

JOINT FINANCE COMMITTEE AND BOARD OF SELECTMEN MEETING
May 1, 2013

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Meeting Date: May 1, 2013

Called to Order: 6:00 PM

Location: 1 Avenue A, Turners Falls MA

Finance Committee Members Present: John Hanold, Michael Naughton and Sharon Kennaugh. Lynn Reynolds and Greg Garrison was absent.

Board of Selectmen Members: Christopher Boutwell and Mark Fairbrother (arrived at 6:07 PM). Pat Allen was absent.

Others Present:

Town Administrator Frank Abbondanzio, Town Accountant Carolyn Olsen, Town Clerk Debra Bourbeau, DPW Superintendent Tom Bergeron

Minutes

Selectmen Moved:

To approve the minutes of April 3, 2013 as amended.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To approve the minutes of April 17, 2013.

Vote: 2 In Favor 0 Opposed 1 Abstained

Reserve Fund Transfer

Pat Allen's resignation was not received in time to put the seat on the town's annual election warrant, so there will be a dual election with the state election in June. This requires additional poll workers and a separate ballot. The Town Clerk is requesting two reserve fund transfers. The first is for \$1,300 in part-time wages to pay for the 12 extra poll workers required by the dual election. The second is \$800 in Other Professional & Technical for ballot preparation for the unexpired Selectmen's term.

Finance Committee Moved:

To transfer \$2,100 from the Reserve Fund to the Town Clerk's budget, with \$1,300 to be transferred to Part-Time Wages and \$800 to be transferred to Other Professional/Technical.

Vote: 3 In Favor 0 Opposed 0 Abstained

Topics not Anticipated – DPW Reserve Fund Transfer

The DPW Superintendent is requesting a reserve fund transfer of \$5,000 to DPW Buildings Repair and Maintenance Services. The computer at the Police Department that controls the HVAC operations system and the electrical service allocation has died. Not only does the computer have to be replaced, but the programming has to be replaced, including updates to accommodate an updated operating system. The programming alone will cost \$180/hour.

Selectmen Moved:

To recommend transferring \$5,000 from the Reserve Fund to the DPW Buildings Repair and Maintenance Services budget for the purpose replacing the computer and software that runs the HVAC system at the Public Safety Facility.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To transfer \$5,000 from the Reserve Fund to the DPW Buildings Repair and Maintenance Services budget for the stated purpose.

Vote: 3 In Favor 0 Opposed 0 Abstained

Mr. Naughton also suggested that the town look into disaster recovery plans for the various departments.

Topics not Anticipated - Sewer Pipe Emergency

There is a serious issue with a break in a force main in the industrial park. A possible source or factor was work done in the immediate area by Broadband. The line was repaired, but broke again a few days later. The last repair was working, but then water started coming out of a manhole. This was caused by plugged pipes. The DPW tried to unplug the pipe but was unsuccessful. The WPCF got some bypass pumps going and has the septage being hauled by outside haulers. An outside company came in to try to clear the pipes but also got stuck. The line collapsed. Both sides of the pipe are filled with sand. We now have two pumps pumping sewerage constantly, and another near the mobile home park being pumped every 8 hours.

On the financial side, in order to pay for ongoing expenses and final capital repairs, the Board of Selectmen first need to declare an emergency and request permission to spend without an appropriation from the Director of Accounts. Our current costs and line replacement are probably not covered by insurance. There are further issues involved in getting permission for emergency procurement.

Selectmen Moved:

That the Board of Selectmen vote to declare a local emergency under the provision of MGL Chapter 44, Section 31 in response to the catastrophic failure of a sewer line servicing the Montague Industrial Park as well as businesses and homes on Millers Falls Road in Turners Falls. And that to address this emergency town departments be allowed to incur liabilities in excess of existing appropriations to eliminate immediate threats to health and/or safety of persons or property.

Vote: 2 In Favor 0 Opposed 0 Abstained

Selectmen Moved:

That the Board of Selectmen, having determined that an extreme public health and safety emergency exists due to the catastrophic failure of the sewer line laid out in and serving businesses at the Montague Industrial Park and homes on Millers Falls Road, and having determined that the need to respond to such

emergency prevents the Town from complying with the bidding and notice requirement of MGL Chapter 30, Section 39M and MGL Chapter 149 in the interest of preserving and protecting public health and safety, do proceed with the reconstruction or replacement of said sewer line on an emergency basis to the extent necessary to abate the threat to public health and safety and request a waiver of the applicable bidding requirements from the Commissioner of the Commonwealth's Division of Capital Asset Management (DCAM).

Once the exact scope and cost of the work (both in terms of operating and long term capital costs) has been determined, the Board of Selectmen intend to take further action which may include the adoption of the provisions of Chapter 44, Section 8(9) and Chapter 44 Section 8(9A) which would authorize the borrowing necessary to fund any liabilities incurred as a result of the above actions.

Vote: 2 In Favor 0 Opposed 0 Abstained

Mr. Bergeron noted that Greenfield graciously came over with their vac truck for hours on end without asking for anything in return.

Update on Discretionary Articles

Ms. Olsen provided printouts of year to date expenditures from the various discretionary special articles for Information Technology, Police Equipment, and DPW Equipment.

Legal Issues

Mr. Abbondanzio reviewed his handout. Normal legal costs without active litigation would likely run around \$35,000 per year. The additional costs the town has been incurring in recent years are the result of pursuing or defending a wide variety of lawsuits. These include legal issues with properties that have gone through the tax foreclosure process for non-payment of taxes, challenges to enforcement actions and contract disputes.

Meeting Adjourned at 8:15 PM

List of Documents and Exhibits

- Minutes of April 3, 2013 and April 17, 2013
- Reserve Fund Transfers from Town Clerk for part time wages and professional/technical services
- Reserve Fund Transfer from DPW for buildings repair and maintenance
- Budget reports for discretionary accounts for IT, Police and DPW
- Handout from Mr. Abbondanzio reviewing background of current legal issues

Next Meeting

May 8, 2013 Follow-up after Town Meetings, set summer schedule

Ms. Kennaugh will bring information on the Community Preservation Act