

Amherst Finance Committee  
March 29, 2012, 7:05 P.M.  
1<sup>st</sup> Floor Meeting Room, Town Hall

**Attendance:**

Kay Moran, Vice Chair; Janice Ratner; Bob Saul at 7:50 pm; Anurag Sharma at 8:00 pm; Douglas Slaughter; Andrew Steinberg, Chair; Marylou Theilman

**Others Present:**

Sandy Pooler, Amherst Finance Director; Scott Livingstone, Amherst Police Chief; Peter Jessop, Community Preservation Act Committee (CPAC) Chair; Jeff Napolitano, Director American Friends Service Committee and Petitioner; and Amherst Media

**Agenda:**

1. Fiscal Year 2013 budget
  - a. New information affecting budget
  - b. Budget planning and development
2. Town Meeting Warrant Articles, other than FY 2013 operating budget
  - a. Meet with Police Chief regarding petition article
  - b. Report from Community Preservation Act Committee
  - c. Report from Joint Capital Planning Committee
  - d. Review other Articles from draft warrant
  - e. Take positions or identify additional information needed on Articles
3. Process for developing report to Town Meeting
4. Order for motions on budget articles at Town Meeting
5. Member reports – liaisons and committees
6. Minutes of previous meetings, if any
7. Next Meeting and Agenda
8. Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting

**Fiscal Year 2013 Budget**

There is no new information available, at this time, which affects the budget. Next week the Finance Committee (FC) will make its recommendations on the budget, and if the state revises its budget figures, the FC then can reconsider its recommendations. If more money is available, the FC can recommend its use at that time or the additional money can be placed in free cash allowing more time to determine a recommendation for its use.

The process for determining how extra money would be allocated is unclear since the Budget Coordinating Group (BCG) does not have a prioritized list, as it did last year. How would the BCG decide? Presently, the Governor's budget is level funded with additional money expected in the fall. Would that money go to free cash or the elementary school to cover the \$218,200 budget gap? Also, the Superintendent and Town Manager are considering an after school program for students that will require financial support from the town. The proposal will be presented to the BCG at their next meeting.

**Town Meeting Warrant Articles:**

**Article 29 Sharing of Information with Federal Agencies** (Information from the Warrant Article Petition Form - Bylaw Regarding the Sharing of Information with Federal Agencies)

Chief Livingstone and Jeff Napolitano spoke to Article 29. The FC questioned whether the implementation of the article would have financial implications for the town. Would detaining, transporting to Northampton and legal expenses, as a matter of law, be of cost to the town. According to Livingstone, retaining and transporting costs are minimal. As far as litigation, no one knows.

Grants from the Office of Public Safety contains language that requires a grantee to supply finger prints, arrest information, etc. to the appropriate department. The language is in the contract with

the Office of Public Safety and is signed by the Town. With that language, Amherst would not have been able to apply for \$245,000 in grants over the last five years, Livingstone believes. The Department of Justice has the same requirements for its grants. At the present time, Amherst has a \$180,000 grant to address domestic abuse. Amherst again will apply for a \$300,000 hiring grant for more police officers. The total of grant funding over the last five years to the present is \$450,000 and an anticipation of applying for another \$300,000. Livingstone stated that he did not know if other police departments have lost funding based on their towns' position of sharing information with federal agencies. He assumed that current grants would not be affected, but future grants could be if the language in the contracts require that the information be reported as part of grant obligations. The Amherst Police Department sends all of its information to the Massachusetts State Police. *(I deleted "Department" because it's not part of MSP's name.)*

Concerns were expressed about the language of the petition and its impact on the ability of the police to receive, send and get information. Livingstone stated that the FBI serves as a central repository and is an extremely important source of information for local police since the FBI has the finances and the ability to collect information that cannot be done locally.

Questions were raised about the enforcement method. If the bylaw passes and it is not followed, what happens. Most bylaws spell out the consequences if they are not followed, and this does not.

Napolitano stated this Article is attempting to preempt the problems of next year when the federal law goes into effect. He believes that when groups push back, there are changes in the laws. Some questioned why the Article was not framed after the Northampton petition and why it wasn't specific to not sharing information with ICE. Napolitano indicated that it was deliberate not to limit information to just ICE.

The proposed Bylaw may be amended before or during Town Meeting. Steinberg explained how changes can be made on the floor of Town Meeting.

The FC will make its recommendation at a future meeting after it receives additional information from the Manager's Office and the Police Chief.

**Article 21 Community Preservation Act (CPA)** (For more information see the Community Preservation Act Committee (CPAC), Report to Annual Town Meeting April 2012, Recommendations for Fiscal Year 2013)

Peter Jessop, CPAC Chair presented an overview of the report. He stated that there were many worthy projects and that a majority of them are recommended.

Debt service is one of functional areas that is voted separately. These debt obligations are part of the debt service and will show up as a financing source for a total of \$123,834. This payment is obligated under previous Town Meeting votes to authorize issuance of bonds to pay for these projects. They include: Plum Brook Recreation Area (\$34,215), Town Hall Masonry (\$27,619), Hawthorne Property (\$62,000) and Amherst Housing Authority (\$0, because debt service won't start until FY 14).

Projects for FY13 include the housing projects: Habitat for Humanity (\$20,000) and HAP Olympia Oaks Project (\$250,000).

The West Cemetery Fencing For Dickenson Plot (\$40,000), the Amherst Historical Society Roof Repair (\$25,000) and the Amherst Historical Society Database (\$22,000) are listed under Historical Preservation.

Open Space funding will support Open Space Surveys and Appraisals (\$25,000), and a conservation restriction on property next to the North Amherst Farm (Nickerson Property)

(\$25,000).

CPC Administrative Expenses amount to \$2000.

The Finance Committee voted 5-0, 2 absent to recommend these amounts as they are consistent with the Community Preservation Act requirements for use of CPAC funds.

**Joint Capital Planning Committee Report (JCPC)** (For more information see the JCPC's report to Town Meeting.)

Moran reviewed the process and priorities of the JCPC. As stated in the report, the total capital budget in any fiscal year is comprised of direct cash expenditures for capital items, debt service (interest and principal) on all prior bonded expenditures and debt service on new authorized and issued bonds, if any. The plan is organized into three categories of projects: major equipment, building needs and facilities needs. While the JCPC believes that the desired level of spending on capital projects would be 10% of the levy, for FY13 the JCPC is proposing using 6.50% of the levy or \$3,153,200. Community Preservation Act funds of \$532,834 for CPA projects are included in the JCPC report spreadsheet to show how they fit into overall capital spending.

The JCPC is recommending a total of \$1,488,804 for equipment items. For building repairs and renovations, \$426,396 is being recommended. A total of \$1,238,000 is being recommended for facilities. In addition, JCPC is recommending borrowing a total of \$1,071,000 for a three-year tree-planting project (\$612,000), a public works truck (\$150,000), repairs to Central Fire Station (\$184,000), and police communications equipment (\$125,000).

**Article 9 Retirement Assessment**

The Committee voted 7-0 to recommend an appropriation of \$3,468,324 for the retirement assessment. It is up 6.5%.

**Article 10 Regional Lockup Assessment**

The Committee voted 7-0 to recommend an appropriation of \$31,323 for the Regional lockup assessment.

**Article 14 Reserve Fund**

An annual allocation of \$100,000 is earmarked for use by the Finance Committee to cover any unexpected expense related budget without the need to use reserves. Any unexpended amount reverts back to free cash. The Committee voted 7-0 to recommend this amount.

**Articles 22 Free Cash**

Deferred to a time before Town Meeting.

**Article 23 Stabilization Fund**

Deferred to a time before Town Meeting.

**Article 5 Street Acceptance**

Vote on Sunrise Avenue Article at the next meeting.

**Article 6 Street Acceptance**

Vote on University Drive Expanded Layout Article at the next meeting.

**Article 27 Local Historic District** - Presentation will occur at a later meeting. *(Article 28 is the petition article on reversing Citizens United. On 3/22/12 we voted to take no position on that.)*

A supplemental issue of the Finance Committee Report will be available at the first Town Meeting which will allow more time for discussion by the FC of petition Articles 29 and 30.

**Article 7 Sewer Easement Acceptance**

The Harkness Road project will be discussed at a later meeting.

**Process for Developing Report to Town Meeting**

Steinberg arranged to have the Finance Committee Report sent out in two parts. The first part will be sent out before Town Meeting, but after the election, since all 240 seats need to be elected this year and only those elected will receive the report. The second part will be sent out at the start of Town Meeting.

Steinberg will write a draft introduction for the Finance Committee Report and send it to FC members for discussion at one of its next meetings. He will also set a date for all FC reports to be submitted to Moran, Pooler and him in time to review, edit and print before Town Meeting.

The order for motions on budget articles at Town Meeting will be discussed at a future meeting.

Voting on the various sections of the budget will continue next week.

**Member Reports – Liaisons and Committees:**

Steinberg reported that the first forum for the Regional District Planning Committee (RDPC) would be held on Wednesday, April 11, 2012, in the ARHS Library at 7:00pm.

**Next Meeting:**

The next meeting of the Finance Committee will be April 5, 2, 2012.

**Adjourned:**

The meeting adjourned at 9:30pm.

Submitted by:

Marylou Theilman, Acting Clerk

**Documents Used at the Meeting:**

- \*Warrant Article Petition Form – Bylaw Regarding the Sharing of Information with Federal Agencies
- \*Community Preservation Act Committee (CPAC), Report to Annual Town Meeting April 2012, Recommendations for Fiscal Year 2013
- \*Report of the Joint Capital Planning Committee, April 2012 – Draft