

Westborough Advisory Finance Committee
Minutes of Meeting No. 5, FY2013
September 20, 2012

Approved
September 24, 2012

Members Present: Ed Behn, Chair, Peter Allen, John E. Arnold, Lisa Blazejewski, Sharon Kaiser, J. J. Malone, Kathy Rosenblum Senie, Jim Tepper (7:05), Gary Wells. Absent: None.

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

Call to Order/Open Forum

There were no requests to address the Committee.

Approval of Minutes

Meeting No. 4, September 10, 2012

Mr. Allen and Mr. Malone requested corrections to the minutes. Mr. Allen moved to accept the minutes as amended. The vote to approve the minutes is 6 in favor and 3 abstentions (Arnold, Blazejewski, Rosenblum Senie), with 9 being present.

Review of FY2012 Fall STM Warrant

Mr. Behn distributed a revised warrant article summary.

Article 1. Opening Statements. The Committee is waiting for clarification from Town Moderator Joe Harrington. No vote taken.

Article 2. Fire Station. Mr. Behn noted that a proponent of this article will be present at the next AFC meeting to provide clarification. No vote taken.

Article 3. General Fund Debt Service Reduction. Mr. Wells noted that he had spoken with Town Treasurer/Collector Joanne Savignac, who pointed out that this debt is not going away, only being transferred to next year's budget (FY14). Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 4. Insurance Proceeds. Mr. Tepper noted a discrepancy between the article, which contains a specific dollar amount, and Town Manager Jim Malloy's explanation, which says, "full cost of replacement." Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 5. EMD Expenses. Mr. Wells felt that Free Cash should be used for such a small amount. Mr. Behn explained that Raise and Appropriate is typically used for recurring expenses. Mr. Tepper did not agree this was a recurring expense and also felt Free Cash was appropriate. Ms. Blazejewski was also in favor of Free Cash, pointing out that these administrative costs were a one-time expense. Mr. Arnold noted that the article specified Raise and Appropriate, and was not sure a motion to change the source of funding would be allowed. Mr. Allen suggested holding the vote until after the warrant is final. Mr. Behn will notify Mr. Malloy that some Committee members prefer the option to use Free Cash for this article. No vote taken.

Article 6. Assessor's Expenses. Mr. Wells had spoken with Town Assessor Linda Swadel about whether \$20,000 was enough to meet the department's need. Ms. Swadel indicated that this article is a stop-gap measure, and noted that this issue may come up again in FY14 if she is unable to find a suitable replacement; it may also become necessary for the Town to hire an outside firm to complete the work. Mr. Arnold wondered if the department's budget should be lowered by \$20,000 to offset this request, and Mr. Behn noted that the funds would come from unexpended FY12 Free Cash. There was some discussion of

when the position might be filled. Mr. Wells moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 7. Forbes Elevator. Mr. Behn explained that a replacement of everything but the cab and shaft, at a cost of \$90,000 (Free Cash), is now envisioned. Ms. Blazejewski and Mr. Tepper would like clarification of why air conditioning is mentioned in this article. Ms. Kaiser noted that the Town was required to keep the elevator functioning. No vote taken.

Article 8. Road Maintenance. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 9. Homeless Busing Reimbursement. Mr. Behn reminded the Committee of Mr. Allen's comment that the school budget be reduced by the amount of state reimbursement. Ms. Rosenblum Senie had spoken with School Committee Chair Ilyse Levine Kanji and Finance and Administration Director Irene Oliver, and noted that the School Department had not budgeted for homeless busing costs, assuming that the state would agree to reimburse this expense. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 10. Fisher Street Water Plant Roof. Mr. Wells had spoken with Mr. Malloy and noted that there is no other cheaper, alternate solution; the roof must be replaced. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 11. Flanders Road Sewer. Mr. Behn explained that according to Mr. Malloy, the original 1986 construction agreement specifies that Hopkinton pay 100% of costs relating to non-common sewer lines, and 52% of costs relating to lines used by both towns. Hopkinton would therefore be responsible for roughly 55% of the expenses of this project. Mr. Arnold felt the article wording was vague and suggested the Committee wait for the motion before voting. No vote taken.

Article 12. Crownridge Sewer Project. Mr. Wells moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 13. Town Water System. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 14. Senior Center Parking Lot Lighting. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is 8 in favor, 1 abstention (Tepper), with 9 being present. Mr. Tepper noted that this article had not been discussed by the Committee, and was not included in the previous copy of the warrant. Mr. Arnold moved to rescind the vote, approved unanimously.

Article 15. Bow Hunting. Mr. Malone would like some clarification as to what is considered public property (does this include land held by the Land Trust, or the Walkup Property?). Mr. Behn will ask Mr. Malloy to provide some clarification. No vote taken.

Mr. Wells noted that the next articles had no budgetary impact, and questioned whether the AFC needed to make recommendations on them to Town Meeting. Mr. Arnold noted that the Committee was an *Advisory* Finance Committee, and was therefore responsible for making recommendations for all articles whether there was a financial impact or not.

Article 15, cont'd. Mr. Arnold would like to know how many residents have asked for permission to do this. Mr. Tepper noted that this article makes it easier to shoot deer, in a move toward reducing the town's

deer population. Mr. Tepper moved to recommend the Town so vote. The vote to approve the article recommendation is 4 in favor, 3 opposed (Allen, Malone, Rosenblum Senie), 2 abstaining (Arnold, Behn), with 9 being present. Mr. Allen felt that Town Counsel Greg Franks could clarify regarding public land definition. Mr. Allen moved to rescind the vote, approved unanimously.

Article 16. Sewer Regulations. Mr. Behn noted the article is retroactive. Mr. Arnold questioned whether the Town would be exempt from any liability, even in cases where the homeowner is not at fault. Mr. Wells pointed out that the article referred to fixtures (sinks, washing machines, etc.) installed below the hydraulic grade line of the existing street sewers, regardless of where the pipe comes into the basement. Mr. Tepper moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 17. Non-Criminal Disposition. Mr. Behn noted this article had been re-drafted with a provision for a written warning. Mr. Arnold would like to know what the appeal process would be if someone felt they were not in violation. Mr. Behn will seek clarification from Mr. Franks. Mr. Tepper pointed out that no mention is made of a time lapse between the first offense and subsequent offenses. Mr. Arnold noted the article included the words “if convicted,” without discussing any process for conviction. Mr. Allen felt the words “first offense per year” might be a worthwhile amendment. No vote taken.

Article 18. Dog Licensing. Mr. Allen moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

[previous Article 19. Photovoltaic Installations]. Mr. Behn noted that this article is not in the latest draft of the warrant. Issues of setbacks and special permits had caused it to be put aside for now.

Article 19. Veterans’ Tax Work-Off Program. Mr. Wells asked if needs testing was intended. There was still no answer to Ms. Kaiser’s question as to whether a resident could apply for both the Senior and Veterans’ work-off programs. Ms. Blazejewski would like to see a copy of the Massachusetts General Law for clarification (Mr. Malone and Mr. Arnold were unable to locate the law). Mr. Tepper noted a new limitation in the article of 10 applicants. No vote taken.

Article 20. Veterans’ Freedom Park Deed Restriction. Mr. Tepper explained that 10 years ago the Rotary Club purchased exercise equipment and had been looking for an appropriate location for it. Ms. Rosenblum Senie was concerned about how the exercise equipment might impact the unspoiled beauty of the park. Mr. Tepper moved to recommend the Town so vote. Mr. Arnold felt the article did not clearly specify how many structures would be allowed, and that a more detailed article could be brought forward at the March Town Meeting. Mr. Malone was concerned about removing the restrictions, and was not sure the plans for a pavilion were in line with the original purpose of the land. Mr. Allen would like to know more of the history of the deed restriction. Mr. Tepper rescinded his motion pending further information. Mr. Arnold felt that if the original restrictions were lifted, crisper language was needed to define what would or would not be allowed on the property. Ms. Rosenblum Senie would like to see the plans for the proposed structures/equipment. Mr. Wells was concerned about liability if someone was injured on the exercise equipment. No vote taken.

Article 21. Town Charter. Mr. Allen moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 22. Summer Street Abandonment. Mr. Malone noted that he had viewed the Planning Board presentation, and felt it was a good idea to renovate the currently seedy property, thereby attracting new business. Mr. Malone moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 23. Fisher Street Easement. Mr. Arnold moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Article 24. Liquor License (Bangkok Thai Restaurant). Mr. Behn explained that this article had been submitted by the Board of Selectmen to replace the improperly submitted Article 25. Mr. Wells moved to recommend the Town so vote. The vote to approve the article recommendation is 8 in favor, 1 abstention (Arnold), with 9 being present.

Article 25. Liquor License (Bangkok Thai Restaurant). The motion will be to pass over this article. Mr. Wells moved to recommend the Town pass over this article. The vote to pass over the article is unanimous, 9 in favor with 9 being present.

Article 26. Liquor License (Bay State Commons). Mr. Allen moved to recommend the Town so vote. The vote to approve the article recommendation is 8 in favor, 1 abstention (Arnold), with 9 being present.

Article 27. Liquor License Override. Mr. Behn wondered if this would end up as a ballot question. Mr. Wells felt a Town Meeting vote would be required once approved by the legislature. Mr. Tepper moved to recommend the Town so vote. The vote to approve the article recommendation is unanimous, 9 in favor with 9 being present.

Chairman, Committee Liaison, and Department Liaison Reports

Mr. Behn had emailed a draft list of the liaison assignments. Mr. Behn will introduce Committee liaisons to department heads within the next few days. He also distributed an outline of liaison responsibilities. Mr. Malone suggested that Mr. Wells also be liaison for Water & Sewer Enterprise and Wastewater Treatment Plant, as well as DPW, as they are closely linked. Mr. Behn moved to appoint Mr. Arnold as Legislative Liaison for FY13. Appointment is unanimously approved.

Comments and Concerns of Committee Members

Mr. Tepper asked about the handouts from Explorer Post 85. Mr. Behn had distributed an Explorer Post information packet. Mr. Allen had attended the Municipal Building Committee meeting, and noted that the Post is specifically looking for a 3-year lease with two 1-year renewal options. This is within the Board of Selectmen purview, so no Town Meeting approval is required.

Mr. Arnold thanked the resident who asked that Committee members speak into their microphones.

Mr. Behn noted Mr. Malloy had prepared a memo on the scheduling and budgeting of various building projects.

Adjournment

Mr. Arnold moved to adjourn the meeting at 9:15 p.m. Vote to adjourn was 9 in favor, with 9 being present.

Document List

AFC Liaison Assignments.
Budget Schedule FY14.
Debt Management Memo.
Fall 2012 TM Warrant.
2012 STM Warrant Article Summary.
Liaison Responsibilities.