October 10, 2017

Finance and Warrant Committee

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

Meeting called to order at 6:35.

Mr. Preston greeted the public and reviewed the agenda.

Mr. Preston opened the floor to public comment.

Jim Maher of the Parks & Rec commission informed the committee that they now planned to postpone the field plan that they had presented on the 5th.

Mr. Preston asked when work on Gonzalez field would be complete. It was projected that it would be significantly finished by the 13th.

There were no other public comments. The committee moved to speaking with public safety about the proposed public safety building.

Mr. Kern began by directing the committee to information in the packets they had been given. It contains statistics and other information requested by the committee.

Ms. O’Donnell arrived at 6:40.

Mr. Kern directed their attention to statistics about recently built public safety buildings in other towns.

In the instance of one comparable building that was slightly larger, their site was not as difficult to work with as ours. In the case of Needham, a significantly expensive parking deck was required for trucks.

Mr. Kern informed the committee that the projected price for this building could vary after the bidding and contracting process. A recent project came in at 1.5 million under budget, but other projects have gone over. Mr. Kern wanted to clarify that they did not build every possible available parking spot, but tried to choose a reasonable amount. He also warned the committee about the increased costs of construction for every year the project was delayed.

Mr. Kern summarized the different funding sources that would make this project possible. Some money comes from the Robin Reyes fund, some comes from the money that was previously spent on road upkeep and accelerated repairs. The rest of the money will be borrowed.

Mr. Preston asked about an income item that experienced a drop. Mr. Kern explained that this is mostly due to an accounting change, not an actual change.

Ms. Carney asked what reimbursement percentage we received on the E.C.E.C. Mr. Roberts answered 48%.

Mr. Preston raised concerns with the funding and a potential tax increase associated with this project. Mr. Kern directed him to a table containing cost information. Funding freed up by the conclusion of the road project will contribute significantly to this project.

Mr. Kern noted that some of this debt repayment will stretch significantly into the future, and so some of the projections may change significantly by unpredictable factors. He clarified that the town has managed a lot of building projects in a relatively short period of time.

Mr. Roberts asked if Mr. Kern has been conservative in his projections.

Mr. Hughes asked if there was a provision to increase the state meal tax percentage. Ms. Terkelsen answered that this would have to come from the state and they have no reason to believe it is currently being planned.

Ms. Carney asked if the limit the state imposes for towns for meals is 2%. Mr. Kern clarified that it is .75%. Ms. Carney asked if we were using the maximum value we could enforce. Mr. Kern answered yes, we are mandated to use that percentage.

Mr. Heffernan asked if the costs of this new building were unpredictable because we don’t know the quality of the soil beneath the property. Mr. Kern answered that the projection already contains a several million dollar contingency to cover unknown prices.

Mr. Heffernan also expressed that we don’t know much about how we are going to pay for the blue hills technical high school project. Mr. Kern answered that that money could be borrowed, but he would suggest the town pay as they go. He clarified that this expense is not on the projection that he handed out. Mr. Kern explained that this expense is not Robin Reyes viable.

Mr. Lindemann asked if there would be a change to our property tax. Mr. Kern answered that it is not predicted to increase or decrease.

Mr. Preston expressed concern that the Blue Hills project and some of the proposed debt service represents a significant effect on the tax levy for the coming fiscal year. Mr. Kern proposed that they may be able to further lower the road spending, but that is not certain for now.

Mr. Preston asked Mr. Kern to clarify the costs associated with the dirt pile at Stryer field.

Mr. Kern answered that he does not believe that property is best used for dirt storage. However, finding a storage alternative may incur costs in the future.

Mr. Lindemann asked if we could be heading to another 4 or 5 percent increase that needs to come out of our property tax base. Mr. Lindemann asked if we will make up some of that money based on the incremental growth of property value. Mr. Kern answered that we will generate more money from that, but he cannot calculate or estimate it.

Mr. Lindemann suggested that the town may perceive the town management as incurring too many capital expenses. Mr. Kern acknowledged that that is a fair question to pose, and the town does need to decide the rate of expansion and project development they want to set. He explained that he always asks whether it is a good time to be developing, and if it’s a good time to be borrowing money. It is currently a good time to be borrowing money, but a fairly expensive time to build.

Mr. Lindemann stated that it is important to be able to tell the public how their taxes are going to change but as important to manage how people perceive their projects.

Mr. Heffernan raised the point that it may be an expensive time to build, but historically speaking, construction does not get cheaper.

Ms. Carney pointed out that on the annual debt graph, the cost of the middle school falls off in 2027, and in 2028 the next school building project is proposed. She asked Mr. Roberts if we are holding off on our next school project until we’ve paid off this middle school. She pointed to the Riverdale School as being significantly old.

Mr. Roberts answered that he has no information about whether this was intentional or not.

Mr. Kern answered that in the next 6-10 years they expect one more building project. The school on his graph was based on his projection that the next building constructed would be a school. It could be a different building, but it is likely to be a school.

Mr. Heffernan pointed out that by staggering the school project in this way it keeps the fund balance around $1 Million.

Mike(editing note) explained that many of the projections and plans include a new building in the mid-to late 2020s. That project is expected to be a school and is there as a placeholder. This placeholder will remain there until the school committee or town meeting approves something otherwise. He explained that their cost schedules did not previously include the middle school or the Avery school, and the middle school falling off the debt schedule at the same time as the new school is a coincidence.

Mr. Kern agreed that aligning those two factors was not planned.

Mr. Heffernan asked if it could be moved forward prior to the time it currently lies, because it would result in the debt service expenses exceeding the fund monies. Mr. Kern acknowledged that something would have to be done to raise the funds if it moved ahead.

Ms. Carney said she not believe the taxpayers are aware that we went out of our way to keep the tax levy low last year. Money was drawn out of our “savings account.” She thinks that this might result in taxpayers being a bit shocked at the levy rate increase this year.

Mr. Kern agreed that the everyday taxpayer may have a difficult time understanding it. However he disagreed with the classification of free cash as a “savings account.” That money was tax money collected in the 2-3 years prior to its expenditure.

Ms. Fay mentioned a public meeting about the design of the public safety building, and asked if there would be further public meetings about this project. Mr. Kern answered that they will be presenting at the mini town meeting and the standard town meeting. Afterward, the project will have to go to the planning board. The development of the green space and walkability is currently undecided, and will be done at a public planning board meeting.

Ms. Fay said that non-town-meeting citizens may not find these meetings to be accessible.

Mr. Lindemann said that townspeople who raised concerns about the integration of the municipal campus may be looking for additional design iteration. Mr. Kern answered that the project went into design review after that meeting, but they are unlikely to be iterating further. They are beyond the stage where those base level design elements will change.

Mr. Preston asked if Chief Spillane or Chief D’Entremont had any further comment. Chief Spillane said that he is very satisfied with the design as it has been presented to them. Mr. Preston thanked them for their time.

Ms. Emery Butler handed out a revised edition of Article 13. She explained that the original warrant article existed to petition the general court. This revision is a written petition to be sent to the general court.

Ms. Baker explained that you have to provide the petition that you are asking the town to consider. This needs to be approved town meeting and then by legislature.

Ms. O’Donnell asked if anything about the timing or flow of the article had been changed.  
  
Ms. Baker explained that this article is different than what the committee looked at in the spring. Most large capital proposal projects come in the spring. This can lead to a Special Election being held or the project being delayed until the April election.

Ms. Carney clarified that some of these changes were because of the very strict flow of school building projects. The state aligns its approvals for school projects around fall or spring town meetings with the understanding that many towns have town meetings.

Ms. Carney asked the committee if the concerns that have been repeatedly raised around Article 13 are purely based around the language or philosophical opposition to the intent of the article.

Mr. Preston said that he finds the non-binding nature of this proposed election confusing. He pointed to the existing citizen override vote that still exists in Dedham laws.

Ms. Carney pointed out that Mr. Preston had only recently learned of the potential for the citizen override. She acknowledged that this vote being binding could have created some problematic situations. She believes that this article is about providing a measure of fairness to the taxpayers, and that the public needs to have a voice in these projects so that town meeting can hear their opinions.

Mr. Lindemann asked what the trigger for the post-town meeting special election for the reversal of action at town meeting. Ms. Baker answered that they have 10 days to get a 5% petition.

Ms. O’Donnell answered that she is philosophically opposed to the proposal. She believes that since we have a currently representative government in the form of town meeting. She asserted that if we have issues with our town meeting, we need to take action to improve town meeting rather than introduce another process.

Ms. Emery Butler said that due to the major change with the Robin Reyes fund, major projects like the ECEC don’t go through the people as they sometimes expect. There are people who expect to have a say in whether these projects are approved and feel that they slip right through without getting the chance to affect it.

Ms. Fay stated that she feels this proposal diminishes the role of town meeting, confuses the approval process, and may carry unintended consequences. She is also concerned about the dispersal of sufficient information for the public to make educated choices in time for this vote. She pointed out that the process has changed, and while she is sorry that has confused some people, she thinks that people need to take steps to become more involved with town meeting as that is the body that makes these sorts of decisions for the town. She does not believe in town-wide votes that are nonbinding. She does strongly believe in public opportunities for people to get information about these large projects.

Ms. Emery Butler said that previously, the purpose of town meeting was to choose what projects wind up being presented to the public. Now, town meeting has the final vote.

Mr. Preston suggested the committee present any last questions then move to deliberations.

Mr. Heffernan asked what would happen if the town meetings fall warrant contained a triggering project and was approved in fall. He asked if the project would have to go through with its approval prior to the public nonbinding vote. Ms. Carney answered yes.

Ms. Terkelsen pointed out that this article contains a process by which a special election could be called, allowing it to be done before the spring election.

Mr. Roberts asked if the committee could ask questions during deliberations. Mr. Heffernan answered that they could ask but should try to limit it to clarifications, and that they should get all their information now.

Mr. Roberts asked if they would be losing 5 months of progress by waiting for this vote. Ms. Baker explained that as a non-binding referendum, they could proceed with the project before the vote.

Ms. O’Donnell asked about some wording in the article about a 2/3 vote. Ms. Carney addressed the concern by noting that if the 2/3 vote is not met, town meeting cannot pass a bill that requires borrowing. She asked that the committee make their decision about whether they wanted to pass Article 13 before becoming overly bogged down in the wording.

Mr. Preston suggested the Article be considered in the future by the committee alongside Article 3 and 7.

Mr. Roberts motioned to end the hearings of all articles besides Articles 3, 7 and, 13. Ms. Emery Butler seconded. It was voted 9-0.

Mr. Preston moved to the review of the minutes that had been submitted for approval.

Mr. Roberts motioned to approve the minutes from May 15 2017, Ms. Emery Butler seconded, it was voted 9-0.

Mr. Roberts motioned to approve the minutes from June 19th 2017, Ms. Emery Butler seconded, it was voted 7-0. David Roberts and Cecilia Emery Butler abstaining.

Mr. Roberts motioned to approve the minutes from July 6 2017 so long as the spelling of Susan Fay’s name was corrected, Ms. Emery Butler seconded. It was voted 7-0, Kevin Hughes and Susan Fay abstaining.

Mr. Roberts motioned to approve the minutes from September 13 2017, Ms. Emery Butler seconded. It was voted 9-0.

Ms. Emery Butler raised issues with page 3 in the last 2 paragraphs. Two speaking attendees of the meeting were not correctly identified. She asked that those errors be corrected

Mr. Preston provided some clarification on the process of making substitute motions. Ms. Baker explained that if discussion warrants a change, they can amend additional motions with the changes.

**Article 1:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that the following sums of money, totaling $27,205.00, be transferred from current appropriations or free cash as scheduled on the following chart to meet additional expenses for the current fiscal year. Mr. Roberts seconded. It was voted 9-0. Details on this transfer can be found on the Fall 2017 Town Meeting warrant.

**Article 2:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that the following sums of money totaling $12,418.00, be transferred from current appropriations or free cash as scheduled on the following chart to meet expenses of a prior year. Mr. Roberts seconded. It was voted 9-0. Details on this transfer can be found on the Fall 2017 Town Meeting warrant.

**Article 4:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that the Town vote to transfer the sum of $2,500,000 from the amounts originally appropriated under Article 19 of the 2014 Annual Town Meeting for the construction of a Police Station at 26 Bryant Street, for the Design Development of a Combined Public Safety Building, to be located at 26 Bryant Street (the site of the current Town Hall) and 436 Washington Street (the site of the Main Fire Station), including all incidental and related expenses, and to authorize the Board of Selectmen to apply for, accept, and expend any grants or loans in connection herewith, execute any and all documents including contracts for more than three years, and take all action necessary to carry out this project. Mr. Hughes seconded. It was voted 9-0.

Ms. Baker made a clarification on the wording about $2,500,000.

**Article 5:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that the Town hereby approve the $84,862,768 borrowing authorized by the Blue Hills Regional Technical High School District for the purpose of paying costs of renovating, reconstructing, and making extraordinary repairs to the Blue Hills Regional Technical High School District High School, located at 800 Randolph Street, in Canton, Massachusetts 02021the payment of all other costs incidental and related thereto(the “Project”), which proposed repair project would materially extend the useful life of the school and preserve an asset that otherwise is capable of supporting the required educational program, and for which the District may be eligible for a school construction grant from the Massachusetts School Building Authority(“MSBA”), said amount to be expended at the direction of the School Committee; that the Town acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the District incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the District and its member municipalities; provided further that any grant the District may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-five and eighty-nine hundredths percent(55.89%) of eligible, approved project costs, as determined by the MSBA or (2) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized by the District shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the District and the MSBA. Mr. Roberts seconded. It was voted 9-0.

**Article 6:** Mr. Heffernan motioned that it is the recommendation of the finance and warrant committee that Article 6 be indefinitely postponed. Mr. Roberts seconded. It was voted 9-0.

**Article 9:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 9 be so voted. Mr. Roberts seconded. 7-1. Ms. Emery Butler opposed and Kevin Hughes abstained.

**Article 10:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 10 be so voted. Mr. Heffernan seconded. It was voted 9-0.

**Article 11:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that the town vote to amend the General Bylaws by inserting the following new bylaw:

§\_\_\_\_\_\_ Notice of intention to install new permanent public infrastructure

1. Notice of intention to install new permanent public infrastructure, including but not limited to signaling, lightning, or buildings, or other structures, shall be sent by mail, postage prepaid, to abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within three hundred feet of such infrastructure. Said notice shall also be posted on the Town’s website to the extent technologically feasible.
2. The notice required by this section shall, to the extent practicable, be provided by the Department of Public Works at least two weeks prior to any hearing relating to such new permanent public infrastructure or, if no hearing is required, at least two weeks prior to the installation of such new permanent public infrastructure.
3. The notice shall contain a description of the area or premises or street address, if any, or other adequate identification of the location that is subject to the installation of the new permanent public infrastructure, the nature of the new permanent public infrastructure, the date of the hearing relating to such infrastructure, or, if no hearing is required, the date of the expected installation of such infrastructure.
4. This Section shall not apply to road repair or reconstruction projects, or in the cast of emergency threatening the public health or safety.
5. While recognizing the importance of providing the notice required by this section, failure to provide such notice shall not impede the permanent public infrastructure project.

Mr. Roberts seconded. It was voted 9-0.

Mr. Heffernan expressed support for Article 11 as written. He does not believe this is the perfect form of this bylaw change but that it is a good article.

**Article 12:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 12 be so voted. There was no second, so the motion was not voted.

Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 12 be indefinitely postponed. It was voted 7-2. Liz O’Donnell and Kevin Preston opposed.

Mr. Heffernan said that he has nothing against Human Rights, but he does not believe this is a well written article. It does not make the role of the proposed committee clear enough. He has no problem with the intent of the article but takes issue with its wording. Ms. O’Donnell responded that she does not share the concerns about the wording of the Article.

Mr. Lindemann said that he does not believe a new commission will serve much purpose to the town and was disappointed by their inability during hearings to explain what problems they had set out to solve.

Mr. Roberts said that he dislikes the wording of the article.

Mr. Heffernan stated that he supports the creation of the commission laid out in Article 12 at a later date.

**Article 14:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 14 be indefinitely postponed, Mr. Heffernan Seconded. It was voted 6-3 Marty Lindemann, Cecilia Emery Butler, and Susan Fay opposed

Ms. O’Donnell asked Mr. Heffernan to share his concerns. Mr. Heffernan explained that he does not see a clear benefit to approving this Article and sees it creating more work for the finance department.

Mr. Lindemann disagreed, saying that he does not see this article as creating a meaningful amount of additional work.

Ms. Emery Butler stated that she is in favor of Article 14. She approves of any movement towards a new parking meter system.

Ms. Fay stated that she feels there is value to tracking the income from parking meters with this Article. Mr. Kern clarified that they can currently track income from parking meters just as well without this Article. The funds currently flow into the general fund directly. It may, however, make it easier for a person in charge of the revolving fund for parking.

**Article 15:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 15 be so voted. It was voted 5-4. Marty Lindemann, Susan Fay, Sue Carney, and Cecilia Emery Butler opposed.

Ms. Carney asked who selected this to be put forward. The selectmen did so at the recommendation of the engineering department.

**Article 16:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 16 be so voted. Mr. Roberts seconded, it was voted 9-0.

**Article 17:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 17 be so voted. Mr. Roberts seconded. It was voted 9-0.

Mr. Hughes asked for more information on the program affected by this Article. Ms. Baker agreed to send it out.

Ms. Emery Butler asked if the qualifications would be changed since the payoff is increasing. Mr. Kern answered no.

**Article 18:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 18 be so voted. Mr. Roberts seconded. It was voted 9-0.

**Article 19:** Ms. O’Donnell motioned that it is the recommendation of the finance and warrant committee that Article 19 be so voted. Mr. Roberts seconded. It was voted 8-0. Mr. Hughes Abstained

The committee agreed to speak about Article 13 on the 17th. There was a discussion of scheduling future meetings.

Mr. Roberts voted to adjourn the meeting, Ms. Emery Butler seconded. It was voted 9-0.

Meeting adjourned at 8:41.