

Advisory Finance Committee
Minutes of Meeting
10 October 2013
Meeting 10 of FY 2014

Approved:
November 4, 2013

Location: Room 23, Forbes Building

Members present:

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

Members absent:

Others Present:

Andy Koenigsberg, Chairman - Conservation Commission
Bill Linnane, Town Resident

Mr. Behn called the meeting to order at 7:02 pm.

Open Forum

Andy Koenigsberg, Chairman of the Conservation Commission, was in attendance to discuss Article 14. He informed the committee that the Conservation Commission voted on October 8, 2013 to support the article. Mr. Koenigsberg explained that the main purpose of Article 14 is for the health of the watershed and to allow access to the tributary that runs in to Sandra Pond in the event of a chemical spill. The work that is being proposed around Sandra Pond and on the two parcels of land that are managed by the Conservation Commission has been approved by the DPW. Mr. Koenigsberg said that last December the Conservation Commission spent many hours deliberating over what should be done and what shouldn't be done with regard to tree cutting associated with this project. The Conservation Commission agreed that some tree cutting needed to be done in order to remove dead and diseased trees and invasive Honeysuckle so the DPW can work in the tributary area, reconfigure the channel, and provide adequate access to drainage in the event of an emergency. Mr. Koenigsberg pointed out that the Conservation Commission has project engineers and scientists on the committee that understand the usefulness of this project. He said that the Conservation Commission supported this article and urged the Finance Committee to do the same.

Mr. Allen asked if healthy trees would be cut in order to keep the cost down on the project. Mr. Koenigsberg said that was not the main reason or purpose of the article, but some healthy trees may need to come down in order to get to the dead/diseased trees and to remove the invasive species (primarily Honeysuckle). However most of the healthy trees are marked to remain. Mr. Koenigsberg referred to a map of the area and pointed out drainage areas that the town currently has no access to from the Mass Pike. He explained that the plan is to remove dead/diseased trees so a landing and access road can be put in to gain entry to the Mass Pike drainage system, and also to remove the invasive Honeysuckle that is choking the healthy trees. Once work is done, the DPW can keep the area maintained. Mr. Koenigsberg said that they are beginning to

see the natural species coming back in the area where work was done previously to remove the invasive Honeysuckle. He also mentioned that there's a substantial area of wetlands that will not be touched.

Ms. Rosenblum Senie had concerns about trees being cut to subsidize the cost of the project and referenced a prior meeting where Mr. Saari, Conservation Officer, mentioned that the project would cost more if timber harvesting isn't done. Mr. Koenigsberg said that some tree cutting needs to be done in order to protect the water supply and what the timber harvester does with the trees after they are taken down is out of their control. He pointed out the density of the forest in the Conservation managed land and that it abuts the water supply. The majority of the land will not be subject to work, only about 8-9 acres will be managed to get to drainage areas and to install a landing and access road so some heavy equipment can get in to that area to protect the watershed. Mr. Koenigsberg said that currently the drainage system is in bad shape and is filled with silt and runoff from the highway, which contains contaminants. He also mentioned that there is massive erosion along the channel. The purpose of taking down trees would be to get to the area so they can engineer channels so water flow is better for discharge of water supply (work mandated by DEP) and to get to drainage areas. He also pointed out that the reason the land was purchased was to protect the watershed and not for passive recreation.

Mr. Wells informed the committee that he went to the Selectmen's meeting followed by the Conservation Commission meeting on October 8, 2013 and his understanding was that the cost of the project would be less by doing everything in one trip rather than transporting and mobilizing equipment more than once. If the project was looked at as three different projects – tributary, removal of invasive species (primarily Honeysuckle), and work on Conservation managed land – then it would cost more if the equipment was brought in three different times. By bringing in the equipment once and performing work at the same time, the contractor would be able to take culled timber for whatever he can benefit from and keep the cost of the project down because the work is being bundled together.

Mr. Behn thanked Mr. Koenigsberg for attending the meeting and asked if there were any more questions. Mr. Tepper asked if Mr. Koenigsberg knew the volume of the timber that is marked to come out. Mr. Koenigsberg said he did not have those figures and how it broke out over the three areas, but committee members mentioned they thought they saw it online. Mr. Tepper also asked if - to Mr. Koenigsberg's knowledge - any timber was coming out that was not in order to install the landing or access road or to remove the invasive Honeysuckle and dead/diseased trees. Mr. Koenigsberg said that the majority of the timber that will be removed for the project would be primarily the dead and diseased trees and that the intent is to leave the healthy trees as much as they can, while getting rid of the invasive species. Some selective cutting will be done in order to promote an uneven aged forest and to thin out areas to allow growing of native species. Ms. Blazejewski confirmed with Mr. Koenigsberg that the contractor that will be doing the timber harvesting is still honoring a bid from the end of 2012. Mr. Koenigsberg said he was, and that if the contractor didn't remove the trees then the town would have an additional expense of disposing of the trees.

Mr. Bill Linnane from Smith Street addressed the committee in support of Article 14. He said that, as a town resident, he looks at this project as being very important because it affects the town's water supply. He has a background in construction and he is concerned that – currently – the town has no way to access drainage areas that could contaminate the water supply with hazardous materials or hazardous waste. He referenced the contamination of the Zwicker property on Belknap Street and didn't want something similar happening near the town's water supply.

Approval of Minutes:

There was a motion by Mr. Wells to approve the amended minutes from 9/26/13. VOTED: 7-0-2 (abstain: Blazejewski, Tepper).

There was a motion by Mr. Wells to approve the amended minutes from 9/30/13. VOTED: 8-0-1 (abstain: Tepper).

There was a motion by Mr. Wells to approve the amended minutes from 10/3/13. VOTED: 6-0-3 (abstain: Allen, Behn, Kaiser).

Review of Fall 2013 Special Town Meeting Warrant:

Article 2 – Mr. Wells made a motion that the committee recommend that the Town so vote to approve a Tax Increment Financing Agreement between the Town and Cumberland Farms, Inc., pursuant to MGL Ch.40, & 59, and to confirm the Board of Selectmen's selection of the location of the project as an Economic Opportunity Area ("165 Flanders Road Economic Opportunity Area"), and to authorize the Board of Selectmen to submit an Economic Opportunity Area Application, Tax Increment Financing Plan and TIF Zone, and to work cooperatively with Cumberland Farms, Inc. to submit a Certified Expansion Project Application to the Massachusetts Economic Assistance Coordinating Council all relating to the project as described in the TIF Agreement to be located in the 165 Flanders Road Economic Opportunity Area, and to take such other actions as may be necessary to obtain approval of the Certified Expansion Project Application, the Economic Opportunity Area, the Tax Increment Financing Plan and TIF Zone, and to implement the TIF Agreement. VOTED: 9-0-0.

Article 3 – Mr. Wells made a motion that the committee recommend that the Town so vote to appropriate Two Million Two Hundred Thousand Dollars (\$2,200,000) to pay costs of purchasing a portion of the Westborough State Hospital property, so-called, and to meet this appropriation, the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said amount from the Commonwealth of Massachusetts, under and pursuant to Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority, which borrowing shall be repaid not later than the last day of the tenth fiscal year following the fiscal year in which it is incurred, in ten installments of principal which shall be nearly equal as practicable in the judgment of the Selectmen, and that the Selectmen are authorized to enter in to an agreement with the Commonwealth of Massachusetts to provide that the repayment of the borrowing authorized by this vote be deducted from amounts otherwise payable by the Commonwealth to the Town in each fiscal year, and to execute any other documents that may be necessary in connection with such borrowing. VOTED: 9-0-0.

Article 5 – There was some discussion regarding Article 5. Ms. Rosenblum Senie was not comfortable with giving authority to Selectmen to dispose of parcels of State Hospital land and wanted to amend the article to include "Selectmen may not dispose of land until Town Meeting has voted on a Master Redevelopment Plan". She would like a Master Redevelopment Plan in place that provides a vision of what will be done with various sections of the property. Mr. Rauch brought up zoning and permitting, and there was some question as to what the zoning was for that land. Mr. Tepper felt the land would be zoned town land if approval is given for purchase and agreed with having a master plan in place. Ms. Blazejewski brought up Mr. Malloy's comments where he mentioned that having 7 or 8 Town Meetings to dispose of property might be difficult to coordinate. Also, Mr. Behn brought up Mr. Malloy's comments about time sensitivity when dealing with the sale of the various parcels. Mr. Behn felt that this article is providing the legal framework for the Selectmen to work outside of the Town Meeting process. Mr. Arnold pointed out that this article would give the Selectmen the ability to dispose of the property but it doesn't say for what purpose. Mr. Behn wanted to speak with Town Moderator, Joe Harrington, to see if the article can be amended from the floor of the Town Meeting. Since there was a motion by Ms. Rosenblum

Senie, Mr. Behn felt the committee should vote on it. Ms. Rosenblum Senie's motion called for the following to be included in the article "Board of Selectmen cannot dispose of the Town Hospital Land until after Town Meeting Master Redevelopment Plan is voted on". VOTED: 1-6-2. Mr. Wells made a motion to vote the article as written. VOTED: 7-1-1. Ms. Rosenblum Senie will follow up with Joe Harrington about amending the article, and Mr. Allen will follow up with Town Planner, Jim Robbins, and Lester Hensley of the Planning Board for further clarification on zoning and permitting.

Article 10 – Line Items a, e, j, & l – (Line item a refers to the salary increase for the Assistant Town Manager and line items e, j, & l refer to the salary increase for the Assistant DPW Manager broken out across three areas).

Article 10 line item a – Motion by Mr. Wells that the committee recommend that the Town so vote to increase the Selectmen/Town Manager Salaries/Wages Account by \$10,596 for the purpose of Article 10 line item a. There were questions about why this position wasn't being reclassified, and why the request for the salary increase is coming in as a personal increase and not as a reclassification. Also, the timing of the request was questioned. There was discussion regarding Mr. Malloy's presentation to the committee as to his reasons for requesting the increase now rather than waiting until the Annual Town Meeting in the spring. Mr. Malloy had provided data from other towns within Massachusetts that were demographically similar to Westborough and the salaries for the Assistant Town Manager were higher. He was concerned that if something wasn't done now that he could lose a good employee. Mr. Malloy had mentioned that he is working on a reclassification system. There was discussion that if a reclassification of jobs is coming then the system may need to make some adjustments in the short term and that a salary increase can be done off cycle in order to not lose a good employee. However, it was also pointed out that a salary increase could have been outlined over a 6 to 8 month period rather than giving a single increase, and that the public sector doesn't see salary decreases or pay cuts like employees in the private sector. Mr. Behn indicated a vote need to be taken since there was a motion on the floor for the full amount. VOTED: 6-3-0.

Article 10 line items e, j, and l - Motion by Mr. Wells that the committee recommend that the Town so vote to increase the Public Works Salaries/Wages Account by \$2,358, increase the Water Fund Salaries/Wages Account by \$2,288, and increase the Sewer Fund Salaries/Wages Account by \$2,288 for the purpose of Article 10 line items e, j, and l. Mr. Malloy's prior meeting with the committee was again referenced regarding the salary increase for the Assistant DPW Manager. Mr. Malloy had met with the committee to explain how he arrived at the amount that was being requested. He had looked at the salaries of the second in command in the Police and Fire departments since he couldn't find a comparable comparison in other towns. Ms. Blazejewski asked about the accrued comp time for Mr. Voutas and whether the committee had received notification that it would be eliminated with approval of the increase. Mr. Wells said that the committee had not yet received any formal letter regarding the accrued comp time. There was discussion over why the increase was being requested and special circumstances such as a water main break or snowstorm were given as examples. Currently police and fire personnel receive time and a half and/or double time for shifts requiring extra hours due to an emergency and Mr. Voutas receives comp time. It was mentioned a salaried employee receives same pay regardless of whether they work 40 hours or 70 hours in a week. Mr. Tepper asked what would happen if Mr. Voutas worked 45 hours in a week – would he receive comp time for the extra hours. Mr. Wells said he wasn't sure, but that he had spoken with the DPW Manager and Mr. Voutas currently had approximately 10 weeks of comp time on the books. There was again concern that this salary increase was coming in off cycle. Mr. Behn asked for the committee to

vote since the motion was made. VOTED: 4-3-2. It was discussed that a motion could be made to lower the salary increase request from the floor of the Town Meeting and amend the motion.

There was a motion by Mr. Behn that the committee recommend that the Town so vote to appropriate amounts listed in the AFC recommendation column in the Report & Recommendations Book for the purpose of Article 10. VOTED: 6-2-1.

Article 14 – Sandra Pond Reservoir Watershed Maintenance – There was a motion by Mr. Wells that the committee recommend that the Town so vote to transfer from free cash the amount of \$50,000 for the purpose of Article 14. Mr. Wells addressed the committee and mentioned that he has heard Mr. Saari's presentation three times. He acknowledges that there is some ambiguity over what exactly will be done and some confusing documents regarding who had control over what land, but he believes that has been worked out between the Selectmen, the DPW, and the Conservation Committee. Mr. Wells feels that the main work proposed for the project at the reservoir is necessary, including some timber harvesting, so a long term benefit can be achieved. Mr. Wells said he prefers minimal human intervention with regard to forest management, but recognizes some is needed to protect healthy trees from invasive species. He also acknowledges that some healthy trees will be culled in order to build a road and landing area for future access to the water supply, but he didn't feel that trees were going to be harvested for a profit. Mr. Wells felt that by bundling the project together, it allows the entire project to be done at minimal cost since the equipment will already be there. Mr. Wells encouraged AFC members to support Article 14.

Ms. Rosenblum Senie also addressed the committee. She does not support this article. She feels the article doesn't really specify the amount of cutting that is involved. Ms. Rosenblum Senie felt there were other ways to manage a forest and didn't think there was enough public input. She supports preservation of the Conservation land and would like to see more detailed plans as to what will happen to that land. Ms. Rosenblum Senie mentioned that she does agree with the storm drain cleaning part of this article. Mr. Behn asked for a vote since the motion was made. VOTED: 8-1-0. Mr. Behn thanked Ms. Rosenblum Senie for her time and effort in researching this issue.

Update on Report & Recommendations Book:

Mr. Behn mentioned that the AFC has now voted on all of the articles and he will update the Report & Recommendations book, along with updating pages 2 & 3 with the votes. Mr. Behn said he will also double check the free cash amount on page 4 in the book since there was a discrepancy. Mr. Behn informed the committee that he has sent the "Message to Voters" letter to Jim Robbins, Lester Hensley, and Jim Malloy to review since he spoke a lot about commercial/industrial development over residential. Mr. Behn asked if he has the approval from the committee to make minor changes to the book before it is sent to print. He noted that the deadline for any changes to the book is noon on Sunday, 10/13/13. Mr. Arnold moved that the Committee approve the Report and Recommendations as amended and edited today, with the provision that typographic and formatting changes which do not impact the substance can be made by the Chairman or his designee. VOTED: 9-0-0. Currently the book is at about 36 pages. Mr. Behn has a quote from Curry Printing that 400 books will cost approximately \$400. It was decided that 450 books would be ordered based on attendance at prior town meetings.

Future Meetings

The next Advisory Finance Committee meeting is scheduled for Oct 21 at 6:30pm in the High School Auditorium prior to the Special Town Meeting. Following the 10/21 meeting, the next scheduled AFC meeting will be Monday, November 4th in Room 23 at the Forbes Building.

Department Liaisons:

Ms. Rosenblum Senie will follow up with Mr. Harrington regarding a master development plan for the State Hospital land.

Mr. Allen will follow up with Jim Robbins and Lester Hensley regarding zoning and permitting for the State Hospital land.

Adjournment

Mr. Wells moved to adjourn the meeting at 9:59pm. Motion to adjourn was 9 in favor, with 9 being present.

Respectfully submitted,

Jessica Thomas
AFC Administrative Assistant