



Town of Adams Massachusetts 01220-2087

FINANCE COMMITTEE

**TOWN HALL BUILDING
8 PARK STREET**

**FINANCE COMMITTEE MINUTES, 2/15/18, 6:30 p.m.
ADAMS TOWN HALL, 1ST FL. BOARD OF SELECTMEN MEETING ROOM**

Call to Order: Meeting was called to order by Chairman Burdick at 6:30 p.m. Members Parrott, Lefebvre, Foster, Tomkowicz, Demastrie, Kleiner, and Corrigan were present as well as Interim Town Administrator Donna Cesan, Board of Selectmen Chair John Duval, Board of Selectman Joseph Nowak, and Town Accountant Mary Beverly.

Approval of Minutes: Motion made by Member Tomkowicz, to approve minutes for October 17, 2017, second by Member Kleiner. Abstention by Member Lefebvre. Vote: unanimous.

Special Town Meeting Warrant: The Warrant Articles for the Special Town Meeting were reviewed individually.

Article 1: To see if the Town will vote to amend the General Bylaws by inserting a new chapter, pursuant to the provisions of Massachusetts General Law Ch. 44, § 53E ½ as most recently amended by the Acts of 2016, to establish various Revolving Funds, specifying the departmental receipts to be credited to each fund, the departmental purposes or programs for which each fund may be expended, and the entity authorized to expend each fund, such bylaw to provide as follows or take any action in relation thereto:

Discussion by Committee Members included clarification that there are no changes to the current Revolving Funds, but that this converts them into the bylaws and streamlines the process. There are no enterprise funds for the town.

Motion made by Member Lefebvre to approve the article, second by Member Parrott. Vote: unanimous.

The Finance Committee recommends this article as written.

Authorize Revolving Fund Expenditure Limit

Article 2 To see if the Town will vote, pursuant to Massachusetts General Law Ch. 44, § 53E ½ as most recently amended by § 86 of Chapter 218 of the Acts of 2016, to establish limitations on expenditures from the revolving funds established by Chapter 50 of the General Bylaws, entitled, "Revolving Funds", as follows,

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TOWN CLERK
ADAMS MASS.

Revolving Account	FY2018 Expenditure Limit
Bid Specification Revolving Fund	\$5,000
Sanitary Sewer Revolving Fund	\$30,000
Promotional Revolving Fund	\$5,000
Library Revolving Fund	\$7,000
Transfer Station Revolving Fund	\$30,000
Inspection Services Fund	\$25,000
Tax Title Revolving Fund	\$20,000

The Municipal Modernization Act requires that all Revolving Fund expenditure limits be set annually.

Motion made by Member Tomkowicz to approve the article, second by Member Lefebvre. Vote: unanimous.

The Finance Committee recommends this article as written.

Bylaw Amendment

Article 3: To see if the Town will vote to amend the following Bylaw, § 62 of the Town of Adams Code by removing all strike outs and change to the bold face wording that follows and add all bold face type, or take any action in relation thereto:

§ 62-1. List of delinquent parties.

§ 62-2. Denial, revocation or suspension of license or permit.

§ 62-3. Payment agreements.

§ 62-4. Waiver.

§ 62-5. Exceptions.

These changes bring this section of Town Bylaw up to date with the Municipal Modernization Act. The Municipal Modernization Act will enable the Tax Collector to keep people from getting licenses if taxes are owed. Members inquired if a property owner that owes money on one property may get a permit or license on another property. The wording of “may” rather than “shall” was discussed. Chairman Burdick can reach out to Town Counsel to get clarification and can make a motion on Town meeting floor.

Motion made by Member Lefebvre to approve the article, second by Member Parrott. Vote: unanimous.

The Finance Committee recommends this article as written.

Article 4: To see if the Town will vote to amend the following Bylaw, § 105-2 of the Town of Adams Code by removing all strike outs, or take any action in relation thereto:

§ 105-2 Snow and ice removal.

Concern was expressed about snow plowed onto sidewalks. It was noted that residents on Howland Avenue have no way to shovel snow off their sidewalks. The sidewalk bylaw was discussed. Members stated the Town should not be exempt from the requirements. The existing bylaw was reviewed and individuals may contact the police department to deal with sidewalks that are not appropriately cleared, which is fair and is for all residents. If bridge is icy if the DPW or the Police Department are notified it will be taken care of. Daily penalties for violation of the bylaw were outlined. It was noted that the only changes are to strike the words "Fire District" and the word "certain". A recommendation was made that the Town publicize the requirement at the beginning of the winter season.

Motion made by Member Lefebvre to approve Article 4, second by Member Tomkowicz. Voted in favor were Members Parrott, Lefebvre, Foster, Tomkowicz, Demastrie, Kleiner. Voted in opposition was Member Corrigan. Motion carried.

The Finance Committee recommends this article as written.

Bylaw Amendment

Article 5: To see if the Town will vote to amend Chapter 125 of the Code of the Town of Adams entitled "Zoning" to read as follows, or take any other action in relation thereto.

1. Create new Section 125-35, "Licensed Marijuana Establishments," A. – I. as follows:

ARTICLE IV. SPECIAL REGULATIONS

§125-35. Licensed Marijuana Establishments.

2. Add to Section 125-50, Attachment 1, "Business Uses" and "Accessory Uses" by inserting the following new uses to the Use Regulation Schedule:

1. Add to § 125-50, Attachment 1, "Business Uses," by inserting the following new use to the Use Regulation Schedule:

Discussion took place regarding what is allowed in R-Zones and what requires a Special Permit. Marijuana establishment and manufacturing authorized areas were reviewed. The traffic impact for these establishments was considered. It was explained that the Cannabis Control Commission just drafted their regulations. Members inquired about marijuana production and whether there would be tastings, samples or smoking allowed at the locations or at a café's. Grow facilities and retailers would currently be authorized under the bylaw, which could be updated if the need evolves. The Planning Board imposed 200 foot distance from any place children are known to congregate.

Motion made by Member Lefebvre to approve Article 5, second by Member Parrott. Voted in favor were Members Parrott, Lefebvre, Foster, Tomkowicz, Demastrie, and Kleiner. Voted in opposition was Member Corrigan. Motion carried.

The Finance Committee recommends this article as written.

Article 6: To see if the Town will vote to accept the local acceptance sentence in G.L. c.40, §22C, added by Chapter 218 of the Acts of 2016, to allow receipts from parking meters and other devices to be segregated in a special revenue fund beginning July 1, 2017, such funds to be expended for the purpose of purchase or lease of additional parking lots, the care and maintenance of the parking lots, the purchase or lease of a commuter shuttle or commuter shuttle services between the parking lots and available public transportation, and all other purposes set forth in that section and G.L. c.40, §22A, or take any other action relative thereto.

This wording brings the Town's Parking Meter Fund up to date in accordance with the Municipal Modernization Act. It was noted that the purchase of new meters is covered in this article.

Motion made by Member Lefebvre to approve Article 7, second by Member Tomkowicz. Vote: unanimous.

*The Finance Committee **recommends** this article as written.*

Article 7 To see if the Town will vote to accept the provisions of G.L. c.90, §17C, which allows the Board of Selectmen to establish a speed limit of 25 miles per hour in any thickly settled or business district in the Town that is not a state highway, or take any other action relative thereto.

The Municipal Modernization Act allows Towns to accept this provision to provide a local tool to the Board of Selectman to reduce speed limits outside of the current elongated process.

The Board of Selectmen will work with the Traffic Commission on this for recommendations. It was noted that currently it is cumbersome to change speed limits to take care of dangerous areas. The definition of "thickly settled" will be determined by the Board of Selectmen, Traffic Commission, and Legal Counsel working together.

Motion made by Member Lefebvre to approve Article 7, second by Member Tomkowicz. Vote: unanimous.

*The Finance Committee **recommends** this article as written.*

Article 8: To see if the Town will vote to grant an easement to Ronald J. Chenail, Jr, for a force sewer main and accessory sewer lines on Gould Road; thereby rescinding a revocable license concerning the same heretofore granted by the Adams Board of Selectmen, or take any action in relation thereto.

A revocable license was granted to the Chenails that requires Town Meeting approval. It was noted that there is no cost to the town and the entire cost and responsibility including engineering and maintenance is the Chenails'. It was explained that if any other land is developed there it will tie into the Greylock Glen infrastructure and would have to go through a similar process.

Motion made by Member Kleiner to approve Article 8, second by Member Lefebvre. Vote: unanimous.

*The Finance Committee **recommends** this article.*

Article 9: To transact any other business that may legally come before said meeting.

Hereof fail not and make return of the Warrant by posting in three or more public places in said Town of Adams, true and attested copies thereof, seven days before the holding of said voting.

Consensus was reached to accept Article 9.

Reserve Fund Transfer Requests: Members asked why funds were being taken from the Reserve Fund instead of Free Cash, and a desire to build up the Stabilization Fund was expressed, as was a concern about the Town running out of funds. A suggestion was made to utilize Free Cash in the future. Different options were considered and a change can be made at the next Town Meeting. A history was given of the Reserve Fund going from \$100,000 up to \$200,000 and back down to \$175,000 over the past three Town Administrators' terms. In the past the Finance Committee Members expressed a desire that the Reserve Fund not become part of the budget and for true emergencies three or four times a year a Reserve Fund Transfer Request would be made. It was noted that over the last few years Reserve Fund Transfer Requests were made for items that were not true emergencies, such as solar panels.

Adams Memorial Building

➤ **Natural Gas** (06195 – 52130) \$10,000

This request was explained as natural gas funds to pay for hot air heating units to heat building through the remainder of the season.

Motion made by Member Kleiner to approve the request for a Reserve Fund Transfer for \$10,000 for natural gas, second by Member Tomkowicz. Voted in favor were Members Parrott, Foster, Tomkowicz, Demastrie, and Kleiner. Voted in opposition were Members Corrigan and Lefebvre. Motion carried.

➤ **Building Maintenance, Boiler** (06195 – 54360) \$6,800

It was noted this money was taken out of the budget by the former Town Administrator. The balance in the budget is \$1,879. Heat and the rental of the unit were discussed. It was explained that it is a masonry building and if allowed to freeze it will damage the building. Finance Committee Members stated they were valid expenses, but were considering where the funds come from. A statement was made that this item should have been brought to the upcoming Special Town Meeting.

Motion made by Member Parrott to approve the Reserve Fund Transfer of \$6,800 for the Boiler, second by Member Tomkowicz. Voted in favor were Members Parrott, Foster, Tomkowicz, Demastrie, and Kleiner. Voted in opposition were Members Corrigan and Lefebvre. Motion carried.

➤ **Building Maintenance, Elevator** (06195 - 54390) \$9,000

Repairs were needed to pass the State inspection. Committee Members asked why this was not put into the budget and questioned the \$20,000 fine that was imposed. A successful appeal of the fine was made with the understanding that the repairs would be undertaken. The repairs are complete and the inspection is forthcoming. Insurance is covering ServiceMaster work to remediate mold and they are working with the elevator company to complete the inspection of the elevator. The Town is committed to keeping the elevator inspected and the Building Commissioner is working on the Certificate of Occupancy for limited use. The cost associated with the inspection of the elevator is \$50.

Motion made by Member Tomkowicz to approve the Reserve Fund Transfer of \$9,000 for the Elevator, second by Member Kleiner. Vote: unanimous.

Wastewater Treatment Plant

➤ **Harmony Street Pump Station** (06440 – 52440) \$5,300

The main pump was clogged with “flushable” wipes. A Committee Members asked to put in a bylaw to eliminate wipes in the pipes, but it would be difficult to both enforce and trace. Research needs to be done on how other communities handle this problem and public education needs to happen, despite the ongoing public campaign. It was noted that the life expectancy of the plant is impacted by this issue.

Motion made by Member Tomkowicz to approve the Reserve Fund Transfer of \$5,300 for the Harmony Street Pump Station, second by Member Kleiner. Vote: unanimous.

CT Plunkett Elementary

➤ **Roof Engineering** (399 – 53035) \$4,000

The roof project is substantially complete and the last masonry work to be done is waiting on weather but it should be wrapped up in about three weeks. It was pointed out that the contractors did an excellent job. Additional questions were asked about problems where the main roof tied into the additional building. Concern was expressed about the potential for the building being let to deteriorate into a major roof problem. The Town will need to issue an RFP to get architectural and engineering expertise and to address issues with the portico. Town Hall steps are in the Capital Plan and economies may be realized with masonry work. A cost estimate will be solicited in advance of Town Meeting. It was pointed out that the School District does not have a good record of building maintenance. The Town will need to take a look at the building and identify its needs for prioritization. Committee Members noted that with 10% of their kids in the school Cheshire should pay their percent. Long term financial plans would be involved but the Town of Adams took care of this roof project. Board of Selectmen Member Hoyt is meeting with the School Committee and the ACRSD Superintendent to review maintenance issues monthly, including the problem with leaking and slate replacement. The School Committee has been kept updated and the High School has roof problems as well. Past renovations of the building were reviewed. It was pointed out that pipes were cracked during renovation and there is some water damage again. 30 year warranties are in place and representatives of the insurance companies inspected it.

At 7:29 p.m. Member Cowie entered the meeting.

Motion made by Member Lefebvre to approve the Reserve Fund Transfer of \$4,000 for engineering of the C.T. Plunkett roof, second by Member Corrigan. Abstention by Member Cowie. Voted in favor were Members Parrott, Lefebvre, Foster, Tomkowicz, Demastrie, Kleiner, and Corrigan. Motion carried.

Town Clerk

➤ **Elections, Data Processing** (02162 – 53030) \$1,100
➤ **Elections, Election Workers** (02162 – 53810) \$7,100
➤ **Town Clerk, Overtime** (02161 – 51300) \$200

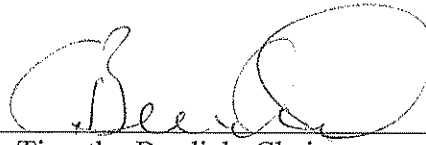
Motion made by Member Lefebvre to approve the Reserve Fund Transfer request for the Town Clerk in the amount of \$8,400 for Overtime and Elections, second by Member Kleiner. Vote: unanimous.

The total amount to be transferred is **\$43,500**.

The budget review format was discussed. Every department will present their budget and the Committee will have a discussion. It was noted that deliberation was lost in the workshop meetings over the past years. An inquiry was made regarding the Board of Selectmen meeting with the School District about their budget. A meeting will take place in two weeks. Slum and blight was touched on and it was explained the elderly cannot afford to take care of their property. An update was requested for the Depot Street parking lot and a brief review of the process took place. The agreed upon change from a fifteen member committee to a thirteen member committee was discussed. It was noted the Committee is currently down to thirteen members and there needs to be either a motion on the floor at Town Meeting to reduce the number to thirteen or the Moderator needs to fill the spots. A need to change the Charter was noted for a number of items. Chairman Burdick will connect with Town Counsel St. John III for recommendations. The Board of Selectmen can initiate a Charter change and requested the Finance Committee Chairman to come to Board of Selectmen meeting to discuss it. It was noted that the Charter outlines at age 70 a person becomes ineligible to be on the Finance Committee, and this may need to be taken out as well. It was pointed out that there was a vote made by the Finance Committee to reduce the Committee Members, but the Committee must have eight members present through the budget process and may be prudent to get a couple more members to go forward before the Charter change takes place.

Adjournment: Motion made by Member Lefebvre to adjourn the meeting, second by Member Tomkowicz. Vote: unanimous. *The meeting adjourned at 7:46 p.m.*

Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary

A handwritten signature in dark ink, appearing to read 'Timothy Burdick', is written over a horizontal line.

Timothy Burdick, Chairman