Finance and Warrant Committee Minutes

10/30/2018

Dave Roberts, Cecilia Emery Butler, Kevin Hughes, Beth Pierce, Kevin Preston, John Heffernan, Susan Fay, Marty Lindemann, and Michelle Persson Reilly

Meeting called to order at 6:34. Chairman Preston opened the floor to public comment. There was none. Mr. Preston took the opportunity to inform everyone gathered that the proceedings were being recorded by Dedham TV.

Mr. Preston asked if the committee had any comments or questions before they addressed the agenda. Ms. Emery Butler asked if the committee had discussed the possibility of changing their seating positioning at Town Meeting. Town Moderator Dan Driscoll explained that the Finance Committee sitting on the stage is a matter of long held tradition and is appropriate because the committee is making the original motions put forth at the meeting. Mr. Driscoll feels that it sends the wrong message to move down off the stage.

Ms. Emery Butler asked if the Finance and Warrant Committee needs to be seated as a group. Mr. Driscoll noted the importance of them sitting together. He explained that while it is not the law, it is a very long held tradition.

Mr. Lindeman pointed out the inconvenience of moving back and forth with the presentation screen.

Mr. Roberts asked if they could perhaps have more comfortable chairs for the long term sitting in front of the public. Mr. Driscoll agreed to look into it.

Mr. Hughes asked Mr. Driscoll that the Finance and Warrant committee be given access to any submitted substitute motions on the stage or at their band room meeting. Mr. Driscoll agreed to do so.

Mr. Preston explained to those gathered that the committee is still in the hearing phase of their proceedings, and have not yet moved to deliberations, but will likely do so tonight. He asked that any members of the public who have something to say on each warrant article do so before they enter deliberations. Once the committee enters deliberation, they are no longer soliciting comment from outside the committee.

Ms. Baker clarified that Articles 3 and 5 still have outstanding information, so the committee should not close their hearings on them. Article 3 pertains to collective bargaining agreements and there are several units that may settle between this meeting and the town meeting.

Mr. Preston requested that future collective bargaining information include some historical information to inform the measure of the actual change that is occurring. Mr. Kern pointed out that some benefits costs to the town are speculative, like how many people may take advantage of a benefit.

Mr. Preston asked if the committee had any outstanding questions about the articles they have considered prior to moving to deliberations. Mr. Heffernan asked for information about Article 8. He noted that there was a question of whether it should be for $75,000 or $100,000 and that it was expected to be solved by this point. Ms. Laprade representing the school committee explained that the committee is still in negotiation gathering information on the cost. Mr. Heffernan asked if they could then postpone closing hearings on Article Eight. The committee agreed to meet on Thursday, November 8th to discuss articles 3, 5, and 8.

Mr. Lindemann asked about the procedural difference between an IP and voting no on an article. Mr. Driscoll explained that an indefinite postponement decision can always be overturned by town meeting, but also requires an affirmative vote after defeating the IP vote.

Mr. Preston opened the floor for audience comment on any articles before the committee enters deliberations.

Mr. Lindemann motioned to close hearings on articles besides 3, 5, and 8. Mr. Roberts seconded. It was voted 9-0. The committee moved to deliberation on the warrant articles.

Article 1

Mr. Heffernan motioned to recommend that the following sums of money, totaling $ 193,127, be transferred from current appropriations as scheduled on the following chart to meet additional expenses for the current fiscal year. Mr. Roberts seconded. It was voted 9-0.

Article 2

Mr. Heffernan motioned to recommend that the following sums of money be authorized from free cash to pay outstanding bills of prior fiscal years: Dedham Times $42.20; Weston & Sampson $4800; Northeast Office Systems $377.55; Richard Mark Fenton $3750.00. Mr. Roberts seconded. It was voted 9-0.

Article 4

Mr. Heffernan motioned to recommend that the sum of $875,632.00 be appropriated and added to the amounts appropriated under article 19 of the May 14, 2014 Annual Town meeting for the purpose of improvement, renovation, demolition, construction/reconstruction, and equipping of the Ames Building, 450 Washington Street, and for all incidental and related costs; and to meet this appropriation, authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum pursuant to G.L. c.44B, §§7 or 8 or any other enabling authority and issue bonds and notes of the Town therefor; and further, that any premium received upon the sale of any bonds or notes approved by this vote, less any premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with G.L. c.44 §20, thereby reducing by a like amount the amount authorized to be borrowed to pay such costs; and further authorize the Board of Selectmen to apply for, accept, and expend any grants or loans in connection herewith, to enter into all agreements, execute any and all documents, and take all action necessary to carry out this project. Mr. Roberts seconded. It was voted 9-0.

Article 6

Mr. Heffernan motioned to recommend that the Town vote to raise and appropriate the sum $700,000 to the Robin Reyes Major Capital Facilities Stabilization Fund. Mr. Roberts seconded.

Mr. Preston commented that this article has, in a sense, come before Town Meeting twice. He pointed out that the first time it came before town meeting, it was as part of the financing plan for the public safety building, and town meeting approved it. However, when the time came to actually appropriate the money, town meeting voted it down. He noted that in his letter for the recommendation packet, he emphasizes the importance of understanding this. He explained that not funding this money will lead to Robin Reyes becoming insolvent in a relatively short period of time. He stated that this committee needs to send a strong message that this is a problem that needs to be solved, and that they can’t just leave this unpaid gap which will become larger and larger with time.

Mr. Lindemann clarified that what Mr. Preston intended to suggest was that this money had already been approved. Mr. Preston replied that he understands that it has not been legally approved, but that the financial plan was repeatedly put before the town and was approved, and this is part of that financial plan. Mr. Lindemann confirmed that this is just a vote to get back on track with the original safety building funding plan.

Mr. Roberts asked the committee how they planned to communicate this information. Mr. Kern explained that he will be sending a letter to the chairperson of the finance and school committees as well as the selectman. This letter will contain the information on the possible consequences of this article, and will also be sent to the town meeting precinct heads, with the goal of it being made available to all of town meeting.

Mr. Hughes asked if this would be a recurring Warrant Article on a yearly basis to put money into the stabilization fund. Mr. Kern confirmed yes, but that it would not strictly be $700,000 exactly every year.

The motion on Article 6 was voted 9-0.

Article 7

Mr. Heffernan motioned to recommend that the town appropriate the sum of $25,000 from Free Cash for the purposes of restoration of the historic Village Avenue Cemetery, including all incidental or related expenses. Mr. Roberts seconded.

Ms. Fay asked if this will be a warrant article next year or become part of the budget. Mr. Kern answered that he has committed to attempting to implement $100,000 into the operating budget for cemetery maintenance.

Mr. Heffernan pointed out that the typical cemetery maintenance budget is $25,000. He noted that there is going to have to be more than maintenance to reach the levels hoped for by the friends of the village avenue cemetery.

It was voted 9-0.

Article 9

Mr. Heffernan motioned to recommend that the town appropriate the sum of $270,000 from Sewer Enterprise Retained Earnings for the purpose of designing upgrades/improvements to the existing Rustract Road Pump Station, including all incidental or related expenses. Mr. Roberts seconded.

Mr. Lindemann asked when the work is planned to begin. Mr. Kern answered that this is design money. The design work is planned to start ASAP, but the physical construction work is a ways off.

It was voted 9-0.

Article 10

Mr. Heffernan motioned to recommend that Article 10 be indefinitely postponed, Mr. Roberts seconded.

Mr. Lindemann noted that there were some unanswered questions when this first arose. Mr. Heffernan noted that it is his motion to indefinitely postpone it, because while he likes the intent, he sees more municipal collaboration necessary to get this article where it should be to go before town meeting. Mr. Heffernan explained that he has a letter from the conservation committee suggesting more work is needed. Mr. Roberts agreed.

Ms. Fay noted that her impression of the message was that ConCom was already on the path to increasing access to Wigwam pond.

Ms. Persson Reilly made it clear that her goal is not to not move forward on the article, but rather to see that the current attempts for access continue.

Mr. Preston explained that he will be voting to IP it because he feels the article is premature, but the goals are admirable.

Ms. Fay emphasized the importance of the public learning about the goings-on of the conservation committee.

The motion to indefinitely postpone Article 10 was voted 9-0.

Article 11

Mr. Heffernan motioned to recommend that the town appropriate the sum of $3.7 million from Free Cash for the Fiscal Year 2019 Assessment from the Dedham Retirement Board. Mr. Roberts seconded.

Ms. Emery Butler asked if there was sufficient funding in Free Cash for this. Ms. Terkelsen answered technically not yet, but they expect to have it certified.

Mr. Heffernan noted that he does not plan to go to 105% full funding. He raised issues with the unforecasted change in the discount rate by the Dedham Retirement Board.

Mr. Lindemann pointed out that there is still the issue of attempting to utilize the town’s seat on the Dedham Retirement Board.

Mr. Preston expressed support for funding the retirement obligations, but also hope that they be able to continue to resolve their issues with the Dedham Retirement Board. He also pointed out that he hopes to develop a more aggressive strategy in dealings with the Dedham Retirement Board, who seem to have really broad legal powers.

Mr. Lindemann pointed out that Dedham is vastly ahead of many other towns in fulfilling its retirement obligations, and he feels this large out-of-the-blue expense

Mr. Preston expressed concerns that if town meeting gets to the points where they vote this down, it could create serious legal issues. He is in favor of paying the bill but taking a very close look at how it is calculated in the future.

Mr. Lindemann asked how this sort of bill works for towns who are much further away from funding their pension. Mr. Kern answered that a large goal of pushing to close out that obligation was to gain extra flexibility by demonstrating their willingness to completely close out the pension. However, keeping on their schedule to close out the payments coupled with the hike in unfunded liability due to moving the goal to 105% has created this $3.7 million cost

Mr. Preston raised concerns if the certified free cash does not amount to enough. Ms. Terkelsen explained that we will almost definitely have sufficient free cash to cover it, but it will eat into the available free cash, which is typically used to fund capital projects.

It was voted 9-0.

Article 12

Mr. Heffernan motioned that the committee recommend that it be so voted. Mr. Roberts seconded. It was voted 9-0.

Article 15

Mr. Heffernan motioned to recommend that paragraphs 39-39 of the Town Bylaws, entitled, “Revolving Funds Established”, be amended by deleting the rows for the sustainability fund, Ames building, and Youth Commission revolving funds in their entirety and close out any funds remaining in such revolving funds to the general fund.

And, further, by amending the vote taken under article 12 of the May 12 2018 annual town meeting to delete the rows for the specified revolving funds in their entirety, and to increase the board of health programs revolving fun annual expenditure limit from $ 15,000 to $25,000, with such amended expenditure limitations to remain applicable from fiscal year to fiscal year until such time as they are later amended, as shown in the table.

Mr. Roberts seconded.

Mr. Preston asked how the youth commission would continue to fund without their revolving fund. Ms. Terkelsen answered that the youth commission no longer uses their revolving fund as a funding source.

It was voted 9-0.

Article 16

Mr. Heffernan motioned to recommend that it be so voted. Mr. Roberts seconded.

Mr. Hughes raised concerns that this article could create situations where the rule is abused in neighborly conflicts or against elderly or infirm people.

Mr. Lindemann asked where these records would be kept. Ms. Goldberg explained that this sort of information is the responsibility of the building department. She explained that the goal here is to give the town an ability to clean up properties as a legal tool.

Mr. Lindemann asked what the expected benefits are. Ms. Goldberg explained that this allows tickets to be written, which if they go unpaid could move to district court. However, the goal is not to generate fine money but to allow the town to step in to clean up properties where they otherwise have no recourse.

It was voted 9-0.

Article 17

Mr. Heffernan motioned to recommend that it be indefinitely postponed. Mr. Roberts seconded.

Ms. Baker noted that it is the request of the article’s sponsor that it be indefinitely postponed.

It was voted 9-0.

Article 18

Mr. Heffernan motioned to recommend that it be so voted. Mr. Roberts seconded.

Mr. Hughes confirmed that the moderator does not have issue with this article. Town Moderator Driscoll confirmed that he agrees with it.

It was voted 9-0.

Article 19

Mr. Heffernan motioned to recommend that it be so voted. Mr. Roberts seconded. It was voted 9-0.

Article 20

Mr. Heffernan motioned to recommend that is be so voted. Mr. Roberts seconded. It was voted 9-0.

Article 21

Mr. Heffernan motioned to recommend that it be so voted. Mr. Roberts seconded.

Mr. Hughes pointed out that there was a point in the hearings when a request to amend this article was made. He wanted to clarify that they were considering the original, unamended article. Ms. Baker confirmed.

It was voted 9-0.

Article 22

Mr. Heffernan motioned to recommend that it be so voted. Mr. Roberts seconded.

Mr. Lindemann noted that they are following a similar pattern of change in other towns across MA.

 It was voted 9-0.

Article 23

Mr. Heffernan motioned to recommend that it be indefinitely postponed. Mr. Roberts seconded.

Mr. Lindemann raised the concern that he would rather make a more definite no vote on this. Moderator Driscoll clarified that indefinite postponement is a solid no, it’s just a matter of terminology.

It was voted 9-0.

Article 24

Mr. Heffernan motioned to recommend that it be indefinitely postponed. Mr. Roberts seconded.

It was voted 9-0.

Mr. Preston reiterated his request for the complete information on the collective bargaining agreements.

Mr. Roberts asked to be provided with the sequence of when contracts are up for negotiation.

Mr. Heffernan noted that the financial policies committee has generated 3 policies that they have requested be evaluated by the finance and warrant committee.

Ms. Emery Butler requested that further discussion on the benchmarking communities take place at the next meeting.

Mr. Preston requested that the committee discuss the concept of posting unapproved minutes on the town website at the next meeting. Town Counsel Ms. Goldberg explained that the state has recently put forth new recommendations that could allow one member of the committee to single-handedly approve minutes. She also explained that the committee can also approve meetings by consent, which means they go on the agenda and if no discussion takes place, it is considered to be agreed and approved.

Mr. Lindemann motioned to adjourn. Ms. Emery Butler seconded. It was voted 9-0.