

Canceled CPC/CPA Public Meeting and Hearing (CPC)

City of Waltham, Massachusetts

City Council Chambers, Waltham, MA 02451

DATE: Tuesday February 14, 2012

FROM: Bill Durkee, Program Manager, Community Preservation Committee (CPC)

SUBJECT: "Conversations" after Cancellation of February 14, 2012 CPC Public Meeting & Hearing

B. Roll call by Clerk (Program Manager Acting as Clerk).

Present: Chairman Barrett, Mr. Melnechuk, Ms. Young, Program Manager Durkee

Absent: Mr. Dwyer, Mr. Dufromont, Mr. Fowler, Mr. Craig, Mr. Zinnell, Mr. Hovsepian

C. Call to Order at 7:04 PM

Due to a lack of a quorum the meeting for February 14, 2012 was declared canceled by the Chairman.

He notes that this meeting is not being recorded by the WCAC Channel for publication but only to assist the CPC to inform its Members of the updated Agenda items.

Conversations. Acting as Clerk in the absence of the Clerk the Program Manager asked to go over the items on the Agenda to briefly discuss them in order to describe them for the Members not present who would receive a packet of updated information.

D. Minutes from November 15, 2011 CPC meeting

The Minutes were received from the Clerk but were not reviewed and approved by the Chairman for distribution. When the Minutes are approved they will be forwarded to the CPC. The two sets of Minutes for November 15 and November 29 will include all of the changes which now are known as the FY2012 CPC PLAN. An outsider

can see how the new PLAN was created as it appears on the CPC website.

E. Coalition "What constitutes a majority on CPC votes?" The citation was received from the Coalition regarding the votes required to make CPC decisions. The information seemed at odds with some of the CPC understanding of votes required from the CPC. The specific citation requested by Member Young was included in the February 14 packets received this evening. This should be decided at the next meeting to have a clear understanding of what will be done. Member Melnechuk provided copies of his interpretation which will be distributed to the CPC before the next CPC Meeting.

F. Update of Appropriated Projects Status. The Manager said his understanding from the previous Meeting was that he was to prepare an updated trial balance for each subsequent Meeting. Such a report was completed for the end of the year but only using the end of November Expenditures report as the most recent available. Since that time the end of the year numbers were updated and a new report completed. Member Young asked to be allowed to work with the Auditors Office as there may be a better way to display the information. She noted it was "really hard to understand where they are". She was able to get the complete information of how much has been funded for new projects. If any new projects were to arrive this day the CPC would know how much was available to spend. However the trial balance is perhaps not the best place to go to know how much was available. The Auditors monthly project expenditures report is the more useful report where it shows the amount available to spend. The Chairman indicated that it might be necessary to go back to the beginning to understand what funds are available now. Young said the Auditors Office needs to have the backup for each line. Young was unable to tie in the numbers via a telephone discussion. She believed that perhaps the projects that were opened and closed need to be known in order to factor those out. The Program Manager explained that this was the same way he created his report because it follows what the Auditors office does its reporting. The Manager requested that Young review his report and he will do the same with hers. The Chairman liked the appearance of Young's report. Young only showed the open projects on the large sheet, and how much is

left to spend. Another sheet shows all of the projects approved. The Manager said it was a great history of all of the projects. He added that his list included the promises made as well as the appropriated projects. The promises were never written as to obligate the CPC as such amounts would have had to go to the Council. As an example, he cited the historic roof study (101 Prospect St.) as sent to the Council rather than with an inaccurate estimate of the final project. Young confirmed that the only thing that the CPC committed to was the study. The Manager indicated that albeit only the study was sent to the Council for funding first, the initial estimate would be funded later assuming both the CPC and Council agreed. He also included some open projects which may need understanding and confirmation that they are considered worthwhile.

G. The CPC Administrative FY 2013 Budget. The Manager and Chairman discussed the proposed Budget briefly. The initial report is a list of expenditures proposed. A more complete justification memo was provided to the Council prior to any scheduled meeting to discuss those numbers. Young asked whether only the Administrative Budget was needed. As the Coalition explained the CPC should be asking to have the entire 5% allocated for administration each year. Recently a request was sent to the Council to allow money to be spent from that allocation which was not previously accepted by the Council. That was caused by the expansion of the number of CPC Meetings planned by the new nine Member CPC and insufficient funds to advertise them properly. The Chairman indicated that the Council approved the \$1900 request the previous evening. The Program Manager said that this was another way to get funds for administrative purposes from the allowed 5%. This process is also indicative of the delays which occur if for any reason the CPC, the administration, and the Council wanted to spend CPC Administrative funds for an urgent matter. First the CPC would have to meet, then the Council then possibly a Committee, then back to the Council. This supplementary matter was delayed for two Council meetings or about six weeks which isn't a good sign for approval of really urgent matters. If the CPC Members have a vision which they want to put forward as part of the next year's Administrative Budget it should be sent to the Manager and

Chairman to try to incorporate it into the proposal as sent to the Council.

H. Old Business.

1. Wellington House. The Application came before the CPC with a request for a specific amount. The WHC now have a more accurate estimate since the last phase was completed. This information will be forthcoming and available before the next meeting. This will be a change to the existing request. Per the Chairman it will be handled as a new Application. The Program Manager indicated it is tabled in the CPC and must be removed from the table. The chairman pointed out it is not on Young's list. She indicated she would add it back as she thought it was closed. The previous Application was closed after the time for spending expired. In effect the Application will be new as it was sent to the CPC in September of 2010, but tabled at the WHC request, and was never withdrawn. It was the practice of the CPC at the time to request the Law Department to draft a Recommendation which was never done. The new information is the architect's more accurate estimate now that the phase of doing the plumbing, electrical, (and heating) are complete. The WHC wants to know whether the new Members need a copy of the "book" provided for the first or second Applications. The chairman indicated that the CPC Members do want a copy of the "book". The Chairman believed that the WHC did withdraw the previous Application and the new information will be treated as a new Application. Rather than send a "book", Young would prefer an Email digital copy. The manager said the new Application is just two pages from the "book". The Chairman added that there was an overriding sentiment in the administration and the Council that "everything should go to the Fernald" which might make this request moot. Melnechuk indicated he would be satisfied to receive a Pdf of the document and Young either Pdf or Word. They also asked whether the CPC would like a site view. The WHC would like this completion phase in order to house its offices in that building. The Building Department noted that the building has no interior walls, which is correct as the final configuration needed to wait a decision on the use of the structure. Noe thw architects have told the WHC what is possible to include handicapped access. The WHC has access to the secured building which has all of its utilities. Per the Chairman it is a truly

unfinished building. The purchasers of the Middlesex County Hospital grounds which now hold the Pulte Homes development deeded the Wellington House and portion of the property to the City.

2. Paine Estate- CPA - PLANNING-Fire Suppression Account #246-194-5800-7903 \$30,790.66 (encumbered) and \$66,525.00 (available). The Chairman worked with the Auditors office to clarify what funds could be spent within acceptable time before expiration of the grant. Per the Chairman, part of the contract was for design work, and the balance architectural oversight. The plans exist therefore the oversight funds must be kept intact. Bids and a contractor must be concluded before Sloan, the architect, does its work. The Manager stated that due to the significant changes it could be left open until the amount of money to do the final project was known, then a new Application for that funding accepted. Young noted there was \$66,000 left to do the work. The Manager's recollection was that the Application only included funds to do the wet system around the boilers, and perhaps the kitchen. Now a mist system similar to that at the Gore Place or the Bright School would be designed to protect the rest of the house. The Chairman indicated that his idea is to close all of the possible open projects. Perhaps the new Application should include the architectural costs for the mist system. The Manager believed that both of the fire systems would be designed with the existing funds. The cost for the mist system would be hundreds of thousands of dollars. The Planning Department can be requested to clarify what they need for the future.

I. Announcements

1. Waltham Housing Authority (WHA), 101 Prospect St. \$45,000 Roof Replacement Study. The Agreement was finished and signed. Per the Chairman, they will need to get bids for architectural services. The Manager noted they may also use a Mass Housing Authority architect and pay a fee.

2. City of Newton CPA Announcement. It is illustrative of how Newton does its CPA business.

3. Member Melnechuk provided a funding source for Conservation Commissions Open Space acquisitions. The Mayor was

immediately interested and said she would apply for funds for Fernald land. The Manager requested that Member Dufromont investigate whether the Conservation Commission could assist.

J. New Business.

1. Revisions to the FY 2012 PLAN. Melnechuk wanted to discuss pages 10 -14 of the new CPC FY2012 PLAN. Although the CPC has agreed to criteria, the needs, goals, background, and resources are incomplete for all four of the categories. He wanted to pick a category to work on at the next meeting and then continue to add the other categories in subsequent meetings. The incomplete pages from the PLAN were distributed by Melnechuk. The Manager suggested that the CPC at the time of the Fernald discussion decided they wanted the CPC money to go to Open Space at the Fernald. The members present indicated they could bring a lot of information from the Waltham Land Trust and by talking to the Conservation Commission. The Manager said he also would add the Fernald Working Group. Young would also like to become better acquainted with the CPA rules to know what can be done. She also would like the discussions to be televised. The Chairman concurred. The suggestion of this "ad hoc" non-committee will be sent to the absent Members.

2. Bright School Record Center Grants Accounts. Melnechuk noted that the three grants have been combined. The chairman is opposed to combining these projects. The Council approved this portion in 2008. A Meeting should be held with the Auditors Office as he has concerns about this and how the funds are being spent. It may be necessary to speak with the Law Department. The Manager said the Chairman had asked him to review the three grants to try and understand what was done and why. This does not meet the CPC past practice of financial oversight. The Manager said he was able to see the contractors with the expenditures which appeared to show that the original records preservation was the basis of costs to date. The Clerk does provide quarterly reports. Young was bothered that in August and October the CPC approved \$1,659,000, but the account shows \$1,753,000. The original 2008 grant was for \$200,000 which could account for the difference. The Manager explained the records copying is slow because it is done on a batch basis.

K. Next and later meetings. The Manager will use the information from the members to find a different March date. (Later settled as the 27th of March).