, the 5% ceiling on the administrative budget would make it increasingly difficult to cover project management costs from that budget. However, City departments could only budget CP project funds for these costs if they knew before each year's budget deadline how much CP funding would be appropriated to them for projects in the coming fiscal year. Without a multi-year plan for CP funding, this has not been possible to date.

Nancy Grissom noted that the CPC had urged the City to create just such a long-term plan, in its April 2009 memo urging the City to form a historic resources taskforce, to create multi-year priorities for City projects that would request CP funds. Wally Bernheimer indicated that he would be willing to support using CP funds for part of a study to determine which City buildings are truly historic and eligible for CP funding, but not the use of CP funds for work needed as a result of deferred maintenance in general. He felt this might mean adding \$50,000 of CP funds for this specific purpose to the \$300,000 study already docketed with the Board (docket item 76-07, first submitted February 2007).

Alderman Yates pointed out that as part of the Aldermen's deliberations on the most recent capital budget, the Board had adopted a possible schedule for projects that might be eligible for CP funds as historic resources, but that the former mayor's latest version of the Capital Improvements Plan had not included that list. The former Public Buildings Taskforce, which Alderman Yates had chaired, had also addressed these issues, and had listed the City's historic properties as eligible for funding in descending priority order, based on their degree of historic significance. That Taskforce had dealt only with buildings, but landscapes should be included when this exercise was redone.

As an aside, Alderman Yates also noted that he felt the 2008 proposal still before the CPC for conversion of the former Charles River Lower Falls railroad bridge and approaches for recreational use was a fine project, and he was glad that the state Dept. of Conservation and Recreation would be paying for most of it. He did not see how CP funds could be used on the project, however, which he felt would improve land owned by a recreation agency, since that land had not been created or acquired with CP funds in the first place.

APPROVAL OF 16 DECEMBER 2009 MINUTES

With the correction that the vote to recommend requested funding for the Veteran House project (community housing at 2148 Commonwealth Avenue) had been unanimous, approval was moved by Wally Bernheimer, seconded by Dan Green, and affirmed by a vote of 9-0.

UPDATES ON CURRENT PROPOSALS & PROJECTS

Alice Ingerson summarized the current status of all current proposals, based on the status reports posted and updated every 4-6 weeks on the program website (reports as of January 2010 attached at the end of these minutes).

In response to Alderman Yates's earlier comment, Dan Green asked whether the CPC should seek additional Law Dept. advice on the Charles River Lower Falls bridge proposal. Alice Ingerson noted that the court ruling's clarified definition of "creation" as an eligible use of CP funds for recreation land had been based on use, not ownership. Wally Bernheimer noted that the land had not previously been used for recreation, and that the Law Dept. had sent the CPC a memo in February 2009 confirming that the project was eligible for CP funds.

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Ingerson also offered the CPC a memo from the Planning staff on the current status of Kessler Woods, where the City had used CP funds in 2004 to acquire and protect approximately 21 acres of open space, as part of a "conservation development" project. The City's private partner in that acquisition, the Cornerstone Corporation, was to build single-family, market-rate homes on some portions of the original property, and affordable housing on other portions, as required by the City's inclusionary zoning ordinance. The CP funds were allotted entirely for open space. Most of the single-family homes have now been built, but not all have been sold. Cornerstone has extended its special permit for the project as a whole more than once, but current market conditions have further slowed plans for the affordable housing component. As a result, the permanent public open space has not yet been delineated, nor has Cornerstone contributed the \$75, required by its original agreement with the City for paths and signage.

CPC members Michael Clarke, Wally Bernheimer, Leslie Burg and Dan Green took copies of the Planning staff memo, and offered to share at a future meeting any suggestions they might have on how the CPC could move this project toward completion. Based on his own experience with development, Dan Green suggested that it would be difficult to get the affordable housing project started under current market conditions.

WORKING SESSIONS ON CURRENT PROPOSALS

ANGINO FARM BARN

Nancy Grissom asked if the members of the CPC had any questions or comments about the proposal. Wally Bernheimer, who had asked the sponsors to assess their capacity to raise any additional funds privately as a "match" for the requested CP funding, indicated he was satisfied with the response submitted by the sponsors, and had no further questions.

No other members had comments or questions to ask, though several were impressed (and slightly skeptical) that the City's licensee, Newton Community Farm, Inc., had found a way to clean the interior of the renovated barn for a weekly cost of only \$30.

VOTE Alice Ingerson explained that she felt amounts for work by the City's Law Dept. should still be included in CPC recommendations for the time being, until the need for that funding was clearly ended by new City policies. If the Law Dept. did not bill for that work, these amounts would be returned to CP Fund.

Leslie Burg moved approval of the funding request, including \$568,000 to the Public Buildings Department, with participation by the Farm Commission, and \$1,000 for City of Newton legal costs, for the project as described in the original proposal.

Zack Blake seconded the motion.

The motion passed by a unanimous vote of 9-0.

Alice Ingerson noted that the first Board committee meeting on this recommendation would be that of the Committee on Community Preservation (CCP), tentatively on February 18th, to be followed by meetings of the Public Facilities and Finance committees. Zack Blake indicated he would attend the CCP meeting. Leslie Burg said she might be able to attend. Wally Bernheimer said he would attend meetings other than the one on February 18th.

CITY ARCHIVES - COMBINED

Nancy Grissom summarized the CPC's request to understand the overall universe of archival needs for the City. She noted that the supplemental information submitted by the sponsors of this proposal addressed many of these questions, but that the question had not been fully answered. She did not consider the archival collections covered by the specific, current proposal frivolous, however, and suggested that the CPC could recommend this specific project, while still urging that broader priorities be identified, which should include additional depts. with archival holdings that had not joined the team for the current proposal, such as Engineering, Schools, and Fire.

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City Clerk David Olson noted that archival materials are spread out across the City. They could be included in an overall historic resources assessment and set of priorities. No single City dept. could create such an assessment, and even if staff in multiple City depts. were involved, they would need some outside help.

Susan Abele noted that many non-active, administrative records such as the Fire Dept. log books normally go into the City Archives, in a climate-controlled, fireproof vault at the main Newton Free Library on Homer Street (across the street from City Hall). That vault is larger than the available space at City Hall, but still has space constraints.

Nancy Grissom asked whether students could help with the assessment. Alice Ingerson noted that Simmons College has graduate and certificate programs in archival management. David Olson said that students could help, but that it takes a lot of staff time to oversee interns, and staff time is scarce.

Ingerson noted that her staff memo to the CPC had pointed out that the logical person to manage such a project would be the City Archivist, but that budget cuts had eliminated that position several years ago. Olson noted that the City had not had a full-time archivist for 6 years, although for about 2 years during that time it had employed a part-time archivist..

In response to a question from Leslie Burg, Olson indicated that proposals to the CPC take a lot of time to prepare. He believed City staff could submit a proposal for an overall assessment of the City's archival preservation needs, but that would depend on City depts. in addition to his own contributing staff time for proposal preparation. He would not be willing to work on a proposal without such assistance.

Ryan Hanson from the Newton Free Library asked Olson to describe the resources required to create such a proposal. What would be the criteria used to prioritize archival needs? Should the archives be catalogued on a high level? Should priorities be based on physical condition only, or also on the records' historic significance?

Wally Bernheimer and Nancy Grissom suggested that the assessment be based on very general descriptions of the existing archives, not on detailed descriptions. As an example, Grissom described the logbooks she had consulted at the Fire Dept. headquarters, when trying to document the date and extent of a fire at a particular address. Those logbooks are not indexed, and were difficult to use. An index would make them easier to consult, but an overall assessment could still be done without first creating an index.

Susan Abele noted that one criterion for setting priorities should be whether a record existed in multiple copies, or was unique. She said that in the 1980s a National Historic Publications and Records grant was used to identify priorities for archives held in the City Clerk's office. The City now needs a larger version of that project. She suggested that the requested proposal would essentially be for a "planning grant," to establish parameters for setting priorities, and to draft a plan that would serve as a basis for several subsequent proposals.

Olson and Abele both noted that, during his tenure as director at the Jackson Homestead/Newton History Museum, Olson had surveyed all City depts., and had learned that all of them have archives. Grissom asked whether that survey could be shared with the CPC. Olson indicated that the responses had not been very detailed. In response to a question from Alice Ingerson, Olson indicated that the survey had been done before Newton adopted the CPA. Ingerson suggested that the background possibility of future CP funding might encourage depts. to provide more detailed responses to a new survey.

In relation to the current funding proposal, Dan Green then asked why the sponsors needed to re-digitize records that had already been recorded on microfiche. Olson explained that microfiche does not meet current standards for digitization, and that scans from the existing microfiche would not produce usable digital images, so the originals had to be scanned again from scratch.

VOTE Steve Fauteux moved to recommend the requested funding of \$36,545 for the archival preservation work described in the proposal as submitted, plus \$500 for City of Newton legal costs.

Zack Blake seconded the motion, which was adopted by a unanimous vote of 9-0.

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COMMITTEE BUSINESS - continued

PROGRAM OUTREACH – SIGNAGE

Zack Blake noted that, given all the projects the program has been funding, it would be nice to have signs at all project sites, to make taxpayers aware of how their CP funds are being spent. He suggested forming a subcommittee of the CPC to discuss and recommend types of signs and designs.

Wally Bernheimer wondered whether the signs should be up only while a project was underway, or also after it was completed.

Alice Ingerson noted that it would probably not be appropriate to post permanent signs identifying particular buildings or units in a condominium or rental project as affordable housing. She also noted that, when the list of past projects was fully updated on the program website, she had hoped to rotate two reusable, generic signs among all the sites, including both current and completed projects, and highlight online the projects that currently had the signs. Michael Clarke suggested that "web signs" would be most appropriate for online projects, such as those that posted digital versions of archival documents.

Leslie Burg noted that signs might produce no public response, a positive response from people who supported the particular project, or a negative response from people who opposed that project.

Dan Green suggested including up to \$100 in each project appropriation for signage, and volunteered to serve on the subcommittee along with Blake, as did Nancy Grissom.

Steve Fauteux then moved to adjourn the meeting. The motion was seconded by Leslie Burg, and endorsed by a unanimous vote. The meeting adjourned at 8:45 pm.

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