



Town of Medway
FINANCE COMMITTEE

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Meeting Minutes: September 14, 2011
Town Hall – Sanford Hall

Present: Chairman Martin Dietrich, Vice Chairman Jeff O'Neill; Members: Christine Devine, Kevin Dickie, Neil Kennedy, Tony Pacholec, Frank Rossi and Jim Sheehan.

Absent: Clerk Christopher Lagan.

Also Present: Barbara Saint Andre, Town Counsel; Suzanne Kennedy, Town Administrator; Melanie Phillips, Finance Director.

With a quorum present, Chairman Dietrich called the meeting to order at 7:35pm.

Presentation:

Barbara Saint Andre, Town Counsel, briefly reviewed the role of the Finance Committee. She stated the Finance Committee has an important role in town government, serving as the financial watchdog of the Town, and speaking with knowledge regarding the finances and financial aspects of Town Meeting articles. Regarding the budget process, the Town Administrator is the one who constructs the budget, but the Finance Committee has the role of reviewing that budget, making recommendations toward presenting a unified budget at Town Meeting. Ms. Saint Andre suggested the Committee work with the Town Administrator as much as possible regarding budget issues.

Ms. Saint Andre reminded the Committee that the Open Meeting Law changed a year ago and there are strict rules about posting meetings and agendas. The posted agenda needs to list all matters that the chairman reasonably anticipates coming before the Committee during that meeting. Other matters can still be discussed, but this is to give people an idea of what might be discussed. She encouraged revision of an agenda if important last minute items come up, urging that both the original posting and the revision be as specific as possible. Discussion of warrant articles need to list specific articles and not a general heading of "Town Meeting Items".

Should the Committee need to go into executive session, the purpose of the session must be stated as well as whether the regular session will resume, and all votes must be by roll call. All litigation matters

fall into executive session as public session could have a detrimental effect on Town's position in that litigation.

Ms. Saint Andre briefly reviewed the criteria for what is considered public record, noting that even text messages on cell phones are considered thus. As a precaution, she advised cell phones be turned off during meeting. Responding to a question from Chairman Dietrich regarding notes taken in member liaison capacities, she stated those notes should be considered part of the official record as they are distributed to members and discussed at meetings. Emails and their attachments (spreadsheets, lists, meeting minutes, etc.) are considered public documents, and should be maintained. If a matter goes to litigation, there is always a request for documents.

Ms. Saint Andre advised members to be cognizant of ethics laws, especially if they have relatives who also work for the town. It is possible that a conflict of interest can arise in a small town where residents often serve on more than one committee. If there is every a question, the Town Administrator is available to help, and she can contact Town Counsel if necessary. Additionally, members can contact the state Attorney General's office to speak with the Attorney of the Day, who will provide an opinion. The AG's office will retain a copy of the question and response for their records.

If a group of members happen to be in the same place, it does not constitute a meeting. However, five or more members constitute a quorum. If those five members are attending the Board of Selectmen meeting, that action should be posted, and minutes should be kept of the proceeding. If people are simply talking about when to have a meeting, it is casual conversation. Discussion of Town matters must take place at an officially posted meeting. Casual discussion at the coffee shop talk is allowed, as long as it's not a quorum of committee members (5 or more).

All members of the Finance Committee are considered Special Municipal Employees.

Discussions:

Regarding the Warrant Article Timeline for Fall Town Meeting, Chairman Dietrich stated the Board of Selectmen opened the warrant at its meeting on Monday, September 12. Town Administrator Suzanne Kennedy distributed the timeline voted by the Selectmen. She briefly reviewed it, stating the calendar is driven by the Town Charter, with little wiggle room. The Finance Committee's public hearing date must be posted fourteen days before the hearing. Zoning articles will not be considered. Ms. Melanie Phillips, Finance Director, asked if an outline of the warrant would be helpful. Ms. Kennedy offered to send regular updates to the Committee when they are sent to the Board of Selectmen. Chairman Dietrich asked for a draft warrant in time for the Committee's regular meeting on October 12, and later the official closed warrant. Ms. Kennedy cautioned that the warrant can be opened and closed after that, though the 14-day notice on the public hearing limits time for review. Ms. Kennedy stated she will check to see if the 14-day requirement is for all Town Meetings or if there is a shorter requirement for meeting held in the fall. Discussion followed.

In order to prepare the State of the Town, Ms. Kennedy stated she expects to have the auditor's report by mid-October, and present it sometime in November. This does not happen in conjunction with Fall Town Meeting.

Report on Joint Meeting of the Board of Selectmen and Trustees of the Medway Public Library:

Chairman Dietrich briefly updated the Committee on the joint meeting held on August 16. He expressed concern that the trustee's strategic plan was the same as last year, noting that they seemed somewhat

staid in their approach. He touched on topics such as who reports to whom, possible move toward exploration of regionalization, etc.

Responding to a question from Ms. Christine Devine, Ms. Kennedy explained that library employees fall under state statute and briefly reviewed the regionalization attempt with the Franklin Public Library. She stated an Acting Director created a strategic plan which met with a great deal of staff resistance, citing anarchy between the Acting Director and the staff. They didn't like her and refused to work with her. Ms. Kennedy also reviewed the consolidation of entities within the Town structure, stating that library employees are the only ones who do not report to the Town. While the Board of Selectmen has not articulated their position on the matter, she posited that it would have liked to see the move toward regionalization of services be worked on longer, to help find new ways of doing business. The library is operating in an old fashioned way, while some libraries gravitating to more technology, even coffee shop type of atmosphere, and becoming more of a community center. Regionalization not necessarily cheap, but money can be saved on services if associated costs are shared. Discussion followed.

Ms. Devine asked if a new set of Trustees can be voted in. Chairman Dietrich stated there is little interest from new people in serving in this capacity. He stated that in order to bring the operational employees of the library under the Town Administrator, it is a process that must be approved at Town Meeting, and then it goes to the state for approval. He added that the library is missing an opportunity to interact with the town staff, living instead inside their own bubble, and not seeking partnership with the community at large.

Ms. Devine asked if there have been complaints from the public, or concerns about loss of control (with respect to regionalization). Ms. Kennedy stated there was overwhelming support at the recent Town Election on the non-binding question regarding regionalization. Specifically, one town sharing services with another. While regionalization in its strictest sense may not be the solution, there may be combinations of options that might work for Medway.

Discussion with Town Administrator:

There was a brief discussion of Crystal Reports. Ms. Melanie Phillips cautioned that these reports are updated often so committee members need to pay careful attention to the dates. The reports become secondary once the annual financial statements are released.

There was general discussion of health care costs and savings, consortium participation

Ms. Kennedy stated the conference for Town Finance Committees will be held on October 15 at tri-county high school in Franklin. Former governor Michael Dukakis will be a keynote speaker. The Town will reimburse registration fees. Hard copies of the registration materials were distributed to interested members.

Financial Reports:

Discussion and review of FY11 End of Year, FY12 Current Year, Quarter 1, and Preliminary FY13 reports did not occur this evening. Due to Mr. Lagan's absence, there was no report from the Clerk.

Liaison Reports:

Board of Selectmen – Chairman Dietrich briefly reviewed the Selectmen's meeting of September 12, noting the Town will have representation at the South West Advisory Planning Committee (SWAP), part

of the Metropolitan Area Planning Council (MAPC). He also mentioned updates on the Veterans Services district, the laying out of streets, closing of Route 126, the Highland Street one-way test and the advent of a casino in the area. Written notes were previously distributed to members.

Capital Improvement Planning Committee – Mr. Dickie stated the group plans to come to a FinCom meeting in the January-February timeframe to discuss projects that could be presented at spring Town Meeting. He stated he also met with the police and fire chiefs.

Additionally, Mr. Pacholec briefly discussed an RFP for insurance valuation/replacement value, which would be a useful tool when properties come up for sale in town that the Town might be interested in purchasing. He suggested the insurance agent or a representative from CIPC rep could be invited to a meeting to talk about how values/assessments were determined.

Community Preservation Committee (CPC) -- With respect to the Medway Community Farm, Mr. Frank Rossi stated the CPC expressed concern for building materials piled around, the repair work has not been done, and the farmer is living in a camper. There was also concern that bills were not being paid, and that some projects were not going out to competitive bid. CPC is naturally upset that things are not being handled appropriately. Ms. Devine suggested there are restrictions/limits placed on how the work is done, using students from Tri-County High School, suggesting there is more to the story. According to the farm's website, all the work was to have been completed by now, adding that she (as a member of the Farm) has received emails looking for workers. Mr. Rossi stated he will get more information. Chairman Dietrich asked if a representative of the Farm could possibly come to a FinCom meeting.

Mr. Rossi stated that Parks and Recreation is now looking for funds for field maintenance and new fields. Soccer, baseball, football, and lacrosse teams are using existing fields. He stated further that a change in state law declares that Community Preservation Act funds can now be used to **build** fields, as well as used for support. All CPC members favor the idea of using Adams Street land, approximately 4 acres, for field development, a move that would require Town Meeting action.

Regarding the Thayer property, 2B Oak Street, Mr. Rossi stated the architect came back with plans that were far outside the scope of the intended project. The plans were too ambitious and he expressed concern that the group will request additional funds for design services. Mr. Dickie asked if an Action Items list could be created in order to keep track of when the Finance Committee initially discusses a matter and when that issue needs to be revisited. The Chairman and Board Secretary will handle it.

School Committee – Mr. O'Neill briefly reviewed the meeting of the School Committee, mentioning updated budgets the Board of Selectmen requested as well as attrition of retiring teachers vs. new teachers and employees. He noted that the circuit breaker funds were higher than expected, and that a report from Special Education is due at the October meeting of the School Committee.

Regarding the Town Wide Facilities Study, Mr. O'Neill stated he will attend the meeting on Monday, September 19 and will report back.

Department of Public Services (DPS) – Mr. Jim Sheehan stated he is trying to connect with Tom Holder, Director, DPS. Chairman Dietrich stated Mr. Holder should be invited to the October meeting to provide an update.

Council on Aging – Mr. Neil Kennedy stated he mistakenly believed this group met in the evening when they actually meet in the afternoon. He will do some rearranging of his schedule in order to attend.

Approval of Meeting Minutes:

August 10, 2011 meeting minutes will be considered at a later date.

Upcoming Dates:

The Committee briefly discussed a process to review the Town Meeting warrant, suggesting a week to review it, meet on October 26, and forwarding questions to Chairman Dietrich by November 4. Questions will be compiled and sent to the Town Administrator. If Ms. Kennedy is amenable, the public hearing could be scheduled for November 2. Brief discussion followed. Chairman Dietrich will send out a note with the confirmed dates.

Next meeting:

Wednesday, October 12, 2011 at 7:00 PM, in Sanford Hall in Town Hall.

At 9:40 PM Mr. Pacholec moved to adjourn; Mr. Sheehan seconded. No discussion. Vote: 8-0-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary