



Town of Medway
FINANCE COMMITTEE

155 Village Street
Medway MA 02053

Tel: (508) 533-3200

Fax: (508) 533-3201

Approved: July 18, 2011

Meeting Minutes: June 28, 2011
Medway High School – Library

Call to Order: With a quorum being met this meeting was called to order at: .

Members Present: Chairman, Eric Arbeene, Vice Chairman Martin Dietrich, Clerk, Chris Lagan, Members: Rondi Chapman, Kevin Dickie (7:20PM), Jeffrey O'Neill, Anthony Pacholec, Frank Rossi, Jim Sheehan and Administrative Assistant Shirley Bliss.

Guests Present: Town Administrator Suzanne Kennedy, Vice Chairman, Board of Selectman John Forresto, Police Chief Tingly and resident Cindy Trainor.

Call to Order: With a quorum being met this meeting was called to order by Chairman Arbeene at 7:09pm.

Emergency Transfer Discussions:

As noted in previous minutes these ETR's were approved, but they were done out of the normal order and therefore the BOS has requested that the Finance Committee re-affirm their votes.

Town Clerk: \$8000 to cover a Special Election that was not planned for in her FY11 budget.

Motion to re-approve: Rondi Chapman

Seconded: Jeff O'Neill Vote: 8-0-0

Planning Board: \$15,000 to cover the costs of title exams for "Bottle Cap" lots in West Medway.

Motion to re-approve: Rondi Chapman

Seconded: Chris Lagan

Discussion:

NOTE: This discussion went on for quite some time and at times was lively.

Ms Trainor requested to the Chair that she be given a chance to speak to this ETR. Member Tony Pacholec made a motion to rescind prior vote in order to hear what Cindy Trainor had to say.

Seconded: Rondi Chapman Vote: 9-0-0

Ms. Trainor gave a review of the facts she had found as part of her research on this project:

* This topic was schedule to be discussed at the May11th meeting but was actually discussed at the May 9th Public Hearing; which did not afford her the right to speak and ask questions with Mr. Rodenhiser present. Ms. Kennedy stated that any discussion as this time was a mote point, as the Finance Committee has already voted and a contract for this work has been signed and work has begun. Ms. Trainor then gave this Committee a review of what she has learned:

* in 2007 12 lots owned by Mr. Williams were removed from the tax rolls, totaling approximately \$1700.00 per year. Mr. Williams is not only the primary land owner in the area in question, but also stands to gain the most by this development. Ms. Trainor questioned why his property had been removed just as the discussion on the property begin? Ms. Trainor also noted the Mr. Williams is a member of the Oak Grove Committee, which must be conflict of interest. (Please see attached letter for complete details).

* Ms. Trainor asked why the number of lots seems to be constantly changing, it was once 100, then 83, now 39. At a Public Forum in March, 2011 the plan for this development contained many things that were not previously there; such as a hotel and 200 homes; as well as the "taking" of several currently occupied homes on West Street and Alder Street.

* Ms. Trainor also addressed statements by Mr. Rodenhiser that this is a tax maker, as they can and will be able to collect back taxes on these properties, if the owners are found; according to Ms. Trainor research this is not true - no back taxes can be collected per the law.

* Ms. Trainor also questioned as to where the rest of the funds needed for title exams will come from, as this most likely will not be enough. Ms. Kennedy stated that it will come from the PB's budget or they may go to a future TM for funds.

A FC Member questioned what happens when these funds are gone and are we wasting money because it may not be enough to do the job properly:

Ms. Kennedy stated that the work will stop and she felt this was a necessary step in this project.

This FinCom member stated this should be and ETR, but will go before the Town.

* Ms. Trainor also questioned why the Planning Board did not know that the lots in question did not appear on the Assessors maps. Ms. Kennedy stated that the previous Assessor left a message in the file but no one know why. "The previous Assessor is not as skilled as the one currently on board"

Ms. Trainor also stated that she is getting the run around when she asking questions concerning this development, why are each of her questions leading her to more questions and no answers.

Chairman Arbeene thanked Ms. Trainor for the information and hopes that she continues to be a watchdog for this project.

A motion was made by Chairman to re-affirm this vote

Seconded: Jeff O'Neill Vote: 9-0-0

Veterans: \$875.00 Case load increase

Motion to re-approve: Rondi Chapman
Seconded: Tony Pacholec Vote: 9-0-0

Veterans: 625.00 Mileage Reimbursement for Chairman
Motion to Approve Martin Dietrich
Seconded: Chris Lagan Vote: 8-1-0
Dissention: Frank Rossi

Discussion:

A Finance Committee member questioned the way this ETR was filled out, was it expenses or salary - ETR states "increase in case load since my last request" yet Ms. Kennedy stated that it was actually mileage reimbursement.

A lengthy discussion was then had concerning the proper way to fill an ETR form out, as well as who's responsibility it is to make sure they are done correctly prior to the Finance Committee receiving them. The Finance Committee stated that in the future if the ETR forms are not filled out correctly they will be sent back to the requesting department/person and will NOT be addressed.

Library: \$20,900 Replacement of HVAC Units
Board of Selectman John Forresto spoke on behalf of the BOS and stated that they had voted to approve the ETR.

Currently the units are working as 1/2 capacity and are neither heating or cooling the Library to a comfortable temperature.

Motion to approve ETR: Rondi Chapman
Seconded: Tony Pacholec Vote: 9-0-0

End of Year Transfers:

Security Cameras: \$30,000.00

John Forresto gave a quick summary of this request. There have been several break-ins in various Town owned properties including the Town Hall. These cameras will be installed in the Town Hall, 2B Oak Street - Thayer Property, Town Barn, schools, Intersections of Main and Holliston, Main and Summer and Main and Highland Street, Choate Park and the Senior Center. At this time they will be placed in the Town Hall and the town Barn. Total costs of project: \$100,000. This money will be used to purchase the necessary hardware and software to run system. Police Chief Tingley responded when asked that no new personnel is necessary and currently system will work with new system. System will store information for 7 days. Future costs included approximately \$1300 per year for license. Storage of all equipment and tapes will be at the Police Station, current staff will operate equipment, which comes with a 5 year warranty. Additional costs will include replacement of cameras when they break. Mr. Forresto also stated that no public disclosure is necessary, as the camera are not recording conversations. The anticipated completion is 18 months. Mr. Forresto also stated that each Department has agreed and signed off on the use of their funds.

When asked where the money was coming from it was stated by Ms. Kennedy that according to the DOR 3% of the receiving budget could be added to from other budgets.

Monies for this project will come in the form of \$5000 from each of the following budgets: Planning Department, Fire Department, Assessors, Accounting, and Human Resources. These monies are left from FY11 budgets. Ms. Kennedy also stated that an additional \$30,000 will be coming from the Town Administrators' budget for other infrastructure needs.

All future purchases will be part of each departments budgets.

This Committee questioned not only the timing of this request but also why it was not put to the CIPC which is the proper avenue for this type of request. John Forresto replied that at the time there was not enough information to present to CIPC, but have since spoke with CIPC and they are on board. There are plans to go to CIPC in FY13 for \$70,000. Mr. Forresto also stated that they will seek funds from the Community Preservation Fund, stating that this system is protecting an historical property.

Also questioned by this Committee and Ms. Trainor was the fact that the Planning Board had requested an ETR for \$15,000 when it appears they had an extra \$5000 in their budget. A question was asked as if the ETR could be to \$10,000 to reflect the extra money. Ms. Kennedy stated that the ETR was here tonight for a re-affirm and that the contract had all been signed and work has begun.

With so much money available from these departments, Committee Member Jeff O'Neill requested a 4th quarter report, Ms. Kennedy stated that they do not do one, the next report would be the audited report that comes out in November. Ms. O'Neill the requested an "unaudited" report with the understanding that it may change upon being audited. Ms. Kennedy once again stated they did not do one, but when pushed that a 4th quarter report should be able to be produced agreed to talk to Carol Pratt, Town Accountant.

Motion to approve \$30,000 - with \$5,000 from each of the following FY11 budgets: Planning Department, Fire Department, Assessors, Accounting, and Human Resources.

Motion: Martin Dietrich

Seconded: Rondi Chapman

Vote: 7-2-0

Dissenting: Jim Sheehan and Chris Lagan

Approval of Meeting Minutes:

April 13, 2011 Motion to approve as presented
Motion: Rondi Chapman
Seconded: Tony Pacholec Vote: 8-0-1
 Abstain: Martin Dietrich

May 4, 2011 Motion to approve as presented
Motion: Jeff O'Neill
Seconded: Chris Lagan Vote: 8-0-1
 Abstain: Rondi Chapman

May 9, 2011 - Public Hearing Motion to approve as presented
Motion: Rondi Chapman
Seconded: Tony Pacholec Vote: 8-0-1
 Abstain: Eric Arbeene

May 11, 2011 Motion to approve as presented
Motion: Rondi Chapman
Seconded: Chris Lagan Vote: 9-0-1

Accounts Payable:

ADPrint Invoice #20763 Printing of Town Meeting Book 5200 copies
Motion to Approve: Rondi Chapman
Seconded: Martin Dietrich Vote: 9-0-0

Encumbering of Funds:

Community Newspaper:
Unknown funds need to be encumbered for the payment of ads for Finance Committee Replacements. Ad must run in 2 different papers on 3 days are required by law.
Since the bill has not arrived, it a motion was made to allow Chairman Eric Arbeene to sign this bill up to and including an amount of no more then \$1000.00, as well as sending each member a copy of bill, so the amount is known to all.
Motion: Rondi Chapman Seconded: Martin Dietrich Vote: 9-0-0

Liaison Reports:

No reports were given

Clerk's Report:

Chris reported account balances as:
Salaries: 625.86 74% used to date
Expenses: \$1415.54 71.94% used to date (Does not include Community Newspaper bills)
Reserves: \$48,225.44 Does not include ETR's approved this mtg.

Chairman's Report:

Chairman Eric Arbeene thanked everyone for their hard work this year and wished everyone well next year, it is not going to be easy, but this Committee is good and will do what is best for the Town.

Eric thanked Ms. Kennedy for all she does, the new members for learning all that was needed to do this "job".

Eric announced that just tonight two (2) new members were appointed Ms. Christine Devine and Mr. Neill Kennedy, bringing to the table a nice cross section of abilities.

Adjournment:

With no further business before this Committee a motion was made and unanimously passed to adjourn at: 8:57pm.

Motion: Rondi Chapman

Seconded: Chris Lagan

Vote: 9-0-0

Next meeting:

Monday, July 18, 2011 Medway High School Library.

Planning Board has a Public Forum Feb 15th..sends out a notice to the mini abutters list
Presents the PGC Map found online that details ownership between the town and Mr. Williams they own 75% of land they can proceed with development present overview of property and ideas.
March 28 next Public Forum..supposedly they send out a larger abutters list, yet no one on Fox Run or myself received this notice{ even though we are on the list according to Suzy}, instead Barb Gignac and Deb Baker get hand delivered flyers from the Westcott's, which they photo copied and distributed...which leads to bus stop chatter..and I wind up attending the March 28 meeting.
I addressed Andy about the abutters notice..to which he tells me " I can't help it if you throw out your mail" I assure you I never received notice but paid very close attention to the presentation. The PGC Map is then presented at this meeting, which has Mr. Williams owning one of my neighbors parcels/lots...this meeting also presents the option of the 5 story hotel and conference center and 80-100 condo/apartments with retail mixed in.

The following week I'm off to the assessor's office to look at the big map and see exactly who owns the property...Mr. Gonsalves or Mr. Williams... truth is Mr. Gonsalves own the parcel, pays taxes on the parcel, yet Mr. Williams was given credit as owning the land at the Public Forum. I speak to Suzy, she is quite confident that her map, put together by Pace Willisson and his title research is correct. She asks Terri, who tells her that Mr. Gonsalves owns that piece..So I began to question the accuracy of the other Williams parcels. I put together a spreadsheet with all the discrepancies I found...property with no records on file, property listed twice, property listed with 2 different sq ft measurements...a giant mess from my perspective. I talked to Will Naser and we met with Suzy on April 11th around 1ish and I presented all the problems I found...and where do we go from here???? The next public meeting was scheduled for that night..and I thought the news of the discrepancies should be presented by the Planning Committee not from me. So instead of holding the forum and letting the public know, they canceled the meeting and notified the Milford Daily News at 5:15, meeting canceled do to some data problems...and posted a sign at the library that the meeting had been canceled. { The neighbors and I did receive the mailing notice for this meeting }

So I continue my quest for information:

Mr. Williams only pays taxes on 4 parcels of land...79 parcels of land that were presented as being owned by Mr Williams are not on record in the Assessors Office..no owner is currently listed for these properties, which leads to no one is currently paying taxes on these 79 properties. { About 12 acres in total are not on record}

From the Treasurer's Office...past records show Mr Williams was taxed for this land up as of 2005.

The only way to get someone back on the tax role is to do a title search at the Norfolk County Registry of Deeds..to find out who is the true owner of this land. So who pays for that??? and how much does it cost???? Will Naser, Suzanne Kennedy and the Town Counsel meet to discuss what to do...solution is to hire a legal firm who specializes in Title Research...Someone from Planning Committee, Andy I am guessing..or perhaps Ms. Kennedy herself, is going to request the money as an Emergency Fund Transfer... I am told that this is going before the Finance Committee on May 11, { Same night as high school concert}...when in reality it went before the Fin Com at the May 9th meeting. This research is just a sample of properties with costs not to exceed 15,000..a full search may cost anywhere from 50,000 to 100,000...depending on what they discover in the sample..{ This original piece of property was made up of 1018 little parcels about 2,500 sq ft each...they have been bundled sold..liened auctioned and taken by tax lien by the Town...but most are still undeveloped }

The other point of interest I have found is that the Oak Grove Task Force Committee, that met in 2008, had concerns regarding the cost of necessary title research and was considering looking to Mass Development for funding...also Mr. and Mrs. William are on this Task Force Committee, and have to know they are not paying taxes since 2005, on the property the committee is planning on developing. Mr. Rodenhiser is quoted in the paper as stating an unidentified owner has approached the town about forming a partnership...and now we have enough land under our control to move forward.....{ oh and all the minutes from the Oak Grove Task Force Committee..are unable to be located} I am not sure if this still an active committee, Mr. Rodenhiser has yet to respond to my May 18th request.

So you know as much as I do about May 9th...selectmen met on the 16th...they approve request, however, I thought they did not execute the contract because a technicality..Emergency Fund Transfers

are suppose to go..Selectmen first, Fin Com Second, and one of the Selectmen, stressed that this has to go back to Fin Com....

Next discovery is the note in the Oak Grove Record files in the Assessors office, that lists all of Mr. Williams O Oak Gove parcels by Key # IDs written DELETE FOR FY06...pink post to Britt from Sue to deactivate O Oak Grove...and this land hasn't been taxed since.....

This discovery resulted in a meeting with Suzanne Kennedy and Will Naser, I honestly don't know if this was human error...or somehow linked to Oak Grove and enticing Mr. Williams to join the development process...in any event Ms. Kennedy is not going to investigate this, Oak Grove is not one of her top priorities...the title search is currently underway to correct the error...problem solved.

I asked for clarification, because I was under the impression that the Emergency Fund request was returning to Fin Com for re-approval, she stated very clearly..this was NOT going back to Fin Com, the lawyers were already conducting the research as we speak, June 6, that this had to expedited because this money would have returned to the general fund if this contract was executed.

So that's my opinion of what has happened so far....can't imagine why no one wants to talk about it.....