

Advisory Finance Committee
Minutes of Meeting
30 September 2013

Approved:
October 10, 2013

Location: Room 23, Forbes Building

Members present:

Ed Behn, Chair
Kathy Rosenblum Senie
Gary Wells
Peter Allen
John Arnold
Hank Rauch
Lisa Blazejewski
Sharon Kaiser

Members absent:

Jim Tepper

Others Present:

Nathan Walsh, Board of Health
Paul McNulty, Public Health Director, Board of Health
Priscilla Federici, Board of Health
Jim Malloy, Town Manager
George Barrette, Board of Selectmen
Ian Johnson, Board of Selectmen

Mr. Behn called the meeting to order at 7:00 pm.

Approval of Minutes

Mr. Wells made a motion to approve the minutes of 9-23-13 –VOTED: 6-0-2 (abstentions: Allen, Arnold).

Review of Fall 2013 Special Town Meeting Warrant

Article 10 – Mr. McNulty, Ms. Federici, and Mr. Walsh met with the committee to discuss the portion of Article 10 that requests the hiring of a part-time Health Inspector. They indicated the need for additional help with regard to the inspection of food establishments. Per state code they should be inspecting food establishments, including churches and schools, more frequently. The last time the Board of Health asked for an employee to be added to the department was 24 years ago. In the past 24 years there's been a lot of economic development, restaurants added, and companies with in-house cafeterias. The BOH indicated they have been "losing ground" for a number of years. Mr. McNulty didn't ask a few years back because of the recession and companies going out of business. He thought restaurants may go out of business but that didn't happen. Now that the economy is better and food establishments continue to open, Mr. McNulty felt it was a good time to ask for help. Mr. Walsh pointed out that grocery stores have gone from small "Mom & Pop" stores to super-sized grocery stores with sushi bars. Ms. Federici mentioned that Westborough has been known as having a tough board of health, and they don't want to see quality slip and someone getting sick. The AFC asked if 16 hours a week was enough or should it be more? Is this a stop gap move to the annual town meeting next year? Mr. McNulty thinks a part time employee for now is enough but, if more restaurants move in or state regulations change, then he may need someone with more hours. The BOH is starting to have a backlog and the part-time employee would work towards bringing inspections more current. AFC asked if we could be looking at a full time employee by the next Town Meeting? Mr. McNulty said he didn't think that would happen for a few years. Right now the BOH is made up of Mr. McNulty (Director), a full time Health Inspector, a full time Sanitarian, and a full time Administrative Assistant. The Personnel Board put in for 19 hours, but the BOH is only looking for

funding for 16 hours/week. If the BOH needs to increase the part-time employee 3 hours more per week, they can do that without having to go through the Personnel Board. Mr. McNulty pointed out that the longer you let a food establishment go without being inspected, then the longer it deteriorates if they are not following code. Also, the location may need extensive renovations if they haven't kept up with the building. Ms. Federici brought up that the BOH is now dealing with food allergies and new rules and regulations governing the handling of food. And Mr. Walsh mentioned that food establishments can change hands and/or managers frequently, since the food industry has a high turnover for employees. New employees sometimes don't understand how to run a food establishment properly. Mr. Allen felt there was a strong case for an addition to the BOH and asked if the Town Manager was in support of adding this position? Since Mr. Malloy was in attendance, he said he was in support of adding a part-time inspector. Mr. Malloy said that initially he questioned it, so he asked for staffing data from other communities. He looked at the town of Burlington since they had a similar number of restaurants (284 vs 281). Jim spoke with the town of Burlington, along with Mr. McNulty and his staff and, in addition to inspecting, you need to write up reports, check plans, and make phone calls. Mr. Malloy felt that a part time person was sufficient and warranted for years to come. The part-time inspector's salary would account for approximately \$10,500 for the remainder of this fiscal year and would be about \$15,000-\$16,000 annually if this position is added. Mr. Behn pointed out the convenience of ready-made dinners and meals, along with the increase of restaurants in town, and mentioned the importance of the health inspections.

Mr. Malloy then met with the AFC to discuss questions remaining on other articles. Mr. Johnson and Mr. Barrette from the Board of Selectmen were also in attendance.

Article 2:

TIF for Cumberland Farms – the AFC had requested data from previous TIF's (eClinical, Dana Films and Micro Chem). Mr. Malloy said that eClinical is a huge success. Currently eClinical has about 850 employees and they are already looking at a new location within Westborough since they now have more employees than they thought or expected. Dana Films and Micro Chem are still too new to determine.

Article 10:

Adjust General, Water and Sewer Fund FY 2014 – Members of the AFC expressed concern that this article rolled personnel issues, along with debt issues, in to one article. Mr. Malloy said that voters will have an opportunity to vote by line item – people can make a motion on a line item and vote whether it passes or fails. Initially it was thought that this was a one shot article and needed to be voted as a whole on whether it passed or failed. Mr. Malloy said that was not so and that voters can treat the line items individually. Mr. Allen suggested that the AFC vote and discuss that way as well. Mr. Behn said he has it broken out that way for Fin Com voting and mentioned that amendments and reductions will be allowed, but increases will not be allowed.

Article 11:

Amend Classification Plan – Regarding the Council on Aging, Mr. Malloy said that there was a change to the title and it will now read "Volunteer Coordinator". After tomorrow, 10/1, Mr. Malloy will have a final copy.

Article 14:

Sandra Pond Watershed Maintenance - Members of the AFC questioned whether this article needed to combine a watershed maintenance project on land abutting Sandra Pond with timber harvesting on the Conservation owned parcels of land on Bowman Street. Ms. Rosenblum Senie took issue with timber harvesting and trees funding a public works project and she mentioned she would like to see the two parcels that are managed by the Conservation Commission taken out of the article and only DPW managed land worked on. Mr. Malloy was asked when timber harvesting is typically done and he said in the winter months and that storm drainage maintenance is usually done in August

when the water level is lowest. It was mentioned that this article will be discussed at tomorrow night's Selectmen's Meeting. Mr. Johnson invited Ms. Rosenblum Senie to speak at open forum. Ms. Rosenblum Senie felt the article should either be deferred, or only consider water shed and storm maintenance at Sandra Pond and not include timber harvesting on Conservation Commission managed land.

Article 16:

Council on Aging Revolving Fund – Discussion regarding this article took place with Mr. Malloy and Mr. Barrette. Since the purpose of this fund is to receive and expend funds for program costs for seniors, it was decided that the clause “and providing assistance to seniors” at the end of the first sentence in this article be removed. Mr. Malloy gave the example that someone could make a \$1,000 donation for a Tai Chi class that would be free to seniors. This revolving fund would be treated as a gift fund and would be administered by the Town Accountant. No cash would flow through the Senior Center at Rogers Road, but instead would go directly to the Town Accountant's office. The second sentence beginning with “Receipts from program fees and donations...” will change, along with the language in the Town Manager's Statement, and the word “donation” will be removed since there are other funds that accept donations for seniors.

Article 17:

Paving the Senior Center Parking Lot - Mr. Wells had asked Mr. Malloy about an old article (Article 10, FY 2012) that still had approximately \$16,000 in funds available for paving the Senior Center parking lot. Mr. Malloy responded that there are funds available but there is still work left to do on Article 10 of FY '12. Topcoat on the entire parking lot still needs to be done and some curbing needs to be finished. Mr. Wells mentioned a light fixture lying on the ground in the parking lot – in the back of new expansion area – and that it still had plastic wrap on it. Mr. Barrette mentioned that there may have been a delay in installing that particular light since the DPW was working on a detention basin in that area, but he will double check with Frank Cornine in Buildings Maintenance.

Article 30:

The AFC asked Mr. Malloy if they could get a map of the changes proposed to the Country Club and he said he would get a map to the committee. Mr. Allen asked if the Town had received any complaints or comments from abutters. Mr. Malloy said he didn't think they'd get any since there's enough space in between the Country Club – specifically the putting greens – and the neighboring properties. Years ago when there was a proposed change to the look of the Country Club ('94-'95), it was very controversial. Mr. Malloy said it was because they were going to tear it down and change the whole style of the Country Club – that isn't happening in this article.

Discussion then turned to Articles 3 through 7 – Acquisition of the State Hospital Land:

Article 3:

Debt Authorization – this is more of a “letter of intent” type of document. If approved, a purchase agreement will be drawn up, but this letter of intent will be brought to the Town Meeting. Mr. Allen questioned the purchase price of \$2,200,000, or the actual sunk cost expenditures. Mr. Malloy said that the \$2,200,000 is a firm price but it could go down based on when we close. The state currently spends \$350,000 to \$360,000 a year maintaining the State Hospital land – mostly on security. The \$2,200,000 fee is a “not to exceed” amount and can go down but not up unless the Town re-approves. If the sale goes beyond December 31, 2014 we'll have to go back to Town Meeting for approval and costs may change.

Article 4:

Special Legislation Authorization for the Acquisition of the former State Hospital land – the Town requests special legislature authorizing the state to sell the land to us as agreed. The Town has to request the sale of the land from the state.

Article 5:

Westborough State Hospital Disposition (Board of Selectmen) – If approved, this article would give authorization to the Board of Selectmen to sell off portions of the State Hospital property. It was noted that there have been a lot of questions from the public, during the three public meetings that they've had, about how the town plans on disposing of the State Hospital property and to whom. Mr. Johnson noted that the Board of Selectmen will take in to consideration public input on what they do with the land. Mr. Arnold asked what would happen if the Town wanted to keep all of the land. Mr. Malloy mentioned that the Town would incur expenses on taking down the dilapidated buildings and getting rid of the toxic materials (asbestos) on the site and he has those numbers. Mr. Johnson pointed out that these articles have to do with acquiring the land – not with what the town will do with the land. Right now there can't be a discussion on how land will be used because that is a topic for after the land is purchased. First there needs to be approval on purchasing the land and then get ideas on what to do with it. Mr. Rauch asked what would happen if voters decided to wait until Spring or Fall 2014 Town Meetings. Mr. Malloy said we'd have to renegotiate the price with the State and it could cost more. Ms. Rosenblum Senie understands that once the land is acquired then the Town would look at planning and eventual sale of the property. Ms. Rosenblum Senie thought that if voters are being asked to take on this debt then they are probably thinking of how to pay for it and the development of the land and asked if there were some kind of presentation about the possible uses and whether specific developers have expressed interest. Mr. Johnson said they are not considering residential development and would also like to preserve the soccer fields if they can. Some interested parties in the State Hospital land have been a medical device manufacturer, a shopping mall developer, Pulte Homes for an over 55 community, and a movie production studio. It was also suggested that the Town may want to save a piece of land for a future school and/or as a location for a Community Rec Center. Mr. Behn asked if the Town decided to keep the land is the state requiring the Town to sell any of the land. Mr. Malloy said that was not the understanding and that minimally the State would walk away with the \$2.2 million, but the State would like to see some land developed for job creation. Ms. Blazejewski suggested that it is made clear at the Special Town Meeting that the Board of Selectmen let the voters know what they envision happening with the land, but that first we need to get approval to buy the land, and then future discussion can take place on what to do with the State Hospital land. Mr. Malloy said the intent is to put out proposals and get public input if the purchase of the land is approved. The Board of Selectmen will come up with a proposal, based on requests, and Mr. Malloy will come up with an RFP. Mr. Malloy pointed out that it is necessary to authorize someone up front to be able to dispose of land, since some bids are time sensitive, and it wouldn't make sense to have a Town Meeting for every bid.

Article 6:

Westborough State Hospital Revolving Fund – This article is requesting the establishment of a revolving fund to pay back the State in a timely manner for the resale of portions of the State Hospital land. The question on this article was how does the Town get back excess funds beyond what is owed to the State or at least the \$2.2 million that was spent to purchase the land. One option was, each year when the revolving fund is re-authorized; excess funds can be transferred in to the General Fund. Mr. Malloy felt you could do something like that, however, he looked at it as buying an asset and that the Town will end up with land in exchange, which is very valuable, along with control over what happens to this land, rather than looking at it as "how are we getting our money back". There was some concern that this purchase could be a burden on our tax rates. Mr. Malloy suggested looking at it as an investment. The town is borrowing the money to purchase the land at 0% interest and could set aside a parcel of land for a future school or Rec Center instead of having to purchase land in the future for those buildings and borrowing with interest, plus borrowing for construction. It was discussed that it is within the Town's best interest to purchase the land and control it rather than leaving it for the State to dispose of. Mr. Behn pointed out that the revolving fund needs to be reauthorized each year at the annual Town Meeting, so there is some flexibility as to what happens with the excess funds.

Article 7:

Westborough State Hospital Property Maintenance – This article is asking for \$50,000 in funds for the purpose of landscaping, maintenance, and general upkeep of the State Hospital property until it is decided on what the Town will permanently do with the land. Mr. Malloy stated that this amount is basically what the State currently pays less what they spend on security.

Since members of the AFC were still undecided on Article 14, Ms. Rosenblum Senie suggested having Mr. Scott Shumway meet with the committee on Thursday, 10/3, to discuss timber harvesting. Scott is a biology professor at Wheaton College and President of the Westborough Land Trust. He could speak as to whether there is a need for the timber harvesting since he has some background and knowledge on the subject. Members of the AFC felt they weren't prepared to vote without additional information. AFC Admin will follow up with inviting Mr. Shumway to the 10/3 meeting.

Voting on Articles by AFC Members:

Article 1 – Entertain motion for allowing electronic voting mechanisms. Motion by Mr. Wells - move that the committee recommend that the Town so vote Article 1 – voted 7-0-1 (abstention: Arnold).

Article 2 – TIF for Cumberland Farms - Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 2. Voted 8-0-0.

Article 3 – Westborough State Hospital Acquisition - Motion by Mr. Wells – move that the committee recommend that the Town so vote to appropriate \$2,200,000 for the purchase of the State Hospital land. Voted 8-0-0.

Article 4 – Special Legislation Authorization for the Acquisition of the former Westborough State Hospital – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 4. Voted 8-0-0.

Article 5 – Westborough State Hospital Disposition – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 5. Voted 7-0-1 (abstention: Rosenblum Senie).

Article 6 – Westborough State Hospital Revolving Fund – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 6. Voted 8-0-0.

Article 7 – Westborough State Hospital Property Maintenance – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 7. Voted 8-0-0.

Article 8 – Chapter 90 Reduction – Motion by Mr. Wells – move that the committee recommend that the Town vote to reduce the appropriation on Article 7G of the 2013 Annual Town Meeting from \$824,286 to \$797,253. Voted 8-0-0.

Article 9 – Library Space Needs Study – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 9. Voted 8-0-0.

Article 10 – Adjust General, Water and Sewer Fund FY 2014 Budgets - Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 10. Voted 0-8-0. All AFC members voted against Article 10 as written as a whole. It was decided that this article would be voted on by line item. The committee took out line items A, E, J, and L and voted on remaining line items.

10 A – Increase to Assistant Town Manager Salary – no vote.

10 B – Separate position for Administrative Assistant in Selectmen’s office and fund at 40 hours per week (currently at 35 hrs/wk) and hire an Administrative Assistant for the Country Club Operating Committee. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the increase of \$3,550 to Article 10 B. Voted 8-0-0.

10 C – Treasurer/Collector Expense Account – Approval for bank charge for handling the Town’s payroll (\$5,000) and for forms for outsourced bill printing (\$3,000). Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the increase of \$8,000 to Article 10 C. Voted 8-0-0.

10 D – Sick Leave Buy Back planned for this fiscal year. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the increase of \$2,500 to Article 10 D. Voted 8-0-0.

10 E – Public Works – Increase to Assistant DPW Manager’s salary – no vote.

10 F – Building & Grounds Salaries & Wages – contracting out a custodial position would reduce the department’s salaries/wages account. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the decrease of \$28,000 to Article 10 F. Voted 8-0-0.

10 G – Building & Grounds Expense Account – increase to expense account for contracting out a custodial position. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the increase of \$10,000 to Article 10 G. Voted 8-0-0.

10 H – Board of Health Part-time Health Inspector – Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the increase of \$10,524 to Article 10 H. Voted 8-0-0.

10 I – Debt Service – refinanced long term debt on High School and Mill Pond to a lower interest rate and received 0% interest on the Wastewater Treatment Plant project. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the decrease of \$270,000 to Article 10 I. Voted 8-0-0.

10 J – Water Fund – Increase to Assistant DPW Manager’s salary – no vote.

10 K – Water Fund – debt was increased by \$113,000 for permanent bonding costs for South Street water project and Weld/Folly projects. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the increase of \$113,000 to Article 10 K. Voted 8-0-0.

10 L – Sewer Fund – Increase to Assistant DPW Manager’s salary – no vote.

10 M – Sewer Fund – sewer fund debt was reduced by \$6,500 by refinancing at a lower interest rate. Motion by Mr. Wells – move that the committee recommend that the Town so vote to approve the decrease of \$6,500 to Article 10 M. Voted 8-0-0.

Article 11 – Amend Classification Plan – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 11 as amended this evening. Voted 8-0-0.

Article 12 – Wage and Salary Schedule Amendment for Recreation Department – Motion by Mr. Wells – move that the committee recommend that the town so vote Article 12. Voted 8-0-0.

Article 13 – Funds for Easement for the Multi-Use Trail through Westborough. Motion by Mr. Wells – move that the committee recommend that the Town so vote to appropriate \$22,000 for the purpose of Article 13. Voted 8-0-0.

Article 14 – Sandra Pond Watershed Maintenance project – deferred.

Article 15 – FY 2013 prior year bill to Minolta for toner. Motion by Mr. Wells – move that the committee recommend that the Town so vote to appropriate \$150.04 for the purpose of Article 15. Voted 8-0-0.

Article 16 – Council on Aging Revolving Fund – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 16 as amended tonight. Voted 8-0-0.

Article 17 – Paving the Senior Center Parking Lot – Motion by Mr. Wells – move that the committee recommend that the Town so vote to appropriate \$53,343 for the purpose of Article 17. Voted 8-0-0.

Article 18 – Economic Development Committee Revolving Fund – Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 18 as written. Voted – 7-0-1 (abstention: Blazejewski).

Article 19 – Flanders Road Pump Station Generator – Motion by Mr. Wells – move that the committee recommend that the Town transfer the amount of \$12,000 from the sewer appropriation fund for the purpose of Article 19. Voted 8-0-0.

Article 20 – Mixing Valve – Fay Mountain Tank – Motion by Mr. Wells – move that the committee recommend that the Town transfer the amount of \$30,000 from the water fund for the purpose of Article 20. Voted 8-0-0.

Article 21 – Establishment of a special fund for donations to assist seniors or disabled citizens with tax payments. Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 21. Voted 8-0-0.

Article 22 – Amend Zoning Bylaws – Earth Moving Regulations. Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 22. Voted 7-0-1 (abstention: Blazejewski).

Article 23 – Amend Zoning Bylaws – District Regulations. Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 23. Voted 7-0-1 (abstention: Blazejewski).

Article 24 – Amend Zoning Bylaws – General Regulations – Environmental Controls - Motion by Mr. Wells – move that the committee recommend that the Town so vote Article 24. Voted 8-0-0.

Article 25 – Amend Zoning Bylaws – Special Regulations – Flood Plain District. Motion by Mr. Wells – move that the committee recommend that the town so vote Article 25. Voted 8-0-0.

Article 26 – Amend Zoning Bylaws – District Regulations – Use Regulations Schedule. Motion by Mr. Wells – move that the committee recommend that the town so vote Article 26. Voted 7-0-1 (abstention: Blazejewski).

Article 27 – Amend Zoning Bylaws – Definitions. Motion by Mr. Wells – move that the committee recommend that the town so vote Article 27. Voted 7-0-1 (abstention: Blazejewski).

Article 28 & Article 29 – Will make motion from town floor.

Article 30 – Country Club Renovations – waiting on a map from Mr. Malloy – will vote and can always revoke. Motion by Mr. Wells – move that the committee recommend that the town so vote Article 30. Voted 7-0-1 (abstention: Rosenblum Senie).

Article 31 – Addition to back of Town Hall. Motion by Mr. Wells – move that the committee recommend that the town so vote Article 31. Voted 8-0-0.

Chairman Report

Mr. Behn has started putting the book together for voters and expects to have it completed by October 10th. The book is currently at about 32 pages.

Liaison Report

Mr. Arnold mentioned the school committee and the time line for their budget. Any questions from committee members – see John Arnold or Kathy Rosenblum Senie.

Adjournment

Mr. Wells moved to adjourn the meeting at 10:10pm. Motion to adjourn was 8 in favor, with 8 being present.

Respectfully submitted,
Jessica Thomas, Administrative Assistant