

JOINT FINANCE COMMITTEE AND SELECTBOARD MEETING MINUTES
UPSTAIRS MEETING ROOM
1 AVENUE A, TURNERS FALLS, MA
WEDNESDAY, SEPTEMBER 19, 2018
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The Chair opens the meeting

- Meeting was opened at 6:02 PM in the Upstairs Meeting Room
- **Finance Committee members present:** John Hanold, Jen Audley, Fred Bowman, Michael Naughton, Greg Garrison, and Chris Menegoni. Richard Widmer was absent.
- **Selectboard members present:** Michael Nelson and Christopher Boutwell (both arrived at 6:05). Richard Kuklewicz was absent.
- **Others present:** Town Administrator Steve Ellis, Building Inspector Chris Rice, Gas and Plumbing Inspector Herbert Hohengasser (both arrived 6:15); Registrar Jay DiPucchio; Board of Health members Michael Nelson and Christopher Boutwell.
- The Finance Committee Chair announced that the meeting is being recorded by MCCI and asked if anyone else was recording the meeting. No one else was recording the meeting.

Minutes

Finance Committee Moved:

To approve the minutes of August 22, 2018.

Vote: 6 In Favor 0 Opposed 0 Abstained

The minutes from September 5 were not available.

Stipends – Part 1

Building Inspector Chris Rice – inspector stipends/wages

Mr. Hohengasser was introduced, and it was noted that he has been an inspector for the Town of Montague for 71 years – a remarkable record.

Mr. Rice brought copies of a memo describing the changes he is proposing to make to Montague's inspection fees and reimbursements, along with a map showing which area towns use Franklin Regional Council of Governments (FRCOG) inspection services and which do not. He noted that Montague is "an island, with FRCOG around us." He said that contractors coming to his office say that "it would be nice if all the towns were on

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the same page”, and he said that his inspectors have complained to him that they haven’t had a raise in years and they don’t get paid mileage.

Mr. Hanold noted that inspection fee schedules are not the Finance Committee’s responsibility, but joint review of fees and inspector stipends makes sense.

In his memo, Mr. Rice recommended that inspection stipends be raised to \$35, but there be no payment for mileage. He stated that paying for mileage would be an administrative burden. Besides the issue of timely collection of the data, there is the question of how the mileage should be measured (from the inspector’s starting point? from town hall?). These are not issues for the FRCOG as inspectors begin their days by going to the FRCOG office, and they leave for inspections from there.

Mr. Menegoni asked how many inspections are performed per year; Mr. Hohengasser said that there were 200 to 225 gas and/or plumbing inspections last year, but Mr. Rice did not have the figures for the other inspections. He will provide them for the FY20 budget process.

There was a discussion about whether the fees collected should cover the cost of the reimbursements. Mr. Menegoni feels strongly that fees should cover the cost of inspections, as that’s simple business logic. Mr. Hanold is not convinced it’s necessary to link the two, as they may change based on different factors. Mr. Naughton is open to the possibility that inspection fees might not be cover reimbursements, but feels that the committee should know whether they do or do don’t. Mr. Ellis noted that the Selectboard will review the final proposal and can take that into consideration.

Mr. Rice will provide the Finance Committee with his proposals in time for the FY20 budget discussions. There was a discussion as to whether he should provide the Committee with his entire proposal or only those parts related to reimbursements. Mr. Hanold and Ms. Audley noted that the committee does not make decisions on fees, so receiving those parts of the proposal is not necessary. Mr. Naughton is interested in seeing the justifications for the reimbursements and feels that the entire proposal might be useful for that.

Board of Registrars – Jay DiPucchio

Mr. DiPucchio noted that the Board of Registrars has four members: two Democrats and two Republicans. He and Debra Bourbeau are the two Democrats; Anne Stuart and

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Juanita (“Bunny”) Caldwell are the two Republicans. He noted that the Board does not have a chair, and therefore it has no official spokesperson.

Mr. DiPucchio stated that the Board is responsible for aggregating, certifying, totaling, and reporting the ballots for town, state, and federal elections. He noted that they have no role in any balloting that happens at town meetings. Their work usually begins when the polls close; they wait at town hall for the ballots to be delivered, and they stay until they are satisfied that the reporting is correct. Usually, this takes until midnight or 1 a.m., but if there are problems it can take longer. When necessary, they open the ballot bundles and recount the ballots, but this is a rare occurrence. The following day, the Town Clerk and the Assistant Clerk prepare the official reporting documents, and the Board members return to verify them and sign their names.

Mr. DiPucchio stated that the Board also is responsible for dealing with electoral challenges, but that there hasn’t been one during his decade-plus time on the Board. He provided a handout (“Boards of Registrars & Election Commissions”) from the Massachusetts Secretary of the Commonwealth that describes the duties and responsibilities. He noted that the Board is responsible for ensuring that street listings are prepared in a timely manner. It is also responsible for considering the advisability of electronic voting.

Mr. DiPucchio stated that, besides its work at elections, the Board meets as needed throughout the year.

The method of compensation was discussed. Mr. Hanold suggested that the Board members be compensated on a per-election basis. Ms. Audley believes that the Committee had already decided that the compensation was an honorarium; she does not believe the town is able to compensate for the time and effort involved at a fair rate. Mr. Naughton wondered whether an hourly compensation rate would be appropriate. Mr. DiPucchio said that, in his opinion, the magnitude and gravity of the Board’s responsibilities makes a lump sum compensation most appropriate, but he noted that he was not speaking for the Board. Mr. Naughton asked that the Board discuss the question sometime before the next budget cycle and update the Committee on the results. He noted that the final recommendation would still rest with the Committee.

Special Town Meeting

Recommendations on financial articles on town meeting warrant

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1. (now Article 1) Increase Water Pollution Control Facility (WPCF) budget by \$379,148. \$250,000 for solid waste disposal, 3 additional employees as required by Massachusetts Department of Environmental Protection, and \$4,000 net increase in benefits

Discussion: Mr. Naughton noted that there is no recommended change to the amount funded from taxation (\$200,000), although there have been suggestions that it be increased. Mr. Ellis said that he is working with the WPCF Superintendent, Bob McDonald, on a better rationale for the I&I cost, and he expects to have a fuller discussion of this issue during the FY20 budget process.

Selectboard Moved:

To recommend \$2,396,379 for the total WPCF operating budget, with \$200,000 to come from Taxation and \$2,196,379 from Sewer User Fees.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend \$2,396,379 for the total WPCF operating budget, with \$200,000 to come from Taxation and \$2,196,379 from Sewer User Fees.

Vote: 6 In Favor 0 Opposed 0 Abstained

2. (now Article 9) Use \$9,535 of unused insurance proceeds from Shea roof repair (now in Free Cash) for improvement to "green room"

Discussion: Mr. Naughton asked why this money is not being applied to the upcoming roof repairs. Ms. Audley noted that the Shea Theater board recently completed a successful fundraising campaign, which raised funds for renovations to the lobby. She wondered how to explain the rationale for using Town funds for the green room renovations when those previous renovations were accomplished with private donations. Mr. Bowman said that, owing to union rules, many acts refuse to perform at the Shea because of the condition of the green room. Mr. Ellis said that the exact division of responsibility between the town and the Shea management group for who does what is "a gray area", but he noted that the Shea is a performing arts venue and an appropriate green room is an integral part of that. It was noted that the funds are coming from unused insurance proceeds for damage that was repaired at a lower cost than expected due to the diligence of the Shea group. Mr. Bowman noted that the green

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room repairs will be done by Franklin County Technical School students, which will significantly lower their cost.

Selectboard Moved:

To recommend \$9,535 of unused insurance proceeds from Shea roof repair (now in Free Cash) for improvement to “green room”, to be funded from Free Cash.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend \$9,535 of unused insurance proceeds from Shea roof repair (now in Free Cash) for improvement to “green room”, to be funded from Free Cash.

Vote: 6 In Favor 0 Opposed 0 Abstained

3. (now Article 10) Fund retiring employee’s sick leave and vacation buyout

Discussion: this is for an unanticipated retirement in the Town Clerk’s office.

Selectboard Moved:

To recommend \$6,000 to increase the FY2019 Town Clerk budget, to be funded from Free Cash.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend \$6,000 to increase the FY2019 Town Clerk budget, to be funded from Free Cash.

Vote: 6 In Favor 0 Opposed 0 Abstained

4. (now Article 12) Appropriate \$40,150 to Town Capital Stabilization Fund

Discussion: this appropriation was inadvertently left off the Annual Town Meeting warrant in May, so it is being recommended now.

Selectboard Moved:

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To recommend \$40,150 to increase the Town Capital Stabilization Fund, to be funded from Free Cash.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend \$40,150 to increase the Town Capital Stabilization Fund, to be funded from Free Cash.

Vote: 6 In Favor 0 Opposed 0 Abstained

5. (now Article 2) Rescind unused \$21,569 borrowing authority for Article #30 of the May 6, 2017 Annual Town Meeting, which appropriated \$385,000 for the purpose of lining, cleaning and inspection of sewers and GIS sewer layer development.

Discussion: Mr. Ellis noted that, since this project is funded through sewer borrowing, it is being temporarily suspended due to the current fiscal challenges faced by the WPCF. A major section of sewer lines has been inspected and relined where necessary, and the Highway Superintendent (Tom Bergeron) believes that the worst areas have been addressed. However, there is more to do, and he expects this project to be revived within three years or so at the latest.

Selectboard Moved:

To recommend rescinding unused \$21,569 borrowing authority for Article #30 of the May 6, 2017 Annual Town Meeting.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend rescinding unused \$21,569 borrowing authority for Article #30 of the May 6, 2017 Annual Town Meeting.

Vote: 6 In Favor 0 Opposed 0 Abstained

6. (now Article 3) Rescind Article #46 of the May 6, 2000 Annual Town Meeting, which appropriated \$11,500 for consideration of land, specifically Assessors Map 21, lots 008 and 009, to be purchased under Article #46 of the May 6, 2000 Annual Town Meeting.

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Discussion: this is believed to be land owned by the Roman Catholic Diocese of Springfield, near St. Mary's Cemetery.

Selectboard Moved:

To recommend rescinding Article #46 of the May 6, 2000 Annual Town Meeting.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend rescinding Article #46 of the May 6, 2000 Annual Town Meeting.

Vote: 6 In Favor 0 Opposed 0 Abstained

7. (now Article 8) Appropriate \$19,750 for a technical review of the plan for capping and installing a solar power generating facility on the burn dump. This will be funded from the remaining balance of article 14 of the 12/7/05 STM.

Selectboard Moved:

To recommend \$19,750 for a technical review of the plan for capping and installing a solar power generating facility on the burn dump, to be funded from the unexpended balance of Article #14 of the December 7, 2005 Special Town Meeting.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend \$19,750 for a technical review of the plan for capping and installing a solar power generating facility on the burn dump, to be funded from the unexpended balance of Article #14 of the December 7, 2005 Special Town Meeting.

Vote: 6 In Favor 0 Opposed 0 Abstained

8. (now Article 11) Appropriate the \$12,500 received from Comcast as PEG payment to provide cable related equipment for MCTV

Selectboard Moved:

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To appropriate \$12,500 to provide cable related equipment for MCTV, to be funded from the PEG Access Receipts Reserved for Appropriation account.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To appropriate \$12,500 to provide cable related equipment for MCTV, to be funded from the PEG Access Receipts Reserved for Appropriation account.

Vote: 6 In Favor 0 Opposed 0 Abstained

9. (now Article 13) Allow the use of bond premiums to reduce total debt borrowed for borrowing appropriations voted prior to adding this language.

Selectboard Moved:

To recommend allowing the use of bond premiums to reduce total debt borrowed for borrowing appropriations voted prior to adding this language.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend allowing the use of bond premiums to reduce total debt borrowed for borrowing appropriations voted prior to adding this language.

Vote: 6 In Favor 0 Opposed 0 Abstained

10. (now Article 7) Appropriate \$3,500 to develop a subdivision plan and legal documents related to the conveyance of approximately 6.13 acres along the Canalside Bike Path.

Discussion: Mr. Ellis described this as a strip of land approximately 80 feet wide that runs along the eastern bank of the canal south under the 11th Street bridge. It abuts the Brick and Feather Brewery, the current DPW garage, and the Couture building, among other properties. Part of it is subject to an easement for the bike path. Currently, it is divided into three parcels. Mr. Ellis said that developing a subdivision plan will allow the town to reconfigure it in a way that will make it as marketable as possible.

Selectboard Moved:

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To recommend appropriation of \$3,500 to develop a subdivision plan and legal documents for 6.13 acres along the Canalside Bike Path, to be funded from Free Cash.

Vote: 2 In Favor 0 Opposed 0 Abstained

Finance Committee Moved:

To recommend appropriation of \$3,500 to develop a subdivision plan and legal documents for 6.13 acres along the Canalside Bike Path, to be funded from Free Cash.

Vote: 6 In Favor 0 Opposed 0 Abstained

Stipends – Part 2

Board of Health – Chris Boutwell and Michael Nelson

Mr. Nelson stated that the Board of Health (BoH) meets monthly, and day-to-day operations are handled by the staff. On occasion, the chair is called in to help with certain matters, and members are called when things need to be done outside of regular business hours. For example, if there is a house or apartment fire, there may be a question as to whether the dwelling may be reoccupied after the fire has been put out, and the Fire Chief will ask a BoH member to make that judgement.

BoH members are also called upon to assist staff in doing inspections for events that draw a lot of food vendors. Current examples are Mutton & Mead, the Homelands Festival, and the Great Falls Festival. Members may also be called upon to go to court to support the Health Director, although the addition of a part-time Health Inspector a few years ago has greatly reduced the need for this.

Mr. Hanold asked what the possible consequences for the town are from failure by BoH members to carry out their responsibilities. Mr. Boutwell and Mr. Nelson stated that there could be legal consequences (the town could get sued), and there could also be health issues (people might get sick or even die).

Mr. Hanold asked if there are requirements for being on the BoH. Mr. Bouwell and Mr. Nelson said that there are no formal requirements, but there are trainings and meetings of regional organizations that most members willingly attend, as they help them do their jobs better.

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Mr. Nelson noted that the Abandoned Housing Initiative by the Attorney General's office has also required time outside of meetings for BoH members to assist staff doing walk-throughs of the properties and perhaps go to court. He noted that this program has been very beneficial for the town, as it has already turned around several blighted properties, with more on the way.

Selectboard – Chris Boutwell and Michael Nelson

Mr. Nelson stated that there are no formal requirements for being on the Selectboard, but there are seminars and training.

Mr. Nelson stated that the Selectboard meets weekly (bi-weekly during the summer months), and as needed. Reasons for extra meetings include collective bargaining and other personnel issues. Additionally, the chair may be asked for guidance by staff outside of meetings, especially for matters that require quick action (e.g. emergencies and certain personnel matters).

Ms. Audley noted that Selectboard members are often the focal point for residents wishing to communicate opinions, suggestions, and concerns about town government.

Mr. Naughton asked whether Selectboard members also serve on regional boards or committees. Two members of the Selectboard (Richard Kuklewicz and Michael Nelson) serve on the Executive Council of the FRCOG, and the third (Chris Boutwell) serves as Montague's representative on the board of the Franklin County Solid Waste Management District.

In addition, the Selectboard is also the Police Commission, the Sewer Commission, and the Personnel Board. Mr. Naughton asked if the members felt that they were able to adequately handle all these responsibilities, or whether, in a perfect world, the town would be better served by having one or more of these other bodies comprised of other people. Mr. Nelson said that his feeling is that a better solution would be to have a five member selectboard, as that would spread some of the workload around and also would allow members to abstain from Board discussion where necessary to avoid violating the conflict of interest laws. Currently if one Board member needs to recuse themselves, it sets the Board up for the potential of a stalemate if the two members have opposing views. It was noted that a five member board was proposed some years ago by a panel led by John Reynolds, but town meeting rejected the proposal. It was also noted that sometimes it's hard to find people willing to fill even three positions.

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As with the BoH, failure of Selectboard members to fulfill their responsibilities might have legal or health consequences for the town and its residents. Mr. Naughton noted that the Selectboard also has significant financial responsibilities, as it is responsible for administering grant funding and other monies not controlled by town meeting.

Next Meeting Date: October 3, 2018. Topics will include stipends and permitting software.

Topics not anticipated within in the 48 hour posting requirements - None

Meeting adjourned at 8:24 PM

List of Documents and Exhibits:

- Minutes of August 22, 2018
- October 10, 2018 Special Town Meeting Warrant
- Memo provided by Building Inspector Chris Rice
- “Boards of Registrars & Election Commissions” – handout from Jay DiPucchio