

Members Present: Ian Johnson, Chair, Judy Lucas, Cliff Watts, Ronn Moody, John Arnold, Brigitte Casemyr, Jo Lown (arrived 7:08 p.m.). Absent: Carolyn Spring.

At 7:06 p.m. Mr. Johnson called the meeting to order in the Selectmen's Meeting Room.

### **Open Forum**

There were no requests to address the Committee.

### **Approval of minutes – Meeting No. 23, April 14, 2008, FY2008.**

Mr. Watts moved approval of the minutes of Meeting No. 23, April 14, 2008. The vote to approve the minutes was 6 in favor with 6 members being present.

### **Discussion and votes on various FY2009 budgets**

Mr. Johnson noted that votes on the Selectmen/Coordinator and Election & Registration budget requests need to be taken again, in order to separate the salaries of elected officials from the salaries of non-elected employees.

A table of votes taken is attached to these minutes.

Discussion of MIS/GIS budget request of Salary \$140,841, Expenses \$174,000, Total \$314,841

Ms. Casemyr questioned the plan to hire an on-site MIS/GIS administrator to handle support issues and system analysis/planning. This type of position is typically outsourced by private companies. Ms. Casemyr does not believe one person could be found with the skills to do all tasks described in the job presentation. She is also concerned that this would add one FT position in addition to a PT position. Mr. Johnson and the committee agreed this work needs to be done, and acknowledged the current technology issues in the town and the department. Ms. Lown expressed reluctance to add any positions to the town payroll at this time due to the town's tight financial situation. Mr. Arnold thinks this may be a position to be filled by Mr. Danis's successor, as the MIS Director will need to work closely with the person in Mr. Danis's position. Mr. Johnson noted that using contractors could easily become more expensive than hiring an employee.

Discussion of Dept. of Public Works budget request of Salary \$1,456,858, Expenses \$730,750, Total \$2,187,608

Ms. Lown questions the budget figures for the department, as funds are often shifted from one line item to another and some large items are budgeted each year but not purchased. Mr. Watts also noted some expenses that seemed to be higher than required. Ms. Lown recognizes the need for flexibility in a department this complex, but noted that other departments with complex budgets are also reviewed closely. The budget request for this year reflects an overall increase of 7.89% over last year. Mr. Johnson believes that the department heads do their best to estimate costs but cannot always predict what they will need 18 months in advance. Mr. Moody notes that 8% of the increase in expenses is from the increase in fuel costs. Ms. Casemyr noted that the DPW has great responsibility to respond to needs in the town and may not be able to look at expenses that far ahead. Mr. Arnold would like to see more transparency in actual spending so that the town can better set priorities. Ms. Lucas thinks the budget is too detailed, and it may be more useful for planning purposes if it is less complex.

Discussion of ARTICLE 24. Amend Previous Town Meeting Action (Waste Water Treatment Plant)

Mr. Watts asked what the interest rate and term on the borrowing will be. This borrowing would be included in the original borrowing at 2% interest for a 20 year term. Ms. Lucas questioned the advisability of including the task of replacing the sand filters with cloth filters at this time (cost \$1,900,000). This work would be done now in order to comply with future regulations. EPA regulations state that the best technology available must be used to meet the lowered standards. When the permit review happens in 2010, this technology may no longer be the best available. Mr. Moody noted that the filters will be impacted by planned construction and so it will be more cost-effective to do this work in this project. Committee members noted that the bids will not be opened until just before ATM, and that any vote taken now may be changed on town meeting floor when more information is known.

Discussion of ARTICLE 26. Department Head Employment Contracts (Board of Selectmen)

Mr. Watts pointed out that in the Government Study Articles the Personnel Board and the Advisory Finance Committee remain apart from political pressure and autonomous. In the past, the Selectmen have gone to the Personnel Board to make changes such as this. Solving the problem of being flexible on hiring packages comes under the purview of the Personnel Board. The Board of Selectmen did not go to the Personnel Board to solve this issue. This Article does not follow the procedure already established in town – it circumvents normal practice. Mr. Watts would like to wait and go more carefully in making a change such as this. Ms. Casemyr acknowledged that the process was not followed, but noted that the change did fit nicely with the Government Study Committee recommendations. Ms. Lucas questioned the urgency of this – why right now? Ms. Lown also expressed reservations. Mr. Moody said he was opposed to this until he saw how it fit into the Government Study Committee recommendations, although he questioned why the Town Counsel position was not also included in the Article. All members agreed that this was probably a good thing to do but maybe not this year, and that more thorough review is needed. Mr. Johnson is in favor of defeating the article at this time, but bringing it back next year with all “Key Personnel” included.

Discussion of ARTICLE 28. Revisions to Home Rule Charter (Board of Selectmen)

Ms. Lown echoes the concerns of the two Selectmen who voted against this Article. She cannot support the change to a Town Manager at this time as it gives more power and authority to a new person. Mr. Watts feels the job description is well-stated and clear. Mr. Johnson concurs – the requirements and responsibilities are defined. A Search Committee will have a clear task, and now is the right time to do this. Ms. Casemyr stated that Mr. Danis is currently doing the job as defined in the Government Study Committee recommendations, not as currently stated in the Town Charter. Mr. Arnold feels these changes will make the Town Manager more accountable to the Board of Selectmen.

**Discussion on Article 10 – Stormwater Management and Erosion Control Bylaw**

Mr. Moody is in favor of amending the bylaw to raise the 2,000 square feet limit to 10,000 ft<sup>2</sup>.

Ms. Lown has asked Mr. Harrington about deleting a whole section of the bylaw and making one change in the second Exemption, to make Section 3 APPLICABILITY read:

*All projects shall prevent the discharge of polluted stormwater to wetlands, water bodies, or the Municipal Storm Drain System of the Town of Westborough.*

*Where a project is subject to Subdivision Approval, Site Plan Review, Special Permit, Wetland Protection Act, Order of Conditions or Comprehensive Permit, the Stormwater Management and Erosion Control Bylaw requirements shall be met during review.*

*For projects involving:*

- 1. Total cumulative disturbed area of more than 1 acre (43,560 square feet)*

**OR**

*2. Development which causes alteration of drainage characteristics (see definition in section 2 of alteration of drainage characteristics)*

*A Stormwater Management Application as described in Section 4 shall be filed with the DPW.*

*No person shall start any project subject to the provisions of this bylaw without first obtaining the approval of the DPW, Conservation Commission or its agent.*

**Exemptions:**

- *Normal maintenance and improvement of land in agricultural use as defined by the Wetlands Protection Act regulation 310 CMR 10.04;*
- *Maintenance of existing landscaping, gardens or lawn areas associated with a single or two-family dwelling;*
- *The construction of fencing that will not substantially alter existing terrain or drainage characteristics or patterns;*
- *Construction of utilities other than drainage (gas, water, electric, telephone, etc.) which will not alter terrain or drainage characteristics or patterns;*
- *The exemptions applicable to agricultural or forestry operations, contained in the Wetlands Protection Act, MGL c. 131, § 40, shall apply to this chapter.*
- *The reconstruction or resurfacing of any public way shall be exempt from the provisions of this chapter. The use of Best Management Practices shall be employed.*
- *Municipal maintenance activities*
- *Firefighting activities*

Ms. Lown said that, as written in the warrant, the 2,000 ft<sup>2</sup> to 1 acre portion of Section 3 is inconsistent with the stated intent and with the remainder of the Bylaw. She stated concern for the lack of guidance or criteria in compliance, deadlines, and enforcement of this portion, which gives broad discretion to an unidentified employee and may lead to legal challenges and costs. This portion also adds to the DPW workload with no information on the cost or manpower needed. Ms. Lown stated her support for the underlying Bylaw, which extends beyond wetland areas to cover the whole town, and proposed removing the portion of Section 3 that is problematic so the underlying Bylaw may pass. Mr. Johnson said the committee should seek input from Mr. Harrington on whether it could make this recommendation to town meeting. Ms. Lown agreed to submit proposed language to Mr. Harrington and the committee.

**Liaison Updates**

Mr. Johnson stated that all budgets have been voted and that votes remain to be taken on Articles 10, 17 A-G, 18 A-C, 19, and 33.

Mr. Johnson noted that in a memo from Mr. Walden he stated that the car to be retired from the fleet has 180,000 miles on it, and the car will 80,000 miles will be rotated to lower use. Mr. Walden does still need to give more information on painting the water tank.

Mr. Johnson cancelled AFC meetings scheduled for April 28 and May 1. The committee will meet on May 5 to review the notes to put in the booklet for ATM, and on May 8 to review the booklet.

**Comments and Concerns of Committee Members**

None stated.

**Adjournment**

At 9:38 p.m. Mr. Watts moved to adjourn the meeting. The vote to adjourn was unanimous (7 members present and in favor).

## **Votes taken at the Finance Committee meeting on April 21, 2008**

### **1) Budget votes**

Budgets are voted on using figures current as of 4/21/08.

**Selectmen/Coordinator, Dept. No. 11221, 11223** Salary \$286,612, Expenses \$48,250, Total \$334,862  
Mr. Johnson moved to accept the \$2,500 salary of elected officials and \$284,112 salary-other.  
Vote on Expenses was taken on 4-14-08 and remains unchanged.  
Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

**Election & Registration, Dept. No. 11621, 11623** Salary \$13,375, Expenses \$22,455, Total \$35,830  
Mr. Moody moved to accept the \$2,000 salary of elected officials and \$11,375 salary-other.  
Vote on Expenses was taken on 4-17-08 and remains unchanged.  
Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

**Assessors, Dept. No. 11371, 11373** Salary \$216,683, Expenses \$14,899, Total \$231,582  
Mr. Moody moved to accept the \$216,683 salary and \$14,899 expenses.  
Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

**MIS/GIS, Dept. No. 11541, 11543** Salary \$140,841, Expenses \$174,000, Total \$314,841  
Mr. Moody moved to accept the \$140,841 salary and \$174,000 expenses.  
Vote to approve the budget recommendation is unanimous, 7 opposed with 7 being present.

Mr. Moody moves to recommend the town vote to accept \$70,392 salary and \$174,000 expenses.  
Vote to approve the revised budget recommendation is unanimous, 7 in favor with 7 being present.

**Town Clerk, Dept. No. 11611, 11613** Salary \$178,540, Expenses \$4,225, Total \$182,765  
Mr. Moody moved to accept the \$81,536 salary-elected officials, \$97,004 salary-other, and \$4,225 expenses.  
Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

**Fire/EMS, Dept. No. 12201, 12203** Salary \$2,877,262, Expenses \$294,876, Total \$3,172,138  
Mr. Moody moved to accept the \$2,877,262 salary and \$294,876 expenses.  
Mr. Johnson noted that these figures included the negotiated contract settlements for firefighters and the Chief.  
Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

**Dept. of Public Works, Dept. No. 14201, 14203** Salary \$1,456,858, Expenses \$730,750, Total \$2,187,608  
Mr. Moody moved to accept the \$1,456,858 salary and \$730,750 expenses.  
Vote to approve the budget recommendation is 1 in favor (Johnson) and 6 opposed, with 7 being present.

Mr. Moody moves to recommend the town vote to accept \$1,456,858 salary and \$714,750 expenses.  
Vote to approve the revised budget recommendation is unanimous, 7 in favor with 7 being present.

**Library, Dept. No. 16101, 16103** Salary \$649,826, Expenses \$232,231, Total \$882,057  
Mr. Moody moved to accept the \$649,826 salary and \$232,231 expenses.  
Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

**School Department**

Salary and Expenses \$36,343,425

Mr. Watts moved to accept the \$36,343,425 salary and expense budget

Vote to approve the budget recommendation is unanimous, 7 in favor with 7 being present.

Mr. Watts and Ms. Lucas felt the School Department worked very hard to get to this budget number. This figure does not include any increases for future contract settlements. Ms. Lucas and Mr. Watts also felt it was very useful for the designated liaisons to attend each School Committee budget meeting.

**2) Warrant article votes****ARTICLE 14. Replace Roof on the Senior Center (Asst. Town Coordinator)**

Mr. Moody moved to recommend the town vote to transfer \$60,000 from FY08 Insurance budget and to borrow \$340,000 for the purposes of this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 15. Improvements to Library Building (Library Board of Trustees)**

Mr. Moody moved to recommend the town vote to transfer \$16,580 from Article 12, FY07 ATM and to raise and appropriate \$18,215 for the purposes of this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 16. Various Capital Outlays (School Committee)**

Mr. Moody moved to recommend the town vote to raise and appropriate \$345,000 for the purposes of this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 21. Designate Manager for New Trench Regulations (Town Counsel)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 24. Amend Previous Town Meeting Action (Waste Water Treatment Plant)**

Mr. Moody moved to recommend the town vote to borrow \$9,500,000 for the purposes of this article.

Vote to approve the article recommendation is 2 in favor (Lucas, Moody) and 5 opposed, with 7 being present.

Mr. Moody moved to recommend the town vote to borrow \$7,600,000 for the purposes of this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 26. Department Head Employment Contracts (Board of Selectmen)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is 2 in favor (Moody, Casemyr) and 5 opposed, with 7 being present.

Mr. Watts moved to recommend the town vote to defeat this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 27. Revisions to Home Rule Charter (Board of Selectmen)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 28. Revisions to Home Rule Charter (Board of Selectmen)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is 6 in favor and 1 opposed (Lown), with 7 being present.

**ARTICLE 29. Amend Zoning Map (Planning Board)**

Mr. Moody moved to recommend the town follow the recommendation of the Planning Board.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

Mr. Johnson noted the public hearing on this change will be held on May 13, 2008

**ARTICLE 30. Revisions to Home Rule Charter (Board of Selectmen)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 31. Establish Fall Town Meeting (Board of Selectmen)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.

**ARTICLE 32. Request for Additional Wine and Malt Restaurant License (Citizens' Petition)**

Mr. Moody moved to recommend the town vote to approve this article.

Vote to approve the article recommendation is unanimous, 7 in favor 7 being present.