

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

At 7:02 p.m. Mr. Wells called the meeting to order in Memorial Hall of the Town Hall.

Approval of Past Minutes

Meeting No. 14, January 14, 2016

Mr. Behn made a motion to accept the amended minutes of 1/14/16. Voted: 8-0-0.

Meeting No. 15, January 19, 2016

Mr. Behn made a motion to accept the amended minutes of 1/19/16. Voted: 8-0-0.

Warrant Articles – 16, 17, & 18 – Charter Review – Bob Deysher – Chairman, Charter Review Committee:

Mr. Deysher introduced himself to AFC members. He mentioned his presentation from last week to the Board of Selectmen (BOS) and referred to his slide show. He said that the Charter Review Committee is recommending three articles – Article 16 – Reorganizing the Town Charter, Article 17 – Conflicts with State Law, and Article 18 – Charter Changes. Mr. Deysher pointed out that Article 16 isn't changing anything but rather moving items around to make the Charter more user friendly. Article 17 deals with items that conflict with State law, and Article 18 contains items that represent changes to the Town Charter.

Mr. Deysher reviewed the Charter Review Committee's Recommendations:

Article 16 – Reorganizing the Town Charter – Mr. Deysher noted the nine sub articles for Capitalization, Deletion of Footnotes/References, Board of Selectmen, Planning Board, Town Clerk, Treasurer/Collector, Board of Library Trustees, Town Manager, and a Title Change for Section 5-2. He pointed out that they aren't changing the intent of the Charter but rather putting items together structurally.

Regarding Article 17 – Mr. Deysher mentioned that there are three sub-articles that need to be changed because they conflict with Massachusetts State law. Those items pertained to Budget/Capital Warrants, Rules and Regulations, and Meetings.

For Article 18 – Charter Amendments – Mr. Deysher stated that this article deals with changes to the Charter and has 21 sub articles. Of particular interest, Mr. Deysher pointed out Article 18E – Residency Requirement – and mentioned that the Charter Review Committee is recommending that the Town Manager, Police Chief, Fire Chief, and DPW Director all reside in Westborough. Mr. Deysher noted that they will grandfather anyone in if this goes in to effect.

Mr. Behn thanked Mr. Deysher and members of the Charter Review Committee for their hard work. He noted housekeeping issues and understood reorganizing items. Ms. Blumberg asked about the "home rule" where the Town Charter supersedes State regulations, but in other cases she pointed out that we are changing the Charter so it matches State regulations. Mr. Deysher mentioned the appointing authority (18-O) and that is the only instance where the appointing authority in the Charter takes precedence over any contradictory statutory appointing authority. Mr. Deysher also noted that in many instances they are not changing the appointing authority, but instead are making the Town Manager more responsible for day to day operations.

Mr. Deysher spoke about the goal of the Charter Review Committee. Ms. Howard thought that the review of the Charter was done to bring things more in line with what was being done already. Mr. Deysher agreed and pointed out that some of the changes revolve around the Town Manager being more responsible for daily procedures. Ms. Howard noted that the Board of Selectmen still has to answer to the voters.

Mr. Wells mentioned the joint meeting with the Board of Selectmen (BOS), Advisory Finance Committee (AFC), and Capital Expenditures Committee as part of the budget process and said that there has been no joint public meeting. He noted that if we are trying to mirror what we have been doing, that hasn't been done. Mr. Deysher said that he would check with legal counsel. There was also a question as to whether each group needed a quorum in order to have a joint public meeting. Mr. Tepper asked if this was a meeting to discuss the budget or would the AFC just be in attendance to listen to a presentation and not ask any questions. Mr. Behn pointed out the timing of the joint meeting and mentioned that the budget books are handed out around December 21st. He noted that we are supposed to have the budget posted on the Town website by 12/28. Mr. Behn mentioned that if the first meeting is in January then that's not a lot of time for citizens to go through the budget. Mr. Deysher said that he will go back to the Charter Review Committee to verify that's the right date. Ms. Jaffee noted the Capital Improvement Program and said that she doesn't want to see this go away and would prefer that major expenses are tracked. Ms. Blazejewski said that right now there is nothing in place to track capital improvements. Mr. Behn would like to see performance metrics for major purchases and investments. Ms. Jaffee agreed and said that she would still like to see expenses tracked for major purchases over the years. Mr. Tepper thought there'd be more change to the Charter and said that it seemed like they were mostly just cleaning it up. Mr. Deysher pointed out that every Committee member provided input and those are the changes they came up with.

Mr. Behn had questions on the Charter itself. He referred to Section 2-8 for the Warrant and gave the example of the Strong Chief statute. Mr. Behn mentioned that he thought the Town Manager's statement in the warrant was more of a proponent's statement for the article relating to rescinding the Strong Chief statute. Town Moderator, John Arnold, pointed out that the Town Manager statements were a result of a request from the AFC since they wanted a summary. He noted that the Town Manager statements aren't part of the Charter. Mr. Behn asked Board of Selectmen Chair, George Barrette, about having a joint meeting with the BOS and AFC and both were in favor of having such a meeting with a quorum.

Mr. Behn also asked about "Town Counsel" and whether we can refer to that term even though we don't have someone on staff. Mr. Deysher said that we could since, even though we don't have someone now, we could in the future. Mr. Behn felt there should be more clarity that it need not be an individual.

Mr. Behn had a general question – he asked where it refers to "the Town" in the Charter if that included the schools. He pointed out Section 3-2, Subsection (e), regarding investigations and that the "BOS may investigate or may authorize the Town Manager to investigate the affairs of the Town and the conduct of any Town department, office, or agency, including any doubtful claims against the Town". Mr. Deysher said that he wasn't sure if that included the schools and he will get further clarification. Mr. Wells asked about the Town budget and whether the schools are held to the same standards. Mr. Behn pointed out Section 6-4 for the Budget and asked specifically about the school budget. Mr. Deysher again mentioned that he would get that clarified.

Mr. Behn wanted to discuss the residency requirement in Article 18, since he felt that subject may be controversial. Mr. Deysher explained that the Charter Review Committee discussed this topic quite a bit and they felt it was important that major department heads (Town Manager, Chief of Police, Fire Chief, and DPW Manager) reside in town so they have "skin in the game". Mr. Deysher noted that the State is getting away from this requirement, however, they are still asking for it. He pointed out that they are requiring anyone hired for those positions to reside in Westborough within a year of being hired or they must resign. Mr. Behn had a question for Town Moderator, John Arnold, and asked if the motion regarding the residency requirement could be modified by a resident at Town Meeting to include an abutting town. Mr. Arnold said that it could be modified and gave an example of a new motion requiring these employees to reside in a continuous town, or move here within two

years instead of one. Mr. Tepper pointed out that anything could be modified and Mr. Arnold agreed. Mr. Wells noted the recommendations by the Charter Review Committee and felt they should either be voted on or not. Mr. Arnold said that there is some wiggle room but that any suggestions or proposals need to be within the scope of changes being recommended for the Charter.

Mr. Wells mentioned the Report & Recommendations (R&R) book put out by the AFC to help residents and wondered how detailed the Charter articles should be and how they should be presented, whether in the R&R book or as an addendum. Mr. Deysher said that needed to be discussed to figure out what is the best way to present.

Mr. Wells invited town residents to make comments.

Sue Abladian, a member of the Council on Aging, noted that she was confused over the appointing authority and asked who would appoint members of the Council on Aging. Mr. Deysher said it would still be the Board of Selectmen. Ms. Abladian asked who the Director of the Council on Aging will report to and Mr. Deysher noted that the Charter Review Committee is recommending the Town Manager since that would give the Town Manager oversight over day to day activities. Ms. Abladian was concerned with appointing someone to oversee the Council on Aging Director that knows nothing about what goes on at the Senior Center.

Judith Tully, Chair of the Youth Commission, had similar concerns as Ms. Abladian. She mentioned that she has been on the Youth Commission for six years and has had no contact with the Town Manager. Ms. Tully said that she understands the Charter is supposed to address best practices and what's going on now. She pointed out the nine month service study that Youth & Family Services (Y&FS) just went through. Ms. Tully also noted that the Youth Commission meets monthly and they are aware of what goes on with Y&FS. She mentioned that they just finished their evaluation for the Y&FS Director. Ms. Tully wondered if the Town Manager has time to manage all of these day to day activities. She was also concerned with putting this department in the hands of someone who already said they don't think we need this department. Ms. Tully requested that Commissions and Boards appointed for these departments have some input in evaluating the department heads.

Carolyn Spring, a member of the Service Level Study Committee, pointed out that according to State statute the Animal Control Officer has to report to the Board of Selectmen. She also suggested color print for the Charter articles since it is easier to see what has changed and provides a better understanding. Mr. Wells noted that the AFC is not obligated to provide the R&R book in color print but he will check to see if that is feasible. Mr. Behn felt that changes to the Charter should be similar to changes in zoning articles and mentioned that the original text is shown with a strike through and then what is being proposed is provided. Mr. Deysher pointed out that the Charter Review Committee is recommending that the Town Manager be the appointing authority for the Animal Control Officer, and that request could be superseded over State requirements.

Town Moderator, John Arnold, mentioned the section where it discusses having two Town meetings. He noted that there could be other Town meetings called if necessary. He also pointed out the part about "Investigations" and felt it should be clarified as to how one would know investigations are complete. Mr. Arnold understood deleting the Housing Authority from the Charter but wanted to include whether residents will still vote for members of that agency. He wanted to have an answer to this question so Town Meeting doesn't get bogged down. Mr. Behn acknowledged concerns over the day to day management for the Town Manager and he asked Mr. Deysher for an organizational chart. Resident, Anna Kung, said that she supports the current system with Boards and Commissions in charge.

Mr. Wells closed the Open Forum and asked Mr. Deysher for any closing comments. Mr. Deysher thanked the AFC for having him in and noted that the Charter Review Committee has time to discuss and respond to feedback from tonight's meeting before making their presentation at Town Meeting.

Budget and Warrant Article Review

Mr. Wells referred to his handouts for Financial Revenue & Expenditure Estimates for FY2016 – Versions A, B, and C. He wanted to have a quick review and then open up for AFC discussion. He noted Version A was using the Town Accountants Re-Cap numbers and that the “Estimated Average House Value” isn’t confirmed yet. Mr. Wells pointed out the increase to the average house tax bill of \$777.16. He mentioned there will be a \$1,200 increase to the Selectmen’s budget for a retirement they were just notified of, which is for sick time buyback. Mr. Wells said that these numbers are preliminary so he didn’t want to get too involved with the details just yet. He noted that in his Version B he is taking all of the articles with an R&A and using Free Cash instead (\$551,000). Mr. Wells said that this would reduce the tax bill increase from \$777.16 to \$712.06. Regarding Version C, Mr. Wells said that we would need to add \$2.25 million to the Excess Levy Capacity from Version B to Version C or almost \$3 million from Version A to Version C in order to meet the Selectmen’s fiscal goals. Mr. Wells wondered if this goal was even achievable or realistic since the AFC isn’t a Ways & Means Committee and lack the power to make departments trim their budgets. He noted that the AFC can only make their recommendations but that may not go very far. Mr. Tepper disagreed and mentioned that we may not accomplish the goal of reducing the budget but he doesn’t want to shy away from that challenge. Mr. Tepper asked if the Selectmen’s fiscal goal of no more than a 2.5% increase is a reasonable request since he wasn’t sure. Mr. Tepper noted items brought up for funding and said that he understands the reasons why these items may be needed but that they sometimes come with other expenses. For example, he pointed out the new payroll software that comes with an annual maintenance fee. Mr. Tepper felt that we needed to get away from examining the individual items and look at the big picture. Mr. Wells was concerned with tax bills going up by several thousand dollars in the next few years if something isn’t done. Mr. Wells pointed to payroll costs for both the schools and the Town and feared that payroll is going to become the majority of the budget. Ms. Blumberg asked if there were other towns around us that operated similarly and if they have had successes we could learn from. Mr. Behn said that we could go to other towns similar to Westborough and get metrics for what it costs to operate their departments in comparison to ours. He felt then we could better identify if we have areas that operate differently. Mr. Behn noted that Westborough has a very high percentage of its taxes coming from businesses that do not put demands upon town services to the extent that residents do. Given that situation, he is puzzled why we have the level of taxes we do. Mr. Behn discussed Proposition 2 1/2 overrides where one could go to a ballot box and say no to increases rather than at Town Meeting where supporters of an article show up to get it passed. There was continued discussion over what the AFC could do. Mr. Behn said that the AFC could recommend lower numbers and ask departments where they could make cuts. Ms. Howard noted that we could get rid of employees but that it is difficult to lay off municipal employees. Ms. Jaffee suggested a hiring freeze for when people retire and not hiring someone new. Mr. Driscoll pointed out that we can make that request on the Town side but not for the schools. Mr. Driscoll felt that it should be highlighted as to what makes up the increase to the tax bill, and what made up the increase last year, so residents can start to see where the increases are being made. Mr. Driscoll agreed that all the AFC can do is make recommendations on where cuts can be made to the budget. Mr. Tepper felt that if we don’t change the momentum for spending then we will end up in a crisis. He referred to his comment from a few weeks ago where he mentioned that if we take every little piece of the budget then we lose sight of the end. Mr. Driscoll wanted to know what the schools have turned back to the Town for Free Cash over the last 5 years. Mr. Driscoll agreed with Mr. Tepper about not getting caught up in the minutia and instead keeping an eye on the bigger items. Mr. Behn wondered how to put the brakes on spending since they have to come up with approval for the FY17 budget. Mr. Wells pointed out that the numbers are preliminary right now and in October we should have firmer numbers with regard to state aid and what our local receipts will be. There was a discussion about how to cut a million dollars out of the budget. Some suggestions were for a more aggressive use of circuit breaker funds, flat percentage cuts, looking in to state aid that’s not accounted for, and having the Recreation Department roll salaries in to their revolving fund and increase fees. Mr. Driscoll asked about the 2% increase in cost of living adjustments (cola’s), yet the Consumer Price Index (CPI) is flat. He suggested that all AFC members think about the budget and come up with 10 ideas for cuts. Ms. Blazejewski pointed out Article 6 in the warrant regarding wage increases and mentioned that if we don’t want these increases then we can vote down Article 6 since that’s the tool. Ms. Blazejewski noted that it is the Town Manager’s job to make cuts to the budget. She felt that maybe the AFC

Westborough Advisory Finance Committee minutes
February 1, 2016

could identify 10 departments or budgets that could be reduced and make a recommendation. There was continued discussion about the budget, making cuts, and where it can be reduced. Mr. Tepper pointed out the Insurance line item and said that he would like to ask Mr. Malloy about this item when he meets with the AFC on February 16th.

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 9:53 p.m. The vote to adjourn was 8-0-0 in favor, with 8 being present.

Document List

Articles 16, 17, and 18 Annual Town Meeting 2016 – Charter Review Committee
Financial Revenue & Expenditure Estimates for FY2016 – Versions A, B, & C – Gary Wells

Respectfully submitted,
Jessica Thomas,
AFC Administrative Assistant