

Finance Committee Meeting

November 2, 2022, 7:00 PM EST
Veterans Memorial Building – Room #229
Millis, MA 02054
Participation Via Zoom Remote Platform

Committee Members In Attendance:

Pete Berube, Chair
Jodie Garzon, Vice Chair
Peter Underhill, Clerk
Joyce Boiardi
Patrick Gatto
Jonathan Loer
Cathy MacInnes
Sara Reyes
John Steadman

Invited Guest:

Michael Guzinski, Town Administrator
Carol Johnston, Finance Director
Erin Underhill, Select Board Chair
Craig Schultze, Select Board Vice Chair
Ellen Rosenfeld, Select Board Clerk
Lisa Hardin, Town Clerk
Steven Catalano, School Committee Chair
Denise Gibbons, School Committee Secretary
Patty Kayo, Council on Aging Director
Christine McCaffrey, Council on Aging Board Member
James McCaffrey, Millis Resident
James Duffy, Millis Resident

Pete Berube called the Finance Committee Meeting to order at 7:00 PM.

Erin Underhill called the Select Board Meeting to order at 7:01 PM.

Lisa Hardin announced Early Voting is available in Room #130 of the Veterans Memorial Building. Town Meeting will be held on Thursday, November 10, 2022 at 7:30 PM in the Middle/High School Auditorium.

Pete Berebe Opened Pre-Town Meeting/Public Hearing at 7:02 PM.

Article #1 – Unpaid Bills

Joyce Boiardi: I move that the Town vote to transfer from Free Cash the sum of \$7,317.42, transfer the sum of \$2,419.11 from Sewer Enterprise Reserves, and transfer the sum of \$4,383.12 from Water Enterprise Reserves, for a total sum of \$14,119.65 for unpaid bills as written in the warrant. This is a semi-annual article to fund bills incurred in previous Fiscal Years. The Finance Committee unanimously recommends approval of this article.

Article #2 – FY23 Operational Budget Adjustments

Jodie Garzon: This article authorizes the transfer of funds in the amount of \$204,285.42 from Marijuana Impact Fees, included in FY23 Certified Free Cash, to pay for the wages and expenses that were planned to be supported by such funds. Free Cash is not certified until the Fall each year, we are unable to authorize the transfer of these funds to support our Operating Budgets until the Fall Town Meeting. The Finance Committee unanimously recommends approval of this article.

Article #3 – Personnel Plan Changes

Jodie Garzon: This article amends the Personnel Plan with changes to Longevity, language changes to Paternity, Sick, Bereavement and Vacation Leave as well as Jury Duty, the addition of a Paid Holiday, Juneteenth. A link to the Personnel Plan was included in the Finance Committee Report and is located at the link below:
https://www.millisma.gov/sites/g/files/vyhlf901/f/uploads/personnel_plan_salary_schedule_and_amendments_-_november_2022.pdf

The article does not authorize the transfer of funds; it simply amends the plan.

The Finance Committee unanimously recommends approval of this article.

Article #4 – Capital Items

Pete Berube: I move that the Town vote to transfer from Free Cash the sum of \$92,226.75, transfer from Water Enterprise Reserves the sum of \$22,226.75, transfer from Sewer Enterprise Reserves the sum of \$22,226.75, and transfer from Stormwater Enterprise Reserves the sum of \$22,226.75, for a total sum of \$158,907.00 to fund the following Capital items:

- | | |
|---|--------------|
| • Veterans Memorial Building (VMB) Air Conditioning Equipment | \$ 45,000.00 |
| • VMB and Library Keyless Entry System | \$ 25,000.00 |
| • DPW Compressor | \$ 26,967.00 |
| • DPW Chevy Silverado with Plow | \$ 61,940.00 |

The Capital Items are requested by Department Heads and are vetted through the Capital Planning Committee, submitted to the Select Board for inclusion on the Town Meeting Warrant. The Finance Committee makes a recommendation for a Town Meeting Vote.

The Finance Committee unanimously recommends approval of this article.

Article #5 – Road and Sidewalk Construction, Design and Repair

Patrick Gatto: This article would transfer from Free Cash the sum of \$500,000.00, for Road/Sidewalk Construction, Design, Repair, and Maintenance. The Select Board and DPW Director will determine the best use of these funds.

The Finance Committee unanimously recommends approval of this article.

Article #6 – Repairs to Baseball and Softball Fields

Patrick Gatto: This article would transfer from Free Cash the sum of \$45,000.00, to pay for repairs to Majors Field and Softball Fields 1 and 2. Due to the severe drought and Water Ban Regulations, the fields are in need of repair.

The Finance Committee unanimously recommends approval of this article.

Article #7 – Feasibility Study – Middle/High School Renovation

Pete Berube: This article would appropriate \$1,300,000.00 for the purpose of paying costs to conduct a Feasibility Study of the renovation, addition, or replacement of the Millis Middle/High School through the MSBA (Massachusetts School Building Authority). In order to qualify for MSBA funding, a Feasibility Study must be completed first. Upon completion of the study, an Override Warrant Article would require a 2/3rd Vote at Town Meeting as well as approval of a Town Election Ballot Question. The Finance Committee unanimously recommends approval of this article.

The cost of the study was determined from similar projects in other communities. Denise Gibbons added the School Committee consulted with the MSBA and an outside firm both familiar with the study's scope, to determine the cost.

Article #8 – New Senior/Community Center

Pete Berube: The Finance Committee voted 3/6 on a motion to recommend approval of this article; the motion did not pass. Therefore, the Finance Committee is not recommending approval of the proposed project in the amount of \$16 million to construct a new Senior Center at Cassidy Farm. Since the Finance Committee's vote, a number of documents have been received from the Chair of the PBC (Permanent Building Committee) which answered a number of the committee's questions and concerns. A letter to the Select Board from the COA (Council on Aging) Director requesting withdrawal of the article at the November 2022 Town Meeting was also received. The letter stated the PBC and COA would develop a new plan to be presented at the May 2023 Town Meeting.

The Finance Committee could reconsider their recommendation and vote to refer the project back to the Select Board, PBC and COA Board to devise a new proposal for consideration at a future Town Meeting. Jodie Garzon voiced her concern with reconsidering the committee's vote; the vote was made on the Warrant Article that will be considered at Town Meeting. Erin Underhill agreed with the recommendation to refer the project back to the Select Board, PBC and COA Board to frame a new plan to be considered at a future Town Meeting. A motion made by the Finance Committee at Town Meeting can be changed given the Town Meeting Attendees' voice on an article. Town Counsel will be in attendance at Town Meeting and will help craft a new motion if necessary.

Mike Guzinski provided further clarification, no funds would be appropriated at the November Town Meeting; the article would be voted for referral for future consideration. Pete Berube clarified, the Finance Committee is not recommending dismissal of the overall project but is not approving the project presented in the November Town Meeting Warrant and welcomes discussion on a revised proposal for consideration at another Town Meeting.

Jim McCaffrey pointed out, that the Warrant Article is presented to the Finance Committee by the Select Board; the Select Board has not taken a vote on Article #8. Mike Guzinski confirmed the Select Board has not formally voted on this article but plan to do so at their upcoming meeting on Monday. The Finance Committee's vote was taken prior to a Select Board vote. Joyce Boiardi suggested the committee wait for reconsideration until the Select Board have had an opportunity to take a vote.

Wayne Klocko noted the long process it was to get this project on a Town Meeting Warrant. Typically, in order for a project to be approved at Town Meeting, full endorsement by both the Finance Committee and Select Board is needed. He feels at the time the Finance Committee voted on this article they did not have complete information, did not allow ample time for the PBC to respond, and requests their reconsideration. Unfortunately, he feels the "well has been poisoned" by the Finance Committee's vote which will not allow participants at Town Meeting to vote on this article favorably. The reasons given to not recommend approval of this article by the Finance Committee exceed their responsibility and authority. The PBC and COA Board were tasked with developing a proposal for a new Senior Center whether or not it was fiscally responsible. He feels the process has been tainted. The PBC took a conservative approach in its estimation of costs. There are no additional funds available to redesign the project; Craig Schultze agreed, additional funds would need to be appropriated to redesign the project.

Joyce Boiardi noted the Finance Committee Chair had a valid reason to take it upon himself to research how other communities funded Senior Centers and question the overall cost of the proposed Senior Center. When the project was presented to the Finance Committee, no reason was given to the \$5 million differential in cost to construct a new facility. Some Senior Citizens in town are not in support of a \$16 million facility; the cost is too much of a tax burden. There are too many variables to the cost estimates and it may be best to receive more refined costs to be presented at the Spring Town Meeting.

The cost document is available at the link below:

https://www.millisma.gov/sites/g/files/vyhlf901/f/uploads/senior_center_project_cost_summary.pdf

Pete Berube does not agree the Finance Committee has overstepped its bounds or tainted any process but rather fulfilled their charter to discuss, deliberate and make a fiscally responsible recommendation to Town Meeting on the Warrant Articles presented. Warrant Articles are presented at Town Meeting and are finalized by the participants' vote. Historically, there were articles in which the Finance Committee were not in full agreement with their recommendation.

Jim Duffy noted the scope of the project increased and there was no oversight committee to reign back the proposal to make the project more appealing to residents. He acknowledged the need for a renovation to the current Senior Center as well as renovations to the Middle/High School. Jim McCaffrey noted the town does have a 10-year projection of Capital Needs which is provided by the Capital Planning Committee and is included in the Finance Committee Report. The link is available below:
https://www.millisma.gov/sites/g/files/vyhlf901/f/uploads/capital_planning_summary_-_november_2022_0.pdf

Jim McCaffrey noted building a smaller facility or compromising the quality of construction will be a difficult decision in the Spring, especially with no funding for redesign and will not be in the best interest of the town. Pete Berube reiterated his concern with the cost per square foot, \$1,066.00, not the overall square footage. The per square foot cost for the Sturbridge facility is \$964.00 and Mansfield's, which includes a gym, is \$553.00. Millis went through the process of conducting a Feasibility Study, similar to Mansfield, Pembroke, Sturbridge, Wilmington, and North Andover to establish a conceptual design. The additional costs are not wrapped up in the construction costs but the "soft costs" including design, project management and contingencies. The referenced towns have far less "soft costs" and provide more elaborate and larger facilities.

Peter Underhill made a motion to reconsider Article #8; Jodie Garzon seconded. Vote: 6/3 motion carries.

John Steadman made a motion to recommend the article be referred back to the Select Board, COA Board and PBC for further review to develop a proposal to be considered at a future Town Meeting; Joyce Boiardi seconded.

Cathy MacInnes is opposed to reconsideration. As a former Select Board Member, the Select Board has historically taken a formal vote on Warrant Articles before the Finance Committee's vote. James McCaffrey, former Town Moderator, questioned if a Town Meeting vote can direct boards or committees to act on a Town Meeting Warrant Article, Mike Guzinski confirmed it cannot. Mike Guzinski confirmed with Town Council, the Finance Committee can make the motion but it is non-binding. A Town Meeting vote on the motion would simply convey a message to the Select Board, COA Board and PBC to review the article again and present an alternative plan for consideration at a future Town Meeting.

Erin Underhill made a motion the Select Board recommend to refer Article #8 back to the Select Board, COA Board and PBC to further review ; Ellen seconded.

Craig Schultze voiced his concern with referring the article; a lot of work has been put into the proposal and it should be voted to approve or dismiss at Town Meeting. It's unusual to withdraw an article because it is anticipated it will fail. The Library Project failed the first time presented to Town Meeting and subsequently was redesigned and passed at a future Town Meeting.

Roll Call Vote: Erin Underhill – aye, Ellen Rosenfeld – aye, Craig Schultze – nay. Vote: 2/3 motion carries.

Pete Berube clarified, the motion to refer can be voted against at Town Meeting at which point a motion can be made to recommend or dismiss the article as written.

Finance Committee vote to refer Article #8: 8/1 motion carries.

Article #9 – Adoption of MGL Chapter 59, 5 Clause 22H Gold Star Families

Peter Underhill: this article will adopt MGL Chapter 59 Section 5 Clause 22H which would provide a real estate tax exemption for Gold Star families; parents or guardians who have lost a son or daughter during active Military Duty. There is already a MGL Clause 22D that covers spouses. The State will reimburse the town the full cost of the exemption for the first five years and 50% thereafter. Seventy percent of towns in the Commonwealth have adopted Clause 22H.

The Finance Committee unanimously recommends approval of this article.

Article #10 – Reduce Veterans Residency Requirements for Local Tax Exemptions/Abatements

Peter Underhill: This article would reduce the residency requirement for Local Real Estate Tax Exemptions for Veterans from two years to one year, in accordance with MGL Chapter 59 Section 5. The town is reimbursed a percentage of the exemption. Seventy percent of towns in the Commonwealth have adopted this exemption.

The Finance Committee unanimously recommends approval of this article.

Article #11 – 12-14 Exchange Street – Environmental Settlement and Phase 2 Report

Patrick Gatto: This article would transfer from Free Cash the sum of \$85,000.00 for an Environmental Impact Settlement and Phase 2 Report for the property located at 12-14 Exchange Street. The settlement has been negotiated and will mitigate an environmental impact to the property owners.

The Finance Committee unanimously recommends approval of this article.

Article #12 – Repayment to Advesa for Cannabis HCA Deposit

Sara Reyes: This article would transfer the sum of \$25,000.00 from Marijuana Impact Fees (Free Cash) to reimburse Advesa for its initial deposit related to its HCA Agreement with the Town which has been terminated.

The Finance Committee unanimously recommends approval of this article.

Article #13 – Funding for FY22 Snow and Ice Deficit

Jon Loer: This article would transfer from Free Cash the sum of \$128,721.70 to fully fund the FY22 Snow and Ice Deficit. This is an annual adjustment for funds spent in excess of the Snow and Ice Budget.

The Finance Committee unanimously recommends approval of this article.

Article #14 – Lead Line Service Inventory and Replacement Plan

John Steadman: This project was approved at the Spring Town Meeting. The Town has secured a grant to cover the cost, but to qualify for the grant we are required to fund it with debt that the grant will repay. Other than small administrative costs, approval of the article will restore \$139,000.00 to the Water Enterprise Fund.

The Finance Committee unanimously recommends approval of this article.

Article #15 – Water Management Act – Permit Renewal Support

John Steadman: The Massachusetts DEP is proposing major changes to the Town's Water Distribution Permit which will have significant impacts to the residents. This article provides funds in the amount of \$56,864.00 from Water Enterprise Reserves to challenge the proposed changes.

The Finance Committee unanimously recommends approval of this article.

Article #16 – Preliminary Design of a PFAS Treatment Plant at Well #3

Cathy MacInnes: This article would transfer \$165,000.00 from Water Enterprise Reserves for the preliminary design of a PFAS Treatment Plant at Well #3. Well #3, located off Birch Street, is testing high in levels of PFAS which will need to be addressed; the Massachusetts Environmental Protection Agency and Department of Environmental Protection are implementing stricter guidelines in terms of PFAS Chemicals in drinking water.

The Finance Committee unanimously recommends approval of this article.

Article #17 – Sewer and Stormwater Asset Management System

Cathy MacInnes: This article would fund expansion to the Sewer and Stormwater Asset Management System, assess the infrastructure inventory and develop a 5-year Capital Improvement Plan. The cost is \$250,000.00 of which \$150,000.00 will be a

borrowing from the Sewer Enterprise Fund and \$100,000.00 from the Stormwater Enterprise Reserves. A portion of the initiative will be reimbursed through the Massachusetts Clean Water Trust.
The Finance Committee unanimously recommends approval of this article.

Article #18 – Engineering Services for Infiltration and Inflow Investigation

Cathy MacInnes: This article will fund Engineering Services for an Infiltration and Inflow (I/I) Investigation Project and will be funded by unused funds for prior Sewer Projects. The I/I Investigation is required by the DEP and CRPCD (Charles River Pollution Control District) in an effort to minimize the flow that is not necessarily sewage but likely Stormwater. The town performs this investigation on a regular basis.
The Finance Committee unanimously recommends approval of this article.

Article #19 – Unemployment Account

Jon Loer: This article would transfer from Free Cash the sum of \$25,000.00 to the Unemployment Account. This is annual article to meet the town's obligation for Unemployment Claims for both the Municipal and School Departments. The balance in the account as of August 2022 is \$90,933.60.
The Finance Committee unanimously recommends approval of this article.

Article #20 – Acceptance of Pearl Street, Debrah Lane and Teresa Drive

Joyce Boiardi: This article would accept Pearl Street, Debrah Lane, and Teresa Drive as public ways in accordance with MGL Chapter 82 Section 23. Once a street is accepted by the town, the town is obligated to maintain it, including snow removal and road maintenance. Once accepted, the roads will be included in the Chapter 90 Funds received from the State for road improvements.
The Finance Committee unanimously recommends approval of this article.

Article #21 – OPEB Funding

Joyce Boiardi: This article would transfer from Free Cash the sum of \$50,000.00 to the OPEB, Other Post-Employment Benefits, Trust Fund Account. Currently the town is covering claims as needed from the General Operating Budget but should be setting aside additional funds for future OPEB obligations. The benefits are primarily for Retirees' Health Insurance.
The Finance Committee unanimously recommends approval of this article.

Article #22 – MGL Chapter 41 Section 111F Injury Leave Indemnity Fund

Sara Reyes: This article would transfer from Free Cash the sum of \$300,000.00 to the MGL Chapter 41, Section 111F Injury Leave Indemnity Fund which was established at the November 2021 Town Meeting. The purpose of this fund is to pay Police Officers and Fire Fighters who have sustained injuries in the performance of their duty additional funds above Workers Compensation to 100% of their base salary. Carol Johnston confirmed the fund would not cover shift coverage. The anticipated amount annually is \$122,000.00.
The Finance Committee unanimously recommends approval of this article.

Article #23 – Establish Stabilization Account under MGL Chapter 40, Section 5B for the Purchase and Operation of Town Ambulances

Jon Loer: This article would establish a Special Purpose Stabilization Fund for the purchase of ambulances, effective FY24, beginning July 1, 2023. This article simple establishes a Stabilization Fund for the purchase of ambulances in the future. Ambulance Receipts are restricted to the Ambulance Revolving Fund to fund salaries for Paramedics and EMTs.
The Finance Committee recommends approval of this article, 8/1.

Article #24 – Stabilization Fund

Patrick Gatto: This article would transfer from Free Cash the sum of \$300,000.00 to the Stabilization Fund which would bring the town to its goal of 5% of the General Fund Operating Budget in accordance with the Town's Stabilization Fund Policy.
The Finance Committee unanimously recommends approval of this article.

Article #25 – Citizen Petitioned Article – Sports Facility

Sara Reyes: This Article would appropriate \$3.5 million or any other amount thereof, for the purpose of designing, purchasing, and constructing an enclosed sports facility to house four or more combination pickleball and tennis courts to be located at Cassidy Farm, the Braun Property or any other location deemed appropriate by Town of Millis Officials. Citizen Petitioned Articles require ten signatures which are certified by the Town Clerk and are required to be placed on the Town Meeting Warrant.

The Finance Committee voted unanimously to dismiss Article #25 due to the lack of due diligence in providing actual proposals as well as adding to the tax burden on residents.

Article #26 – Citizen Petitioned Article – Upgrades to the Senior Center at the Veterans Memorial Building

Peter Underhill: This article would appropriate \$3.5 million to renovate the existing Senior Center located in the Veterans Memorial Building. The proposal was dismissed by the COA Board. It does address space and needs of the Senior Population. The Finance Committee voted unanimously to dismiss Article #26.

Article #27 – Citizen Petitioned Article - Lansing Millis Building Restoration

John Steadman: This article would authorize the Town to borrow funds in the amount of \$2.9 million to restore the Lansing Millis Building and convert it to Municipal Offices. This article would preserve a rapidly deteriorating historical building and frees up space in the Veteran Memorial Building.

The Finance Committee voted unanimously to dismiss Article #27 for several reasons: lack of due diligence, it was not presented to the Capital Planning Committee and will not meet the needs of the Senior Population.

Article #28 Citizen Petitioned Article – 270 Exchange Street

Jodie Garzon: The petitioner has requested this article be withdrawn. The owner of the property has a private party interested in purchasing the property.

The Finance Committee voted unanimously to dismiss Article #28.

Pete Berube closed Pre-Town Meeting/Public Hearing at 8:38 PM.

Erin Underhill made a motion to adjourn the Select Board Meeting at 8:42 PM; Ellen Rosenfeld seconded. Vote: 3/0 motion carries unanimously.

Approve Bills Payable:

Jodie Garzon made a motion to approve payment to WB Mason in the amount of \$14.69 for nameplates; Sara Reyes seconded. Vote: 9/0 motion carries unanimously.

Jodie Garzon made a motion to approve payment to Our Town Publishing in the amount of \$4,902.30 for printing the Finance Committee Report; Joyce Boiardi seconded. Vote: 9/0 motion carries unanimously.

Finance Committee Meeting Minutes Approval:

Jodie Garzon made a motion to approve the October 19, 2022 Finance Committee Meeting Minutes; Peter Underhill seconded. Vote: 9/0 motion carries unanimously.

Review Town Meeting Procedures:

Pete Berube asked the committee members to read the Town Meeting Motions verbatim which will state the funding sources, and refer to the voting requirements (Majority, 2/3rds, 4/5ths, etc.). Articles are motioned, seconded, discussed and then brought to a vote. Legal questions will be addressed by Town Counsel. Finance Committee Members will be recognized by the Moderator. Finance Committee Members can voice their concerns with any article as a resident of town, simply by going to the microphone on Town Meeting Floor.

Adjourn Meeting:

Jodie Garzon made a motion to adjourn the Finance Committee Meeting at 8:50 PM; Pete Berube seconded. Vote: 9/0 motion carries unanimously.

Respectfully submitted,
Deirdre Gilmore