

ORLEANS TOWN CLERK  
J. C. Derby, Asst  
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## FINANCE COMMITTEE MINUTES

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The February 9, 2012 meeting of the Orleans Finance Committee was convened by Chairman Ms. Gwen Holden-Kelly at 7:00 p.m. in the Nauset Room of the Orleans' Town Hall. Present constituting a quorum were Members Mr. Mark Carron, Mr. Larry Hayward, Mr. John Hodgson, Mr. Rick Sigel and Mr. William Weil. Members absent were Mr. Ed Barr, Mr. Dale Fuller, and Mr. Paul Rooker.

### **Guests:**

Mr. John Fuller, Selectmen liaison  
Chief Jeff Roy and Deputy Chief Scott McDonald of the Orleans Police Department

### **Public Comment**

None

### **FY13 Police Department and Fuel Budget Review 00:41 on Video Tape**

Mr. Weil introduced Chief Jeff Roy and thanked him for the time Chief Roy spent with him last week to review the FY13 budget. Deputy Chief Scott McDonald of the Police Department was also introduced. The first issue that Mr. Weil questioned was the increase in salary overtime (line 513800) from \$134,519 expended in 2011, \$155,863 budgeted in 2012, and now \$165,566 proposed budgeted in 2013. Chief Roy said the figures in 2012 and 2013 reflect more realistic figures they have been experiencing due to many factors which Chief Roy discussed in detail. Some of the reasons are due to salary increases, vacation and holiday coverage, and last but not least is coverage due to long term sick and disability absences. Right now the department is short four officers causing overtime to maintain a state mandate covering the minimum number of officers per shift. Also the state has completely cut the training budget; yet it is mandatory for each officer to attend at least forty hours of training each year which also affects overtime. Ms. Holden-Kelly asked Chief Roy if the training is in jeopardy due to shortage of funds and could it also affect the department's accreditation that they worked so hard to obtain. Chief Roy stated that since some officers have used all their sick/vacation time and one was suspended for three months these salary funds are being used for the current high amount of overtime. Chief Roy stated that he is concerned that he might have to deficit expend funds to get by. Mr. Carron stated he should request a funding place holder from our committee's reserve fund account so that if he needed the funds they will be available for that purpose.

Mr. Weil then addressed the committee asking if anyone had any additional questions concerning the rolling of the incentive and longevity pay into the salary line item for the Chief, Deputy, and Police Lieutenant. Mr. Carron stated that this has been discussed over the years to have the longevity and incentive items rolled into the salary when renewing



## FINANCE COMMITTEE MINUTES

---

the contracts so that the salary is then capped. The onus is then put on the employee to show that their position does require an increase over and above a standard rate increase. Mr. Fuller stated this is currently being negotiated in the renewal of the special contracts and he is not sure if it has been approved but will know shortly.

Mr. Weil mentioned that the highway detail budget was transferred to the Police Department budget. He could not find any dollar entry in the Highway budget 421 line item 513800 from the previous years. Ms. Holden-Kelly said they will bring that up when they interview Mr. Mark Budnick from the Highway Department next week.

Mr. Weil stated that telephone expense line 534100 shows an increase of 23% in the amount of \$2,750. Chief Roy stated that this is due to an increase of additional equipment and maintenance costs.

Mr. Weil mentioned that the Police Building budget 211 Capital Replace Equipment had no funds allocated for FY13 and asked Chief Roy if that was because he is waiting for the results of the Town Facility Review report due within the next week or so. Chief Roy said it was but explained he currently has money set aside from the 2012 budget and some funds left over from a previous building project that should cover the expense of replacing the leaking flat roof at the rear of the building. He has received proposals that range from \$9,000 to about \$20,000. Chief Roy asked Mr. Ron Collins to assist in writing up a scope of work so they can put it out to bid and hopefully get this project done by the summer.

Mr. Weil then asked the committee if they had any additional questions concerning the Police Department budget. Mr. Carron spoke about the report that Chief Roy supplied showing the staffing count in 1989 at fourteen officers and currently there are eleven officers. Chief Roy said the fourteen count included the animal control officer, court officer and detectives. So in reality in 1989 there were only eleven patrol officers. Mr. Carron asked about the decrease of summer specials and how that affected this past summer. Chief Roy stated he is not fond of having police specials since they require a lot of training before they are eligible to be a special officer which is very expensive. Mr. Carron also mentioned the clerical position being reduced from a full time to a part time secretary helping to control the budget. He wondered if the accreditation creates a lot of paperwork and can the part time secretary handle the workload. Chief Roy will be monitoring this over the next year and will take further action if this does not work. Ms. Holden-Kelly told Chief Roy if anything seems to threaten maintaining the accreditation to please let the Finance Committee know so we can support any funding that is deemed necessary to maintain the accreditation status. Mr. Hodgson stated he fears that the budget has been so tight over the years and asked what the department averages each year with staffing. Chief Roy stated that he would love having a full staff throughout the year. He currently averages about nineteen out of twenty one per year making it very difficult to control overtime and scheduling. Adding one additional officer would make a major



## FINANCE COMMITTEE MINUTES

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impact. Mr. Sigel asked about having a person in training to be called and the Chief stated that is not the way it works. As an example he was just notified a few days ago his sergeant is going to retire effective in April due to health reasons. He now can start the interview process to find a replacement. When a tentative new officer is picked they then have to schedule that person into the academy for training and certification before they can be put on the street for additional training, all of which takes a lot of time. Also, since there will be an unfunded buyout for the retiring sergeant due to unused sick and vacation time he will have to delay hiring a new officer until the sergeant is fully paid out. On the average when hiring a new officer it takes about nine to twelve months before the new officer is working the street. Another issue is that his department is losing a very experienced officer and it will take a long time to replace that knowledge.

Ms. Holden-Kelly asked about how the disability program works especially with long term disabilities. Chief Roy stated it is mandated by the state so there is no leeway. Also he cannot bring an officer back on duty until they are fully recuperated as taking them back under a light duty schedule is not allowed.

Mr. Weil then opened a discussion concerning the fuel budget in which he stated that there is no price fixed contract and the FY13 budget shows \$3.25 per gallon for unleaded gas. This might leave the town open for a shortage of funds if the fuel costs rise over the next year which, once again, seems to be what might occur. Chief Roy stated that the fuel consumption for both the gas and diesel fuel has been steady and the current budget has \$2.60 for unleaded fuel. Therefore the budget was increased based on the current outlook.

Ms. Holden-Kelly thanked Chief Roy and Deputy MacDonald for their time and also for the well written report that he supplied the committee. Chief Roy stated that he is working on a five year plan and requested input from his staff. He is currently looking into bringing Tasers to the department and is looking into the costs and training issues to develop accurate budget costs. Orleans is one of the few police departments on the Cape that does not have Tasers. He has been very cautious as there were a lot of issues in accepting new technology. Now that the Taser program has been improved he feels more comfortable in bringing that technology to his department.

### **Review of Handouts**     *72:27 on Video Tape*

Ms. Holden-Kelly supplied the latest update from Mr. David Withrow for the FY13 Operating Budget and Financial Plans. Also a letter to the Orleans Citizens from the Finance Committee was handed out inviting them to attend the public hearing scheduled on Feb. 15<sup>th</sup> at 7:30PM in the Nauset Room of the Orleans Town Hall concerning the Capital Improvement Plan for fiscal years 2014 through 2018. Ms. Holden-Kelly supplied a cost estimate to have secretary services for taking and transcribing minutes of



## FINANCE COMMITTEE MINUTES

---

the Finance Committee meetings for the period of January through March of 2013. At the Board of Selectmen's meeting held on Feb. 8<sup>th</sup> items discussed were the Community Preservation Committee FY13 Project Applications and Preliminary Recommendations, Park and Beaches Department estimated costs to replace the Skaket Beach Snack Bar and build a new Nauset Beach Pavilion, and an overview of the issues with the former Gavigan Cottages and Hubler Motel and Office building property.

### **Approval of Minutes 77:30 on Video Tape**

**On a motion made by Mr. Carron, seconded by Mr. Hodgson, the minutes of the January 26th Finance Committee meeting was approved 4-0-2 with Mr. Weil and Mr. Hayward abstaining.**

### **Review of Upcoming Meetings: 78:42 on Video Tape**

Ms. Holden-Kelly stated that the Finance budget review meeting with Mr. Budnick was changed to Feb. 16<sup>th</sup> and Chief Quinn to March 1<sup>st</sup>. The joint meeting with the BOS and FINCOM to review the school budget will be held on Feb. 29<sup>th</sup> at about 7:30PM. Also, as a reminder, a public hearing with the BOS and FINCOM is scheduled on Feb. 15<sup>th</sup> at 7:30PM in the Nauset Room of the Orleans Town Hall concerning the Capital Improvement Plan for fiscal years 2014 through 2018. A meeting notice letter will be handed out at the Town Transfer station.

### **Budget Reviews 81:20 on Video Tape**

Ms. Holden-Kelly reviewed the Council on Aging (COA) 541 FY13 budget and stated as per Ms. Myra Suchenicz that the town had advertised for a new COA director, received thirty two qualified applicants and hope to make a decision by March. The town contracted their accounting firm to do a two day best practices audit to be completed by early March. The figures supplied should be considered as a placeholder since we should wait for the audit to be completed and the new director to review the budget. It seems the grant funds are in line, the COA Friends group is very active, donations are going well, and the day center operation is doing well. The salary for the new director will be \$10,000 less than the previous director's salary and the COA van that was totaled in an accident last year has been replaced from the RTA at no cost. Mr. Sigel asked if the grant funds have been reduced since the absence of a COA director and Ms. Holden-Kelly said it appears that is not the case as there is quite a bit of support which keeps the operation on track. However grant funds have been harder to find due to the economy.

Ms. Holden-Kelly reviewed the Snow Library (610) budget and asked about the usage of the library. She was supplied a schedule for the month of October, 2011 which shows all the programs and the daily people count. One item that Ms. Holden-Kelly was concerned



## FINANCE COMMITTEE MINUTES

---

about is the \$2,750 for books and materials to comply with the municipal appropriations requirement for libraries. To meet the state certification each year to be eligible for state aid and participate in the CLAMS program the town must fund the library at least 2.5% above the average preceding budgeted amounts for the past three years. Ms. Mary Reuland, director of the library, said they are awaiting the town facility report which is due out shortly to use for future maintenance planning of the building. Another item is the growth of electrical outlets needed for the new technology. The library has a public training program to learn how to use e-readers and PC's. They also host twenty to thirty middle school children per day who come on their own for a place to use the PC's and just be together which seems to be working out. Another item is the hours of operation. They are looking at opening earlier, at 9AM instead of 10AM, with the help of the volunteers.

### **Other Business: 100.35 on Video Tape**

Ms. Holden-Kelly opened a discussion concerning having a secretary take and transcribe the minutes for the Finance Committee during the busy budget season from January to March of 2013, at an estimated cost of \$951.60. **Mr. Carron made a motion for the committee to approve the funding of \$951.60 to engage secretarial services for the period of January 1<sup>st</sup> to March 31<sup>st</sup>, 2013 and was seconded by Mr. Hodgson. Mr. Hayward asked to amend the motion to include the wording that the funding is not to exceed \$960 which Mr. Hodgson approved and the amended motion was approved 6-0-0.**

Ms. Holden-Kelly opened a discussion of the Massachusetts Attorney General's regulations authorizing and establishing procedures and restrictions to govern municipalities' adoption of the practice of permitting remote participation in meetings. Ms. Holden-Kelly read parts of the regulations which can found in full detail at <http://www.mass.gov/ago/government-resources/open-meeting-law/940-cmr-2900.html#Advisory>. The Attorney General requires that the BOS need to approve having a remote capability for the town meetings before it can be established. **Mr. Carron made a motion to accept the letter written by Ms. Holden-Kelly dated February 10, 2012 advising the BOS that FINCOM supports the adoption of remote participation in the Town Board and Committee meetings pursuant to the Massachusetts Attorney General's Advisory Opinion 940 CMR 29.00, seconded by Mr. Sigel and approved 5-1-0. Mr. Hayward said since he has not read the Attorney General's opinion he could not vote affirmative on this matter.**

Mr. Sigel discussed the issue with the unemployment regulations especially concerning seasonal workers such as our town lifeguards. Mr. Sigel stated if a seasonal employee signs a letter agreeing that they are not eligible for unemployment benefits it can save the town unemployment insurance costs. There are two items in the regulation which include



## FINANCE COMMITTEE MINUTES

---

a sixteen week requirement and/or \$1,500 in earned income. Mr. Sigel said he feels a study should be done to review the regulations and see what this might save the town in unemployment expenses. Mr. Fuller stated that the committee should check with Mr. David Withrow to see if there are any municipality regulations that the private sector is not held too.

### **Boards, Committee and Department Reports: 132.37 on Video Tape**

Ms. Holden-Kelly and Mr. Weil attended the special BOS FY13 budget review meeting with Chief Bill Quinn on February 7<sup>th</sup>. FINCOM will be meeting with Chief Quinn on Thursday March 1<sup>st</sup> at their regular meeting to discuss the fire department's FY13 budget. The BOS also started reviewing other budget line items and the topic of FINCOM's talk of having secretarial services for some of their meetings was discussed with Ms. Holden-Kelly giving a quick briefing concerning this issue.

Ms. Holden-Kelly attended the past three BOS meetings and stated the BOS approved to contribute \$25,000 towards the acquisition of Rock Harbor Village for the preservation and affordability restrictions for the next forty years. At the most recent meeting held on February 8<sup>th</sup> the BOS discussed the seasonal staff housing issues. They reviewed the concession contract for the snack bar at Nauset Beach, building a new pavilion at Nauset Beach and the replacement of the Skaket Beach snack bar. They also discussed the Eldrege Park Band Shell and club house. The BOS supported looking into replacing the bathrooms and have a club like facility which includes office space and locker rooms. They did not support replacing the band shell due to its limited use. Another issue discussed was concerning the drainage issues at the ball field. Next was a lengthy discussion concerning the seasonal staff housing issues. The former Gavigan cottages are not up to title five septic rules and, due to the condition of the cottages, are not worth repairing and should be demolished. The former Hubler motel and office building can be renovated. They could use some of the newly replaced windows from the Gavigan cottages for the renovation project saving material costs. The BOS would like to use the office building and the first floor of the motel unit for seasonal housing and reauthorize the use of available 53 1/3 revolving account funds in the amount of \$14,000 established for seasonal housing at Gavigan's cottages for use at the Hubler motel. Ms. Holden-Kelly asked Mr. Sigel to setup a tour of the properties for the committee members.

Mr. Carron reported that at last week's meeting of the Community Preservation Conservation Committee they came up with preliminary recommendations for seven projects. The Orleans Affordable Housing Trust fund request for \$70,000 was reduced to \$40,000, the Namskaket Road Community Housing/Open Space/Historic Preservation request from Habitat for Humanity in the amount of \$615,000 was recommended, the Archival Preservation III for continued funding for the glass plates and lantern program in the amount of \$7,000 was recommended, heating and air conditioning for the Federated Church of Orleans in the amount of \$121,000 was rejected since this is not a



## FINANCE COMMITTEE MINUTES

---

preservation issue, the Odd Fellows Hall restoration Phase V in the amount of \$96,762 for a new commercial kitchen was not recommended since they only approve bringing the building up to code compliance issues, the Fleck Property on Twinings Pond Acquisition II in the amount of \$120,000 was reduced to \$60,000 as a minimum, and the Nauset Beach Access Plan in the amount of \$4,500 was not recommended since the committee feels it does not fit the legal criteria for CPA funding.

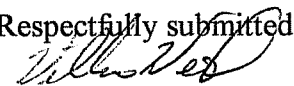
### **New Business:** 164:01 *on Video Tape*

Ms. Holden-Kelly gave another reminder to the committee to attend the CIP meeting scheduled on February 15<sup>th</sup> and be on time. Ms. Holden-Kelly will schedule a discussion of the CIP at our next meeting. Also, Ms. Holden-Kelly requested that Mr. Hayward review the Nauset Regional budget and discuss it at our meeting on February 23<sup>rd</sup>.

### **Adjournment:** 167:12 *on Video Tape*

**There being no further business before the committee the meeting was adjourned at 9:48 p.m.**

Respectfully submitted



William Weil

Secretary

### **Next Meeting:**

*Special Joint FINCOM/BOS CIP Wednesday February 15, 2012 at 7:30PM in the Nauset Room at the Town Office Building.*

*Regular FINCOM February 16, 2012 at 7:00 pm in the Nauset Room at the Town Office Building.*