

Westborough Advisory Finance Committee
Minutes of Meeting No. 6, FY2011
September 27, 2010

Approved
November 1, 2010

Members Present: John E. Arnold, Chair, Brigitte Casemyr, Peter Allen, Bill Linnane, Jo Lown, Ian Johnson, Kevin Cronin, Jim Tepper. Absent: None.

At 7:00 p.m. Mr. Arnold called the meeting to order in the Selectmen's Meeting Room.

Call to Order/Open Forum

There were in-person requests to address the Committee. At the request of Chris Egan, of Carruth Capital, Mr. Arnold read into the public record a letter outlining Mr. Egan's objections to the adoption of the Stretch Energy Code. The letter reiterated Mr. Egan's remarks from the September 20th meeting.

Approval of Minutes

Meeting No. 04, September 20, 2010

Mr. Johnson requested a correction: under "Comments and Concerns," it should read, "Mr. Arnold noted that Ms. Lown will start on the financial recap sheet." Ms. Casemyr moved to accept the minutes as amended. The vote to approve the minutes is 7 in favor, 1 abstention (Lown), with 8 being present.

Meeting No. 05, September 23, 2010

Deferred until the next meeting.

Review Warrant Articles – Special Town Meeting

7:10 – Town Moderator: Joe Harrington

Article 9 – Town Meeting Quorum Bylaw

Joe Harrington, Town Moderator, appeared before the Committee to present this article. He explained that the purpose of Article 9 is to allow Town Meeting to start on time. At present, a quorum of 100 must be reached before Town Meeting can begin, and before any action can be taken. Article 9 would make the quorum 0 for the Annual Town Meeting and Special Town Meeting, and reduce the quorum from 100 to 50 for any other town meetings. Mr. Harrington added that in 2007, 26 minutes were spent waiting for a quorum; in 2008, 10 minutes; in 2009, 29 minutes, and this past May, nearly an hour. Westborough would not be the first community to take this action, and many communities report improved attendance after making this change. Mr. Harrington felt the time wasted waiting for quorum was unfair to those Town residents who arrived on time.

There was some discussion by the Committee as to whether it was necessary to reduce the quorum to 0 to remedy the situation, and whether reducing the quorum to 25 or 50 would work as well. After some discussion regarding the wording of the bylaw Mr. Harrington agreed to supply "before" and "after" language based on what he believes is the correct language for the current bylaw so voters can compare the current bylaw with the proposed changes, for clarification. Mr. Arnold is to work with Mr. Harrington to make sure the AFC booklet clearly shows the bylaw changes, and what the Committee's recommendation is.

Mr. Harrington said he would be discussing Article 8 with the Board of Selectmen tomorrow. He offered two observations: first, the first Tuesday in March is Super Tuesday, so every four years the date which is proposed for the Town elections will coincide with the Presidential Primaries; and second, if April is substituted for March, in 6 years out of 7 the Saturday of Town Meeting will fall on the first Saturday of school vacation.

Deliberation and Voting on Recommendations of Special Town Meeting Warrant Articles

Article 1. FY2011 Debt Service Amendments. Mr. Johnson moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 2. FY2011 Library Budget Transfer. Mr. Johnson moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 3. South St. Water Line Increase in Debt Authorization. Ms. Casemyr questioned the propriety of using Chapter 90 funds to complete this project, and since the South St. construction must be completed, whether the DPW should cancel those projects that were originally planned using these Chapter 90 funds. She added that without being able to see the fiscal impact on residents she would be unable to support this article. Ms. Lown supported the South St. upgrade but questioned the need to expend extra money for granite curbing. Mr. Johnson noted that the Town had voted unanimously in favor of doing this work, and though it had unfortunately been approved using an incorrect, low estimate which has, for now, required the use of Chapter 90 funds, it was appropriate to bring this before Town Meeting. He felt that the use of granite curbing was appropriate on main roads, as the DPW had explained that asphalt curb needs to be constantly replaced due to snowplow damage. Mr. Linnane also felt that the granite curbing would prevent water run-off and was a better option. He also noted that the Committee should be kept better informed as to what is Chapter 90 and what is part of Water Capital Expenditure.

Ms. Lown suggested deferring the vote and visiting the South St. work site to re-assess the need for granite curbing. Mr. Linnane pointed out that removing the granite curbing from the bid at this point would not guarantee the Town significant savings. Mr. Johnson felt the plan had been for downtown areas to have granite curbs, with outlying neighborhoods having granite intersections only. He added that John Walden and Carl Baldof have learned from this mistake, and are determined not to come to Town Meeting again without a bid in hand.

The Committee agreed to defer the vote until Thursday's meeting. Mr. Arnold noted that the DPW has explained that if this article is defeated, the project will proceed using Chapter 90 money, and other work planned for the Chapter 90 funds will not be able to be done at this time. Ms. Casemyr will ask the DPW to provide the expected impact on water ratepayers.

Article 4. DPW Facility Energy Improvements. Mr. Johnson moved to recommend the Town vote to transfer the sum of \$30,000 from General Fund Free Cash for the purposes of this article. Ms. Lown was pleased with the expected 6-year payback, but noted that the Committee liaison to the DPW should monitor whether the reductions in energy costs is realized in future budgets. Mr. Arnold felt these improvements should have been included in the Capital Expenditure Planning process. The vote to approve the article recommendation is 7 in favor, 1 abstention (Cronin), with 8 being present.

Article 5. Facilities Study. Mr. Johnson moved to recommend the Town so vote. Mr. Arnold noted that this would not change the Town employee headcount or benefits. The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 6. General Bylaw (Personnel Board). Mr. Johnson moved to recommend the Town so vote for Part A and Part B. Mr. Johnson noted that the wording in the motion should be changed, from "5-2(e)" to "5-2(d)," and incorporates the comments and feedback received during the May 2010 Annual Town Meeting. After some discussion, Mr. Johnson discarded his motion and Ms. Lown moved that under Part A the Town so vote, and under Part B the Town vote to authorize Selectmen to petition the legislature for special legislation to amend the Town Charter as follows: Section 3-3(d), "Town Moderator

Appointments,” to delete the words “all members of the Personnel Board,” and in Section 5-2(d), “Appointed Key Personnel: Appointed Town Employees,” to add “Personnel Board to the list of Town Manager appointments made with the concurrence of the Board of Selectmen.” The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 7. Charter Amendment. Mr. Johnson moved to recommend the Town vote to amend the Charter of the Town of Westborough by adding a new Section 4-2(17) as follows: “The Town Manager shall have the authority to sign payroll and accounts payable warrants concerning the everyday operation of the Town in accordance with the provision of section 56 of chapter 41 of the General Laws,” and to otherwise approve the article as printed in the warrant. The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 8. Timing of Town Meeting. Ms. Lown preferred to defer this vote, in order to see what comes of the discussion at the Board of Selectmen meeting scheduled for tomorrow. Mr. Harrington will report back to the Committee after that meeting.

Article 9. Town Meeting Quorum Bylaw. Ms. Lown felt this article should be considered in tandem with Article 8, and asked that it also be deferred. Mr. Allen noted that he intends to make an amendment, suggesting the quorum be 25 for the Annual and Special Town Meeting.

Article 10. Water Use Restriction Bylaw. Ms. Casemyr moved to recommend the Town pass over this article since the proponent understands that, as written, it would not have the desired effect. The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 11. Municipal Relief Act. Mr. Johnson moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 8 in favor with 8 being present.

Article 12. Stretch Energy Code. Ms. Casemyr moved to recommend the Town vote to defeat this article. Mr. Allen noted that 46 other towns had already passed this code, and added that builders would only build what costs less, leaving homebuyers unable to request energy efficient options—he would support this article. Mr. Linnane felt the issue had not been thoroughly investigated, and that the models of energy savings were misleading. He would prefer to wait for the Massachusetts General Building Code—he will vote against. Ms. Lown felt the code would cause hardship for residents trying to make improvements to their homes and won’t support it at this time. Mr. Cronin felt it would benefit all residents in the long run. Mr. Tepper was not in favor of increased cost without a demonstrated return. The vote to approve the defeat of this article is 6 in favor, 2 opposed (Allen, Cronin), with 8 being present.

Article 13. Veterans Freedom Park Signage. Mr. Johnson moved to recommend the Town vote to transfer \$5,000 from General Fund Free Cash for the purposes of this article. Mr. Linnane supports veterans but felt this could be funded from private donations. Mr. Tepper will check on whether there are other monies set aside for signage. Mr. Johnson noted that in any case the article would allow for other sources of funding. The vote to approve the article recommendation is 7 in favor, 1 opposed (Linnane), with 8 being present.

Article 14. Water Conduit Exemption Application. Mr. Johnson moved to recommend the Town vote to transfer funds in the amount of \$10,000 from Water Fund Retained Earnings for the purposes of this article. After questions from the Committee arose about confirming some of the assumptions in terms of total cost and payback, Mr. Johnson withdrew the motion and no action was taken. Ms. Casemyr is to find out what the total cost of this project is going to be. She will also check with Mr. Malloy to confirm if the

2-year payback mentioned in the Town Manager's Summary is correct. The vote is deferred until Thursday.

Article 15. Stabilization Fund. Mr. Johnson moved to recommend the Town Raise and Appropriate the sum of \$50,000 for the purposes of this article. Mr. Johnson has long been a proponent of this and felt that this is a good first step. Ms. Lown questioned whether this could be a transfer rather than a raise and appropriate, causing less of a burden on the taxpayer. She will confirm with Leah Talbot (Town Accountant) the free cash currently available. Vote deferred until Thursday.

Mr. Harrington informed the Committee that Article 3 and Article 15 were the only two which required a 2/3 vote. Mr. Arnold noted that voting was deferred on Articles 3, 8, 9, 14, and 15.

Preparation for Special Town Meeting

Discuss preparation of Town Meeting booklet

Mr. Arnold reviewed the Town Meeting booklet. Committee members are to email to him any items to be included in the Letter to Voters. Ms. Lown reviewed the recap sheet—an update will be available on Thursday. She will prepare spreadsheets for both Stabilization Fund scenarios, raise & appropriate, and free cash.

AFC Survey Project

Ms. Casemyr presented the final survey for Committee approval. Committee members should test the survey soon, before the data is cleared out. Ms. Casemyr took advantage of a special offer and was able to have 1,000 cards printed at a cost of \$59.99, with free shipping. The Chair of Arts in Common agreed to distribute the cards; they will also be handed out at Hazardous Waste Day. Ms. Lown moved to reduce the amount authorized to spend on the cards from \$82 to \$59.99. The vote to approve reducing the amount was 7 in favor, 1 opposed (Johnson), with 8 being present.

Chair and Committee Liaison Reports

Mr. Arnold reminded the Committee of the upcoming Association of Town Finance Committees meeting. Payment must be made by mid-October; therefore, members interested in attending should inform him.

Ms. Lown encouraged town residents to attend Arts in Common on October 2nd.

Comments and Concerns of Committee Members

Mr. Linnane encouraged Committee members to keep their eyes and ears open regarding the shifting of monies in town departments. Ms. Lown added that members needed to be pro-active in getting information from departments, and asking for updates.

Adjournment

Ms. Casemyr moved to adjourn the meeting at 9:30 p.m. The motion was approved 8-0, with 8 being present.

Document List

Letter from Mr. Chris Egan, Carruth Capital, 9-27-10.
Draft AFC Report STM, 9-27-2010.
Town Meeting Motions, STM 2010.
AFC Financial Recap Sheet.