



Town of Southborough, MA
Advisory Committee Meeting
Wednesday, March 1 2023 7:30 p.m.
Zoom Meeting -

RECEIVED
By K Battles at 4:23 pm, May 25, 2023

Meeting Minutes (Draft)

I. Call Meeting to Order

Chair Andrew Pfaff called the meeting to order at 7:34pm.

Advisory members: Andrew Pfaff (AP), Marci Jones (MJ), Tim Martel (TM), Adam Nodiff (AN)

Howard Rose (HR) joined after the vote was taken to approve 12/14/2022 minutes.

Not present – Eric Fernandez

II. Approve draft minutes from prior meetings

MOTION: AN moved to approved the meeting minutes from 12/14/2022. (2nd MJ)

DISCUSSION: TM's edit was noted.

Roll call vote: A Nodiff-Aye, M Jones-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 4-0-0)

MOTION: MJ moved to approved the meeting minutes from 12/20/2022. (2nd HR)

DISCUSSION: TM's edit was noted for line 44 – “including adding a new line item in the school budget to support such activities.”

AP corrected a last name spelling error.

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

MOTION: HR moved to approved the meeting minutes from 1/25/2023. (2nd AN)

DISCUSSION: AP corrected several typos.

Roll call vote: A Nodiff-Aye, M Jones-Abstained, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 4-0-1)

III. Chair Report

a. Update on meeting schedule

- Select Board is looking to schedule a joint meeting with Planning and Advisory. Topics would include a discussion on the MBTA community act. March 21 would be the possible date.
- Next Advisory meeting will be 3/8
- Annual Town meeting date is 3/25
 - o Advisory will plan on meeting at noon (prior to the 1PM meeting start) – a meeting room has been reserved
 - o There will be a 2 hour dinner break (5-7). AP welcomed members to stay for dinner
 - o The evening session is scheduled for 7-11pm

b. Update on FY24 budget process and outlook

AP updated that currently there is a 6.02% tax increase for a single-family home which includes a 12% residential shift and a minus 4% CIP. There is a 2.3% increase Y/o/Y in expenditures and a healthy levy balance.

AP is satisfied that the budget has been thoroughly reviewed especially with the 2% increase considering inflation.

c. Update on ATM warrant placeholders for discussion at future meetings – no discussion

IV. Discuss overall proposed budget for FY24 and any remaining issues. Vote on budget articles and any other warrant articles that Advisory is ready to take a position on for TM

AP provided opening remarks:

- Non-level service items have been removed from the budget.
- There is an exception for the Council on Aging requested hours to maintain their level of service with 8 hours that has been paid for from grant money during this year. The 8 hours are in the budget (to be able to provide that service if the grant money isn't available for FY24).
- Deputy Fire Chief position has been removed.
- Full time EDC coordinator request has been removed. The revised budget keeps the current part-time position. The request (FT coordinator) may come up again at the Fall Town Meeting.

The budget was discussed with a screen share. AP updated the figures (3/1) to reflect the estimates from the Cherry sheets (aid from the State) which was just received. The Town needs to get an understanding from the State as to why Southborough's has such a small Y/o/Y increase compared to surrounding comparable towns. AP is hoping that it is a conservative estimate.

Additional budget items discussed:

- AN would like to see more discussion in the future for support of the FT position in the EDC budget. AP added that the process of how grants are done and tracked needs to have a conversation. MJ encouraged Advisory members to review the Personnel Board's discussion and Jason Malinowski's comments on grant responsibilities being written into employee job descriptions. She feels the strategy/policy should be part of a future discussion. Mr Malinowski had provided his thoughts and analysis with having grant writing embedded in some employee functional statements where it does not exist now. AP agreed that there are a lot of grants that are done by existing staff, even if it isn't part of their responsibilities. (The Conservation agent was used as an example.) HR would like to see the EDC request for a FT coordinator have a clear direction on how the position would be managed and level of responsibilities. AN supports working on this position and vetting the description in the same manner that has been done with other positions (Board of Health was used as an example)
- Civil Defense was discussed relevant to how the coordinator has been paid (which has been for 1 person and paid out of the Fire overtime budget). AP said that the costs for the coordinator to do his job need to be broken out. The Chief is in the process of tracking those costs this year.
- Town Clerk's budget - Outsourcing for Immedia production of this year's Town Meeting was discussed. A future meeting with Southborough Access Media (SAM) will have to take place to determine if they will have the resources in the future to cover meetings. AP wants to leave the request in the Clerk's budget in case the SAM issue isn't resolved before the meeting rather than have to request a Reserve Fund transfer.

MOTION: MJ moved to support Articles 1, 2, 3, 10, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 33 as printed in the March 1st draft warrant. (2nd AN)

DISCUSSION: None

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

MOTION: MJ moved to support Article 7 as printed in the March 1st draft warrant. (2nd HR)

DISCUSSION: None

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

MOTION: MJ moved to support Article 8 as printed in the March 1st draft warrant. (2nd HR)

DISCUSSION: None – as no one knows the cost of radios. The committee trusts Chief Achilles' judgement.

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

MOTION: MJ moved to support Article 7 as printed in the March 1st draft warrant. (2nd HR)

DISCUSSION: None

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

Article 9 - Select Board Chair Kathy Cook updated that the Select Board voted to postpone this article as the cost is much higher (\$2m) than expected and more discussion is needed. In addition, the Conservation Agent needs to confirm that the funding request can be moved to Town Meeting. There is a potential timing problem with responding within the 180 day time period. The estimate is high due to a potential requirement to remove 2-8 feet of dirt and dispose of it properly. There is also some asbestos containing material which has to be removed in the proper way and certified by the DEP. There is also a chance that the dirt can be screened and not need to be removed.

AP stated that the cleanup cost is bonded and doesn't affect the tax rate this year.

Article 12 – KC updated that a 2/3 vote is required. She will present (for the Select Board) the history of the project. She feels that the project was not analyzed as to whether it was the best project for the Town. The license agreement was approved to jump start the construction process for the grant money. Additional issues that will be addressed are:

- Opinions that the project was started to do an 'end run' around Town Meeting approval
- Work being done on land that the Town did not own
- Work was being done on a burial ground (trespassing)
- People didn't want work being done by the Town for a parking lot for St Mark's School

Article 13 requires a majority vote. Ms Cook will present that the Town will spend approximately \$250k to build a park. The grant was for \$290k.

The Board plans to publish a letter/report in mySouthborough prior to the meeting.

AP opined that he feels the situation is a land exchange for land that is more valuable to the town.

KC continued that the project was conceived several years ago and was always on Karen Galligan's list. She wanted to fix the water problem at the corner of Route 85 and Saint Mark's Street. People feel the problem was caused by Saint Mark's building a stone wall. She said the problem already existed and no one knows if the addition of the wall may have exacerbated the situation.

In addition, Karen Galligan wanted to fix the library water problem. That is why pipes have been installed under the new road. VHB feels that the problem has been solved for most storms that can be expected. They forecast that it will be for a '10 year' storm. The last time the library flooded, it cost \$600k to repair the damage. The third problem that DPW wanted to fix was a left-hand turn that is more than 90 degrees (about 135 degrees). It was a safety issue with fire equipment trying to get to Choate Street.

If the land swap fails, there is no plan B. The Town isn't going to spend more than \$250,000 on the park (Article 13). The cost to finish the work will be known by the meeting including how much money is embedded in the EH Perkins contract that was signed to do the work for the park.

Ms Cook updated on the MOU which has been signed by St Mark's. She hopes the final version will be available for signing at the March 7th Select Board meeting. Upon signing, the license agreement is no longer applicable.

Advisory members provided their comments. While some members did not like the way the project was done, from an Advisory role, their charge is to look at the financial feasibility of the option(s) presented.

MOTION: MJ moved to support Articles 12 and 13 in the March 1st draft warrant with the caveat that Article 13 funding does not exceed \$250,000. (2nd HR)

DISCUSSION: As written above.

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

Kathy Cook suggested that Advisory be prepared to explain their support of this article if asked at Town Meeting.

Article 26 was addressed by Ms Cook regarding a potential water connection with Hopkinton. She and John Butler (who has done extensive research on this water issue) have worked to draw up requirements that Hopkinton would have to meet if the negotiation was to move forward.

The article is asking for an independent audit of the proposed engineering plans given that the plans were done by a person who works for both towns. Hopkinton would pay for everything. Southborough is in the process of getting the IMA.

This deal would improve Southborough's water system and \$1 million would be paid by Hopkinton for future unrelated town water projects.

John Butler has created a spreadsheet that could be used for billing Hopkinton when they start receiving water.

Ms Cook continued that the Town already has an IMA with Ashland to provide emergency water. This agreement did not appear before a Town Meeting. It was done by the Select Board. However, given the nature of town politics (currently), it was felt that the Town should get a chance to ask questions.

Article 26 will state that up to \$200k will be requested for an independent engineering auditor to audit the final plans and will be paid by Hopkinton. Ms Cook is planning on having the IMA completed by Town Meeting. In response to a question regarding Hopkinton's extensive build-out that has caused some of their water shortage problems, Ms Cook responded that a cap (on the amount of water) is in the agreement. If the future need increases, a new agreement would be required. The agreement is for 25 years so that Southborough is protected from any State action.

Ms. Cook updated on the tree articles. The Select Board voted on the tree protection bylaw (Article 27) which is required by State law. They did not vote on the scenic road walls article as there wasn't enough support. Advisory thanked Ms Cook for her attendance.

Several articles were not voted due to need for further discussion (water enterprise fund and Breakneck Hill remediation).

MOTION: MJ moved that Advisory would support the FY24 budget grant total (operational amount) of \$58,296,601 (2nd HR)

DISCUSSION: Nothing further was discussed.

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

Algonquin discussion

The question was asked whether the money could be bonded as Southborough or as the region relevant to credit ratings. AP received some information from Brian Ballantine and there was a 30 basis point difference. In this article, Southborough wouldn't be bonding it. Algonquin will be bonding it. Southborough would use \$250k in CPA funds and the rest would go through the normal allocation methodology. It would be under the Region to do the bond. The total amount is about \$3million for Southborough's allocation. It is a \$7million authorization that will be bonded and the debt service will get allocated based upon the past four years rolling average. Bonding options and use of CPA money (and possible increase to 3%) was discussed. There are several questions that still have to get worked out.

Articles 36 & 37

MOTION: MJ moved that Advisory support Articles 36 & 37 as printed in the 3/1 draft warrant (2nd HR)

DISCUSSION: The committee generally felt this was not an appropriate article for Town Meeting and should be discussed with the Select Board or new DPW Director.

Roll call vote: A Nodiff- Abstain, M Jones-Nay, H Rose-Nay, T Martel-Nay, A Pfaff-Nay (0-4-1)

Article 38 (to withdraw from the current regional dispatch agreement without a penalty) was not voted so the sponsor Bonnie Phaneuf can attend the next Advisory meeting to present and answer questions.

Article 39

MOTION: MJ moved that Advisory support Article 39 as printed in the 3/1 draft warrant (2nd HR)

DISCUSSION: Support of this article would stop any efforts to review dispatch regionalization and would keep dispatch in Southborough.

Roll call vote: A Nodiff- Nay, M Jones-Nay, H Rose-Nay, T Martel-Nay, A Pfaff-Nay (0-5-0)

Article 40 - The sponsor (Patti Burns Fiore) is asking that the Public Works Planning Board (PWPB) be changed from 5 members (3 appointed by the moderator and 2 from the Planning Board) to 4 members appointed by the Planning Board and one appointed by the Board of Health. TM explained the history with the current PWPB not scheduling meetings and the appointing authority not taking any action. The article seeks to remove the current appointing authority and move it to other boards. MJ added that the current board did not produce meeting minutes for years and a complaint was filed with Attorney General. AP added that the Board of Health needs to discuss being an appointing authority as they did not request this role. The article will have to be amended at Town Meeting. No vote was taken.

Articles 41 & 42 – Sponsor Heidi Davis

TM feels this refers to a Select Board policy that would have to be amended. It is nonbinding and generally felt that it is not an article for Town Meeting. The committee will vote at Town Meeting.

Article 43 – Sponsor David Parry

MOTION: MJ moved that Advisory support Article 43 as written in the draft warrant (2nd HR)

DISCUSSION: AP stated that anytime there was concerned over building on private land with this project, the DOT approved it. He doesn't see the need for Advisory to do any further investigation. He said that Advisory's review of the issue will be covered in their report to the Town. MJ would like to address Mr. Parry's concerns in his citizens petition but not at Town Meeting. TM explained that Advisory does not have an oversight role.

Roll call vote: A Nodiff-Nay, M Jones- Nay, H Rose- Nay, T Martel- Nay, A Pfaff- Nay (Vote: 0-5-0)

Article 44 – Sponsor David Parry

MOTION: MJ moved that Advisory support Article 44 as written in the draft warrant (2nd AN)

DISCUSSION: None

Roll call vote: A Nodiff-Nay, M Jones- Nay, H Rose- Nay, T Martel- Nay, A Pfaff- Nay (Vote: 0-5-0)

Article 28 – Tree Maintenance fund – There was not vote taken as it needs to be completed with a dollar amount specified. This article goes together with the tree bylaw but it could stand on its own.

V. Discussion and possible vote on Town Clerk's reserve fund request

Town Clerk Jim Hegarty was introduced to discuss his request.

He withdrew his request (\$5,000) for a high-speed tabulator voting. The vendor came back with an option to purchase 2 more bases (total \$2,000). This option doubles the throughput at Town Meeting.

Immedia coverage for audio and video totaling \$16,000 (\$8,000 per Town Meeting) has been included (in the FY24 budget) in case SAM can't do Town Meetings. HR opined that this should be a one-time expense and that a discussion between the Select Board and SAM's directors needs to take place.

AP wants SAM to be responsible for all aspects of the Town-Meeting broadcasting and audio. He doesn't want Immedia to be a stand-in option in the future. The Town pays \$200,000 – clarify what for????

Mr Hegarty clarified that he has budgeted \$8k for a one-night Special Town Meeting in the fall and another \$8k for a one night Annual Town Meeting in the spring. For this year, he clarified the cost will be \$10k to cover extra capacity in the cafeteria and it may be more if this Town Meeting goes over to a second night. He removed the \$1,000 stipend that he can receive for passing the certification test which is allowed according to State statute.

Mr Hegarty ended by sharing a concern that he has with the door on his office safe. He is going to have an expert look at the lock and access the condition. AP updated that any additional money if needed would come from the Facility's \$100k emergency fund.

Mr. Hegarty's article (now #33) was already voted earlier in the meeting as part of the consent vote.

MOTION: MJ moved that Advisory would commit to backstop the Town Clerk's budget for miscellaneous contracted services to cover the overage due to the payment to Immedia for the March Town Meeting. (2nd AN)

DISCUSSION: Nothing further, discussion above.

Roll call vote: A Nodiff-Aye, M Jones-Aye, H Rose-Aye, T Martel-Aye, A Pfaff-Aye (Vote: 5-0-0)

V. Any other business properly brought forth

Next meeting – March 8, 2023 @ 7:30

Discussion topics and potential participants to be scheduled:

Salary Administration Plan

James Nichols-Worley article

Algonquin and CPA funds

Hopkinton IMA

Tree maintenance fund – stand-alone article that is part of the tree by-law

Melissa Danza

Bonnie Phaneuf

CPC

VI. Public Comment

None

VII. Adjournment

MOTION: MJ moved to adjourn at 10:36pm (2nd HR)

DISCUSSION: None.

Roll call vote: M Jones-Aye, H Rose-Aye, T Martel-Aye, A Nodiff-Aye, A Pfaff-Aye (Vote: 5-0-0)

Submitted by recording clerk – Claire C. Reynolds