

DRAFT Meeting Minutes

Committee on Community Services Committee - 18 March, 2024

Meeting Recording:

https://us02web.zoom.us/rec/share/FBE-lzneOpleHZWyd6XJdWfUllAfKRWLHZQcr5GSlbHTM2LJaiw_JpIKQ6YO1BZr.Kd9ekqGWip_Mtq2-

Members Present:

Cllr. Connie Preston (CP), Chair - present
Cllr. Ben Harman (BH) - present
Cllr. Jennie Donahue (JD) - present

Other Participants Present:

Cllr. McCauley (JM), Cllr. Wright (MW), Cllr. Zeid (SZ), Cllr. Khan (AK), Cllr. Granas (HG), Cllr. Cameron (EC), Cllr. Shand (HS, via Zoom), Dir. Manning (EM, via Zoom), SPM Turner (KT), Engineer Gagnon (DG), CoS Levine (AL), Dir. Egmont (AE), EGA Architect Scott Hall (SH), Energy Advisory Committee Chair Michael Strauss (MS)

Agenda:

- [ORDR00537](#) Youth and Recreation Center Design Approval (COTW)
 - CP began the meeting at 5pm explaining that the intention is to focus on the financials and specifically the ability to absorb the debt capacity for the project. She explained that the financials are important to discuss at this time because design drives cost and this is our opportunity to discuss the design before moving to construction documents. Therefore, it is important to understand how much debt the city can manage to get to a design that the city can afford.
 - EM attempted to present slides that can be found [here](#) but was unable due to technical difficulties.
 - KT and DG pivoted nicely to present slides reviewing the site at 59 Low St which can be found [here](#) and the presentation can be viewed on the recording.
 - AK asked about the energy efficiency and use at the site. CP explained that MS from the EAC had emailed earlier in the week regarding the ordinance that requires an energy report during the design phase. MS from the EAC explained that the EAC wants to make sure that the Council has the best information possible to make decisions about costs as it relates to incentives around energy efficiencies.
 - JD asked if this was related to the special stretch code that is also in front of the Council (currently in P&D). AK and MS explained that this is related to our existing ordinance and the stretch code is the next phase and unrelated to this project at this time.
 - EC read the language of the ordinance to the committee.
 - CP asked what the timing of the report would be. SH answered that it would take approximately a month to get the report.
 - BH asked if SH would normally issue this document at this phase. SH answered that he is unsure since he has never encountered an ordinance that requires a report like this and he has never encountered an ordinance like this before. MS clarified that ordinance was created to have the options available for operational costs and if we move to construction documents, there isn't the flexibility to take advantage of efficiency options. SH clarified that the building committee looked at different options and opted to not have gas to get away from fossil fuels. They also explored

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- geothermal which was cost prohibitive so they decided to go with energy efficient heat pumps. There are some efficiency options already incorporated in the design.
- AK asked about the energy report that was done for the Cutter fire station. JM let us know that there is a report that we could share and that it was done during the design phase.
 - Bill Clary also from the EAC explained that they looked at other municipalities before developing the ordinance. He also mentioned the importance of getting National Grid involved because there will likely need a new transformer and it could affect both cost and timing.
 - SZ mentioned that the energy ordinance was revised in 2021 and the intention was always to have the report during the design phase so that we could potentially take advantage of efficiencies before moving to construction documents.
 - JM asked about stormwater mitigation and raised a concern that climate change has had a lot of impact in the area (culvert washout and toppled utility pole on Hale St) and that we are certain that the retention pond size is correct given the challenges in the area. DG mentioned that they design for a 25 year storm which is standard and they will incorporate concerns about climate impact. The engineering department is willing to design to a different standard if it is the will of the Council and administration.
 - AK asked about the retention pond at the DPS building on Perry Way. DG stated the retention pond there is very similar to the one planned at 59 Low St. The stormwater at 59 Low drains to swales on Low St. that flow down to the corner of Low and Perry Way and that flow will be maintained. The retention pond will only capture water on the site.
 - CP asked if the site had enough space to create a bigger retention pond. DG said they would need to look at the design but she believed that there is space but it would take away from the open space. CP also asked about the cost of making a bigger pond and DG said she would have to look into it.
 - SZ asked about liability of the design and if there would be a peer review. DG agrees that the pond is very close to the building but that the design would likely be fine especially since the building is on slab. She is fine to have a third party review the work if that is the will of the Council.
 - SZ asked about the maintenance of the pond and if it would need future dredging. DG said that draining maintenance is normal across the city and this would not be any different. She added that if there is a second curb cut, there will be a second culvert.
 - SZ asked about potential soil contamination and associated liabilities. DG's understanding is that since phase 1&2 environmental studies, we can move to construction. They know that there is soil contamination in the front and therefore, they will not dig in that area. There were no contamination issues where the retention pond will be placed. KT added that there has been remediation where necessary. The only reason that we would need to do further soil testing would be if there was removal of soil from the site and that is not planned.
 - SZ asked about the crosswalk and overhead flashing beacon for the pedestrian crossing but no changes to the street. KT agreed and said that the estimate included those elements but that if the traffic study recommended changes to the street, the costs are not included in the cost estimate.

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- CP asked about feedback from Dir. Amaral regarding the appropriateness of a rapid flashing beacon at the site if there was narrowing of the street. KT clarified that the creation of sidewalk in front of 59 Low st would narrow the street by 5' and that is what Dir Amaral is referring to in her opinion.
- JD asked about peer review of the site and if that could be done by our Planning Dir. KT answered that he is not a licensed engineer. SZ clarified that it is common to have an external party to peer review and it would incur a cost.
- EC mentioned that he visited the site during the last flooding event (Jan 13th) and observed that it was wet and flooding in the area but not wet at 59 Low St. KT added that the engineer is designing to best practices. AK, JD & BH added that they are satisfied if we are designing to best practice standards. The planning board may request a peer review as well. JD added that we need to be cost conscious and this would incur a cost.
- Rick Traintor, chair of the Planning Board, assured us that the PB will give this a very careful review and plan to have their engineer do a peer review. SZ added that the city will have to absorb the cost of that.
- CP stated that there was only 20 minutes left in the meeting and EM's presentation is 15 minutes which would not leave time for deliberation or public comment. Therefore, she will move the finance discussion to the next meeting on April 1 and take public comment.
- JD asked EM about using ARPA money for this project. EM stated that he is waiting for the ARPA ad hoc to convene before projecting the use of those funds for this project. He is not currently anticipating the use of ARPA funds for this project but if the ad hoc opts to use ARPA, that is a legally permissible use of the funds. He mentioned that they are looking at utilizing the anticipated opioid settlement money which would be a sizable amount for this project. If there are any other things that Councillors would like to see in his presentation, please reach out to him before the next meeting.
- JD asked when the ARPA ad hoc will meet. AL answered that they are trying to find a date for the meeting in the near future. JD asked to try to schedule that before EM presents the financials. JD would like to utilize any opportunity to reduce the burden on taxpayers for this project.
- CP wrapped up by stating that the intention is to have EM present at the next meeting and therefore would like to see this stay in committee. JD agreed.
- CP asked when the next EAC meeting takes place. AK answered that it is March 28th which is before the next meeting of the committee on April 1st.
- BH asked KT to give an overview of any other permitting that may be needed. KT replied that she feels that this is a very useful exercise to get the feedback that they need. There are several other permits that will be needed such as the Historical Commission and the Conservation Commission so there are permits that will still be coming through. She would much rather get the feedback to understand if there are any substantial design changes necessary to get the project approved. BH agreed but added that he doesn't want us to lose track of the bigger picture.
- CP thanked KT and DG for their flexibility to present the site plan. She asked the Council if there were other aspects that they are looking to hear about at the next meeting beyond finances. SZ said that he feels it's going to come down to a debate about costs and he feels that discussion of costs is appropriate at this time.

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- CP reiterated that design drives cost and the goal is to get to a project that will get 8 votes.
- AK added that another important question is fundamentally do we want this department and do we believe in the department. JD concurred.
- BH made a motion to adjourn and JD seconded the motion. The committee voted 3-0 to adjourn.

Public Comment:

- Jane Snow, 9 Coffin St. She sent an email to the Council asking that we find a priority of all the many projects facing the city. She mentioned the increase in her taxes this year and it's important to discuss the finances in the face of our many priorities.
- Rich Taintor, 10 Dexter St speaking on behalf of Newburyport Liveable Streets. He feels that the crosswalk is a big concern and that the crosswalk will need a crossing guard and he would like to see a consideration of safer access.
- Jasmine MacDonald, 28 Columbus Ave. She is concerned that the Council is asking the same questions over and over and that they should trust the professionals that we pay for. She doesn't understand the point of using experts if the Council asks for more details when they don't like the answers they are given. She is very frustrated.

BH made a motion to keep this in committee. Seconded by JD. Committee voted 3-0 to keep Order 537 in committee.

Meeting was adjourned at 6:34pm.