TOWN OF WENHAM

Warrant Hearing

April 6, 2015

Town Hall, 138 Main Street

Pursuant to the Open Meeting Law, M.G.L. Chapter 30 A, §§ 18-25, written notice posted by the Town Clerk, the Warrant Hearing for the 2015 Annual Town Meeting was held on Monday, APRIL 6, 2015 at 7 PM in the Selectmen Chambers.

Finance Committee in Attendance: Michael Lucy, Chair; Hilliard Ebling; Ned Flynn; Rick Quinn Michael Therrien

Selectmen in Attendance: Jack Wilhelm, Chair; Catherine Harrison

Also Present: Paul Weaver, Town Moderator/ Town Counsel; Angel Wills, Finance Director

Department Heads Present: Jan Dempsey, Library Director; Erik Mansfield, Water Superintendent; Police Chief Tom Perkins; Fire Chief Bod Blanchard; COA Director, Jim Reynolds; DPW Director Bill Tyack; Dianne Bucco, Town Clerk

Present, not participating: Town Administrator Candidate Peter Lombardi; Selectman Candidate John Clemenzi

Public Information

The meeting was recorded with permission by HWCAM

Agenda

2015 Town Meeting Warrant

**Open the Warrant Hearing – Annual Town Meeting April 11, 2015**

The Warrant Hearing for the Annual Town Meeting / Special Town Meeting was opened at 7:04 PM.

The Hearing was opened to public comments and questions during the presentation.

**Warrant Presentation**

Mr. Lucy explained when the Annual Town Meeting is called to order on April 11, 2105, the Moderator would immediately suspend the Annual Town Meeting and call the Special Town Meeting to order to take action on the 2 Articles, and return back to the Annual Town Meeting.

Special Town Meeting Warrant

Ms. Wills reviewed the Special Town Meeting Articles have no budget impact:

Article 1 – FY 2015 Budget Account Appropriation Transfer

Article 2 – Water Department Financing

Town Meeting Warrant

Ms. Wills referenced a PowerPoint presentation and gave an overview of Article 1 – 2016 Budget Appropriations:

* Total Budget: $16,212,173 - Increase (over 2015) of $482,932 / 2.98 %
* New Capital - $88,595
* Funds Used to Mitigate the Tax Rate: $425,000 Free Cash/ $328,000 Education Stabilization Fund
* Budget as recommended - Tax Rate $16.83 / Increase $.58 / 3.09 % / $681,000 below Level Capacity
* Increase in Local Receipts – $79,000
* Increase in Expenditures - $482,000 / 2.98 %
* Increase in Municipal Expenses - $132,000 / 3.95%
* Decrease in Debt Service – $67,000 (refunding existing bonds) total savings over 12 years; $394,000
* Increase HWRSD Operating Assessment – $395,000 / 5.22% (shift in enrollment to Wenham)
* Decrease Capital – due to use of excess bond proceeds
* $100,00 IT computer lease
* $10,000 Assessor’s Evaluation
* $6,000 Iron Rail
* $38,000 Police Department cruiser lease
* $15,000 Fire Department vehicle lease
* $9,595 Library computer replacement

Observations from the Finance Committee Chair

* Tax rate impact on median home values stabilized
* Worst of 2007/2008 economic hits/ housing bust done
* Municipal expenditures moderating
* Additional Taxable development needs support

Mr. Lucy read through the line item Department Budgets.

Michelle Bailey, Remington Road, questioned:

* How the Town values administrative staff hourly wages differently. Mr. Willem responded a salary survey was completed and the town recently received a draft report on positions/pay scale in town hall compared to surrounding towns of similar size. The BOS will review the salary report in the next few weeks and make adjustments if determined to be inadequate. The assessment for the Library from Hamilton is not available yet.
* The annual revenue for Iron Rail: $120,000
* The Management Stipend ($7,172) in the Iron Rail budget goes to the DPW Director
* Ms. Wills was directed to have the figure /amount the State deducts from the Town’s Cherry Sheet for the Regional Emergency Dispatch Center (costs) to present at Town Meeting
* Summer help at Pleasant Pond includes Lifeguards & Gate Keepers

Mr. Weaver spoke to Articles 2 through 8 saying they are “routine” and included in a Consent Article and voted together as a single vote:

Article 2 – Use of Free Cash (to level the tax rate)

Article 3 – Use of other funds

Article 4 – Cemetery & Other Trust Funds

Article 5 - Cemetery Maintenance Fund Transfer

Article 6 – OPEB Fund Appropriation

Article 7 - Road Work – Chapter 90 Funding

Article 8 –HW Grounds Maintenance Revolving Fund

There was a question from the audience of how the amount transferred from the Cemetery Trust Fund to the Department of Public Works (DPW) is calculated and was told the DPW Director makes a recommendation (FY 16 - $5,000) to the Fin Com to partially cover the expenses associated with the maintenance / care of the Cemeteries.

It was proposed for this money to go directly to the Highway Department, instead of the General Fund and there be a specific calculation used each year.

Mr. Wilhelm responded that the DPW works in the Cemeteries on behalf of the Cemetery Commission; therefore the money in the Cemetery Accounts is used to cover the costs incurred by the DPW. The Finance Committee/ BOS will look into transferring this directly into the Highway Fund and not General Fund or that an invoice is provided to the Town for the funding, as a paper trail.

Article 9 – Cemetery Grave Stone Restoration Invoice

Mr. Weaver explained this article provides a way for the Town to pay a “past due” bill for grave stone restoration in the Wenham Cemetery. Procedurally, the only way the town can now pay the vendor is to petition the legislature to allow the town to issue payment.

Articles 10 through 12 require a 2/3 vote.

Article 10 – Use other funds (Education Stabilization Fund) to level the tax rate: $328,036.57, that if passed, brings this account balance to zero.

Article 11 – Capital Expenditure from New Borrowing for Capital Expenditures $201,738 (DPW vehicles/ Software Updates for Town Hall

Article 12 – Capital Expenditures from New Borrowing for a New Fire Truck $405,000

Article 13- Community Preservation Act- Appropriations (approved by majority vote)

Harriet Davis, Chair of the Community Preservation Committee spoke to Article 13 saying there is about $2.8 million available going into Town Meeting. According to the State Regulations, ten percent must be set aside (collectively) for Historic Preservation ($40,000), Open Space ($40,000), and Community Housing ($40,000). The CPC is recommending this amount for FY 16 be $120,000 and $272,000 into budget Reserves. These are estimated revenue amounts based on FY 15.

* CPA Administrative Account - $8,000 from FY 2016 Estimated CPA revenue to the CPA Administrative Account.

Individual Applications:

* Town Clerk - $10,000 Historic Resources for Town Clerk document preservation from the Historic Preservation Fund.
* Town Hall Debt Service - $150,722 from Historic Preservation Fund
* Town Clerk – Document Preservation: $10,000 from the Historic Preservation Fund.
* Town of Wenham – Town Hall Debt Service: $150,721 from the Historic Preservation and CPA Fund Balance.
* Wenham Museum - Conant Collection: $39,098.99 to be funded from the Historic Preservation Fund ($10,000) and from CPA Fund Balance ($29,099)
* Wenham Museum –Building (Claflin-Richards House) Restoration: $46,260 to be funded from the CPA Fund Balance
* Historic District Commission – Grant Request: $10,000 for survey to be funded from the CPA General Fund Balance
* War Memorial – Landscaping: $25,000 to be funded from the CPA General Fund Balance. (NOT Open Space)
* Community House – Building Restoration (windows/masonry): $27,217 to be funded from the CPA Fund Balance
* Hamilton Wenham Recreation Board – Pool Bid\*: $ 26,880 to be funded from the CPA General Fund Balance contingent upon an affirmative Hamilton vote at the 2015 Annual Town Meeting for their share of the project.
* Hamilton Wenham Recreation Board – Pool Construction\*: $ 672,000 to be funded from the (FY16) CPA Fund Balance contingent upon an affirmative Hamilton vote at the 2015 Annual Town Meeting for their share of the project and the pool bid can not exceed $2 million.

\*Ms. Davis noted that the CPC was not unanimous is it’s vote to support the pool.

Ms. Davis observed that Hamilton would be voting on the pool in the morning of Town Meeting but supported that Wenham residents still vote, regardless if the pool does not pass in Hamilton. It was the consensus of the meeting to present the pool vote to the Town Meeting.

A discussion followed about the possible scenarios if Hamilton & Wenham vote differently on the pool. It was the consensus of the meeting, if the vote fails in Wenham, it not be put on a fall (special) town meeting.

Ms. Davis corrected the miss print in the Warrant that the CPA did not recommend any of the applications be funded from the Open Space Fund, noting that if the pool money were taken out of Open Space it would have left a balance of $2,000, and the committee voiced strong concern about using all the Open Space funds. The CPC did not vote unanimously to support the pool application; the application was recommended to Town Meeting by majority vote.

If Town Meeting approves all the applications as recommended by the CPC, the remaining balance will be (approximately) $1.8 million dollars

Mr. Wilhelm stated a satisfactory agreement regarding the pool has been reached with Hamilton.

Mr. Flynn later asked about the pool, questioning if it’s legal to vote on the pool if Hamilton does not approve it.

Mr. Weaver responded that it is appropriate for Wenham to vote citing the Agreement is in place and the vote contingent on a variety of conditions. Ms. Harrison noted that the Hamilton’s vote would not have been certified when Wenham votes in the afternoon.

Article 14 – To See if the Town Will Vote to Amend the Zoning Bylaw by Adding the Following Provision to Section 13.5, Governing Site Plan Review.

Mr. Weaver explained the bylaw change in detail saying that when an applicant is seeking an Educational or Religious exemption in a residential area, allowable under the Dover Amendment, the application would first go the Zoning Board of Appeals (ZBA), as opposed to the Planning Board.

Article 15- Bylaw Amendment – Adoption of Consolidated Department of Municipal Finance

Mr. Weaver explained this would formally create and define position of the Finance Director.

Article 16 – Proposed Amendment – Legal Affairs - BOS

Mr. Weaver reviewed this is no substantive change, however being a pre-charter town, it is important to reiterate that independent boards remains totally responsible for the policy they are statutorily in charge of but are a part of the Town’s governing responsibility.

Article 17- Bylaw Amendment – Finance & Advisory Committee

This article is at the request of the Finance Committee. Mr. Lucy summarized the article saying that this would reduce the size of the Committee to 5, which would be a quorum of 3, and better serves the town by increasing the opportunity to hold meetings and conduct Town business in a timely manner.

Proposed Consent Calendar Articles 18 - 21

Article 18 – Bylaw Amendment – Renumbering Bylaws Adopted After May 4, 1996

Article 19 – Acceptance of MGL Chapter 40 Section 22F; to give the authority to set permitting fees to Department Heads, as related to their departments. It was questioned if this would include fire/ police fees for false alarms and Mr. Weaver said it did not as false alarms are under fines. This will be considered after Town Meeting.

Article 20 – Bylaw Amendment – Solicitors – raise the fee for solicitor application from $2 to $20

Article 21 – Bylaw Amendment - Non-Resident Fingerprint Processing Fees - $20

Articles 22 & 23, if passed at Town Meeting, would be on the 2016 election ballot.

Article 22 – Conversion of Cemetery Commission to an Appointed Town Board; It was noted there is currently only two people on this three member committee and no one took out papers this year to serve on the Cemetery Commission. Converting this to an appointed Commission would improve efficiency.

Article 23 – Conversion of Tree Warden to an Appointed Town Office; the DPW would take over the tree cutting services and support the Tree Warden.

Article 24 – Election of Town Officers April 16, 2015

 **Other Matters** – There were no other matters to be heard.

The hearing was closed and the meeting adjourned at 8:33 PM

Respectfully submitted by

Catherine Tinsley

4.9.15