**FINANCE COMMITTEE**

**Meeting Minutes**

**Thursday, October 8, 2015, 6:30 PM**

**Lower Conference Room, Dedham Town Hall**

**Members Present:** John Heffernan (Chair), Maureen Hanlon, Sue Carney, Russell Stamm, Dave Roberts, Liz O’Donnell and Kevin Hughes.

Mr. Heffernan called meeting to order at 6:30 PM.

**Reorganization of Committee**

Ms. Hanlon made a motion to re-elect Mr. Heffernan as the Chair of the Finance Committee, seconded by Mr. Hughes. **It was voted 7-0.**

Mr. Roberts made a motion to elect Ms. Hanlon as the Vice-Chair of the Finance Committee, seconded by Ms. Carney. **It was voted 7-0.**

Mr. Heffernan commented that he is really going to miss having Mr. Podolski on the Finance Committee. This is the first time in a long time Mr. Podolski is not the Vice-Chair of the Committee. Mr. Podolski provided quite a bit of entertainment.

Ms. Hanlon commented that she does not remember a Finance Committee vacancy posting for Precinct 1.

**Warrant Hearings for 2015 Fall Town Meeting:**

6:39 PM: Article 6: *To see if the Town will vote to create a Town committee to be known as the Mother Brook 375th Anniversary Committee to be composed of two members of the Mother Brook Community Group, appointed by the board of the Community Group, the executive director of the Dedham Historical Society or her designee, the executive director of the Mother Brook Arts and Community Center, or her designee, and three at-large members appointed by the Selectmen; the committee shall be charged with planning appropriate events, markers, and memorials to commemorate the opening of Mother Brook on July 14, 1641, in consultation with the Board of Selectmen and Town Manager; and further, to see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or borrow for the purposes set forth herein, or take any other action relative thereto.*

Brian Keaney was present to discuss this article. He explained that the article was sponsored on behalf of the Mother Brook Community Group. Next year is the 375th anniversary of the opening of Mother Brook and they believe this should be celebrated.

Mr. Heffernan commented that he thinks this is a great idea.

Mr. Roberts asked if the funds raised will come in to the Town. Mr. Keaney explained that the money will be held by the Mother Brook Community Group, they are a 501C3 organization. It will be in a separate account designated for this event. Mr. Keaney also explained that he spoke with the Town Manager and money may be available to get it started.

Ms. Terkelsen explained to the Committee the process of accepting donations.

Mr. Heffernan commented that if a person donates to the Mother Brook 5013C then it does not necessarily mean it is for the 375th anniversary event, so it is important that the account is held separately.

Mr. Stamm commented that he does not think it is necessary to form a committee to create a fund. Ms. Hanlon commented that she thinks this is becoming too much of a project.

Mr. Terkelsen commented that as a Town they do not make donations to something like this, but they may contribute to events if approved at Town Meeting.

Mr. Heffernan asked Mr. Keaney why they wanted to form a committee outside of the Mother Brook Community Group. Mr. Keaney explained that this would be a town-wide celebration, not just a Mother Brook Community Group celebration. He spoke of the validity of a Town organization being responsible for the money.

Article 9: *By Trust Fund Commissioner Brian M.B. Keaney. To see if the Town will vote to strike Section 85-25 of the By-Laws, or take any other action relative thereto. Referred to By Law Review Committee and Finance & Warrant Committee for study and report.*

Brian Keaney explained that he would like to strike Section 85-25 of the by-laws because the committees do not report back to Town Meeting as they should, and in effect it hurts every by-law in Town when you have one that you do not enforce.

Mr. Heffernan asked if these are study committees. Mr. Keaney responded that it is Counsel’s opinion that the by-law only applies to ad hoc committees. Mr. Heffernan explained that he would like to make sure that this does not apply to all committees.

Mr. Stamm commented that he doesn’t think boards or committees are avoiding a report. He also does not think the language only applies to some committees; it is not clear. In his opinion, striking the language doesn’t do anything. Mr. Keaney responded that keeping the language doesn’t do anything either. Mr. Stamm responded that he knows where Mr. Keaney is coming from and he agrees that someone should be held accountable.

Mr. Keaney provided an example of how he believes the BPCC deliberately avoided reporting back to Town Meeting. He explained that he is aware of another committee that was also supposed to report back in a year and did not, but then when they gave them another year they did.

Mr. Heffernan commented that there may be another way to address this without striking the language. Mr. Keaney responded that if he can come up with something, he is all for it.

Mr. Stamm commented that if the Town had fewer committees, they would have had less to keep track of.

Cecilia Butler informed the Finance Committee that the By-law Review Committee voted 3-0 to indefinitely postpone this article. They felt it was better to keep the language on the books.

Article 10: *By Trust Fund Commissioner Brian M.B. Keaney, Board of Health Member Jason Brogan, Town Meeting Representatives Charlie Krueger, Ann Geier, Rita Mae Cushman, Jamie Brogan, Joe Heisler and Theresa Heisler re: shopping carts- (see warrant).*

Cecilia Butler informed the Committee that the Bylaw Review Committee didn’t see a need for this to be a by-law.

Mr. Keaney presented a picture from The Dedham Times of shopping carts being pulled from Mother Brook. He explained that you will see them all over Town.

Mr. Hughes asked if the Code Enforcement Officer has time to enforce this.

Mr. Keaney explained that retailers should be required to have shopping carts with wheels that lock up when they leave the premises.

Mr. Heffernan asked Mr. Keaney if he has had any conversation with Jim Sullivan, the Town’s Code Enforcement Officer about adding this to his responsibilities. Mr. Keaney confirmed he has not.

Mr. Stamm explained that he can’t imagine this being enforced; shopping carts are going to end up where they are going to end up. The store should be concerned about the cost of their carts going missing, but this is not the answer.

Mr. Roberts confirmed with Mr. Keaney that this is the language that is being used in Boston.

Mr. Heffernan explained that if this happens to get changed in the future he would like to see it be more streamlined as it is currently six pages long. He added that he believes the intent is right, and would like to consider what the Town can do to keep shopping carts out of Mother Brook. Maybe this is a start towards getting this corrected, but he is not sure if it is a final solution.

Ms. O’Donnell commented that if they were to require locking mechanisms on the carts, they would need to give retailers a timeframe to turn over their fleet.

Article 11: *To see if the Town will vote to strike the chart in section 106-3 (B) of the By-Laws and to replace it with the following: (see warrant)*

Cecilia Butler explained that the By-law Review Committee voted 3-0 that Article 11 “be so voted”.

Mr. Keaney explained that the number of false alarms have actually gone up.

Mr. Heffernan commented that the police need to approach each false alarm as if the building had been broken into.

7:30 PM: Article 12: *By the By Law Review Committee at the request of the Finance and Warrant Committee. To see if the Town will vote to amend the ByLaws by adding the following new section: (Re: ARTICLE IX School Building Rehabilitation Committee, See Warrant)*

Ms. Butler explained that the By-law Review Committee has suggested some edits to the language within this article.

Mr. Heffernan commented that he commends Ms. Butler and the Bylaw Review Committee for the time and effort that was put into this.

Article 14: *By the Conservation Commission. To see if the Town will vote to amend the General Bylaws, Chapter 246 “Stormwater Management,” as follows: (see warrant)*

Frederick Civian, Chair of the Conservation Commission, was present to represent this article.

Cecilia Butler explained that all number should be Arabic, not mixed with Roman. Also dates and missing text should be filled in.

Ms. Carney commented that she got the impression that statutory requirements would trump this. Mr. Civian clarified that Ms. Carney is referring to Article 13 by Dennis Teehan’s on Wetlands Protection Act, not Article 14.

Ms. Carney confirmed with Mr. Civian that a vote had not been taken by the Conservation Commission as of yet to support this article. She commented that it would be helpful in the future if the of the Conservation Commission came in ahead of time.

Mr. Heffernan asked Mr. Civian why the Conservation Commission is putting forth an article that they have not yet taken a position on by voting. Mr. Civian explained that while the Conservation Commission has not taken an official vote to support the article, they have been supportive through the process and several discussions have occurred during their meetings relevant to this. They can take a position on the article at their next meeting.

Mr. Stamm commented that this article will hopefully alleviate some of the pressure put onto homeowners. He asked if it would be possible not to set a square footage as a threshold, but instead to designate a percentage of lot coverage. He explained that there are so many different types of lots in Town, and he thinks it would make sense that as long as the impervious square footage was under a certain percentage that they would not need to go through the more lengthy and expensive process.

Mr. Civian responded that he can take that idea back to the Commission. That is similar to how the aquifer protection district works. Rather than have there be no threshold they decided to raise the threshold so that it becomes an easier way to meet storm water rules as a homeowner. The permit would instead be a minor permit which would no longer be required to go to the Conservation Commission for a hearing. Mr. Civian provided data on the number of permits issued last year as compared to how many permits would be needed under the new rules, demonstrating that they would be lessening the burden for many projects. He explained that 10 of the 22 permits issued last year would not need to go through that larger permitting process in front of the Commission under the new rules.

Mr. Stamm asked Mr. Civian if someone would still need a permit under the new rules if they wanted to replace their driveway using the same footprint. Mr. Civian confirmed that this would still require a permit to address modern storm water rules for environmental purposes.

Mr. Stamm commented that people often don’t realize that they need a permit when they re-pave their driveway. Mr. Stamm strongly urged Mr. Civian to consider at least a driveway exemption as he feels the cost to comply with the rules is a burden on homeowners.

Mr. Heffernan commented that the proposed bylaw was a difficult read; he attempted to do a side-by-side but it was difficult.

Ms. Carney commented that she had some question of whether common sense is put into these bylaws.

Mr. Civian explained that he wants to raise threshold so fewer people are required to meet storm water rules, and for minor work that there is a simple and easy way for homeowners to comply.

Article 13: *By the Board of Selectmen at the request of Selectman Dennis J. Teehan, Jr.: To see if the Town will vote to amend the General Bylaws, Chapter 271 “Wetlands Protection,” , Section 271-4 “Exceptions,” by renumbering the existing Section 271-4-C as Section 271-4-D, and by inserting a new Section 271-4-C, as follows: (see warrant)*

Ms. Butler informed the Committee that the By-law Review Committee voted 3-0 that it be so voted.

Dr. Teehan explained that with this article he hopes to find a way to circumvent the need for someone living adjacent to a wetland resource area to go in front of the Conservation Commission. Dr. Teehan explained that he now understands that due to the state law he cannot avoid this requirement, but within the process of a Request for Determination of Applicability the Commission has room for interpretation. He hopes that adding this language will help give the Conservation Commission some grounding to use where there is room for interpretation. He is working with Town Counsel to amend the language of the Article.

Ms. Carney commented that she is not sure if state regulations would trump this. Mr. Civian confirmed that in general they do. Mr. Civian talked about the line of violating state wetlands act, and how in some cases there is a disconnect between what state rules say and the local bylaw. An unintended consequence of this is it will cause confusion and force enforcement.

Mr. Stamm commented that Mr. Civian’s point is very well taken. The new language should say you still need to go through the process, but the language will give ConCom the flexibility to make the determination. Mr. Civian responded that it gives guidance, and that the Conservation Commission is already exercising discretion. Mr. Civian will bring this information to the next Conservation Commission meeting.

Mr. Stamm noted that this won’t change anything the Conservation Commission is doing. He firmly believes the average resident doesn’t even know they need to go and ask the questions. He would like to see some kind of PR campaign to let people know what they need to pay attention to. Mr. Roberts agreed that PR could help give folks a greater sense of awareness. These rules and regulations can be very confusing. Mr. Civian commented that he agrees that the word needs to get out.

**Old/New Business**-

Mr. Stamm commented with regards to the Finance Committee Review of the warrant, he feels like they are rushing to get the job done and make their recommendations for Town Meeting. He would like to start earlier in the future if possible.

Mr. Heffernan explained that the Finance Committee may hold a meeting on the 20th as a backup plan to cover all of the material. The earliest they could have gotten started was the 6th.

8:30 PM: Mr. Stamm made a motion to adjourn for this evening and continue the Warrant Hearings for 2015 Fall Town Meeting until Tuesday October 13th, this was seconded by Ms. Carney. **It was voted 7-0**.