



## Finance Committee Meeting Minutes

June 1, 2015 7:00 PM, Meeting Room 1

Tyngsborough Town Hall

Tyngsborough, Massachusetts

Members Present: Darryl Wickens, Chair (DW)  
Burt Buchman, Secretary (BB)  
Paul Morin (PM)  
Chris Mellen (CM)  
Marie Lambert (ML)

Attendees: Curt Bellavance, Town Administrator  
Kerry Colburn-Dion, Finance Coordinator/ Treasurer

**BB made a motion to come into session at 7:02 pm, PM seconded. All in favor 5-0-0.**

This is a meeting for the annual committee reorganization and to review and vote on the remaining warrant articles for annual Town Meeting.

### **Item 1: Committee Reorganization**

**BB made a motion to nominate DW as Chair. Seconded by PM. Approved 5-0-0**

**PM made a motion to nominate BB as Vice-Chair. Seconded by ML. Approved 5-0-0**

**BB made a motion to nominate ML as the Recording Secretary. Seconded by CM. Approved 5-0-0**

The officers for the next year are:

Darryl Wickens – Chair

Burt Buchman – Vice-Chair

Marie Lambert - Recording Secretary

### **Item 2: Committee Assignments**

**BB made a motion to appoint DW to the CPC. Seconded by CM. Approved 5-0-0**

**BB made a motion to appoint CL to the Ambulance Study Committee. Seconded by PM. Approved 5-0-0**

**DW made a motion to appoint BB to the Government Study Commission. Seconded by PM. Approved 5-0-0**

**DW will talk to Jeff Hannaford regarding the Sewer Commission**

**PM made a motion to appoint PM to the Capital Asset Committee. Seconded by BB. Approved 3-0-2**

Committee Appointments:

Darryl Wickens - CPC

Chris Mellen – Ambulance Study Committee

Burt Buchman – Government Study Commission

Paul Morin – Capital Asset Committee

**Item 3: Warrant Articles**

**FINANCIAL ARTICLES:**

**Article 4.** To see if the Town will vote to fix the salary and compensation of elective officers of the Town as provided by Section 108 of Chapter 41 of the Massachusetts General Laws, as amended, for the Fiscal Year 2016 (July 1, 2015 - June 30, 2016), or take any other action relative thereto.

Salaries of the Elected Officials are included in the Department Appropriations to be submitted within Article 5.

	<b>SALARIES</b>	<b>REQUEST</b>	<b>RECOMMENDED</b>
	7/01/14	7/01/15	7/01/15
	6/30/15	6/30/16	6/30/16
<u>Elective Town Officers</u>			
Moderator	\$ 0	\$ 0	\$ 0
Selectmen Members (5)	\$ 0	\$ 0	\$ 0
Tax Collector	\$ 62,424	\$ 65,563	\$ 65,563
Town Clerk	\$ 57,222	\$ 59,242	\$ 59,242
Assessors (3)			
Chairman	\$ 1	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0	\$ 0
Member (1)	\$ 0	\$ 0	\$ 0
Board of Health			
Chairman	\$ 0	\$ 0	\$ 0
Members (4)	\$ 0	\$ 0	\$ 0
Tree Warden	\$ 0	\$ 0	\$ 0
Cemetery Commissioners (3)	\$ 0	\$ 0	\$ 0
School Committee (7)	\$ 0	\$ 0	\$ 0
Library Trustees (6)	\$ 0	\$ 0	\$ 0
Sewer Commissioners (3)			

Chairman	\$ 0	\$ 1500	\$ 1500
Member (1)	\$ 0	\$ 1000	\$ 1000
Member (1)	\$ 0	\$ 1000	\$ 1000
Planning Board (5)			
Chairman	\$ 0	\$ 0	\$ 0
Members (4)	\$ 0	\$ 0	\$ 0
Finance Committee (5)	\$ 0	\$ 0	\$ 0
Constables (2)	\$ 0	\$ 0	\$ 0
Greater Lowell Reg. Voc. Tech. HS (1)	\$ 0	\$ 0	\$ 0

Submitted by: Board of Selectmen and Finance Committee

**Fincom Discussion**

The article did not previously have the Sewer Commission stipends included. The previous version of the article had been recommended by the Fincom on a vote of 4-0-0. The Sewer Commission is recommending the stipends and that it would come out of the Sewer Enterprise fund. Had stipends some years ago. Those getting a stipend would get a W-2 at the end of the year. FICA comes out of it Medicare only at 1.45% Not eligible for Middlesex County pension.

**Recommendation of Finance Committee:**                 In Favor          X   Not in Favor

**Motion to recommend as written by**   PM  , **Seconded by**   CM  , **Not recommended, motion fails** 1-4-0

**Vote Required:**    **Majority Vote**

**Article 5.**    To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to fund town expenses for Fiscal Year 2016 (July 1, 2015 - June 30, 2016), or take any other action relative thereto.

Submitted by: Board of Selectmen and Finance Committee

**Fincom Discussion**

The budget is increased by \$70K. \$101,109 is for PEG (media). There is a new law to account for this revenue to the town. It is Verizon and Comcast quarterly payments. This is the first time there has been a budget for PEG. The Board of Assessors increased new growth by \$25K. \$14,103 from the town and school was out into health insurance for both. There is \$20K rolling forward for Snow and Ice.

**Recommendation of Finance Committee:**          X   In Favor                 Not in Favor

**Motion to recommend as written by**   BB  , **Seconded by**   PM  , **Approved** 5-0-0

**Article 10.**    To see if the Town will vote to appropriate by transfer the sum of \$12,974.00 from Free Cash to stabilized the tax rate, for the purpose of funding increased inspections for the Greater Lowell Technical High School, or take any other action relative thereto.

Transfer from:	Free Cash	\$12,974.00
Transfer to:	General Fund (Reduce Tax Rate)	\$12,974.00

Submitted by: Board of Selectmen and Finance Committee

**Fincom Discussion**

The dollar amount was missing before. This is offsite by Article 5.

**Recommendation of Finance Committee:**  **In Favor**  **Not in Favor**

**Motion to recommend as written by** BB, **Seconded by** PM, **Approved** 5-0-0

**Article 11.** To see if the Town will vote to raise and appropriate and transfer to a special purpose Compensated Absence Fund the sum of \$21,668.00, for the purpose of funding the future payment of accrued liabilities for compensated absences due any Town employee upon the termination of such employee’s employment, or take any other action relative thereto.

Submitted by: Board of Selectmen and Finance Committee

**Fincom Discussion**

Didn’t have the final number before. There are 3 retirements. Spending \$45K from fund next year for those retirements.

**Recommendation of Finance Committee for Articles 11 and 12:**  **In Favor**  **Not in Favor**

**Motion to recommend as written by** BB, **Seconded by** PM, **Approved** 5-0-0

**Article 13.** To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to be expended by the Sewer Commission to operate the Sewer Enterprise for Fiscal Year 2016 as follows:

Submitted by: Sewer Commissioners

**Fincom Discussion**

Some costs should be transferred over to the town for what the town does for Sewer Legal, Workers Compensation, etc. Using one-half of retained earnings. At hearing that was \$1.3M. The Fincom did not support the Sewer stipends in Article 4. The stipends are in here.

**Recommendation of Finance Committee:**  **In Favor**  **Not in Favor**

**Motion to recommend as written by** BB, **Seconded by** PM, **Approved** 3-2-0

**Article 14.** To see if the Town will vote to (i) appropriate a sum of money for construction and land acquisition costs of the Phase I West Sewer System infrastructure project (the “Project”), identified as Needs Area 1, Phase 1 West of the 2009 Comprehensive Wastewater Management Plan as shown on Figure 1 attached to this Article, and filed with the Office of the Town Clerk, including without limitation all costs incidental or related thereto; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Clean Water Trust or otherwise; and (ii) authorize the Board of Selectmen to take by eminent domain, by purchase, by gift, or otherwise acquire easements and other interests in land as necessary or convenient for public sewer purposes related to the Project in accordance with M.G.L. c. 40, § 14, and M.G.L. c. 79, and M.G.L. c. 82, or by any and every other power and authority in any way enabling, including, but not limited to, land and/or easements situated on the following parcels of land:

135 Middlesex Road, Assessors Map 21, Lot 14,  
48 Kendall Road, Assessors Map 20A, Lot 18,  
36 Kendall Road, Assessors Map 20A, Lot 17,  
122 Middlesex Road, Assessors Map 21, Lot 18, and  
37 Old Tyng Road, Assessors Map 21, Lot 18A;

or to take any other action relative thereto.

Submitted by: Sewer Commission

**Fincom Discussion**

The Chair excused himself from this vote. ML will abstain also. Flint Pond residents now want to be included. This may be amended on the floor. Will there be enough capacity? Have to reapply to Mass Works for the grant.

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** PM, **Seconded by** BB, **Approved** 3-0-2

**Article 20.** To see if the Town will vote to authorize the Board of Selectmen to enter into Lease/Purchase Agreements up to five years to purchase equipment for Town Departments. Said contracts shall be subject to annual appropriations, or take any other action relative thereto.

Submitted by: Board of Selectmen

**Fincom Discussion**

Leave vote as is. Was split vote 2-2.

**Article 21.** To see if the Town will vote to transfer a specific amount in FY16 from Stabilization Fund for Debt & Debt Assessment and said funds be used by the Treasurer to be used towards the payment of debt principal and interest for the Early Childhood Center (ECC) Roof and the Greater Lowell Technical High School for Debt Assessment; or to take any other action relative thereto.

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$59,645.00
Transfer to:	Long Term Debt Principal	\$50,000.00
	Long Term Debt Interest	\$ 9,645.00

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$72,707.00
Transfer to:	Long Term Debt Principal	\$72,707.00

Submitted by: Board of Selectmen

**Fincom Discussion**

Setting up Stabilization Fund for Debt in Article 3 of Special Town Meeting.

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** PM, **Seconded by** CM, **Approved** 5-0-0

**Article 22.** To see if the Town will vote that the following sums be appropriated or reserved from estimated annual revenues of the Community Preservation Fund for the fiscal year 2016, with each item to be considered a separate appropriation, for the payment of administrative expenses of the Community Preservation Committee, debt service, community preservation projects, and all other necessary and proper expenses, or take any other action relative thereto.

Submitted by: Community Preservation Committee

**Fincom Discussion**

This is a housekeeping item. Debt on past project and 10% to the reserves,

**Recommendation of Finance Committee:**            X       In Favor                 Not in Favor

**Motion to recommend as written by**   BB  , **Seconded by**   PM  , **Approved**   5-0-0  

**Vote Required: Two-thirds (2/3) Vote**

**MISCELLANEOUS ARTICLES**

**Article 24.** To see if the Town will vote, as provided by M.G.L. c. 41, § 1B, that the position of Tax Collector become an appointed position, or take any action relative thereto.

Submitted by: Board of Selectmen

**Fincom Discussion**

Fincom and the BOS should be a joint search committee. Motion from the floor to amend. Have someone with qualifications as opposed to just popular vote being elected. Have Fincom be part of the recommendation.

**Recommendation of Finance Committee:**                 In Favor        X   Not in Favor

**Motion to recommend as written by**   PM  , **Seconded by**   CM  , **Not recommended, motion fails**   1-4-0  

**Article 28.** To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town Administrator to sign warrants for payment, as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Board of Selectmen approves amendments thereto prior to enactment by the General Court, and provided further that Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

*An Act Relative to Signing of Warrants for Payment in the Town of Tyngsborough Notwithstanding the provisions of section 56 of chapter 41 of the General Laws, or of any other general or special law to the contrary; the town administrator in the town of Tyngsborough, and in the absence of the town administrator, the assistant town administrator, is hereby authorized to approve all warrants for payment of town funds, including payroll*

warrants. The approval of all such warrants by the town administrator or assistant town administrator, as the case may be, shall be sufficient authority to authorize payment of the same by the town treasurer, but a majority of the board of selectmen shall approve all such warrants in the event of the absence of said town administrator, or assistant town administrator, or a vacancy in the office of town administrator.

or take any other action relative thereto.

Submitted by: Board of Selectmen

**Fincom Discussion**

BOS should do a post review. Dollar threshold up to a certain amount for Administrator to sign. Town Accountant does vendor warrant. Town Treasurer does Payroll. They review each other's work. June is the highest payroll month due to the teachers' payroll. There is a question to Attorney Zaroulis regarding 2 Selectmen on the Planning Board.

**Recommendation of Finance Committee:** \_\_\_\_\_ In Favor      X   Not in Favor

**Motion to recommend as written by**   PM  , **Seconded by**   BB  , **Not recommended, motion fails**   0-5-0  

**Article 30.** To see if the Town will vote to authorize the Board of Selectmen to enter into a payment in lieu of taxes agreement, said agreement not to exceed 20 years duration and subject to other terms in conditions the Selectmen deem appropriate, pursuant to G.L. C. 59, §38H, and regulations promulgated thereunder, with respect to annual payments in lieu of real and personal property taxes relative to land located at the corner of Dunstable and Cummings Roads; said agreement is based upon the proposed construction and operation of a solar photovoltaic power plant with a capacity of approximately 2.4 megawatts and to be executed with Citizens Energy or its successor, or take any other action relative thereto.

**This article is being removed.**

**Article 31:** To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement for the purchase of net metering credits generated by a renewable energy facility for a term of up to 25 years upon such terms and conditions as the Board of Selectmen deem in the best interests of the Town, and to authorize the Board of Selectmen to take such other actions as may be necessary to implement and administer such agreement; or take any other action relative thereto.

Submitted by: Board of Selectmen

**Fincom Discussion**

There is no defined opinion yet from Attorney Zaroulis. May be exempt from procurement.

**Recommendation of Finance Committee:** \_\_\_\_\_   X   In Favor    \_\_\_\_\_ Not in Favor

**Motion to recommend as written by**   PM  , **Seconded by**   CM  , **Approved**   3-2-0

**CITIZEN PETITIONS:**

**Article 39.** To See if the Town will vote to raise and appropriate or transfer from available funds \$5,024.00 estimated unused vacation time for the Town Collector’s planned retirement in May of 2016, or take any other action thereto.

**Article 40.** To See if the Town will vote to raise and appropriate or transfer from available funds \$7,536.00 sick time buy back for the Town Collector’s planned retirement in May of 2016, or take any other action thereto.

Submitted by: Citizens’ Petition

**Fincom Discussion**

These are not included in the budget. Dorothy Dunderale had her retirement funded. Elected officials getting a stipend do not get sick or vacation time.

**Fincom had previously voted 0-4-0 not to recommend.**

**SPECIAL TOWN MEETING WARRANT**

**Article 1.** To see if the Town will vote to raise and appropriate, appropriate by transfer from available funds, and/or appropriate by transfer from one or more municipal government accounts a sum of money to supplement various municipal government groups for the fiscal year 2015, or take any other action relative thereto.

Petition of the Board of Selectmen

**Fincom Discussion**

This is the end of year transfers. Mostly to fund collective bargaining agreements. \$12K – each of 3 years – grant for toters

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** PM , **Seconded by** BB , **Approved** 5-0-0

**Article 2.** To see if the Town will vote under the provisions of MG.L. c.40, §5B to create a special purpose Stabilization Fund for the purpose of reserving funds intended for Debt or Debt Assessments; or to take any other action relative thereto.

Petition of the Board of Selectmen

**Fincom Discussion**

This would create a Special Stabilization Fund.

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** PM , **Seconded by** BB , **Approved** 5-0-0

**Article 3.** To see if the Town will vote to transfer a sum of money from FY15 available funds to fund the Stabilization Fund for Debt & Debt Assessment; or to take any other action relative thereto.

Transfer from:	Fund Balance Reserved – Reduction of Future Debt	\$274,814.00
	Free Cash	\$387,026.00
Transfer to:	Stabilization Fund for Debt & Debt Assessment	\$661,840.00

Petition of the Board of Selectmen

**Fincom Discussion**

Move money to Stabilization Fund.

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** BB, **Seconded by** PM, **Approved** 5-0-0

**Article 4.** To see if the Town will vote to transfer an amount in FY15 from Stabilization Fund for Debt & Debt Assessment and said funds be used by the Treasurer to be used towards the partial payment of debt principal for the Early Childhood Center (ECC) Roof, 135 Coburn Rd; or to take any other action relative thereto.

Transfer from:	Stabilization Fund for Debt & Debt Assessment	\$9,211.50
Transfer to:	Long Term Debt Principal	\$9,211.50

Petition of the Board of Selectmen

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** PM, **Seconded by** CM, **Approved** 5-0-0

**Article 5.** To see if the Town will vote to raise and appropriate or transfer from available funds an amount to fund the General Fund’s Snow & Ice accounts, or take any other action relative thereto.

Petition of the Board of Selectmen

**Fincom Discussion**

Applied to FEMA for \$66K reimbursement.

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** PM, **Seconded by** BB, **Approved** 5-0-0

**Article 6.** To see if the Town will vote to raise and appropriate, Transfer from available funds or borrow a sum of money for items requested to the Capital Asset Committee for funding, or to take any other action relative thereto.

Petition of the Board of Selectmen

**Fincom Discussion**

These are items that need to be done. Money from Article 4.

**Recommendation of Finance Committee:**     \_\_\_X\_\_\_ In Favor     \_\_\_\_\_ Not in Favor

**Motion to recommend as written by** BB, **Seconded by** CM, **Approved** 5-0-0

**Item 4: 3 Year Budget**

Capital Asset looks at 3 year budget. Possibly have them do 3 year budget estimate. Modify their charter as they are a mini Triboard. Typically start to meet in January

**Item 5: Meeting Minutes approval**

**BB made a motion to approve the May 14, 2015 meeting minutes. Seconded by PM. Approved 4-0-0**

**Item 6: Request for Transfer from Reserve Fund to Rescind Vote**

Request for reimbursement from MSBA grant money. This would reimburse the journal entry. Otherwise would become free cash in 29 days.

**Motion to Rescind the Finance Committee Vote of July 10, 2014 made by PM and Seconded by BB. Approved 5-0-0**

**Adjournment**

**BB made a Motion to adjourn at 8:59 pm, seconded by PM. All in favor 5-0-0.**

Prepared by: Burt Buchman, Finance Committee Clerk