

Finance Committee Meeting

October 13, 2021 7:00 PM EST
Veterans Memorial Building – Room #229
Millis, MA 02054

Zoom Remote Platform

In Attendance:

Pete Berube, Chair
Jodie Garzon, Vice Chair – Remote
Doug Riley, Clerk - Remote
Joyce Boiardi
Jim Borgman – Remote
Cathy MacInnes – Remote
Sara Reyes
John Steadman
Peter Underhill – Remote

Invited Guest:

Michael Guzinski, Town Administrator
Carol Johnston, Finance Director
Peter Jurmain, Select Board Chair – Remote
Jonathan Barry, Capital Planning Committee Chair – Remote
Jim McKay, DPW Director
Donna Cabibbo, Town Moderator – Remote
Kate Feodoroff, Town Counsel – Remote

Pete Berube called the Finance Committee Meeting to order at 7:02 PM.

Review Capital Planning Committee Report:

Jon Barry, Chair of the Capital Planning Committee, provided the committee's November 2021 Report and a list of recommended priorities for consideration at the November 2021 Town Meeting. The committee was established approximately four years ago and is tasked with meeting with Town Department Heads and Officials to prioritize the town's Capital Needs. In prioritizing their list of recommendations, the committee takes into consideration public safety and an item's overall benefit to the town. Of the twenty-seven Capital Item Requests totaling \$7,586,983.00, 10 were ranked Highest Priority, 9 Medium Priority and 8 Lower Priority. It was noted that the Capital Planning Committee does not endorse Capital Items, they simply prioritize them. The Select Board determines which Capital Item Requests are included in the Town Meeting Warrant and it is the Finance Committee's responsibility to make their recommendations to Town Meeting. Ultimately, the final vote is in the hands of residents that participate at Town Meeting. The Select Board did discuss the Capital Planning Committee's recommendations.

The Capital Planning Committee's Highest Priorities Include:

- PFAS Drinking Water Treatment Plant
- Fire and Rescue Apparatus - Ambulance, Master Box Replacements and Engine Replacement.
- Middle/High School Elevator Repairs to the Main Elevator and the Athletic Elevator
- Police Cruiser
- DPW Snow Plow
- Middle/High School Walk-In Refrigerator and Freezer
- Council on Aging Freezer

Pete Berube noted that a Tri-Board Meeting: Finance Committee, School Committee and Select Board plan to meet before the end of the calendar year to make a determination what items should be considered Capital Items as opposed to items that should be included in Department Operating Budgets. Notably, the School Curriculum and Instruction Materials as well as School Computer Replacements. Police Cruiser Replacements has also been discussed as being a part of the department's Operating Budget. The Capital Planning Committee will endeavor to determine what the definition of a Capital Item is in upcoming meetings in preparation for the Annual Spring Town Meeting where Department Operating Budgets are approved.

Pete Berube noted that some of the Capital Items could potentially be earmarked by Federal or State Government Grants; a portion of the PFAS Water Treatment Plant will be funded by the American Rescue Plan Act; \$2.4 million.

Sara Reyes inquired on the Capital Planning Committee's discussions regarding the Oak Grove Farm Commission's request for \$127,000.00 in Playground Improvements. Pete Berube followed up with acknowledging the Oak Grove Farm Commission does not have budgeted funds for maintenance of the playground. The commission should be identifying the life cycle of the equipment for future replacement.

Pete Berube acknowledged and thanked Jon Barry for doing the lion's share of the work as the Capital Planning Committee Chair in drafting and providing the report for publication in the Finance Committee's Report. It was noted that there are openings for residents to volunteer as members of committee.

DPW Capital Item Requests:

Jim McKay, Director of the Department of Public Works, outlined the Capital Item Requests:

- Snow Plow Replacement for Unit #3
 - The plow is sixteen years old and has been welded/repared several times but will be unable to be used this winter.
 - Unit #3 is a front-line vehicle in snow removal; servicing Plain Street, Main Street and Village Street.
 - The replacement will be an eleven-inch Baker Power Angle Plow and the cost is \$12,850.00.
 - This item is high priority and is in stock for purchase.

The DPW will request a vehicle replacement in FY23; availability is not until June 2022.

- Message Board in the amount of \$17,022.00
 - This request would enable the department to notify residents of ongoing activities and the cost would be split equally between Water and Sewer Enterprise Funds and the General Fund. The Police Department's Message Board is the only one the town has; surrounding towns have multiple Message Boards.
- Compact Excavator in the amount of \$50,035.00
 - This request would also be split equally similar to the above as it would be utilized in many projects the department undertakes. The request was made by the Cemetery Review Committee; as the cemetery, specifically Section F, is occupied it makes it a more arduous task to dig graves once headstones are installed between plots. Prospect Hill Cemetery Revenues are allocated to the General Fund; the DPW has a Full-Time Employee, Stephen Main, who maintains the cemetery on a daily basis. The cemetery is Historical and is located at the intersection of Auburn Road and Ridge Street.
 - The cemetery has several different sections; Jewish and Veteran Sections, Old Section, New Section F. There are approximately 300 – 400 available lots in Section F. Six cremations are allowed per plot. The cost to purchase a plot is \$800.00 of which \$100.00 is used for perpetual care.

With regards to the PFAS Water Treatment Plant Warrant Article, Kleinfelder will provide a two-page informational document that can be included in the Finance Committee's Report or as a handout at the November Town Meeting.

Sidewalk Improvements:

Pete Berube noted the Select Board has opted not to include a November Town Meeting Warrant Article for Sidewalk Improvements and has asked the Director of the DPW to provide some insight as to the town's options for addressing this growing issue.

Jim McKay acknowledged that Sidewalk Improvements are as important as Road Improvements. Cathy MacInnes, during her term as a Select Board Member, advocated for a Sidewalk Committee. The committee was established and appointed by the Select Board, the Sidewalk Improvement Fund has an approximate balance of \$50,000.00. However, the Sidewalk Committee has since been disbanded by the Select Board.

Pete Berube agreed there are a lot of sidewalk projects that should be addressed and acknowledged there is limited funding. Village Street sidewalks are in dire need of repair. Perhaps reestablishing the Sidewalk Committee is in the best interest of the town. Jim McKay followed up: several years ago, a study was conducted to replace/install sidewalks in town specifically on Village Street. The cost to implement the project is over \$1 million. The plans are already designed, the funding is not available. In order to rip up and repair the existing sidewalk on Village Street making them handicap accessible would be required; currently they are not. It was noted that decision making for Tree Removal is not entirely under the discretion of the DPW; Tree Warden, Brutus Cantoreggi, determines what town trees are scheduled for removal.

Certified Free Cash Update:

Carol Johnson made the committee aware that Free Cash has yet to be certified.

Review November Town Meeting Warrant Articles:

Pete Berube asked Town Administrator, Mike Guzinski, to summarize any changes to the November Town Meeting Warrant since the last version. Mike Guzinski made the committee aware there were not significant changes to Article # 1 and 2. Article #3, Capital Items, encompasses most of the Capital Planning Committee's Priority List; the DPW's Request for a Message Board will be considered at the Spring Town Meeting. The request from the Town's Energy Manager for Charging Stations in the amount of \$76,800.00 could be offset by \$50,000.00 from State Aid. Article #4 is unchanged, Article #5 has been added to fund the Fire and Rescue's request for the replacement of Ambulance 1, in the amount of \$370,000.00; this item will be funded by a borrowing. Article #14, Establish Chapter 41 Section 111F Injury Leave Indemnity Fund, has some language changes, specifically establishing a Special Fund for Police and Fire for unforeseen costs due to injury; the article will establish the fund, funding of it will be addressed at the Spring Town Meeting. The Fund will eliminate the need for the Police and Fire and Rescue Departments to request a Reserve Fund Transfer from the Finance Committee should their budgets run in a deficit due to personnel injuries.

Kate Feodoroff, a member of the Town Counsel Team, was present to address any concerns the committee had with regards to Article #9, Request Special Act – Town Charter Changes. Ms. Feodoroff made the committee aware that essentially the changes are minimal and are intended to maintain checks and balances for the Town Administrator as well as the Town Administrator's appointment of certain Department Heads. By giving the Town Administrator authority to appoint certain positions, it alleviates the Select Board from doing so. However, in the event the Select Board objects to the Town Administrator's appointment, there is a fifteen-day grace period. Most of the changes are similar to surrounding towns.

Article #9 Section III-4 Subsection I Item B, addresses the Town Administrator's authority to appoint the Town Clerk as opposed to the position being an elected position. This is in line with the Town Administrator's appointment of the Chief of Police, Chief of Fire and the DPW Director. This amendment will allow accountability for the Town Clerk position.

The Finance Committee intends to vote their recommendations on each section of Article #9; the Warrant Article, as a whole, will be voted at Town Meeting based on the Town Moderator's discretion. Kate Feodoroff confirmed, the Moderator has broad discretion for example: dividing the article. Town Meeting participants can make a motion to strike a piece of the article. Doug Riley's concern is that any amendments would have to take place at Town Meeting in order to vote to approve the article in the event certain sections of the article are not well received by Town Meeting attendees. Kate Feodoroff made the committee aware that the only firm rule for a Moderator is there is no bad faith or malice and the participants fully understand what they are voting for.

Donna Cabibbo, Town Moderator, plans to divide Article #9 however, that plan may be adjusted after further research. It is bound to be a lively discussion at Town Meeting. She suggests providing the article at Town Meeting as a visual as opposed to a handout.

Kate Feodoroff explained some of the other minor changes to Section III-3 Powers of Appointment giving the Town Administrator authority to require Town Officials to appear. However, that can get murky and therefore that section was stricken. Overall, the changes are inline with other communities with a Town Administrator form of government. The Charter has the same force and effect as State Law; having a strong Town Charter is a benefit to everyone. ByLaws have a tendency to be more flexible. The revised Charter will streamline the Town's Government.

November Town Meeting Warrant Article Assignments:

Pete Berube – Articles #3 and 6
Jodie Garzon – Articles #1 and 2
Doug Riley – Article #9
Joyce Boiardi – Articles #10 and 15
Jim Borgman – Article #11
Cathy MacInnes – Article #4
Sara Reyes – Articles #7 and 14
John Steadman – Articles #12 and 13
Peter Underhill – Articles #5 and 8

Vote November Town Meeting Warrant Articles:

Jodie Garzon made a motion to recommend approval of Article #1 Unpaid Bills in the amount of \$14,348.02 of which \$13,167.05 will be funded by Free Cash, \$357.00 will be funded by Sewer Enterprise Funds, \$465.00 will be funded by Water Enterprise Funds and \$358.97 will be funded by Stormwater Enterprise funds; Joyce Boiardi seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye, Jim Borgman – aye. Vote: 9/0 motion carries unanimously.

John Steadman made a motion to recommend approval of Article #2 FY22 Operational Budget Amendments in the amount of \$523,478.00 of which \$65,000.00 will be funded by Free Cash, \$244,478.00 will be funded by HCA Marijuana Impact Funds and \$214,000.00 will be funded by Water Enterprise Funds; Jodie Garzon seconded.
The following will be funded by Host Community Agreement Marijuana Impact Funds:

- HCA Administrative Support - \$9,200.00
- Board of Health – Cannabis Use in E-Cigarettes/Vaping - \$4,000.00
- Extended Library Hours: Thursday and Friday evenings - \$22,776.00
- Police School Resource Officer Salary - \$26,300.00
- Police – Marijuana Training - \$45,000.00
- Recreation Teen Program Coordinator - \$9,200.00
- School Adjustment Counselor - \$40,637.00
- School Bridge Therapeutic Counselor Grade 8 - \$12,365.00
- School Afterschool Activities/Extended Day Program - \$10,000.00
- School Mental Health Programs/Substance Abuse - \$5,000.00
- School Town-wide Social Worker - \$60,000.00

Further discussion:

Cathy MacInnes raised her concerns with funding positions after the HCA Marijuana Funds expire – the HCA is in year two of a five-year agreement; is a plan in place to fund the positions after the HCA Funds are no longer available. Doug Riley agreed. Unfortunately, a Member of the Select Board was not present to address any plan.

Pete Berube clarified that the motion is to recommend approval of the article; if that motion fails, the committee could make a motion to reconsider the article.

Peter Underhill noted the town has time to address funding the positions after the HCA expires. Mike Guzinski noted that all Department Heads are fully aware that the funding source for the positions does in fact have an expiration date and realize the positions could potentially be eliminated. Pete Berube reminded the committee that the 3% Sales Tax on Marijuana Revenues is perpetual. Cathy MacInnes expressed her concern for a Town-wide Social Worker; there is no job description or information on the need for such a position from the School Committee. Doug Riley inquired why if indeed it's a Town-wide Social Worker, why wasn't this presented by the Select Board as opposed to the School Committee.

Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – nay, Joyce Boiardi – nay, Jim Borgman – nay, Cathy MacInnes – nay, Sara Reyes – nay, John Steadman – aye, Peter Underhill – aye. Vote: 4/5, the motion fails.

Cathy MacInnes suggested removal of the Town-wide Social Worker from Article #2; Joyce Boiardi agreed. Pete Berube noted the committee's responsibility is not to second guess what Department Heads or the School Department request as needs to address the impact by allowing Marijuana Sales in town.

Pete Berube suggested inviting all departments requesting HCA Marijuana Impact Funds on the November Town Meeting Warrant to next week's meeting. The article will be deferred to the October 20, 2021 Finance Committee Meeting.

Article #3 Capital Items was deferred to next week's meeting. Once Free Cash is certified, the committee will be in a better position to make recommendations.

Cathy MacInnes made a motion to recommend approval of Article #4, PFAS Water Treatment Plant, in the amount of \$5,600,000.00; Doug Riley seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Peter Underhill made a motion a recommend approval of Article #5, Ambulance Purchase, in the amount of \$370,000.00 funded through Borrowing; Joyce Boiardi seconded.

Further discussion: Jodie Garzon requested an updated Debt Schedule in preparation for Town Meeting; Pete Berube agreed and requested the document be in a summary format.

Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Pete Berube made a motion to recommend Article #6, Fire Engine Purchase, in the amount of \$750,000.00 funded through Borrowing; Joyce Boiardi seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Pete Berube outlined, for the new members, the procedure on how each article is addressed at Town Meeting and their role in the Finance Committee's recommendations when addressing Town Meeting.

Peter Underhill made a motion to recommend approval of Article #8, Stormwater ByLaw Regulation Amendment; Jim Borgman seconded.

Further discussion:

John Steadman does not see any compelling reason for this amendment. Pete Berube agreed, the unintended consequences in implementing the ByLaw Amendment and its impact on future developments has not been determined. Doug Riley noted there are no studies or data to justify the amendment. Cathy MacInnes supports the article; it will make homes safe from stormwater runoff.

Roll Call Vote: Pete Berube – nay, Jodie Garzon – aye, Doug Riley – nay, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – nay, John Steadman – nay, Peter Underhill – aye. Vote: 5/4 motion carries.

Doug Riley made a motion to recommend approval of Article #9 Article IV-2, Other Elected Official; Jodie Garzon seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Doug Riley made a motion to recommend approval of Article #9 Article II-8, Finance Committee; John Steadman seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Doug Riley made a motion to recommend approval of Article #9 Article III-1, Select Board Composition; Joyce Boiardi seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley, aye, Joyce Boiardi – aye, Jim Borgman – nah, Cathy MacInnes – nah, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 7/2 motion carries.

Doug Riley made a motion to recommend approval of Article #9 Section III-4, Town Administrator; Joyce Boiardi seconded. Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley – aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Doug Riley made motion to recommend approval of Article #9 Section III-3, Powers of Appointment as listed in the November Town Meeting Warrant; John Steadman seconded.

Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley, aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Doug Riley made a motion to recommend approval of Article #9 Section III-4 Subsection I as listed; Jodie Garzon seconded.

Further discussion: There were some clarity concerns that Mike Guzinski will speak with Town Counsel about tomorrow in order to make it crystal clear prior to the committee's vote on portions of Article #9.

Roll Call Vote: Pete Berube – aye, Jodie Garzon – aye, Doug Riley, aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – nah, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 8/1 motion carries.

Doug Riley made a motion to recommend approval of Article #9 Section III-4 Subsection II; Jodie Garzon seconded.

That portion of Article #9 was tabled until the committee's meeting next week.

Sara Reyes made a motion to recommend approval of Article #14, Establish Chapter 41, Section 111F Injury Leave Indemnity Fund; John Steadman seconded.

Pete Berube – aye, Jodie Garzon – aye, Doug Riley, aye, Joyce Boiardi – aye, Jim Borgman – aye, Cathy MacInnes – aye, Sara Reyes – aye, John Steadman – aye, Peter Underhill – aye. Vote: 9/0 motion carries unanimously.

Discussion of Finance Committee Liaisons to Boards and Committees - Postponed

Finance Committee Meeting Minutes Approval – Postponed

Adjourn Meeting:

Joyce Boiardi made a motion to adjourn the Finance Committee Meeting at 9:48 PM; John Steadman seconded. Vote: 9/0 motion carries unanimously.

Respectfully submitted,
Deirdre Gilmore