October 3, 2017

Finance and Warrant Committee

Kevin Preston, John Heffernan, Marty Lindemann, Kevin Hughes, Cecilia Emery Butler, Dave Roberts, Liz O’Donnell, Susan Fay and Sue Carney present.

Meeting began at 6:33

Mr. Preston asked if any members of the public would like to make comment on any subject, there was none.

Ms. Baker handed the floor over to Chief D’entremont.

The chief covered his two requests for line item transfers. The first was to cover improved employee testing. The police have moved to a new provider for their medical exams, leading to increased costs. They are requesting to transfer $1000 from salaries to employee testing.

The second request is to cover a new security system for the evidence room. The previous system has been exhibiting issues lately and is very old. They will also be expanding evidence to a second room, which requires an additional system. The request is to transfer $4000 to cover the one-time cost of installation.

Mr. Lindemann asked if we will be able to carry some of this security system over to the new building. Chief D’entremont answered that it would not be able to be moved in the upcoming transfer.

Denise Moroney, Director of Facilities took the floor. She requested a transfer from personnel salaries to vendor services for $17,205. This extra money in salaries comes from the vacant HVAC staff position for July, August, and September.

Ms. Carney asked if this HVAC money had already been spent. Ms. Moroney answered that this expense is in the past, and would have been paid out of her existing appropriation.

Mr. Roberts asked when they expect to find the new HVAC employee. Ms. Moroney answered that they are hoping to have someone by December.

Mr. Hughes asked if they have been actively seeking this new employee since July. Ms. Moroney answered that they have been looking since spring.

Ms. Carney asked if they thought the salary was too low to attract a quality candidate. Ms. Moroney answered that they are bound by union rates, but yes, they have found the salary has been a bit unattractive.

Mr. Lindemann asked about the difficulty of hiring the new HVAC position. Ms. Moroney explained that they are strongly bound by union negotations. Mr. Lindemann asked who is currently working to solve the problem. Mr. Kern answered that no one person is working to solve it because as a union issue it takes multiple people working together to change.

Ms. Terkelsen took the floor for the final line item transfer request. A $5000 transfer from Police Salary to Salaries and Finance. This is to cover a positional stipend for a treasury collector that amounts to $1000 per year. Mr. Preston asked if this covered 5 years. Ms. Terkelsen answered that yes, it is a stipend that is due from a local statute to the person in this position. It was left out of the previous budget due to restructuring but we have a legal obligation to repay it.

Ms. Carney pointed out that 5 years is a long time to overlook an obligation like that.

Ms. Terkelsen explained that this extra stipend is a salary incentive for maintaining her Treasury Collector certification.

There were no further questions on line item transfers.

Ms. Terkelsen moved to the subject of Prior Bills. There are 6 items representing unpaid prior year bills.

Unpaid prior year bills are invoices that were not received in time for the fiscal year end, and require approval to be paid.

Ms. Terkelsen listed the 6 items under prior bills.

1. A Legal expense bill from KP law
2. Bill for the new website software and management system
3. Meter reading charges from Dedham-Westwood water district for sewer billing
4. Employee medical testing bills
5. Miscellaneous supplies for the fire department
6. Specialty supplies for the building inspection

Mr. Preston asked for clarification as to why the police department is transferring so much out of its salary line. Chief D’entremont answered that there are 3 funded but unfilled positions. Mr. Preston asked if there was something unusual causing these empty positions. Ms. Terkelsen explained that the Quinn Bill funding halted, leading to reduced police funding. She explained that they budget for these positions but they often go unfilled.

Mr. Lindemann asked if we were looking into the possibility of eliminating these positions. The response was ambivalent.

Mr. Preston asked how long these positions had remained vacant. Ms. Baker answered that this has been since 2009, when the Quinn Bill was halted.

There were some questions as to why 2 positions would be left empty for 8 years. Ms. Baker clarified that the board of selectmen decided to honor the Quinn bill and continue paying the employees their previous benefits under it.

Ms. Carney asked how many employees the police department had on the old Quinn bill system. Chief D’Entremont answered that roughly 30% of their employees receive those benefits.

Mr. Heffernan asked about the AFC urgent care visit date range, which appeared to extend beyond the fiscal year. Ms. Terkelsen answered his question that the AFC billed for 2 years all at once.

Ms. Terkelsen stated that they expect these prior year bills to further decrease thanks to the new system.

The committee moved to discussion of Article 9. Ms. Baker explained that the intent is to put a public question on spring ballot regarding the banning of marijuana vendors and non-medical establishments. This will basically be a question to the voters as to whether they want to ban the establishments outright.

There were no questions on Article 9. The committee moved to Article 10

Ms. Terkelsen explained that Article 10 has received approval from the attorney general. The article affected by Article 10 had a typographical error but was approved previously nevertheless. This article is simply to clean up the error.

The committee moved to Article 11. Ms. Carney explained that she and Ms. Emery Butler worked on this along with Ms. Baker to improve their previous suggestions.

Mr. Preston asked what had changed. Ms. Baker explained that the department responsible for the triggering action of Article 11 would be responsible for fulfilling the information dispersal aspect of Article 11.

Mr. Hughes raised concerns with ongoing projects where they have not properly informed people. Ms. Baker answered that some comparable projects are undertaken by utility companies, which the town does not really have power over. Even if this bill passes, it will not affect utility companies.

Mr. Preston asked about a previous Article 11 line regarding legal action that could come as the result of a notice not being delivered. Mr. Kern answered that he thinks it was discussed but not put in.

Ms. Emery Butler clarified that the original contained language about not delaying emergency action.

Ms. Fay clarified that she has the previous wording and it did not contain the wording Mr. Preston asked about. She asked about wording on the document that said “Will impact a neighborhood” and for examples of projects that are below the triggering threshold. Ms. Emery Butler gave the example of paving a school parking lot or erecting a fence as project that would not “impact a neighborhood.”

The committee moved to Article 12, advocating the creation of a Human Rights commission.

Presenting on behalf of its sponsors were Jonathan Pape, Fred Civian, Margaret Adams, Allison Staton, and Rali Weaver.

Ms. Adams explained that their warrant proposes a Human Rights commission. 20 already exist across the state of MA. She explained that the goal of this commission is to foster positive relationship through education opportunities and outreach bridging between town organization and committee groups.

Mr. Civian explained that this commission has no power to create policies or adjudicate complaints. He explained that their role is more to be a community liaison to provide help on how to deal with human rights issues. He clarified that when corporations are choosing their locations, clear signals from the town governance that suggest “all are welcome” increase the likelihood of them choosing that town.

Ms. Staton pointed out that there is no monetary ask attached to this Article. It requires no town funding.

Mr. Preston explained that an e-mail was sent to the committee about the Human Rights Commission. He asked if the presenters were aware of it. They were not.

Ms. Adams explained that the purpose is to build a sense of community around the changing demographics of Dedham so that more people can be involved. She enumerated the social benefits of positive relationships, an economic benefit of increased tax revenue, and a political benefit. She clarified that these outreach programs could be undertaken without a commission, but she wants there to be a clear message from town governance on the subject.

Mr. Heffernan asked about the 20 other Human Rights commissions across MA. Ms. Adams answered that they are each associated with towns. Their proposal was modelled after nearby towns like Needham. Mr. Heffernan asked how the members of the commission would move forward after it was approved.

Ms. Weaver answered that the goal is to gather all of the existing disparate human rights and similar groups within the town to help spread awareness and resources for these groups.

Mr. Roberts asked how they would interact in a specific example.

Mr. Civian answered that in a perfect situation, if someone had difficulty with the schools they would just go to the school committee. However, he wants to be able to give those people confidence that their voices would be heard.

Mr. Roberts asked if the commission would have a relationship with town attorneys, or something similar. Mr. Civian explained that the commission would exist to provide educated input to both the town and public on these issues. It would not represent an advocacy group.

Ms. Fay asked where the money for this commission would come from. If they privately fundraise and then act as representatives of the town, it could create a potential conflict and misunderstanding. Ms. Terkelsen answered that any groups or committees appointed by and working for the town need to take a close look at their funding sources. They need to be very careful about following the correct processes for any grants or donations.

Ms. O’Donnell suggested they look at the sustainability advisory committee, who operated similarly with no financing.

Mr. Lindemann asked if there was a specific problem that this commission is being created in response to. Ms. Weaver answered that Dedham has been becoming increasingly diverse, and they are not seeing that diversity reflected in the policymaking branches of Dedham.

Mr. Roberts asked if our Human Resource department was addressing these factors for our hiring committee.

Mr. Kern answered that there are some hiring policies that are required to be in our job postings by federal and state statute but that there may be other things that could benefit our committee that are not required by state statute. He compared the committee to the sustainability advisory committee, which introduced some ideas that were not required by state law but were smart.

Ms. Fay asked about phrasing from the article that began “support the human rights in…” and goes on to list multiple categories. She asked how they could support if they did not get legally involved. Mr. Kern answered that they are likely to undertake actions available to the public normally, just in a more organized fashion.

Ms. Fay asked for further clarification on what they meant by “support,” whether they would be getting involved in response to complaints. Mr. Lindemann asked if the commission planned to be able to create legal leverage. Mr. Civian answered that the sentence in question merely reflects back on previous statements limiting the responsibilities of the commission.

There were no further questions.

The committee moved to Article 13. This article has been put forward at the request of Ms. Emery Butler and Ms. Carney.

Ms. Carney clarified that the basic thrust of the article is that the public should be able to have input on significant public projects. She believes that the when sums of money reach into the 10s of millions, the public should have the opportunity to take a look at the project.

Article 13 calls for a town-wide non-binding referendum when projects exceeding $15 million in cost are proposed. Mr. Preston asked when the vote would occur. The vote would occur prior to town meeting.

Mr. Lindemann asked how much money it takes to hold an election. Ms. Baker answered 22-30 thousand dollars. Mr. Lindemann clarified that it could be happen at that year’s normal election.

Ms. Baker elucidated the way this new election would fit into the existing warranting process.

Ms. Carney said that this special election allows them to easily inform the general public that a sizeable sum of money is going to be spent. The new police station is sorely needed, but has been delayed for a while. However, the selectmen were hesitant to put it into the hands of the public. She was strongly put off by this attitude towards the public and feels that Dedham needs to be taking the opinions of the citizens more seriously

Ms. Fay asked what our average voter turnout was. Ms. Baker answered that is was below 20%. Ms. Fay asked how the supporting information around the project would be given to the public. Ms. Baker said that the town has a statute requiring every question on the ballot to be sent out in a voter information packet. However, that statute specifically requires a proponent and an opponent. She is unsure whether or not that statute would apply to a non-binding referendum. Ms. Fay asked if there are ever no information packets sent out before elections. Ms. Baker answered that yes, with no referendum question there is no mailing sent out.

Mr. Roberts asked how this would relate to MSBA school projects where money was received from the state. He clarified that some of the funding processes can create large delays and if they are delayed for too long, we lose their grant money. If they delayed until the next election, they could lose their funding. Ms. Baker stated that because it is nonbinding, we don’t have to do it if it would mean losing funding.

Ms. Carney raised concerns that the government can get into the habit of spending money freely and forgetting that they are spending taxpayer money.

Mr. Heffernan praised the structure of this bill, but raised concerns that it being non-binding could create major conflict if the public voted no and town meeting voted yes. Ms. Carney suggested that information should be influencing town meeting.

Ms. Carney stated that this is a simultaneous way to inform the public and get information from them about their opinions.

Mr. Preston noted that currently, the populace of Dedham has the power to demand an election and create a binding opposition for any decision made in Town Meeting.

Mr. Driscoll noted that the article contains language to exempt emergency action from this referendum that does not actually function within the timeline it creates. He clarified that certain language allows this emergency exemption, but the triggering condition could only possibly take place after the referendum would already have been held. Ms. Carney agreed that the language did create that issue but stated that due to its non-binding nature, it shouldn’t create too much of an issue anyway.

Ms. Terkelsen suggested they place something in the by-laws that requires the town to send notice on these projects without actually having a vote, to avoid some of the timing issues of the town meeting and the town elections. She suggested it would be more valuable to get the information out to all residents than to hold a referendum.

Ms. Carney answered that as a member of the committee, she is closely in tune to the cycle of the town meeting, the warrant hearings, and the ways that local policies change. However, the average person sometimes feels blindsided by major projects going forward without them even having heard of it.

Mr. Driscoll answered that the town meeting exists to create this spread of knowledge throughout the town. Our town meeting is the primary means by which we make decisions.

Ms. Fay sked if the primary goal is communication or feedback. Ms. Emery Butler answered that they prioritize the feedback. Ms. Carney said that she wants people to have a say in how their money is being spent.

Ms. O’Donnell expressed concerns that the previously mentioned wording in Article 13 made it unacceptable to vote on.

Mr. Preston asked that this article be worked on more and put off for further discussion later.

Mr. Kern took the floor to explain Articles 14-18. These articles are all the result of the municipal modernization act. These articles are meant to address projects that aren’t working as well as they should.

Article 14 allows for parking meter revenue to be segregated and used in support of parking projects. There may be a need to address the downtown parking situation in the future, but this is not a referendum to do that. Mr. Kern suspects that this was created in response to issues within nearby towns.

Mr. Preston asked if this removed the cap from the revenue of the parking system and if it allowed them to more broadly use those funds. Mr. Kern answered that Mr. Preston is basically correct but he is not certain that a cap currently exists.

Ms. Terkelsen called attention to a “sunset clause” which makes this act basically like a departmental revolving fund. Mr. Kern clarified that revolving funds aren’t supposed to exist for the everyday operations of a departmental fund.

Ms. Emery Butler asked how much we earned from parking meters. Mr. Kern offered to find that information later. Ms. Emery Butler asked how much it cost to operate them. Mr. Kern answered that we are losing money overall on the project, but that the purpose of parking enforcement is to meet behavior objectives, not raise money.

Mr. Heffernan suggested that this could be undertaken without passing this article. Mr. Kern explained that the advantage of having this article passed is to simplify future changes to the parking situation. Ms. Terkelsen suggested that this would allow them to have it in place if they wanted to use it in the future.

Mr. Heffernan asked why they would vote this through if they weren’t sure the town would use it. Mr. Kern answered that the parking situation may change soon, and they want the options available to them, then choose what to use.

Ms. Carney asked about the municipal modernization act. Mr. Kern answered that the governor and the legislature of MA took it upon themselves to address a number of things that they felt needed to be addressed, as well as issues town leaders suggested needed to be addressed. This has created a long list of articles that towns can choose to vote through or ignore. Dedham has already taken a look at the most important Articles from the list. However, they are also taking a look at other suggestions.

Mr. Kern moved to Article 15. He explained that there is a general understanding of what the speed limit is supposed to be when it is not posted. In MA, this is typically 30 MPH. This Article would establish that default as 25 MPH. Mr. Lindemann asked if this would allow us to establish a speed limit at places where the speed limit changes rapidly. Police Chief D’Entremont explained that there are many regulations on how speed limits can change and where they must be posted.

Mr. Preston asked what nearby towns have undertaken this article. Mr. Kern answered that some MA cities have accepted it, but he does not think any nearby towns have undertaken the article.

Mr. Preston asked how people would understand that there was a default speed limit change. Chief D’Entremont explained that it takes time for the understanding of the change to permeate the community.

The committee moved to Article 16.

Mr. Kern explained that Article 16 serves to expand the veteran’s benefits to the widowed spouse of a veteran. He explained that he could not exactly clarify how many people this would affect. The timing of the article has to do with the change in rates of service-related deaths.

Mr. Heffernan requested Mr. Kern acquire exact numbers on how many people this would affect.

The committee moved to Article 17. This article increases the maximum tax bill reduction of the Senior Tax Workoff program from $1000 to $1500. Mr. Kern explained that the Senior Tax Workoff program allows people over 60 in Dedham who meet certain criteria to work in town government to reduce their maximum tax bill.

Ms. Terkelsen estimated that there are around 40 people currently participating in this program. However, there is only a limited amount of work the town requires.

Mr. Lindemann asked for clarification about the program. Ms. Terkelsen explained that participants are volunteering in exchange for a tax exemption. Mr. Lindemann asked if we had to treat these people as if they were on the payroll. Ms. Terkelsen answered that we have to cover some of their federal taxes, but otherwise they do not receive benefits.

The committee moved to Article 18. Mr. Kern explained that some communities went through special legislation in order to make better use of savings. If this article is accepted, it allows the town to put their OPEB money into a trust fund rather than a standard fund.

The committee moved to Article 19.  Ms. Baker explained that this is the next phase in Quarry Road becoming a public way. The committee recently did something similar as pertains to Birch Street.

Mr. Preston asked if all the property owners had agreed. Ms. Baker explained that they had 100% sign on, which is required to have reached this stage.

Mr. Lindemann asked if this street was currently a private way. Ms. Baker answered yes.

Mr. Hughes asked if these people were being assessed betterments for this project. Ms. Baker answered that this is up to the selectmen. Mr. Kern answered that the current inclination is to not assess a betterment.

Ms. O’Donnell moved to adjourn, Mr. Lindemann seconded. It was voted 9-0

Meeting adjourned at 8:59.