

Finance Committee Meeting/Pre-Town Meeting – Public Hearing

April 28, 2021 6:30 PM EST
Zoom Remote Meeting Platform
Millis, MA 02054

In Attendance:

Pete Berube, Chairman
Craig Schultze, Vice Chairman
Joyce Boiardi (exited at 7:00 PM)
Jim Borgman (joined at 7:05 PM)
Jodie Garzon
Cathy MacInnes
Katie Tieu

Invited Guest:

Michael Guzinski, Town Administrator
Carol Johnston, Finance Director
James McCaffrey, Select Board Chair
James McKay, Department of Public Works Director
Donna Cabibbo, Town Moderator

Pete Berube called the Finance Committee Meeting to order at 6:32 PM.

DPW Reserve Fund Transfer Request:

Jim McKay explained the need to request a Reserve Fund Transfer in the amount \$12,100.89: the traffic signal at the intersection of Main Street and Pleasant Street was not working properly which created a Public Safety issue. The Select Board voted to approve the replacement of the fifteen-year-old signal cabinet at their November 17, 2020 meeting. The total cost to replace the old cabinet and install an Opticom System is \$17,100.89; \$5,000.00 for the Opticom System is being funded by the Fire and Rescue Department Gift Fund. The Opticom System is used to control the direction of traffic during dispatch of Fire and Rescue Apparatus.

Pete Berube inquired about the timing of the request considering it was approved by the Select Board in November 2020. Jim McKay explained it took some time to build the replacement and at the time there was sufficient funds in the Street Lighting Budget. However, the budget has been depleted. The Street Lighting Budget includes all street and ornamental lights as well as traffic signals throughout town. Routine maintenance and repairs of the street lights for the next two months necessitate the request.

Cathy MacInnes inquired why DPW funds are being used to fund deficits in the FY21 Public Safety and Employee Benefits Budgets in Article #2 of the May Town Meeting Warrant requiring the DPW to request a Reserve Fund Transfer; those funds should have been used to cover the DPW's shortfall in their FY21 Street Lighting Budget. Mike Guzinski acknowledged it is a legitimate question and explained that towards the end of each Fiscal Year, Town Administration needs to find avenues to balance the overall Operating Budget. This could be through Inter-Department Transfers or Reserve Fund Transfer Requests. The FY21 Operating Budget is tight this year; the Town Administrator and Finance Director will monitor all department budgets during May and June to ensure all deficits will be funded. The committee requested they be made aware of any unexpected/unforeseen emergencies in a timelier fashion in the future.

Craig Schultze made a motion to recommend approval of a Reserve Fund Transfer in the amount of \$12,100.89 to the DPW Street Lighting Budget with the understanding that the timing of these request is outlined in the newly adopted Finance Committee Operating Policies and Procedures Handbook; Jodie Garzon seconded.

Roll Call Vote: Pete Berube – aye, Craig Schultze – aye, Cathy MacInnes – nah, Jodie Garzon – aye, Katie Tieu – aye, Joyce Boiardi abstained. Vote: 4/1 1 abstained. Motion Carries.

May 1, 2021 Town Meeting Warrant Article Discussion and Recommendations:

Carol Johnston summarized the most recent version of Article #3, FY22 Operating Budget:

- Executive Office Salaries Line Item reflects a decrease of \$12,139.76 for the Department Assistant II's increased hours to 35/week, that amount will be funded by the Marijuana Impact Fees at the November Town Meeting.
- DPW Highway Salaries Line Item was increased by \$13,439.73 for additional Summer Help.
- DPW Transfer Station Salaries Line Item was increased by \$32,236.22 to fully fund the position from the General Fund.
- Council on Aging Salaries Line Item was decreased by \$22,836.19, 50% of the Above Level Service Request and Expense Line Item was decreased by \$1,500.00, 50% of the postage Above Lever Service Request.
- Recreation Salaries Line Item was reduced by \$9,200.00 for the Teen Program Coordinator originally funded by the Marijuana Impact Fees; this request will be funded at the November Town Meeting.

The Finance Committee provided their recommendations for the FY22 Operating Budget to the Select Board and had asked the Select Board to review their recommendations; the Select Board voted to approve the Finance Committee's recommendations at their April 26, 2021 meeting.

Article #3: FY22 Operating Budget

Craig Schultze made a motion to recommend approval of Article #3 in the amount of \$37,383.11 of which \$35,994.131.00 is from Taxation, \$408,152.00 is from the Ambulance Fund, \$332.00 is from Perpetual Care Interest, \$7,141.00 is from Sale of Cemetery Lots, \$54,677.00 is from Cell Tower Revenue, \$127,147.00 is from Bond Premium Release, \$98,131.00 is from Marijuana Impact Fees, and the following transfers from Enterprise Funds to the General Fund for Indirect Costs: Sewer - \$241,227.00, Water - \$294,833.00 and Stormwater - \$157,340.00; Jodie Garzon seconded.

Roll Call Vote: Pete Berube – aye, Craig Schultze – aye, Cathy MacInnes – aye, Joyce Boiardi – aye, Jodie Garzon – aye Katie Tieu – aye. Vote: 6/0 motion carries unanimously.

Jim McCaffrey inquired if a handout of the FY22 Operating Budget is needed for distribution at Saturday's Town Meeting. Carol Johnston confirmed it is not necessary, the budget printed in the Finance Committee's Report is the same as the one provided to the committee this evening.

Article #5: Sewer Enterprise Fund

Craig Schultze made a motion to recommend approval of Article #5 in the amount of \$1,587,844.00 from Sewer Enterprise Receipts; Jodie Garzon seconded.

Roll Call Vote: Pete Berube – aye, Craig Schultze – aye, Cathy MacInnes – aye, Joyce Boiardi – aye, Jodie Garzon – aye Katie Tieu – aye. Vote: 6/0 motion carries unanimously.

Article #6: Water Enterprise Fund

Craig Schultze made a motion to recommend approval of Article #6 in the amount of \$1,824,882.00 from Water Enterprise Receipts; Jodie Garzon seconded.

Roll Call Vote: Pete Berube – aye, Craig Schultze – aye, Cathy MacInnes – aye, Jodie Garzon – aye Katie Tieu – aye. Vote: 5/0 motion carries unanimously.

Article #7: Stormwater Enterprise Fund

Craig Schultze made a motion to recommend approval of Article #7 in the amount of \$581,719.00 from Stormwater Enterprise Receipts; Jodie Garzon seconded.

Roll Call Vote: Pete Berube – aye, Craig Schultze – aye, Cathy MacInnes – aye, Jodie Garzon – aye Katie Tieu – aye. Vote: 5/0 motion carries unanimously.

Pre-Town Meeting – Public Hearing:

Pete Berube opened the Pre-Town Meeting – Public Hearing at 7:05 PM.

Article #1: Unpaid Bills

Katie Tieu: This is an annual article and will fund bills incurred in previous Fiscal Years. The total amount is \$572.91 and will be funded from Free Cash. This Warrant Article requires a 4/5th Majority Vote. The Finance Committee recommends approval of this article.

Article #2: FY21 Additional Wages and Expenses

Pete Berube: This article authorizes re-allocation of FY21 Operating Budget Funds, via Inter-Department Transfers, to offset deficits in Public Safety \$98,183.06 and Employee Benefits \$30,166.24. The funding will be transferred from: Town General Government \$79,222.14, General Insurance \$7,302.64, Health and Human Services \$13,617.59, Culture and Recreation \$11,615.13 and DPW \$16,591.80 for a total of \$128,349.30. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #3: FY22 Operating Budget

Pete Berube: This article appropriates funding necessary to operate the Town of Millis for Fiscal Year 2022. The Town's fiscal year runs from July 1st through June 30th. This Warrant Article requires a Simple Majority Vote. The Finance Committee will vote on this article prior to Town Meeting.

Article #4: SEIU 888 and Firefighters Local #4704 Contract Ratification

Jim Borgman: This article funds the first-year costs for the above Collective Bargaining Agreements in the amount of \$85,000.00 from Taxation. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #5: Sewer Enterprise Fund

Pete Berube: This article appropriates funding, including personnel costs, expenses, and debt service, to operate the town's sewer service and infrastructure. The Sewer Enterprise Fund Budget, \$1,587,844.00, is collected from user fees. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #6: Water Enterprise Fund

Pete Berube: This article appropriates funding, including personnel costs, expenses, and debt service, to operate the town's water service and infrastructure. The Water Enterprise Fund Budget, \$1,824,882.00, is collected from user fees. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #7: Stormwater Enterprise Fund

Pete Berube: This article appropriates funding, including personnel costs, expenses, and debt service, to operate the town's storm drain infrastructure. The Stormwater Enterprise Fund Budget, \$581,719.00, is collected from billing unit fees. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #8: Consent Agenda

Katie Tieu: This is an annual article for the following:

Amendments to the Personnel Plan: This article amends the Schedule A-Salary Plan of the Town of Millis Personnel Plan

Board of Health Appointing Authority: This annual article authorizes the Board of Health to appoint any of its members to another town office or position for which it has appointing authority.

Revolving Funds: This annual article authorizes towns to use Revolving Funds that have their own sources of revenue to be accounted for separately from other town monies. These Funds may spend their revenues without additional appropriation up to the limits authorized by the town.

Community Preservation Fund: This annual article allocates Community Preservation funds into the various reserves as required in the Community Preservation Act for administrative expenses, community preservation projects and/or other expenses in FY22. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #9: CPA Historic Resource Reserve Funds – Phase II Walling Map Rehabilitation

Craig Schultze: This article will use \$1,469.00 of Community Preservation Act Historic Resource Reserve Funds to restore the Walling Map. Phase 1 was voted at a prior Town Meeting. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #10: CPA Open Space/Recreation Resource Reserve Funds – MHS Dugout Project

Craig Schultze: This article will use \$10,300.00 of Community Preservation Act Open Space/Recreation Resource Reserves Funds to rebuild the dugout at the Millis High School. This is Brian Nichols' Senior Project and is fully supported by the CPA Committee. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #11: Lansing Millis Memorial Building Repair Project

Craig Schultze: This article would begin the restoration of the old Train Station also known as the Lansing Millis Memorial Building. Due to lack of, \$363,887.00, this project will be put on hold. The Select Board is seeking alternative funding to restore the structure's exterior. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends dismissal of this article.

Article #12: Independent Audit

Pete Berube: This article funds the Annual Independent Audit of the Town's Finances as required by Massachusetts General Laws in the amount of \$36,750.00 from Free Cash. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #13: FY Personal Property Interim Year Inspections

Pete Berube: This article will appropriate funds in the amount of \$20,000.00 from Free Cash to allow an inspection of certain Personal Property to make sure taxes are assessed on the proper value of the property. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #14: FY23 Recertification Process

Pete Berube: The Department of Revenue requires all towns in the Commonwealth to revalue all properties yearly and to undergo a state recertification audit once every three years. The next recertification audit in Millis will be for FY23, and the process should start in FY22. The total is \$18,000.00 from Free Cash. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #15: Capital Items

Pete Berube: This article funds the Capital Item Requests recommended by the Capital Planning Committee and approved by the Select Board which includes:

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| • School Committed Bus Leases | \$ 89,999.00 |
| • School Committed Computer Lease | \$ 46,600.00 |
| • Police Committed Cruiser Lease | \$ 34,932.00 |
| • DPW D'Angelis Wells PFAS Plant Design – Part B | \$200,000.00 |
| • DPW Wells #3 – 6 PFAS Plant Design – Part A | \$255,600.00 |
| • DPW Emergency Response Plan | \$ 30,000.00 |

of which \$171,531.00 is funded by Free Cash and \$485,600.00 by Water Enterprise Reserve Funds. The PFAS Design Items listed are for the design only for treatment facilities to mitigate PFAS. The Emergency Response Plan is to update the town's drinking water supply plan and is mandated by the Department of Environmental Protection. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #16: Tree Pruning and Removal

Pete Berube: This article will appropriate \$40,000.00 from Taxation for tree trimming/removal of dangerous trees throughout town. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #17: Road Maintenance and Repairs

Cathy MacInnes: This article will fund \$143,805.23 for road maintenance and repairs. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #18: New School Computer Lease – Year One

Jim Borgman: This article will fund a new lease/purchase(s) for Millis School computers. The total cost for the first year is \$23,300.00 and will be funded from Free Cash. This article is not included in the Capital Items Warrant Articles; it is a new lease as opposed to an existing lease. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article.

Article #19: Design/Construction of Drainage – Village Street and Birch Street

Pete Berube: This article would appropriate funds, \$711,728.00, to be raised by borrowing through the Stormwater Enterprise Fund, for the design and construction of an upgraded drainage system for the low-lying area at/near the intersection of Village and Birch streets, which is subject to flooding during severe weather events. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article.

Article #20: 61A Purchase – Braun Property, 377 Village Street (23.1) Acres

Craig Schultze: This article will fund the purchase of open space on Village Street in the amount of \$1,000,000.00 funded by a twenty-year Borrowing. The Borrowing is within the town's Debt Service Structure, does not require an override and will not increase taxes. The property falls under 61A status, allowing the town "right of first refusal" prior to the sale of the property. A developer has offered the owner \$1,000,000.00 to purchase the property; the town can exercise its right to purchase the land within 180 days of the developer's offer. This open space will be purchased with unrestricted money, allowing it to be used for any purpose the town feels is appropriate; open space, development, or re-sale. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article. Mr. McCaffrey added should the article be approved at the May 1, 2021 Town Meeting, Town Counsel will draft a Purchase and Sale Agreement. Mike Guzinski noted the timeframe on the 180 days is dwindling; if this is not approved at the May 1, 2021 Town Meeting, the town is forfeiting its right of first refusal.

Article #21: Zoning ByLaw Amendment – Performance Based Solar Ordinance

Jodie Garzon: This article would allow for Large Scale Ground Mounted Solar Photovoltaic Installation to include lots at least fifteen acres primarily used for agricultural purposes or farmland. Setback provisions are included and the solar panels are required to be at least eight feet high allowing for the property to maintain its use as agricultural or farmland. The town currently has eight to ten properties that would qualify under the fifteen plus acreage requirement. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article.

Article #22: Zoning ByLaw Amendment – Parking Dimensions

Pete Berube: This article would amend the town's Zoning ByLaws regarding parking spaces to allow for a reduction in the minimum required dimensions from 9' W by 21' L to 9' W by 19' L. The intent is to alleviate property developers in providing larger parking thereby the ability to provide more spaces. This Warrant Article requires a Simple Majority Vote. After deliberation, concern for safety and the continuation of Special Permitting request approval by the Planning Board, the Finance Committee recommends dismissal of this article. This Warrant Article requires a Simple Majority Vote for dismissal. Jim McCaffery noted, if the Warrant Article is approved at Town Meeting, a 2/3rds Majority Vote is required.

Article #23: Zoning ByLaw Amendment – Compact Car Parking

Pete Berube: This article would amend the town's ByLaws regarding parking spaces to allow, by Special Permit, in lots with more than 20 spaces, up to 33% of the number spaces to be designated for compact cars with such spaces having a minimum required dimension of 8' W by 16' L. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article.

Article #24: Zoning ByLaw Amendment – Cannabis Delivery

Pete Berube: This article amends the town's Zoning ByLaws to allow for the establishment of businesses providing home delivery of cannabis products. Following approval of said businesses by the Massachusetts Cannabis Control Commission (CCC) as of September 2020, Millis cannot prohibit the establishment within Millis of cannabis delivery businesses. Any such business would be subject to extensive licensing and

regulation requirements, similar to other marijuana-related businesses. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article.

Article #25: Town ByLaw Addition – Waiver of Town Building Project Permit Fees

Cathy MacInnes: This article will add a Town ByLaw waiving all building permit fees for Town Building Construction Projects. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #26: Authorize the Sale of Town Land – Acorn Street

Jodie Garzon: This article will authorize the Town to sell by auction a 0.94 Acre parcel of land off Acorn Street identified behind 95 and 99 Acorn Street which is not sited on a road and is only accessible via a right of way from the adjacent properties. This Warrant Article requires a 2/3rds Majority Vote. The Finance Committee recommends approval of this article.

Article #27: PILOT Agreement – Clyde F. Brown Solar

Jodie Garzon: This article would authorize the Select Board to enter into a PILOT, Payment in Lieu of Taxes, Agreement with Solect Energy Development LLC. This would allow Solect to make annual payments of \$6,784.00 over 20 years instead of paying personal property taxes every year on the declining value of solar panels to be installed at the new Clyde Brown School. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #28: Medicare/Medicaid Reimbursement Services

Katie Tieu: This article appropriates funds in the amount of \$5,000.00 from Free Cash for Medicare & Medicaid reimbursement services; approximately \$35,000.00 per \$40,000.00. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #29: Unemployment Insurance Fund

Jodie Garzon: This article will fund the town's unemployment insurance fund in the amount of \$7,700.00 from Free Cash. The town sets aside funds every few years from which to pay any unemployment insurance claims that arise from former town employees. This article will replenish the fund and should provide enough to cover any FY22 claims. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends approval of this article.

Article #30: OPEB (Other Post-Employment Benefits) Fund

Jodie Garzon: This article would add funds to the Other Post-Employment Benefits Funds. Currently the town is covering claims as needed out of the general operating budget but should be setting aside additional funds for future OPEB obligations. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends dismissal of this article due to lack of funds at this time.

Article #31: Stabilization Fund

Jodie Garzon: The Town of Millis has adopted a policy to maintain a stabilization fund equal to 5% of its annual General Fund Budget Expenditures to be used for unforeseen and emergency purposes. The Stabilization Fund Balance is above the 5%. This Warrant Article requires a Simple Majority Vote. The Finance Committee recommends dismissal of this article.

Pete Berube asked Cathy MacInnes to expand on the use of funds for the Road Maintenance and Repair Article at Town Meeting in an effort to convey to residents the efforts Jim McKay, DPW Director, and his staff are doing to improve the road conditions throughout town as well as what improvements would be made appropriating these funds and the use of Chapter 90 Funds.

Additionally, Pete Berube had received feedback on his wording in his introduction to the Finance Committee Report. Specifically, with regards to the accuracy of the DPW Staff's tracking and analysis of Staff Hours Worked addressing the imbalance between the Enterprise Fund and General Fund. Although he believes the statement was accurate, he could have phrased it differently. The phrasing was not intended to disparage the DPW Staff's efforts.

Jodie Garzon made a motion to close Pre-Town Meeting – Public Hearing at 7:54 PM; Pete Berube seconded. Vote: 6/0 motion carries unanimously.

Approve Bills Payable:

Jodie Garzon made a motion to approve payment to Our Town Publishing in the amount of \$5,148.00 for printing the Finance Committee Report; Craig Schultze seconded. Vote: 6/0 motion carries unanimously.

Jodie Garzon made a motion to approve payment to Community Newspaper Company in the amount of \$54.12 for advertising the Pre-Town Meeting – Public Hearing; Katie Tieu seconded. Vote: 6/0 motion carries unanimously.

Old Business/New Business:

Pete Berube on behalf of the Finance Committee wanted to thank Mr. James McCaffrey for his extended service to the Town of Millis. Mr. James McCaffrey is a fantastic example of a Public Servant.

Finance Committee Meeting Minutes Approval:

Jodie Garzon made a motion to approve the April 14, 2021 Finance Committee Meeting Minutes; Craig Schultze seconded. Vote: 6/0 motion carries unanimously.

Jodie Garzon encouraged residents to review the Finance Committee Meeting Minutes; a lot of useful information is provided and can answer questions regarding Town Meeting Warrant Articles.

Old Business/New Business - Continued:

The Finance Committee will meet on Saturday, May 1, 2021 at 1:30 PM prior to Town Meeting. Donna Cabibbo gave an overview of the outside setup for Town Meeting. There will not be time limits on discussion.

Pete Berube noted the Finance Committee did not have unanimous votes on four of the thirty-one Warrant Articles. In light of the adoption of the Finance Committee's Operating Policies and Procedures Handbook which outlines the Minority Report guidelines, he would like to discuss the possibility of a Minority Report at Town Meeting. A Minority Report would require three or more members dissenting with the committee's recommendation. The committee will revisit the procedures of a Minority Report at a future meeting.

The four articles are: Article #18: New School Computer Lease – Year One Vote: 5/3, Article #22: Zoning ByLaw Amendment – Parking Dimensions Vote: 3/5, Article #23: Zoning ByLaw Amendment – Compact Car Parking Vote: 6/2 and Article #26: Authorize the Sale of Town Land – Acorn Street Vote: 5/3.

The committee was asked if any members in the minority vote planned on presenting a Minority Report at Saturday's Town Meeting. Cathy MacInnes did suggest that a Minority Report, recommending Article #26: Authorize the Sale of Town Land – Acorn Street be tabled or dismissed until a future Town Meeting. Thereby allowing for more information to be available on the intended use of the land by the interested party. Pete Berube requested the report be drafted and forwarded to the committee prior to Saturday's Town Meeting. Craig Schultze suggested the report be incorporated into the discussion of the article by the Finance Committee Member, recognizing the committee's vote was not unanimous. Donna Cabibbo explained, any Finance Committee has the right to discuss an article as a resident not as a Finance Committee Member. She asked to have time to consider how this situation will be handled at Saturday's Town Meeting. Pete Berube asked Cathy MacInnes to consult with the other dissenting members so that all the opinions are summarized in one Minority Report.

Adjourn Meeting:

Craig Schultze made a motion to adjourn the Finance Committee Meeting at 8:35 PM; Jodie Garzon seconded. Vote: 8/0 motion carries unanimously.

Respectfully submitted,
Deirdre Gilmore