Finance and Warrant Committee Minutes

March 21, 2019

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

Mr. Preston called the meeting to order at 6:31. Mr. Preston agreed to hear from Russ Poole and Fred Civian on Article 25 ahead of the public comment portion to accommodate scheduling.

Mr. Poole, chairman of the bylaw review committee, explained that the BRC recently discussed articles 12, 25, and 26. The committee approved the 9-member board set forth by article 25, but eliminated the student requirement. There was not much argument on the topic within the Bylaw Review committee.

Ms. Persson Reilly asked why the article appeared different from the recommendation of the bylaw review committee. Ms. Baker answered that the bylaw review committee and sustainability advisory committee agreed on the change, and the recommendation write-up will reflect that.

Mr. Heffernan asked what was different about the text as presented to the Finance and Warrant Committee. Ms. Baker answered that the 9 members would all be at large.

Mr. Preston gave the opportunity for public comment. Seeing none, he requested that Mr. Heffernan report on his discussion with the assessors on the topic of the unreleased overlay surplus. Mr. Heffernan explained that the assessors were not yet prepared to take a vote, but would have their vote concluded by the time of deliberations. Mr. Preston agreed this information is crucial to have in time for deliberation.

Mr. Heffernan asked if the funds released as a surplus would go towards Article 11, reducing the tax rate. Ms. Baker replied that it was not yet decided whether it go into Article 11. Mr. Heffernan suggested it should be in Article 11 to be visible within the budget.

Beth Pierce arrived at 6:43

Mr. Lindemann asked when the assessors would be meeting next. Mr. Heffernan replied that they have not yet made plans to meet again. Mr. Lindemann suggested meeting sooner rather than later.

Mr. Preston suggested that the committee should carefully communicate to the assessors the way in which the timing of their decision making process can affect the decision making process of the finance and warrant committee.

Mr. Lindemann motioned that Mr. Preston contact the assessors to communicate that to them, Mr. Heffernan seconded. It was approved 9-0.

Mr. Preston reminded the committee of the upcoming search for a new town manager, as a member of the town manager search committee. The selectmen have hired a firm that will be seeking appropriate candidates, with the committee eventually making a recommendation of 3 candidates to the board of selectman, who will then make their selection of the next town manager.

Mr. Lindemann asked if there was a scope being written by the committee. Mr. Preston answered yes, and the town charter contains additional information and requirements for the position.

Mr. Poole explained the Bylaw review committee’s discussion of Article 12. Article 12 eliminates the surplus vehicle and equipment reserve fund, closing out its contents to the general fund, and to increase the revolving fund for the council on aging from $8,000 to $15,000. Support for this passed through the bylaw review committee unanimously. Mr. Preston confirmed that this would be budget neutral, and asked what the surplus vehicle and equipment reserve fund was used for. Ms. Baker agreed to find that information and have it sent to the committee, along with its balance.

Mr. Poole explained the Bylaw review committee review of Article 26. It was a topic of conversation between the BRC and the Town Clerk, as well as with the article’s proposers. Mr. Poole explained that they are recommending the article be indefinitely postponed, and that this suggestion comes with the approval of Georganna Woods and Michael Cocchi, with the possibility of a substitute motion coming forth on the town meeting floor following further discussion into the possibility of a necessary bylaw. The committee voted in favor of postponing 3-1, with Fred Civian opposed.

Mr. Preston asked what the two sides of the debates were. Mr. Poole explained that there was a concern about maintaining the privacy of a personal e-mail. However, it is his belief that at this point, most people have multiple e-mail address, with the understanding that they keep one private and give the other out more freely. However, there is still the question of if this requires a by-law.

Mr. Preston asked why not pass a bylaw that requires town meeting candidates provide an email or be assigned one by the town. Mr. Civian explained that the bylaw does not put any requirements on potential town meeting members. Mr. Preston asked why not just implement the bylaw if they are uncertain whether it is required.

Mr. Civian clarified that article 26 is to create a single point of contact for all of town meeting that could be contacted by the public and then simultaneously received by all town meeting members. Ms. Baker explained that Georganna and the Town Clerk met today to discuss possible solutions, and she expects Ms. Woods to have reached a solution that will not require an article at all.

Mr. Hughes reminded the committee that they received an immense amount of e-mail on the topic of certain articles for the Finance and Warrant Committee. He cautioned that this could create an untenable amount of e-mails.

Mr. Preston asked how the town communicates to town meeting members currently. Ms. Baker answered that they typically contact district chairs and have them communicate with members of their district. Other forms of communication go out through traditional post mail.

Mr. Preston suggested moving to digital communication could be a time and money saving measure, but can also change the way communication happens.

Ms. Emery Butler noted that spam filters could mistake these mass mailings.

Jason Mammone took the floor to discuss article 15, 16, and 28. He began by discussing article 15. The article pertains to the National pollutant discharge elimination system phase 2 stormwater general permit for small municipal separate storm sewer systems. These guidelines and permits are issued by the EPA. While we have a team of department leaders responsible for this, there are gaps in the expertise we require to meet these guidelines. The estimated costs for this year are $125,000. These costs go to contractors, fees to membership groups, and supplies and payment for certain tasks. This account needs to be supplemented each year.

Mr. Preston asked if these expenses were reflected in their yearly budget. Mr. Mammone explained that some of meeting the NPDES does come out of operational budgets, but the fund is for the various departments who would have to pull on it for their uses.

Mr. Lindemann asked why it wouldn’t be distributed among the departments who it affects. Mr. Mammone replied that this way it would fall under his leadership as meeting these requirements is ultimately his responsibility. Ms. Pierce asked if Mr. Mammone had all aspects of meeting the guidelines planned in advance. Mr. Mammone answered that he did for his department, but some elements rely on other departments.

Fred Civian, speaking as Mass DEP Stormwater coordinator, expressed support for Mr. Mammone’s request. He explained that the groups that Mr. Mammone has joined serve to reduce the cost to its constituent members.

Mr. Preston asked if Mr. Mammone expected the cost to exceed $125,000 in future years. Mr. Mammone answered that it is possible. Some towns have established stormwater utility bills to meet the funding needs for this expense.

Mr. Heffernan asked if the use of this consultant would reduce or eliminate the amount of time our employees spend on handling this permit. Mr. Mammone answered it would reduce, but not eliminate it.

Mr. Preston asked if there was an existing revenue stream for this. Mr. Mammone answered no.

Ms. Fay asked about penalties for failure to meet these guidleines. Mr. Civian answered that back in 2003, when a similar permit was passed, 8 towns were assigned over $500,000 in fines and placed under a judicial administrative consent order.

Ms. Fay confirmed that this was for the purpose of securing clean waterways.

Mr. Lindemann asked if Mr. Mammone was proposing or would propose adding an employee to handle this issue. Mr. Mammone answered no. Some towns do, but he does not believe it would be the most valuable.

Mr. Mammone moved to discussion of article 16. This article proposes funding for the purpose of participating in the Mass Water Resources Authority Inflow and infiltration local financial assistance program. This program has allotted $1,160,000 as a 75% grant and 25% interest free loan. This is the 11th phase. Mr. Preston asked we had received similar grants in the past. Mr. Mammone answered yes. Mr. Preston asked about this history of this article. Mr. Mammone replied that it has been 3 or 4 years since a similar article previously was on the warrant.

Ms. Fay asked why the article contains language suggesting we have to pay to participate. Mr. Mammone answered we do not have to pay to participate, but we do have to pay back the loan and get town meeting approval.

Mr. Heffernan asked why the article would not simply contain the amount we have to pay back. Ms. Baker explained that there is a specific method of wording the article that needs to happen.

Mr. Lindemann asked if this grant covered only public infrastructure. Mr. Mammone answered yes.

Mr. Heffernan asked when we will receive the $1,160,000 and how we demonstrate when we use that money. Mr. Mammone explained that is part of his responsibility, providing receipts and a written plan.

Mr. Mammone moved to discussion of article 28. This article pertains to the acceptance of Liana Lane as a public way. This could potentially need to be indefinitely postponed if the paperwork does not come in in time.

Mr. Preston asked if there was anything unusual about this road acceptance compared to previous, similar article.

Mr. Hughes asked why the language eminent domain was included on this article. Mr. Mammone answered that it is standard legal language for efforts like this.

Mr. Preston asked if eminent domain was ever used in the conversion from a private way to a public way. Mr. Mammone answered that he has never seen it in his tenure.

Mr. Lindemann asked if all the citizens agreed to this process. Mr. Mammone answered that process was underway. It is the responsibility of the person applying for the road to get unanimous signatures from all abutters.

Mr. Heffernan asked how many residents were on the road. Mr. Mammone answered that there are 5 or 6 properties on the road. Mr. Heffernan asked what benefits to the town converting this road to public brings. Mr. Mammone replied that this increases our access to chapter 90 funding.

Ms. Fay asked why this road needs to go through the process. Mr. Mammone answered that subdivisions always have to go through this process.

Georganna Woods, town meeting member of district 6, took the floor to discuss Article 26. Ms. Woods explained that the idea is intended to increase public ability to contact their town meeting members. She acknowledges that town meeting members may not wish to publish their e-mail address publically. The new plan, a change from Article 26, is to implement a voluntary system by which town meeting members can choose to append their e-mail address to the town meeting member listing.

Ms. Fay asked Ms. Woods if she believed town meeting representatives from certain districts should be expected to hear from members of other districts. Ms. Woods explained that some articles affect the entire town, and they may very well wish to contact all of the town meeting members.

Mr. Heffernan asked if there was any discussion with the town clerk before the article was submitted. Ms. Woods answered no. Mr. Heffernan explained that every submitted article has to go through all the article review processes.

Fred Civian, district one town meeting representative, took the floor to present Article 24. He explained that he previously introduced an article requiring businesses to shovel their properties after a storm. That article was indefinitely postponed. Mr. Civian explained that he has separated that concept into two questions. Article 24 forms a committee to discuss the subject of commercial, industrial, and institutional property owners being required to shovel their sidewalks.

Mr. Roberts asked if there was consideration for including someone from the DPW on the committee. Mr. Civian explained that he has met informally with Joe Flanagan of the DPW. He explained that he deliberately did not specify the makeup of the committee so it could be decided by those interested.

Mr. Lindemann asked why this article excluded residential property. Mr. Civian explained that it is rare for towns to make those sort of mandates about residential property. It is more common in cities.

Mr. Hughes suggested that an issue with including restriction on residential property is the elderly population in Dedham, who cannot be expected to shovel their own sidewalks.

Mr. Heffernan asked if Mr. Civian had input on reducing the board from 7 to 5 members. Mr. Civian answered that he is more than willing to support changes based on the will of the town.

The committee discussed the scheduling of their future meetings.

Mr. Roberts thanked Andrea Terkelsen for providing advanced financial data via e-mail.

Mr. Heffernan motioned to adjourn, Ms. Pierce seconded. It was voted 9-0.