

FINANCE COMMITTEE
Minutes

Date: April 5, 2010

Time: 7:00 p.m.

Present: O'Connor, Kupcinkas, Gauthier, Girard, Bartosiewicz, Hebert

Absent: Hamilton

Meeting called to order at 7:00 p.m.

Motioned by Gauthier, seconded by Kupcinkas to accept the minutes of March 29, 2010 as written. Unanimous.

Michael O'Connor: I need to bring something up before we start the voting on the Warrant. The Town Manager is required to give the Chairman of the Finance Committee copies of the Warrant articles as they come in. I did notice on the original warrant that the Planning Board articles contained underlines and the new warrant has strikeouts. The Planning Board had a Public Hearing on March 21st and voted to make changes in the articles that were recommended by the lawyer. This is within the 60 day window. No multiple member board can submit an article for warrant within the 60 day window of the Town Meeting. I asked bob to co-sponsor the articles so that there would be no problems with the articles being legal for Town Meeting. He said he would do this. I would like to send a note to the Planning Board tomorrow explaining what we are doing to continue with their articles in the Warrant.

Motioned by Girard, seconded by Kupcinkas to authorize Michael O'Connor to send a letter to the Planning Board about the 60 day requirement for submission of petitions from multiple member bodies. Unanimous.

Michael O'Connor: We will be voting on the budget next week. I will work on the format during the week.

WARRANT ARTICLE RECOMMENDATIONS

Article 5-Meals Tax

Motioned by Hebert, seconded by Gauthier to recommend that Article 5 be accepted as written. Unanimous.

Article 6-Medicaid Reimbursement

Motioned by Hebert, seconded by Gauthier to recommend that \$96,578 be raised and appropriated for the purpose of Article 6.

Michael O'Connor: The Medicaid Reimbursement comes in to the Town in the General Fund. This puts it back into the School Department. This is an annual Warrant Article.

Vote on the motion: Unanimous.

Article 7-Personal Property Damage

Motioned by Hebert, seconded by Gauthier to recommend that Article 7 be accepted as written.

Michael O'Connor: This account is closed out every two years. This transfers the money from the Warrant Article of two years ago.

Vote on the motion: Unanimous.

Article 8-Disposal of Abandoned Property

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 8 be accepted as written.

Michael O'Connor: This has the same reasoning as Article 7.

Donald Gauthier: Why do we keep putting these articles on the Warrant when we haven't done anything with them in years?

Michael O'Connor: It is a standard article. They have been on the Warrant for years. It is there in case we need to use them.

Vote on the motion: Unanimous.

Article 9-Free Cash

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 9 be accepted as written. Unanimous.

Article 10-Recycling Bins-Solid Waste Management

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 10 be accepted as written.

Michael O'Connor: At the end of last year we received two bills and only one was paid. The other one wasn't put in on time.

Vote on the motion: Unanimous.

Article 11-State Mandated Revaluation

Motioned by Hebert, seconded by Kupcinkas to recommend that \$51,500 be raised and appropriated for the purpose of Article 11. Unanimous.

Article 12-Revolving Funds

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 12 be accepted as written.

Michael O'Connor: There is no sponsor on this article. All Revolving Funds are lumped into one article this year.

Vote on the motion: Unanimous.

Article 13-Elders Community Services Program

Motioned by Hebert, seconded by Kupcinkas to recommend that \$15,000 be raised and appropriated for the purpose of Article 13. Unanimous.

Article 14-Maintenance of Sewer Systems

Motioned by Hebert, seconded by Kupcinkas to recommend that the sum of \$50,000 be transferred from the Retained Earnings of the Millbury Sewer Enterprise Fund to the Sewer Stabilization Fund for the purpose of Article 14. Unanimous.

Article 15-Phase II of the Sanitary Sewer System Infiltration and Inflow Study

Motioned by Hebert, seconded by Kupcinkas to recommend that the sum of \$290,000 be transferred from the Retained Earnings from the Millbury Sewer Enterprise fund for the purpose of Article 15. Unanimous.

Article 16-Bylaw-Chapter 6, Article I, Section 6-1

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 16 be accepted as written.

Michael O'Connor: Last year Section 4 was deleted. This just cleans up the by-law.

Vote on the motion: Unanimous.

Article 17-General Law Chapter 32B, Section 20

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 17 be accepted as written.

Michael O'Connor: This sets up a fund. It does not ask for money to be put it. It will eventually have a monetary value.

Vote on the motion: Unanimous.

Article 18-Bylaw Chapter 9, Article I, Section 9-1, 9-2, 9-5c, and 9-6

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 18 be deferred to the Town Manager for the recommendation. Unanimous.

Michael O'Connor: Articles 19-27 are Planning Board Articles. We normally defer these articles to the Planning Board and either the Planning Board or the Town Planner gets up at Town Meeting and explains the article.

Donald Gauthier: I went through these articles and I cannot see how anyone at Town Meeting would understand them.

Michael O'Connor: Laurie will get up and try to explain the articles to the townspeople.

Article 19-Zoning Bylaws-Formatting

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 19 be deferred to the Planning Board for the recommendation. Unanimous.

Article 20-Zoning Bylaws-Administration and Procedure-Application and Review Procedures

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 20 be deferred to the Planning Board for the recommendation. Unanimous.

Article 21-Zoning Bylaws-Real Estate Signs

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 21 be deferred to the Planning Board for the recommendation. Unanimous.

Article 22-Zoning Bylaws-Administration and Procedure-Planning Board Authority

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 22 be deferred to the Planning Board for the recommendation. Unanimous.

Article 23-Zoning Bylaws-Establishment of Districts

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 23 be deferred to the Planning Board for the recommendation. Unanimous.

Article 24-Zoning Bylaws-Definitions

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 24 be deferred to the Planning Board for the recommendation. Unanimous.

Article 25-Zoning Bylaws-Special Regulations-Section 50

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 25 be deferred to the Planning Board for the recommendation. Unanimous.

Article 26-Zoning Bylaws-Special Regulations-Section 47

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 26 be deferred to the Planning Board for the recommendation. Unanimous.

Article 27-Aquifer and Watershed Protection Overlay District

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 27 be deferred to the Planning Board for the recommendation. Unanimous.

Article 28-Conservation Fund

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 28 be deferred to the Conservation Commission for the recommendation.

Michael O'Connor: There is no monetary value on this article.

Vote on the motion: Unanimous.

Michael O'Connor: Articles 29-37 would need to be deferred to the Charter Review Committee.

Article 29-Town of Millbury Home Rule Charter Article 2, Legislative Branch, Section 2-2

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 29 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 30-Town of Millbury Home Rule Charter Article 2, Legislative Branch, Section 2-7

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 30 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 31-Town of Millbury Home Rule Charter Article 3, Elected Officers

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 31 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 32-Town of Millbury Home Rule Charter Article 4, Town Manager

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 32 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 33-Millbury General Bylaws, Chapter 2, Article II

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 33 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 34-General Bylaws Chapter 2, Article III, Officers, Division 1

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 34 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 35-Town of Millbury Home Rule Charter Article 8-relettering

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 35 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 36-Town of Millbury Home Rule Charter Article 8 –deletion of Section 8-5, paragraph h

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 36 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Article 37-Town of Millbury Home Rule Charter Article 9-deletion of Section 8-5, paragraph i

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 37 be deferred to the Charter Review Committee for the recommendation. Unanimous.

Michael O'Connor: Articles 38 and 39 are for the Fire Department. When making a recommendation at Town Meeting we need to have actual figures on what needs to be raised. We will not have these figures until a few days before Town Meeting. Bids will be opened prior to Town Meeting. It is about \$1.7Million.

Donald Gauthier: This is on the ballot.

Michael O'Connor: If it doesn't pass the ballot, it won't need to be voted on at Town Meeting.

Article 38-Rescue Squad Fire Apparatus

Motioned by Hebert, seconded by Kupcinkas to make the recommendation on Article 38 at the Annual Town Meeting. Unanimous.

Article 39-Aerial Platform Fire Apparatus

Motioned by Hebert, seconded by Gauthier to make the recommendation on Article 39 at the Annual Town Meeting. Unanimous.

Article 40-Home Rule Petition

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 40 be deferred to the School Committee for the recommendation.

Michael O'Connor: The Town needs to go out to bid on anything over \$10,000. The bidding rule was broken. This article needs to be approved so that the bill can be paid. The School Committee will have to get up at Town Meeting and explain this article to the Town.

Vote on the motion: Unanimous.

Article 41-Tainter Hill Road Re-Opening

Motioned by Hebert, seconded by Kupcinkas to recommend that Article 41 be indefinitely postponed. Unanimous.

Article 42-Sewer Stabilization Fund for Debt Service Costs-Non-SRF eligible costs

Motioned by Hebert, seconded by Kupcinkas to recommend that \$350,000 be transferred from the Sewer Stabilization Fund for Debt Service Costs for the purpose of Article 42.

Michael O'Connor: The original project amount was \$21Million with a 2% bond rate. The total of the non-SRF amount is \$350,000 due to the lower cost of the project. They have agreed to used the money out of the Stabilization Fund rather than add it to the Sewer User Rate.

Vote on the motion: Unanimous.

Article 43-License for the Sale of Alcoholic Beverages-Off Premises

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 43 be accepted as written. Unanimous.

Article 44-License for the Sale of Alcoholic Beverages-On Premises

Motioned by Hebert, seconded by Kupcinskaskas to recommend that Article 44 be accepted as written. Unanimous.

Article 45-OPED Liability

Motioned by Hebert, seconded by Kupcinskaskas to recommend that \$7,000 be transferred from account #01-914-5171-0000 for the purpose of Article 45.

Michael O'Connor: This is to update the Retirement Account. It keeps the money in the account passed the July 1 date.

Vote on the motion: Unanimous.

Article 46-DPW Perpetual Care Dividends

Motioned by Hebert, seconded by Kupcinskaskas to recommend the spending of up to the sum of \$18,000 for the purpose of Article 46.

Michael O'Connor: In order to take money out of the account, this needs to be voted on by Town Meeting. This should have been voted on every year.

Vote on the motion: Unanimous.

Donald Gauthier: When are we meeting with Tom Fox?

Michael O'Connor: We need to find out when he is available and then schedule another meeting to accommodate him. It is usually once we have the books available. We will vote the budget on the 12th and the books go to press on the 16th. The books should be here first thing on the 26th. I will call Tom to set up a meeting. I will have a draft of our letter for the front of our book for next week's meeting. I have asked Bob to provide his adjustments to the level services budget, his 40%, and the Finance Committee's line to put the 36.22% adjustments. We will need to plug in the School Committee budget. Brian will be at our meeting next week when we are voting the budgets.

Motioned by Gauthier, seconded by Kupcinskaskas to adjourn at 8:15 p.m. Unanimous.