

Members Present: Gary Wells, Chair, Beth Blumberg, Ed Behn, Lisa Blazejewski, Jim Driscoll. Absent: Tara Howard, Jim Tepper, Hank Rauch.

At 7:07 p.m. Mr. Wells called the meeting to order in the Meeting Room of the Westborough Fire Station

Open Forum

There was no one here to address the Committee.

Approval of Past Minutes

Meeting No. 5, September 24, 2015

Approval of past minutes was postponed until the next AFC meeting.

Fall Special Town Meeting – Warrant Articles

Article 18 – Wastewater Treatment Plant Lease – Treatment Board Members – Jack Goodhall and Mike Stanton

Jack Goodhall, Engineer Administrator, and Mike Stanton, Chairman, from the Wastewater Treatment Plant Board (WWTB) met with the Committee to discuss Article 18. Mr. Goodhall provided a handout to AFC Committee members that he will also use at Town Meeting. He referenced the handout and explained that they went out to bid with a Request for Proposal (RFP) for a solar project and only received one proposal. Mr. Goodhall noted that the WWTB wanted to pursue solar energy at the plant to see if it was feasible. They have the sand filter bed area that is about 4-6 acres where a solar array could be installed. Mr. Goodhall said that they flagged the wetlands on all three sides of the sand filter bed area, and pointed out that they would need to install an access road. He mentioned that they would cut the trees leading to the wetlands, or up to 25 feet away, in order to install the array. Mr. Goodhall said that the firm looked at energy used on a daily basis. He said that presently there is a 5% cap on the amount of electricity generated outside the grid system, such as by solar or wind, but Governor Baker has proposed an increase. If the cap of 5% is increased, then they will put in an 893 kilowatt (KW) system. However, if the 5% cap is not increased, then they are proposing putting in a 647 KW system. Mr. Goodhall pointed out that they will obtain a permit for the larger KW amount since it is likely the cap will increase, though they aren't sure by how much. Mr. Goodhall referenced the last page of his handout where he indicates the proposed savings for the first year. He pointed out that the current electric rate is 11 cents per KW hour but with the solar array it would be 9.3 cents per KW hour. Mr. Goodhall said that the Wastewater Treatment Plant currently uses about 4.5 million KW hours per year. He noted that the site plan review for this project may take a little longer. Mr. Wells asked why there needs to be a 20 year lease. Mr. Goodhall said that a 20 year lease is typical in the industry and has to do with financing. He also mentioned that the solar array needs to be operational by December of 2016 and that this project will not cost the Town any money other than administrative costs. Ms. Blumberg asked what happens to the solar panels after 20 years. Mr. Goodhall said that the Town has to either buy the solar array or commission a firm to take the panels away. He pointed out that the Town will receive a savings to their electric costs. Mr. Behn mentioned that last year the Wastewater Treatment Plant spent about half a million dollars on their electric and they are now looking to save between \$10,000 to \$17,000 annually and asked what the down side to this was. Mr. Goodhall noted that 11 cents per KW hour is a very low cost since it was once at 15.5 cents per KW hour, and that the consultant they used felt electric was going to go up about a penny per KW hour. Mr. Stanton added that they negotiated safeguards such as the rate and also the end of lease terms and that the electric generated will have to be purchased. Mr. Driscoll asked if this lease was an annual contract or multi-year lease. Mr. Malloy said it was a multi-year lease. Mr. Goodhall mentioned that they will put this project out to bid in the spring since that's when they are likely to get the best rate.

Articles 1 & 2 – Spurr House, Article 10 – Country Club roof, and Article 17 – Rescinding the Strong Fire Chief Statute

Board of Selectmen (BOS) Chairman, George Barrette, and Town Manager, Jim Malloy, met with the AFC to discuss Articles 1, 2, 10, and 17. Regarding Article 1 – Spurr House Committee Report – Mr. Barrette said that the BOS have not yet taken a formal vote on this article but will at their next meeting on October 13th. He noted that if Article 1 goes through then they will pass over Article 2 for the demolition of the Spurr House. However, Mr. Barrette said that if Article 1 fails, then they will vote Article 2, and mentioned that the Municipal Building Committee (MBC) is in support of Article 2. Mr. Barrette complimented the Spurr House Committee for their hard work and mentioned that they did their due diligence while working with a lot of “what ifs”. Mr. Malloy reminded the Committee that the Town has use for the property but not for the house itself. Mr. Wells said that he felt Article 2 was premature and pointed out that even if Article 1 failed - after listening to the Library and their expectation on grants, as well as listening to the proposed renovation of Forbes – the AFC felt nothing would occur before the Annual Town Meeting in March and that this could wait until then. Mr. Wells also pointed out that this money could possibly be rolled in to the Forbes Building renovation. Mr. Malloy mentioned that the MBC was discussing the situation with the Spurr House at the same time the Spurr House Committee was formed so that’s why there are two articles. Town Moderator, John Arnold, said that he thought that these two articles may require a two thirds vote. Mr. Malloy will check with Town Counsel to get that clarified.

Article 10 – Country Club Roof Replacement – Mr. Wells asked Mr. Malloy if he had an update on the roof. Mr. Malloy noted that the quote for the roof is now at about \$93,000. He referred to the worksheet Mr. Wells created where his quote came in around \$109,000. Mr. Malloy noted that they could go with the lower amount and if additional funds are needed then they could ask for an AFC Reserve Fund transfer. Mr. Malloy pointed out that the quote includes prevailing wage, taking care of any rot, and putting in new plywood. Mr. Malloy said he will also add water proofing to the plywood. Mr. Behn asked what the Town receives from the lease of the restaurant. Mr. Malloy said that the Town gets about \$3,000/year for that lease. He explained that the reason why the lease is so low is that the inside of the building needed a lot of work, so the RFP required someone who would invest in the building and the current occupant spent about \$275,000. Mr. Behn asked if we should look at selling the Country Club. Mr. Malloy didn’t think we could. He mentioned that they have known for a couple of years that the roof needed to be done and that there has been water damage where they have had to file insurance claims. Mr. Malloy pointed out that there are different colored shingles where the roof was repaired over the years. Ms. Blumberg asked if the Town will be looking at fixing the Country Club parking lot in the near future and also why we aren’t using the revolving funds from the Country Club to fund these projects. Mr. Malloy mentioned that it was established at a prior Town Meeting that the Country Club pays for all of their expenses except anything related to the building since that’s owned by the Town. He noted that the parking lot is an issue. Ms. Blumberg asked if these expenses could be switched to the Country Club. Mr. Barrette said that would be a major item to change and that further discussion on this topic should be addressed to the Country Club Operating Committee.

Article 17 – Rescinding the Strong Fire Chief Statute – Mr. Barrette again mentioned that the BOS has not yet taken a formal vote. He noted that voting will take place at their October 13th BOS meeting and that he’s in favor of this article. Mr. Barrette pointed out that it is the job of the Selectmen to bring forth legislation that could benefit the Town. He said that former Fire Chief, Nick Perron, retired voluntarily after 20 years and that they wouldn’t have considered changing anything during Mr. Perron’s tenure. The BOS would now like to bring this forward while the job is vacant since a lot has changed since 1968. It was noted that the Strong Fire Chief statute is for an indefinite term unless they do something serious to cause dismissal. Mr. Barrette referenced Mr. Malloy’s email to the AFC and thought he did a good job outlining how the BOS feels. Mr. Malloy went back to 1968 and noted that it is now 2015 and checks and balances are in place. He said they would like a new Chief on board that would work with the Town’s management team. Mr. Malloy noted that it is really about checks and balances and that everyone currently reports to someone except the Fire Chief. Mr. Barrette said that he doesn’t see rescinding the Strong Chief statute as a deterrent in attracting applicants. He noted that the search committee is still working hard to find a new Chief and hope to appoint someone in about a month or so. Mr. Wells pointed out that the statute outlines dismissal for cause and asked why a termination clause wasn’t included in the Chief’s

contract since it is common to include that in contracts for higher level positions. Mr. Malloy replied that reasons for dismissal would have to be consistent with the statute, which he believes is in the contract. He said that he discussed “dismissal with cause” with our Town Counsel and it was noted that if you have a long term chief and try to discipline them and it ends in termination, if it goes to court, then usually it isn’t held up because the courts look at longevity. Mr. Barrette referred to what occurs in corporate America. Ms. Blazejewski asked what happens if the Strong Fire Chief statute is rescinded – do we go to Civil Code or something else. Mr. Malloy noted that we would go to what is in the Charter. Mr. Barrette pointed out that we need to vote the article and then re-write the Charter to what voters decide. Mr. Malloy explained about Owen O’Leary’s and Mr. Perron’s reference to political interference. He said he received an email from the owner of Owen O’Leary’s who understood that the Westborough Fire Department was busy with inspections and asked if another abutting town could come in and do the inspection instead. Mr. Malloy said that he forwarded that email to Building Inspector, Tin Htway, and former Fire Chief, Nick Perron, and asked for their comments and that is what turned in to “political interference”. Mr. Barrette did say that the Board of Selectmen have received complaints about the timeliness of fire inspections, however, they never second guessed code since that’s the Fire Department’s job and they respect that. The only thing that was questioned according to Mr. Barrette was the timeliness and consistency of inspections. Mr. Driscoll noted that that there are also residences that need inspections too so it is not just businesses that are affected.

Regarding Article 19 – Request for an Additional License for the Sale of All Alcoholic Beverages to be Drunk on the Premises – it was noted that the BOS is looking for the additional license on behalf of the owner.

Fall Special Town Meeting – Warrant Articles, Committee Discussion

Mr. Wells pointed out that three AFC members are absent this evening so he’d like to hold off on any additional voting. He mentioned that there are still nine articles left to vote. There was a discussion over the articles remaining. Mr. Behn asked Mr. Wells if an email could be sent to Westborough TV to get this night’s meeting posted as soon as possible so the missing AFC members have the ability to watch it. Mr. Wells said he would send an email to Karen Henderson. Mr. Driscoll noted the price of the Country Club roof and asked what the procedure was since the cost has changed from what is in the article. Mr. Wells explained that Mr. Malloy will make a motion on Town Meeting floor with the new price and mentioned that anyone could get up on Town Meeting floor and make an alternate motion. He mentioned that Town Meeting votes the motion on the floor and not the article in the book. Town Moderator, John Arnold, is researching Article 18 for the solar array at the Wastewater Treatment Plant and whether a 20 year (long term) lease triggers a 2/3 vote. Mr. Behn inquired about the debt service and whether that needs a 2/3 vote. Mr. Arnold said he didn’t think so since the Town isn’t borrowing more money but rather paying off what was borrowed. Mr. Behn asked if the AFC was going to drop the Town Manager’s statement on Article 17 regarding rescinding the Strong Fire Chief statute since he felt it was more of a proponent’s statement rather than the typical Town Manager’s statement. Mr. Wells suggested discussing this topic when voting Article 17 since a few AFC members are absent tonight. Mr. Wells pointed out that the AFC still needs to debate this whole article in its entirety.

Chairman, Committee Liaison, and Department Liaison Reports

None

Comments and Concerns – Committee Members

None

Public Reminders for Viewers

None

Adjournment

Mr. Behn made a motion to adjourn the meeting at 8:29 p.m. The vote to adjourn was 5-0-0 in favor, with 5 being present.

Westborough Advisory Finance Committee minutes
October 5, 2015

Document List

Article 18 – Lease Land WWTP Solar Project

Respectfully submitted,
Jessica Thomas, AFC Administrative Assistant