

HAMILTON FINANCE AND ADVISORY COMMITTEE

Minutes of Meeting

September 12, 2019

FinCom members present: John Pruellage, Christina Schenk-Hargrove, Nick Tensen, and David Wanger (Chair).
Others Present: Rosemary Kennedy and Darcy Dale (Selectmen). Valerie McCormick (potential member) and Marisa Batista (Finance Director)

This Hamilton Finance and Advisory Committee (FinCom) meeting was called to order at 7:01 pm at the Council on Aging Building, Bay Road, Hamilton.

Public Comment

Discussion regarding the proposed Conservation Warrant Article, including discussion with sponsor, Rosemary Kennedy and other interested parties.

Rosemary Kennedy was present to discuss the article. Richard Luongo (Conservation Commission Chairman) did not attend or respond even though he had been invited. Ms. Kennedy said she believed the local Conservation By-law was skeletal and was hoping to enhance it in accordance with the MACC model By-law. Many towns in MA had used the model By-law to add protection to the basic MA Wetlands Protection By-law.

The model By-law enlarged the no build zone to 75' and the no disturb zone to 50' from the existing 50' and 25' respectively. Another protection would include uncertified vernal pools. The State By-law protected certified vernal pools. Rosemary Kennedy said there were 36 uncertified vernal pools in Hamilton, which were not protected. Vernal pools were isolated wetlands that provided breeding habitat for reptiles and amphibians. The model By-law would preserve trees for an extra 25' and would authorize the Conservation Commission to hire an expert to evaluate the appropriateness of a project. The model By-law would protect intermittent streams, which ran for a portion of a year. The model By-law would also allow non-criminal and criminal remedies for violations. Ms. Kennedy noted that the local Regulations considered specific items but they were not within the By-law itself.

Rosemary Kennedy said the last water report indicated that there was five times the allowable amount of sodium in the water due to the use of salt on Town roads. Salt leaked down the tributaries and streams and into the water supply, which was brought to the attention of the DPW and Town Manager. Ms. Kennedy proposed the Town return to using sand only and recalled that Town Counsel thought the changes were fine. Citations would be given by the Conservation Commission and if compliance did not occur, there would be the potential to go to criminal court.

Existing buildings would be grandfathered from the increase in buffer zone sizes. Rosemary Kennedy said the Conservation Commission was not interested in rewriting the By-law but would have an intimate involvement in the enforcement and implementation. Ms. Kennedy recalled that George Tarr (Conservation Commission) wanted to increase the 100' vernal pool buffer zone to 200'. Compliance would be considered during the building permit process. Nick Tensen asked how much more of the town would become non-buildable due to the increased buffer zone. Discussion ensued regarding how to allow existing uses to be repaired or maintained. David Wanger was concerned about unintended consequences. Agricultural land would be exempt. Changes to the By-law proposal would be sent to the FinCom.

Discussion regarding Warrant Articles for Special Town Meeting and voting recommendations on such articles/Discussion with Finance Director and/or Town Manager regarding any Special Town Meeting or finance related updates.

Article 10-2-1 had been expanded from \$3,421.87 to \$6,093.26. Three invoices for overhead doors, one O'Connell plumbing invoice, a self-signature stamp invoice, and a postage invoice were included.

Article 10-2-2 was in regard to the reduced education appropriation. There were no questions.

Article 10-2-3 was in regard to using the collective bargaining reserve. David Wanger thought \$60,000 had been put into the reserve but Marisa Batista said the article was not asking for funding but rather to distribute the funds to various departments. Initially \$87,415 had been put aside as an estimate for three collective bargaining agreements. By law, Ms. Batista could only transfer money between the same functions. Mr. Wanger asked if \$30,000 would go to free cash as the entire amount was not being used. Ms. Batista responded that the \$20,000 left would go to free cash at the end of the year if the Town Manager did not reclassify or make grade changes. The Admin contract negotiated that each employee would receive a \$1,000 incentive if they enrolled in a course. Some grades would be reimbursed up to \$2,000. Performance evaluations would determine merit increases for the Admin and Fire departments. David Wanger offered his concern that the Schools had increased wages above those for Town Hall employees, which would lead to performance and morale issues if not addressed.

There was a reduction of \$30,067 for a police officer who had announced her retirement but later withdrew. The amount was due to the calculation of vacation and sick time buy back. It was agreed that the reduction would be listed as part of an appendix in an effort to make the change more transparent.

Marisa Batista proposed to change the Assistant Town Accountant title to Assistance Finance Director to allow for higher level functions within the office, such as State reporting. State reporting had been done by an outside consultant but would be conducted in house in the future. The change of grade would reflect a \$2,900 increase. The change was integrated in the article.

Article 10-2-4. The article will be for \$1.6M. The original \$37,500 would become \$40,000 to include police detail costs.

Article 10-2-5. The \$200,000 amount for CPC funding of affordable housing did not change.

Article 10-2-6. The CPC would fund \$250,000 but it would be further discussed by the CPC from which fund the funding would occur. The article listed \$49,000 to be funded from the historical reserve account and \$201,000 would be generated from the reserve account. The Committee would decide if they would keep the original vote or revote on where the funds were sourced from as the article did not match their original vote.

Article 10-2-7. David Wanger was concerned that the town would not be informed about both options for Town Hall renovations. The Warrant presupposed Option A would be voted upon. It was discussed if the town would be able to vote for Option B. Mr. Wanger wanted to be able to educate the public regarding the costs of both options. Mr. Wanger recalled that the Historic District Commission, FinCom, and Building Committee all voted for Option B. The survey did not indicate clearly which option was preferred and the number of participants was small. Tim Olson had reportedly estimated the change to Option B might cost an additional \$110,000 plus \$25,000.

The Town would receive a new estimate for Option A on September 20 or at the September 23, 2019 Selectmen's meeting. The Warrant would be ready for the printer on October 4, 2019. John Pruellage wanted to ensure that both options were available to the public at Town Meeting. David Wanger suggested that if figures were not available to consider both options, a text could be written that the town might not be ready to vote upon the article. Christina Schenk-Hargrove, recalled that it would cost an extra \$135,000 to prepare plans for Option B. Mr. Wanger noted that the cost for borrowing \$357,000 plus the \$35,000 should be determined. Marisa Batista would put together an estimate of the average cost to homeowners over 30 years for the change, focusing on the principal and interest between the two options as interest rates were variable.

David Wanger thought Town Meeting should have the prerogative of making the Option choice as they were spending the money. John Pruellage said it was the prerogative of the Selectmen to make a recommendation. Mr. Wanger added that it was also the prerogative of the FinCom, who wanted to provide adequate information for the public to make an intelligent decision. The increase would be \$4,725 per year in short term debt for Option B until the project was financed.

Article 10-2-8. Ray Brunet provided an explanation of the need for new garage doors, which included the avoidance of spending thousands of dollars in heat lost. Mr. Brunet said the original construction was poor and a large unrepairable gap existed between the poured concrete floor and the racked doors. The motors did not need to be rebuilt.

Article 10-2-9. Marisa Batista explained there were two articles (2015) for \$5M each that totaled \$10M. The last Town Meeting authorized \$1.6M for water improvements but Tim Olson wanted discretion for a broader potential. Articles 2-4 and 2-18 were related, in which the town would authorize borrowing \$1.5M for water treatment. One article was specifically for water distribution Phase I and II. It needed to be clear that the amounts had already been approved.

Discussion regarding review of Fire Chief contract.

Ray Brunet was present. Discussion ensued regarding Section 2.2 and the maximum 300 hours of compensation time. The proposal would reduce the 300 hours to 150 to be carried over at the end of the year. Section 8 would add goals and objectives including cross training, EMS capability, and cost sharing. David Wanger noted the inconsistency of Section 14 in the inability to end the contract and Section 15, one year cap. Mr. Brunet suggested striking Section 15. Mr. Wanger suggested relying on Section 14 until necessary.

Nick Tensen said the contract was valid until June 2022 with a nine to seven month extension. David Wanger added that Section 14 defined that if parties were bargaining after the termination date, the contract would remain in effect until the successor was in effect so Section 15 may take more than one year. John Pruellage thought Section 14 would keep negotiations going while Section 15 said it could not exceed one year. Language in Section 14 would cover negotiation. It was suggested to eliminate the one year cap.

Ray Brunet said he would provide the recommendations to Joe Domelowicz. David Wanger offered to meet with Mr. Brunet and Mr. Domelowicz if requested.

Return to Discussion regarding Warrant Articles for Special Town Meeting and voting recommendations on such articles.

Article 10-2-1. Prior year bills.

Motion to recommend favorably what will be Article 10-2-1 made by John Pruellage.

Seconded Nick Tensen.

Vote: Unanimous in favor.

Article 10-2-2. Regain unexpended portion of \$250,000 due to failed OPEB funding.

Motion made by Nick Tensen to accept Article 10-2-2.

John Pruellage seconded.

Vote: Unanimous in favor.

Article 10-2-3. Budget adjustments.

Motion made by John Pruellage to recommend favorably Article 10-2-3.

Seconded by Christina Schenk-Hargrove.

Vote: Unanimous in favor.

Article 10-2-4. Water improvements.

Motion made by John Pruellage to recommend favorably Article 10-2-4.

Seconded by Nick Tensen

Vote: Unanimous in favor.

It was noted that in the revised Warrant draft, there appeared to be substantive changes and the FinCom reserved the right to reapprove.

Article 10-2-5. Habitat for Humanity funding by the CPC. It was noted that Russ Tanzer had contacted abutters regarding the potential affordable housing proposal. No objections had been noted.

Motion made by Nick Tensen to recommend favorably Article 10-2-5.

John Pruellage seconded.

Vote: Unanimous in favor.

Article 10-2-6 and Article 10-2-7 would be held for further discussion.

Article 10-2-8. Public safety doors.

Motion made by Christina Schenk-Hargrove to recommend favorably Article 10-2-8.

John Pruellage seconded.

Vote: Unanimous in favor.

Article 10-2-9. Water treatment use already appropriated authorization for a broader spectrum of objectives.

Motion made by John Pruellage to recommend favorably Article 10-2-9.

Nick Tensen seconded.

Vote: Unanimous in favor.

Article 10-3-1. The Wetlands By-law was held.

John Pruellage said he was concerned about unintended consequences. Mr. Pruellage said he was for protection but wanted to understand the effects of the substantive changes. Christina Schenk-Hargrove wondered if there was a problem being solved and noted that the science was missing. Nick Tensen was concerned about the five times allowable salt comment received.

Article 10-4-1 Section 4. Revision of the compensation tables to reflect results of collective bargaining.

Motion made by John Pruellage to recommend favorable action to Section 4.

Nick Tensen seconded.

Vote: Unanimous in favor

Article 10-4-2. Home rule petition regarding 550 Highland Street.

It was noted that the previous vote did not result in the legislature being able to adopt the change. The Article was a purified effort to allow tax relief for Mr. Kaminsky who rented the home from the State.

Motion made by John Pruellage to recommend favorably action on Article 10-4-1.
Christina Schenk-Hargrove seconded.
Vote: Unanimous in favor.

Article 10-4-3. An amendment for an increase (\$40,000 to \$58,000) in the income limit for seniors seeking tax relief.

Motion made by Nick Tensen to recommend favorably Article 10-4-3.

John Pruellage seconded.

The result of the change would be an increase of fewer than five seniors. Taxes would be deferred and recoverable.

Vote: Unanimous in favor.

Article 10-3-1. Conservation By-law changes.

David Wanger said he was concerned about the proposed approach and the inability to evaluate if the changes were minor or major. Nick Tensen questioned the science behind the change and what problems were being fixed as had been noted by Christina Schenk-Hargrove. John Pruellage wondered what the ultimate impact might be as well as the vetting process such as public hearings. Mr. Tensen was concerned about limiting development. Mr. Pruellage offered an example of a project that might not be allowed under the proposed provisions. Ms. Schenk-Hargrove said there were already guidelines in place and if they were not strong enough, they should be weighed against potential limitations. Ms. Schenk-Hargrove wanted to understand why 75' would be more beneficial than 50' setbacks. Mr. Wagner hoped for a further review and analysis.

Nick Tensen moved to not recommend favorably as to 10-3-1 with an addendum to the recommendation that this matter was a generically worthy topic that required further analysis and involvement of different representatives of Town government and that at this time, we are concerned about unintended consequences.

Seconded by John Pruellage.

Vote: Unanimous in favor.

Article 10-2-7. Town Hall Renovations.

Discussion ensued regarding the best process for allowing residents the opportunity to evaluate both options. David Wanger thought it might be more prudent to delay the process for a few months to go for plan design money in April. Nick Tensen wanted the momentum to continue. Mr. Tensen thought the vote was imperfect but acknowledged that the Town Hall Building Committee ultimately voted for Option A. Mr. Wanger stated that only 200 respondents answered the survey. 56% said it was acceptable to remove stairs and 68% said to keep the stairs. Mr. Tensen said there would be more flexibility if the addition were built outside the building as in Option B. Christina Schenk-Hargrove wondered what might happen if both proposals were in front of Town Meeting as two separate votes noting the potential that both could be approved or denied. The Board of Selectmen determined what would go to Town

Meeting and Town Meeting would decide whether to approve that or not. Option A was up for a vote but additional information could be provided.

David Wanger thought it important for people to realize the language of the Warrant as put forth was for Option A but another option was available with a different staircase. Mr. Wanger suggested offering a recommendation at Town Meeting and explaining that the FinCom had not rejected the need for Town Hall renovations but thought the public involvement had not been comprehensive enough to make an intelligible decision so the FinCom would request a push back of the timeline. Mr. Wanger added that the Town Hall was a symbol of the community and its importance transcended the amount of money required, which was worthy of careful consideration. Nick Tensen and John Pruellage wanted to keep the process moving forward. Mr. Tensen said over 30 years, the difference was minimal. Mr. Pruellage said Option A was chosen over Option B because of the \$800,000 increase in cost and illustrating the overall cost would be important. Mr. Wanger added that the FinCom's responsibility was to give guidance.

The FinCom discussed the value of the renovations that would be financed over a period of 30 years but appreciated for over a 100 years and how the language could be amended to include an alternative request for Option A (\$357,000) or Option B (\$424,000). Nick Tensen said it could be argued that the survey was imperfect and that residents might want a fuller discussion. A special request for both dollar amounts would ensure a favorable recommendation. Mr. Tensen said the decision for Option A or B was a long term decision and money was not the important part of it. The decision should be based on other factors. David Wanger added that the FinCom had no objections to having the CPC contribute \$250,000 to the project. Mr. Wanger would speak with Joe Domelowicz.

Discussion regarding any follow ups from the joint meeting with CAPCOM

David Wanger recalled that there was a proposal to develop an umbrella agency that kept track of various committee goals and objectives and monitored different committees in an effort to ensure all committees were working toward a common objective. Mr. Wanger drafted a document, which he submitted to Heather Ford for her review. Mr. Wanger distributed the draft to the FinCom.

Discussion regarding any FINCOM vacancies.

Discussion of FINCOM goals and projects for FY20.

Committee Member and Liaison Updates.

Review and approval of available minutes.

The approval of minutes of August 21 and August 28, 2019 were deferred.

Determine/Discuss agenda for next meeting.

Other Topics Not Reasonably Anticipated as Determined by the Chair.

Adjournment

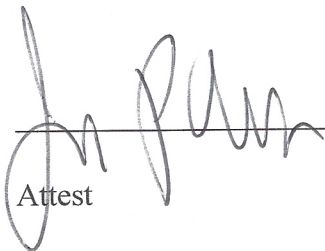
John Pruellage made motion to adjourn.

Seconded by Christina Schenk-Hargrove.

Vote: Unanimous in favor to adjourn at 10:06 pm.

Prepared by:

Marcie Ricker

 10/23/14
Attest Date