

FINANCE COMMITTEE MINUTES

Meeting Date: April 14, 2008

CALL TO ORDER

The Meeting was called to order at 7:02 P.M. in the First Floor Meeting Room, Town Hall

COMMITTEE MEMBERS IN ATTENDANCE

Brian Morton (chair), Marilyn Blaustein, Alice Carlozzi, Kay Moran, Douglas Slaughter.

OTHERS PRESENT

John Musante (Assistant Town Manager/Finance Director); Charles Scherpa Chief of Police; Epi Bodhi Health Director; Guilford Mooring Superintendent of Public Works; Bob Saul Vice-Chair Agricultural Commission; Vince O'Connor; Walter Wolnik, Stan Gawle.

COMMITTEE AGENDA

1. Article 47: Bylaw – False Alarm Fees – Gawle & Scherpa
2. Article 36: Petition – Transfer from Free Cash to Stabilization – Gawle
3. Article 39: Bylaw – Rescind Recombinant DNA Bylaw – Bodhi
4. Article 46: Bylaw – Right to Farm – Saul
5. Article 41: Easement - University Drive – Mooring
6. Street Acceptances Articles - Mooring
 - a. Article 42: Moody Field Subdivision
 - b. Article 43: Rosemarie and Lilac Streets
 - c. Article 44: EveningStar Drive
7. Article 45: Sewer Easement Adjustment on West Street – Mooring
8. Petition Articles – Zoning – O'Connor
 - a. Article 29: Petition – Zoning Bylaw – Steep Slopes
 - b. Article 30: Petition – Zoning Bylaw – Inclusionary Zoning
 - c. Article 32: Petition – Zoning Bylaw – Main/Dickinson/High Rezoning
9. Member Reports
10. Minutes
11. Next Meeting and Agenda
12. Miscellaneous

COMMITTEE ACTION

APPROVED minutes of April 10, 2008, as amended by a vote of 5-0, 1 absent.

VOTED 5-0, 1 absent, to recommend Article 47, Bylaw – False Alarm Fees.

VOTED 5-0, 1 absent, to recommend Article 39, Bylaw – Rescind Recombinant DNA Bylaw.

VOTED 5-0, 1 absent, to recommend Article 41, Easement - University Drive.

VOTED 5-0, 1 absent, to recommend Article 42, Street Acceptance - Moody Field Subdivision.

VOTED 5-0, 1 absent, to recommend Article 43, Street Acceptance - Rosemarie and Lilac Streets.

VOTED 5-0, 1 absent, to recommend Article 44, Street Acceptance - EveningStar Drive

VOTED 5-0, 1 absent, to recommend Article 45, Easement Adjustment - West Street.

DISCUSSION

- 1. Article 47: Bylaw – False Alarm Fees.** Gawle stated that he had inquired about the number of false alarms in town and checked with surrounding communities about their policies with regard to these calls. He felt that the Town should attempt to reduce these nuisance calls. Chief Scherpa reported that about 4% of the calls made are false (approximately 800 per year) and that a bylaw of this sort had been on the department's agenda for a number of years. His concern with regard to these calls is that it is a safety issue. They always tie up two officers and can cause a laxity of response. In checking with other towns approach to false alarm issues they generally dealt with them via a system of warnings and escalating fines. He also noted that most of the time these calls are not from residences but from larger complexes and businesses when their alarm systems are not functioning correctly. Carlozzi asked how the penalties would be billed. Scherpa replied that it would be just like the current ticketing system and would therefore be simple to institute. Blaustein asked how many of them were 3rd or 4th false alarms. Scherpa responded that he didn't know but that the goal was to cut the total in half. He also stated that in the past the police have told building owners that they will not respond to the alarm until the alarm is fixed. Moran asked if there are multiple alarms in a short period of time will that merit a ticket. Scherpa replied that common sense would be applied and most likely all false alarms in a 24 hour period would be considered as one warning thus giving the owner time to respond to the problem with their alarm system.
- 2. Article 36: Petition – Transfer from Free Cash to Stabilization.** Gawle stated that it is important that we maintain a substantial amount in the Stabilization Fund because it is used by Moody's to set the bond rating for the Town and it is important for the Town to preserve its good bond rating. He stated that because it is more difficult to obtain the 2/3 majority needed to spend money from Stabilization moving money to Stabilization is a way to protect our bond rating. Musante stated that there would be no harm in moving the money to Stabilization but asked if the committee would want to do this in light of the current process underway via the Budget Coordinating Group. This would alter the recent Policy guidelines compiled by the Finance Committee. Gawle asked if there could be a Town Meeting Article to set aside money above a certain percentage of the levy. Morton replied that the Moderator would have to answer that question. The Committee continued discussion of this article during the Next Meeting and Agenda portion of the meeting.
- 3. Article 39: Bylaw – Rescind Recombinant DNA Bylaw.** Bodhi stated that the Board of Health gets its authority from the State and not Town Meeting therefore Town Meeting cannot charge the Board of Health with task. Bodhi also stated that this is not a non-financial matter but more of a housekeeping measure. Carlozzi stated that the Finance Committee often recommends housekeeping measures in order to keep the Town's operations running smoothly and efficiently.

- 4. Article 46: Bylaw – Right to Farm.** Saul outlined the Agricultural Commission’s Right-to-Farm bylaw. The primary component of the bylaw is a resolution/mediation process for conflicts between farmers and their neighbors relative to the farming activities (e.g., farm equipment noise, odor, etc.). Currently there is no mechanism in place for neighbors to resolve these types of disputes with the farmer other than to ignore the issue or involve the police. Morton asked about the amount of staff time that would be involved with the execution of the bylaw. Saul replied that it would be minimal (some information gathering) because most of the work would be done by the Agricultural Commission. He also pointed out that it would be a lot less time than if the police were called with regard to the dispute.
- 5. Article 41: Easement - University Drive.** Mooring reported that the goal is to rework the Big Y end of University Drive to reduce the points of traffic conflict from the five currently to three. The easement is necessary in order to do the road work. The owner is willing to give the easement and pay for his share of the reconfiguring of the traffic flow. Chapter 90 funds would be used for for the Town’s share of the construction.
- 6. Street Acceptances – Articles 42, 43, and 44.** Mooring reported that all of the streets for acceptance were up to the Town’s standards and ready for acceptance. The Moody Field subdivision off of Snell Street is ready for acceptance. Morton asked if before acceptance are these streets plowed, swept, etc. by the Town. Mooring replied that they are plowed and sanded in inclement weather, but that sweeping and other maintenance is not done until the streets are officially accepted. He also stated that Rosemarie and Lilac are about 10 years old and that it is merely an oversight that they have not been accepted previously. He added that the development on EveningStar Drive has recently been completed and the developer has decided to make EveningStar Drive a public street. The acceptance of these streets will add to the total road mileage of the Town and be used in the calculation of Chapter 90 funding.
- 7. Article 45: Sewer Easement Adjustment on West Street.** Mooring reported that this is a housekeeping measure to match the easement with the sewer as it was built. Currently the easement does not match with the location of the actual sewer location. Hampshire College is O.K. with this easement adjustment since it will correct the inaccuracy and is necessary for their development of Veridian Village.
- 8. Petition Articles – Articles 29, 30, and 32.** Petitioner O’Connor spoke to his three zoning articles. Regarding Article 29 he stated that the Planning Board has been working on this but that they had an issue with it based on Town Counsel’s opinion on the Article. He is hoping that he can work with the Planning Board to modify the motion. The goal of the Article is to set performance standards for regulating building on steep slopes. These standards help to prevent litigation by not seeming to be capricious. Carlozzi asked that since the Planning Board had recommended to refer the article would a new public hearing be needed if the Article is brought forward to Town Meeting. O’Connor replied that only a re-vote would be necessary since a public hearing has been held and the motion can be changed and brought forward as long as it does not extend the intent of the original article. O’Connor stated that a public hearing has not occurred for Article 32 and that he has not met with the zoning subcommittee. He was motivated by the fact that

this issue has been raised in the last 3 years and not been completed. Regarding Article 30 O'Connor stated that it contained three sections. One exacting fees to be placed in a Recreation Fund from residential developments requiring a Special Permit. This portion is to be referred to the Planning Board and the LSSE commission. A second section adds accessibility standards to housing built to be added to the 40B Subsidized Housing Inventory. It would require greater accessibility amongst all first floor housing units within the development. Town Counsel is to weigh in on the matter of whether this infringes upon the Building Commissioner's prevue. Blaustein asked how this part differs from the Planning Board's proposal. O'Connor replied that theirs is an attempt to be more comprehensive. He stated that this portion of the article will be dismissed and he will support the Planning Board article. The third portion of the Article deals with counts of affordability for residential developments which require a Special Permit. This will also be dismissed in favor of the Planning Board article.

9. **Member Reports.** Morton reported that the Budget Coordinating Group met and by unanimous consensus agreed on the membership of the Community Voices Budget Choices committee. He reported that the group has a wide representation of the community and thaqt the process is moving forward.
10. **Minutes** The minutesof the April 10th meeting of the Finance Committee were accepted as amended by the committee.
11. **Next Meeting and Agenda.** The next meeting will be on April 28th and will include most of the zoning and Community Preservation Act articles. Article 36 is also to be considered for a recommendation. Carolozzi felt that the amount in this article was too much to move from Free Cash to Stabilization. Moran said that the article matches the Finance Committee's goals regarding reserves but that the amount was too high. Musante stated that it would not match the current policy guidelines that were published, but that the committee could consider changing them if it wanted. He also noted that the petitioner (Gawle)wanted to move the money to Stabilization to preserve the Town's bond rating with Moody's but that Moody's looks at Free Cash and Stabilization together (i.e., total reserves) when making their bond rating. Morton stated that changing the policy would need to be embraced by the other boards and committees and that a change from 5% to 3% might reduce their support.

12. **Miscellaneous.** None.

ADJOURNMENT

The meeting adjourned at 9:15 P.M.

Respectfully submitted, Doug Slaughter, acting clerk