

ADVISORY AND FINANCE COMMITTEE

MEETING MINUTES

August 24, 2016

A meeting of the Advisory & Finance Committee was held on Wednesday, August 24, 2016. The meeting was called to order by Chairman John Moody at 7:00PM and was conducted in the Mayflower II Meeting Room at the Plymouth Town Hall, 11 Lincoln Street, Plymouth, Massachusetts.

PRESENT **10 members of the committee were present:**

Kevin Canty, Robert Cote, Harry Helm, Ethan Kusmin, Peter Mador, John Moody, Patrick O'Brien, Harry Salerno, Marc Sirrico, Scott Stephenson

ABSENT **4 members of the committee were absent:**

Betty Cavacco, Mike Lincoln, Christopher Merrill, Sheila Sheridan

Announcements

➤ Article numbers have been assigned for Town Meeting articles heard last week:

- Floodplain District: Article 21
- Solar Bylaw: Article 26
- Zoning – Resnik Road: Article 29
- Bylaw – Plastic Bag Ban: Article 28

Fall Town Meeting Articles

➤ Article 11 & 12: Civil Service – Police Chief

Derek Brindisi, Assistant Town Manager, began presenting Articles 11 and 12. These articles ask Town Meeting to authorize the Board of Selectmen to petition the General Court for special legislation providing that the positions of Police Chief and Police Captain (Article 11) and the positions of Fire Chief and Deputy Fire Chief (Article 12) appointed after passage of the Act not be subject to the Civil Service statute.

These articles come at a time when it has been increasingly more difficult for the Town to recruit and encourage officers within the rank and file to seek career enhancing promotional opportunities. Rescinding Civil Service in these situations will provide the Town greater flexibility in recruiting, hiring and maintaining the best and brightest to service this community. 81% of Police Departments and 85% of Fire Departments have removed these positions from Civil Service already.

Michael Botieri, Police Chief, explained that these articles are necessary because the Civil Service process has faltered, it is underfunded and will be going away in time. Civil Service does not participate in promotions, all they do is send the 1st postcard out and mandate the rest of the paperwork. The Chief said he currently spends at least 20 hours a week on the Civil Service process as he is trying to hire 7 new officers.

Ed Bradley, Fire Chief, echoed what Chief Botieri said. The Civil Service system is archaic. He shared the process in trying to find enough candidates to take the tests for promotions to these positions. If enough do not sign up, the test is automatically postponed a year and opens to the next lower rank. This goes on for years. Civil Service hinders the process. When there are interested candidates, they spend hundreds of dollars on books, hundreds more on courses, countless hours studying, this adds to their stress levels, and then 80% of them fail the test. Those results have nothing to do with the quality of the candidates either. The entire process is flawed. By removing these positions from Civil Service it would allow us to come up with our own fair process, a process that is much better and much quicker. This is not a move to go outside to hire, our employees are qualified and ready.

Questions:

- Why do these articles involve only the top two in charge, why not include the next level or two as well? (H Helm) Doing so would have to involve discussions with unions. We can always look at that

in the next round of negotiations.

- If Civil Service is removed, are the jobs still adequately protected? (H Salerno) Yes, there are still adequate protections through the Personnel Bylaw.
- Has this been discussed with the unions? (H Salerno) Yes, with the President of the Superior Officers group.
- Do the Selectmen support this article? (H Salerno) Yes, they voted 3-2 in support.
- Why did 2 Selectmen vote against this? (E Kusmin) One did not speak at all so we are not sure. The other is in one of the unions covered by Civil Service so he had a number of concerns.
- Do you see the 81% and 85% of other towns becoming 100%? Yes, we will see Civil Service go away completely in the coming years.

Patrick O'Brien made a motion to recommend Article 11 to Town Meeting. Harry Salerno, second. The motion carries unanimously (9-0-0).

Patrick O'Brien made a motion to recommend Article 12 to Town Meeting. Scott Stephenson, second. The motion carries unanimously (9-0-0).

➤ Article 1: Personnel Bylaw

Derek Brindisi, Assistant Town Manager, presented Article 1 which asks Town Meeting to amend the Personnel Bylaw in regards to the Executive Group (Department Heads). This change would allow that group to buy-back 5 days of earned time each fiscal year while reducing the number of earned days each employee is allowed to accrue from 45 days to 40 days. This would allow them to receive payment for a week instead of using a week of vacation and help minimize the number of days a department head will be absent from work each year. The amendment also includes a longevity stipend of \$2,000 for those in the Executive Group with 25 years or more of service to the town. The longevity table currently maxes out at \$1,000 at 15 years or more of service. The cost for these new options is \$25,000 per year. Savings will be realized over time because they will be paid five days at their current salary rather than at a higher rate later when they retire.

Questions:

- How many are in the Executive Group of Department Heads? (S Stephenson) 10. Only three of which have 45 days of earned time accrued right now.
- How is the time accrued? (S Stephenson) It is accrued weekly.
- By reducing the maximum from 45 days to 40, what will make them choose the buy back instead of using those days for vacation? Has the value of wage vs. the value of leisure time been looked at? (K Canty) This is voluntary, they may choose to take the payment or take the days off, it is up to them. Many municipalities offer this and typically the employees choose to take the payment rather than the additional time off. As far as the value of wage versus leisure time, we have not done an analysis of that. Many of our other employees who work evening meetings choose to receive comp time rather than overtime pay.
- 45 days is not accrued in single year but rather a carry over limit, correct? 45 days is 9 weeks, is it common to allow this in municipalities? (J Moody) Correct, 45 days is the maximum limit to carry at any time and we are lowering that limit to 40 days. Some municipalities offer similar maximums. Worcester had a requirement that all time be used by June 30th otherwise it would pay employees out for the unused vacation time. Then on July 1st each employee would receive 6 more weeks to use by the following June 30th.
- Has the town looked into decreasing the maximum to 25 or 30 days instead? Private businesses made that practice go away 10 years ago, when are municipalities going to catch up? (J Moody) No, the town has not looked into decreasing to those amounts mentioned. Other unions do have that more typical limit. The town is trying to limit its long term liabilities and this is start.

Patrick O'Brien made a motion to recommend Article 1 to Town Meeting. Harry Salerno, second.

Discussion/Comments:

- Plymouth residents are going to be shocked by this, most residents typically max their vacation out at 2 weeks, this is too lucrative and I can not support this. (S Stephenson)
- I was unaware of this limit. I work for the state and receive 6 weeks vacation, unlimited sick days and 5 personal days. The math does not make sense. (K Canty)
- You have to remember the 45 days is for everything: vacation, sick and personal combined into one bucket. As a former employee, I lost weeks of time that I was unable to use and unable to buy back. This is not a high paying community so these benefits help with retention and recruiting. (P O'Brien)
- This has been an interesting revelation. The private sector can carry over 2 months and use it or lose it. The executive level of this town is not living in the same world as the taxpayers. (H Helm)

The motion carries (5-4-0). Scott Stephenson, Kevin Canty, Peter Mador, and Harry Helm, opposed.

➤ Article 6: Revolving Funds

Derek Brindisi, Assistant Town Manager, presented Article 6 which asks Town Meeting to increase the spending cap of the Cable Revolving Fund by \$50,000 to \$83,000. The additional \$50,000 will be used for the purposes and expenses relating to technology needs at the new Town Hall.

Questions:

- What is the balance in the fund and where does the revenue come from? (H Salerno) The balance was \$81,000 and we expect \$11,000 revenue this year. We receive revenue from Verizon and Comcast which pay us 50 cents per user in town.
- What are typical expenditures of this fund? How long does the revenue typically accumulate and sit there? (H Salerno) Expenditures include legal and consulting fees and various repairs and upgrades. We are currently in active negotiations for 10 year successor agreements. Each year the town receives \$11,000-\$16,000, it has taken quite a few years to accumulate to where it is now.
- Why isn't the Meals Tax covering these expenses? (H Helm) Spending limits were set for the 1820 Court House / Town Hall project. As you know, additional expenses have arisen and we are trying to stick within our budget. We are seeking alternative sources of funding for specific purposes.
- Is this revolving fund funded by taxpayers? (H Helm) No, the money comes from Verizon and Comcast.
- What specifically is the money going to be spent on since technology changes so rapidly? (K Canty) We are working closely with our Owners Project Manager on this issue and are looking to spend this money on technology for the main meeting room, smaller meeting room and building out the control room. We are looking at spending \$125,000 for these three rooms.
- As a reminder, revolving funds have specific sources and specific expenditures. They are proposing to spend it on legitimate expenses at the new Town Hall. This is a good opportunity to use the money that is in the revolving fund in the way that it is intended to be used. (J Moody)

Ethan Kusmin made a motion to recommend Article 6 to Town Meeting. Harry Salerno, second. The motion carries unanimously (9-0-0).

➤ Article 7: Conservation Land

Betsy Hall, Chair of the Open Space Committee, presented Article 7 which asks Town Meeting to approve transferring the care and custody of 10 tax title lots from the Town Treasurer to the Conservation Commission for conservation purposes. The mission of the Open Space Committee is to acquire open space land. Conveyance of these properties will preserve 116 acres of undeveloped open space, portions lying within the aquifer district, that abut open space lands owned by the Wildlands Trust, the Plymouth

Conservation Commission, as well as other town owned land. Transfer of these parcels will aid in protecting the Zone II of the Ponds of Plymouth Well Site and create an area for passive recreational use while securing rare and endangered species habitat through the enhancement of a wildlife corridor along Bourne Road. This will also limit the number of additional septic systems in the area. Based on current Assessors data, there are approximately 3,800 either built or planned single family homes within the surrounding area including the AD Makepeace Redbrook Development. The only expense for this transfer will involve some legal fees to change the deeds. Economic Development requires Smart Growth which includes protecting open space. Land in conservation increases our ability to attract visitors through eco-tourism. It preserves the character and beauty of our town while helping to attract new business. It safeguards our aquifer and limits traffic congestion. It protects the many plants, birds, and animals which delight both residents and tourists. Both the Conservation Commission and Open Space Committee voted unanimously in favor of this article. They recommend conserving these 116 acres for our benefit as well as the benefit of future generations.

Questions:

- Every Town Meeting, we put more and more land in open space. Is there a master plan? How does this fit into that plan? (H Salerno) Plymouth does have a Master Plan and there is a 2009 Open Space Plan, both are available online. The plan addresses what this article involves: wildlife corridors, trails and protecting the aquifer. Transferring these parcels to conservation fits within the goals of the plan.
- Does the plan include specifics as far as number of acres or target areas? (H Salerno) Patrick Farah, Planning Technician, answered that the Open Space and Recreation Plan outlines criteria for many categories like flood control and passive recreation but does not have specifics such as the number of acres. The Open Space Committee was created by the Board of Selectmen and Open Space with the charge of identifying properties for the town to place in conservation.
- We are asked a lot of questions at caucuses about parcels being taken out of the tax rolls. There should be specific justification about how the lots relate back to the Master Plan. It would help everyone understand the process. (H Salerno) We are looking at rewriting the Open Space Plan now and will take your recommendation to heart in that process. Less than 7% of land in Plymouth is protected and owned by Plymouth.
- How do we know how we are doing with regards to the plan? When will we know we have achieved the goals of the plan? (K Canty) It is an ongoing process and there is no end in sight.
- Is there any interest in developing this land? (K Canty) Each department looks at each parcel in tax title to see if they are interested in the parcel for any purpose, and each signs off. These lots are land locked with no roads nearby. It would cost millions to develop any infrastructure to even create development potential.
- In the future, how can the lots be un-conserved? (K Canty) It would have to go through Chapter 97 legislation.
- These properties are in a Natural Habitat Priority Area so it is very difficult to receive permission to develop anyway, correct? (P O'Brien) Correct.
- Compliments to your committee on Map A which clearly identifies the Zone II Aquifer location and direction of flow. (J Moody) Thank you, our volunteers and staff have spent hundreds of hours on this project.
- The 7% (land protected and owned by Plymouth) you mentioned leaves out all of the land owned and protected by the State, Federal Government, and private organizations, correct? (J Moody) Yes, 38.5% of land is protected in Plymouth, but only 7% is owned and controlled by Plymouth. We have no control over land that the state, federal government and private organizations own, there is a risk that the land they own may not always stay protected conservation land.

Patrick O'Brien made a motion to recommend Article 7 to Town Meeting. Scott Stephenson, second.

Discussion/Comments:

- If we don't actively preserve it, it will be de facto preserved. It'll be easier down the road to change its function if it's not put into conservation protection. I do not support this article. (K Canty)
- I am in favor of this article, it's land worth protecting and ties back to the master plan (H Salerno)

The motion carries (8-1-0). Kevin Canty, opposed.

Old/New/Other Business

- Meeting of Chairs & Vice-Chairs: John Moody reported that the Chairs met this afternoon, they are working on sub-committee appointments, and will email assignments out next week. Hope that sub-committee chairs will check in with Department Heads on a regular basis to discuss ideas and challenges which will help entering the budget process.

Public Comment

- Paul Hapgood said that the Wildlands Trust has over 2,000 acres in Plymouth under their control. Some of that land could have been used for housing instead. In the future, we will do our homework on pieces of land.
- Steve Striar asked when enough Open Space is enough? Pages 141-145 of the Open Space and Recreation Plan Goals – Requirements and Recommendations indicate a goal of 40 acres per 1,000 people. We are currently at 62,000 acres or 38.5% which seems like we have achieved the goal. The town has other needs for land other than open space. There is a desperate need for affordable housing. Article 7 is different because we do not have to pay for the land but why is its entirety being put in open space? Why not a park to be sold? At a certain point it tips the wrong way. I feel we have exceeded the goal. Next time please ask when is enough enough.

ADJOURNMENT

Patrick O'Brien made a motion to adjourn. Kevin Canty, second.

The motion for adjournment carries unanimously (9-0-0).

The meeting adjourned at 8:36PM.

Respectfully submitted,
Kere Gillette