

West Newbury Finance Committee
Minutes of the meeting
Monday, March 13, 2017

Vice Chairman Winch called the Finance Committee meeting to order at 7:04 p.m. in the second floor hearing room of the 1910 Building with Ms. Grammer, Mr. DeLena, and Mr. Phillips in attendance.

There being no public comment, the Committee considered its agenda.

Special Town Meeting Petition Article—Petition President Trump to release his taxes.

Mr. Jack Duggan presented a copy of the one hundred and forty-seven signatures collected to assure this article be placed on the Special Town Meeting ballot. Mr. Duggan stated the vote is a symbolic statement. Mr. Phillips inquired if approved, did Mr. Duggan expect the town to follow up in the form of a written document. Mr. Duggan replied that the Board of Selectmen (BOS) would decide any action to take. FinCom members asked if Mr. Duggan had requested a meeting with the BOS. Mr. Winch suggested Mr. Duggan make an appointment with the BOS. The Selectmen may assist him with any questions, which may come his way. Ms. Grammer also suggested that Mr. Duggan reach out to town moderator KC Swallow, so that he could educate himself about applicable procedures.

FinCom Business

Chairman Codair joined FinCom for a discussion of the Articles presented at Town and Special Town Meetings, if passed by the BOS.

Ms. Grammer provided FinCom members with some background information on the land transfer article at the end of the Annual Town Meeting warrant. An individual willed a sum of \$5,000.00 and a plot of land in Haverhill to West Newbury in order to support the poor in the town. The land, a former gravel pit was sub-divided. Eminent domain took over a portion of the land in order to build Route 495. Mr. Early purchased the remaining portion intending to develop a solar field. Unfortunately, Mr. Early's deed reflects the plot of land under Route 495. The article states the initial deed inadvertently identified the wrong portion of land. This correction allows Mr. Early a clear deed to the land.

Ms. Grammer reported no receipt of additional FinCom reserve transfer requests.

Ms. Grammer requested permission to place a blank transfer request form on the FinCom web site. *FinCom members approved the addition of the blank form on the web site, 5-0-0.*

Ms. Grammer remarked the Carr Post article is currently a placeholder. Although the Capital Improvements Committee (CIC) did meet last Tuesday, Ms. Mizner was not present. It is difficult mesh CIC budgets with the Department of Public Works (DPW) schedule as they may complete portions of a project when time allows. Currently, the CIC may appear underfunded. Creditors will

review the stabilization plan, among other items, when considering long-term borrowing, especially with the proposed Water Department purchases.

Following the FinCom meeting with the Historical Commission, the demolition bylaw is being revised. *Ms. Grammer will request a revised copy of the bylaw via email.*

Ms. Grammer reported the Community Preservation Committee had voted unanimously for a Parks and Recreation request to paint and recoat at Action Cove Playground.

The CPC vote on the Carr Post, originally scheduled for this evening, has been rescheduled for Wednesday, March 15th.

Ms. Grammer reported the deadline to complete the FinCom Booklet is April 10, 2017.

Town Meeting Articles

Annual—General Government

ARTICLE 4: To see if the Town will vote to authorize the Board of Selectmen to petition the general Court, in compliance with Clause (1) Section (8) of Article LXXXIX of the Amendments of the Constitution of the Commonwealth of Massachusetts to the end that legislation be adopted for the establishment of a town manager precisely as set forth in Appendix A. The General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approve amendments to the bill before enactment by the General Court. The Board of Selectmen is authorized to approve amendments that shall be within the scope of the General public objectives of this petition.

FinCom voted to approve 5-0-0.

Rationale: Mr. DeLena

ARTICLE 5: To see if the Town will vote to appropriate, in anticipation of Water Department revenue, the sum of \$696,577.00 of which \$184,179.00 for Salaries and Wages which include \$1,700.00 for WTER Commissioners stipends, \$30,514.00 for Insurances, \$400,594.00 for Expenses, \$16,722.00 for Debt Service, \$15,000.00 for Extraordinary and Unforeseen, and \$49,519.00 for Indirect Cost. By request of the Board of Water Commissioners.

FinCom vote delayed until the BOS deliberates on salary requests.

Placeholder ARTICLE 6: To see if the Town will (i) vote to authorize the Board of Water Commissioners and/or the Board of Selectmen to acquire by purchase, gift or eminent domain, for Water Department purposes and for general municipal purposes, the fee interest in a certain parcel of real estate, with all buildings and improvements thereon, located at 31 Dole Place, West Newbury, MA containing approximately 8.71 acres of land and as shown on Assessors' Map 10 as Lot 640 or any part thereof, together with and subject to all rights, restriction and easements of record, on such terms and conditions as the Board of Water Commissioners and/or the Board of Selectmen may determine; (ii) to appropriate \$ or some other amount to pay costs of purchasing the property described herein, including the payment of all costs incidental and related thereto, and to determine whether this amount should be raised by borrowing, water department

fees, transfer from available funds or otherwise; (iii) to authorize the Board of Water Commissioners and Board of Selectmen to enter into all agreements and execute any and all instruments as may be necessary to effect said acquisition or purchase; or (iv) to take any other action in relation thereto. By request of the Board of Water Commissioners/Board of Selectmen.

FinCom delayed vote for further discussion.

ARTICLE 7: To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow by short or long term notes in the sum of \$1,700,000.00 for purchasing, construction and installation of a new water tank to replace the original 1936 Standpipe, including all related equipment and payment of all costs and expenses incidental thereto. By request of the Board of Water Commissioners.

FinCom voted to approve 5-0-0.

Rationale: Chairman Codair

ARTICLE 8: In accordance with the provisions of Chapter 38 of the Acts of 1936, to see what instructions, rules and regulations the Town may wish to impose on the Board of Water Commissioners. By request of the Board of Water Commissioners.

This is a pro forma article required by statute that receives neither FinCom vote nor rationale.

ARTICLE 9: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$50,000 for the Pension Liability stabilization fund, or take any other action related thereto. By request of the Board of Selectmen.

FinCom voted to approve 5-0-0.

Rationale: Mr. Winch

ARTICLE 10: To see if the Town will vote to transfer the sum of \$21,191.73 from the Septic Loan Revolving Account for the repayment of debt service. By request of the Board of Health.

FinCom voted to approve 5-0-0.

Rationale: Mr. Winch

ARTICLE 11: To see if the Town will vote to transfer from available funds the sum of \$104,900.00 to pay the debt service associated with the Dunn Property Acquisition. By request of the Board of Selectmen.

FinCom voted to approve 5-0-0.

Rationale: Mr. Winch

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of \$279,122 to be placed in the special purpose municipal stabilization fund established pursuant to Massachusetts General Laws c. 40 §5B in order to fund future capital expenditures for school related building projects, or take any other action related thereto. By request of the Board of Selectmen.

Ms. Grammer reported one of three project managers is to be chosen during the next School Building Committee meeting on March 22, 2017. Currently, the amount of the \$279,122 is in the School stabilization fund. The amount is cumulative and therefore each year as debt is retired, it is necessary to add varying amounts to the fund.

FinCom voted to approve 5-0-0.

Rationale: Chairman Codair

ARTICLE 13: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$10,000 to add to the special fund established in accordance with the provisions of MGL Chapter 44, Section 53I for a celebration of West Newbury's Bicentennial in 2019. By request of the Board of Selectmen.

FinCom voted to approve 5-0-0.

Rationale: Chairman Codair

ARTICLE 14: To see if the Town will vote to re-authorize the Summer Recreation Revolving Fund for the Park and Recreation Commission as described in Chapter 44, Section 53E 1/2 of the Massachusetts General Laws, for FY 2018. This revolving fund would be to accept receipts from fees charged to participants of the Summer Recreation Program. The receipts would be expended, not to exceed \$42,000 in FY 2018 by the Park and Recreation Commission for the payment of program-related wages, expenses and field trips of the 2018 Summer Recreation Program or to take any other action relative thereto. By request of the Park and Recreation Commissioners.

FinCom voted to approve 5-0-0.

Rationale: Mr. Winch

ARTICLE 15: To see if the Town will vote to re-authorize a Revolving Fund for FY 2018 for the Cable Advisory Committee as described in Chapter 44, Sections 53E 1/2 and 53F 3/4 of the Massachusetts General Laws. This revolving fund would be to accept funds received in connection with a franchise agreement between a cable operator and a municipality commonly referred to as PEG (Public Education and Government). The receipts would be expended, not to exceed \$75,000 in FY 2018 by the Cable Advisory Committee for the payment of program-related wages, expenses, and equipment or such other purposes as permitted by the statute, or to take any other action relative thereto. By request of the Cable Advisory Committee.

FinCom voted to approve 5-0-0.

Rationale: Mr. Phillips

ARTICLE 16: To see if the Town will vote to transfer from available funds the sum of \$25,000.00 to be deposited into a Municipal Buildings' Insurance Fund. By request of the Finance Director.

FinCom voted to approve 5-0-0.

Rationale: Mr. DeLena

ARTICLE 17: To see if the Town will vote to allocate and/or reserve from the Community Preservation Fund annual revenues, the amounts recommended by the Community Preservation Committee for Community Preservation Projects, Committee Administrative Expenses, and other

expenses in Fiscal Year 2018, with each item to be considered a separate appropriation or take any other action relative thereto. By request of the Community Preservation Committee.

Allocate Reserves:

From FY 2018 estimated revenues for Community Housing Reserve:	\$38,423.00
From FY 2018 estimated revenues for Historic Resources Reserve:	\$38,423.00
From FY 2018 estimated revenues for Open Space & Recreation Reserve:	\$38,423.00
From FY 2018 estimated revenues for Committee Administrative Expenses:	\$18,109.00
From FY 2018 estimated revenues for Budgeted Reserve:	\$228,806.41
TOTAL	\$362,184.41

FinCom delayed vote until after FinCom-CPC meeting.

Rationale: Ms. Grammer

ARTICLE 18: To see if the Town will raise and appropriate or transfer from free cash the sum of \$4,595 to fund an actuarial study for OPEB. By request of the Finance Director.

Ms. Codair inquired why this is an article—we had not seen this before although it is a an every-two-year expense *FinCom voted to approve 5-0-0.*

Rationale: Ms. Grammer

ARTICLE 19: To see if the Town will vote to authorize the Board of Selectmen to enter into a lease for a portion of the Dunn Property, Main Street (Assessors Map R22 as Lot 190) for the purpose of the construction and maintenance of a wireless communication tower. By request of the Board of Selectmen

FinCom voted to approve 5-0-0.

Rationale: Mr. DeLena

ARTICLE 20: To see if the Town will vote to authorize the Board of Selectmen to enter into a lease for a portion of the Brake Hill Property, Main Street (Assessors Map2, as Lot 350 for the purpose of the construction and maintenance of a wireless communication tower. By request of the Board of Selectmen.

FinCom voted to approve 5-0-0.

Rationale: Mr. DeLena

Annual—By-laws/Others

ARTICLE 21: To see if the Town will vote to amend the Bylaws of the Town of West Newbury by adding a new section to establish and authorize revolving funds for use by certain town departments boards, committees, agencies or officers under Massachusetts General Laws Chapter 44 Sec. 53E1/2, or take any other action relative thereto.

FinCom voted to approve 5-0-0.

Rationale: Mr. Phillips

ARTICLE 22: To see if the Town will vote to amend its Bylaws by adding a new section in order to preserve the historic and architectural assets of the town by instituting a period of delay for a period up to nine months before the issuance of a demolition period, or take any other action relative thereto.

FinCom delayed vote until after reviewing revised bylaw.

ARTICLE 23: To see if the Town will vote to amend the West Newbury Zoning Bylaw concerning “Signs” pursuant to the attached document entitled “West Newbury Planning Board Proposed Zoning Bylaw Amendment SIGNS”, 5 pages, dated February 6, 2017 at the Spring Town Meeting by:

1. Deleting Section 7.C. “Signs” in its entirety and replacing it with a new Section 7.C. “Signs”;
2. Amending Section 8.B.3.e. by adding new subsection 8.B.3.e.5., which would read “5. Signs (Section 7.C.)”.

FinCom delayed vote until Mr. Ellis is present.

ARTICLE 24: To see if the Town will vote to authorize the Board of Selectmen to transfer, by deed or otherwise, the care, custody and control of the Pipestave apartments located at 692 Main Street consisting of approximately 1.52 acres of land and shown on Assessors’ Map R23 as Lot 23A to the West Newbury Housing Authority upon such terms and conditions as the Board deems appropriate, or take any other action relative thereto.

Approval of this article places Pipestave Apartments on similar grounds as other low-income properties in West Newbury. In this case, the West Newbury Housing Authority will pay bills and make policy decisions. Newburyport will act as a vendor to manage the property. *Ms. Grammer will ask the Housing Authority to join FinCom on Monday, March 27, 2017.*

ARTICLE 25: To see if the Town will vote to authorize the Board of Selectmen to transfer the land shown on the Haverhill Assessors’ Map 464, Block 3, Lot 1 being a portion of the land acquired by the Town by deed recorded with the Essex South District Registry of Deeds in Book 3366 Page 436 and pursuant to the Will of Emily S. Elliot Cote, on such terms and conditions as the Selectmen shall determine, or take any other action relative thereto.

FinCom voted to approve 5-0-0.

Rationale: Mr. Phillips

Special Town Meeting Articles

ARTICLE 2. To see if the Town will vote to transfer from available funds the sum of \$285,000 for the purpose of purchasing self-contained breath apparatus and related equipment for the Fire Department of the town. By request of the Fire Department

FinCom voted to approve 5-0-0.

Rationale: Ms. Grammer

ARTICLE 3. To see if the Town will vote to transfer the sum of \$100,000.00 from the Water Enterprise Fund Free Cash Account and \$80,000.00 from the Water Department Stabilization Fund

Account for a total of \$180,000.00 to upgrade the existing Wellfield #1 to include but not limited to engineering, design, site development, construction of buildings, pipe, and all other related equipment needed to deliver water to, and comply with, Massachusetts Department of Environmental Protection (MassDEP) regulations for municipal water supply. By request of the Water Department.

FinCom voted to approve 5-0-0.

Rationale: Mr. DeLena

ARTICLE 4. To see if the Town will vote to transfer the sum of \$60,000.00 from the Water Enterprise Fund Free Cash Account to purchase water from the City of Newburyport. Any remaining funds in this account at the end of Fiscal Year 2017 will close out to the Water Enterprise Fund Free Cash Account. By request of the Water Department.

FinCom voted to approve 5-0-0.

Rationale: Mr. DeLena

ARTICLE 5. To see if the Town will vote to transfer from available funds the sum of \$41,000.00 to purchase a 2017 Ford Interceptor Utility Vehicle for the Police Department. By request of the Chief of Police.

FinCom will confirm the funding source with the BOS and if the police department will be on an annual car cycle.

*FinCom voted to approve 5-0-0, **provided** the funding source is Free Cash*

Rationale: Chairman Codair

ARTICLE 6. To see if the Town will vote to transfer from available funds the sum of \$TBD to fund the Snow and Ice deficit. By request of the DPW Director.

FinCom deferred a vote until a dollar amount is determined.

Rationale: Chairman Codair

ARTICLE 7. To see if the Town will vote to transfer from available funds the sum of \$61,000.00 for the purchase of a tractor and mower for the DPW department. By request of the DPW Director.

FinCom voted to approve 5-0-0.

Rationale: Chairman Codair

ARTICLE 8. To see if the Town will vote to transfer from Community Preservation Act funds the sum of \$25,000 for Preservation and Rehabilitation of the Action Cove Playground Facility, Phase II, said sum to be taken from the CPA Open Space and Recreation Reserve, or take any other action relative thereto. By request of the Community Preservation Committee and the Park and Recreation Commission.

FinCom deferred a vote until the meeting with the CPC on March 27, 2017.

Rationale: Mr. Phillips

ARTICLE 9. To see if the Town will vote to transfer from Community Preservation Act funds the sum of \$_____ for work to be performed at the American Legion Carr Post, 363 Main

Street, including architectural and engineering studies, reconstruction and any other repair work, or take any other action relative thereto. CPC on hold

FinCom deferred a vote until the meeting with the CPC on March 27, 2017.

PETITION ARTICLE 10. To see if the Town will vote to adopt a resolution to petition Donald J. Trump, forty-fifth President of the United States, to immediately release his tax returns to the public.

FinCom voted unanimously to abide by the will of the town.

Assigned: Ms. Grammer—*no rationale*

Minutes

The Committee voted to approve the March 6, 2017 minutes, 4-0-1, DeLena abstaining.

Future FinCom Meetings

Monday, March 20, 2017

- Meet with the BOS and the Town Moderator to discuss budget

Monday, March 27, 2017

- Meet with CPC
- Housing Authority

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Elisa Grammer
Secretary

Meeting documents

1st page of citizen's petition re Trump taxes

New article request re clearing Early land title

Draft ATM & STM warrants

Updated articles spreadsheet

Most recent omnibus budget

3/6/2017 minutes with edits