

## ADVISORY AND FINANCE COMMITTEE

### MEETING MINUTES

September 28, 2016

A meeting of the Advisory & Finance Committee was held on Wednesday, September 28, 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**      **13 members of the committee were present:**

Kevin Canty, Betty Cavacco, Robert Cote, Judith Fitzgerald, Harry Helm, Mike Lincoln, Peter Mador, Christopher Merrill, John Moody, Harry Salerno, Sheila Sheridan, Marc Sirrico, Scott Stephenson

**ABSENT**      **2 members of the committee were absent:**

Ethan Kusmin, Patrick O'Brien

**Announcements**

- Thank you to Paul and Helen Hapgood for helping with the Town Meeting Book mailing.

**Fall Town Meeting Articles**

➤ Article 1: Collective Bargaining

Derek Brindisi, Assistant Town Manager, presented Article 1, the Collective Bargaining portion. The Town has reached an agreement with COBRA – Crossing Guards and Meter Enforcement Officer on their contract effective immediately and through June 30, 2018 or the date on which a successor Agreement is executed. Crossing guards work 2 hours each school day, 1 hour in the morning and one hour in the afternoon. The Meter Enforcement Officer is a full time employee. There are 5 crossing guards and 1 meter enforcement officer that work for the Town. The rest are contracted out. Once these remaining six retire, their positions will be contracted out. Once the last retires, this collective bargaining group will dissolve.

The changes to the contract include:

- Increases in Longevity (Crossing Guards (CG) and Meter Enforcement Officer(MEO))
- Paid time for the first two school days cancelled due to weather each school year (CG)
- Additional 10 hours, from 20 to 30, of paid time off per year (CG)
- Increase in Sick Leave Buyback upon retirement or death (MEO)
- Increase in weekend salary differential (MEO)
- Addition of a senior 6<sup>th</sup> step (CG)
- Increase in probationary period length to 6 months (CG)
- Addition of retirement bonus if retire before June 30 2018 (CG and MEO)

Questions:

- Will the town see significant savings by outsourcing? (B Cavacco) Not sure those exact calculations have been done, will find out.
- What benefits have they received historically? (S Stephenson) Are there any long term liabilities like pensions involved with this group? (J Moody) The crossing guards only receive some paid time off. The Meter Enforcement Officer is full time and receives benefits but the PGDC covers the cost of those.
- Why does employer have to be notified of arraignments? (K Canty) The Town would like to be notified if their employees have gotten into any kind of legal trouble just so we are aware.

Dale Webber, employee representative of COBRA, said that these six employees are dedicated and combined have over 60 years of service to the town. He is opposed to outsourcing and would like to see the Town take back all of the Crossing Guard and Meter Enforcement Officer positions in town.

**Scott Stephenson made a motion to recommend Article 1 - Collective Bargaining portion to Town Meeting. Harry Helm, second.**

Discussion:

Arraignment notification is unnecessary. Employee may be arraigned on a minor issue like licensing their dog. This serves no purpose and the employee is innocent until proven guilty. This should not be included in the contract. (K Canty)

**The motion carries unanimously (12-0-0).**

➤ Articles 30 & 31: Trees

Anatol Zuckerman, Petitioner, presented Articles 30 & 31. The intent of these articles is to reduce the ongoing destruction of the natural environment, particularly removal of trees, while providing for Plymouth's continued growth. This article would add to Zoning Bylaws 205-18 Natural features conservation requirements, Section E Vegetation by adding #s 4-9:

4. Replacement of trees: Every tree removed from a privately owned parcel of land having a diameter of 8" at breast height or larger shall be replaced with a tree of lesser diameter within or without that parcel of land. The size of the replacement tree shall be determined by the Tree Warden.
5. there shall be established a tree replacement fund which shall be held in a separate account and administered in accordance with applicable provisions of the General Laws of Massachusetts.
6. In lieu of planting a substitution tree and owner of a private parcel of land may make a contribution to a tree replacement fund. The size of this contribution shall be determined by the Tree Warden.
7. Each failure to replace trees or make payment into the tree replacement fund shall be subject to a fine in the amount of \$300.
8. Town trees, nothing herein shall be construed to require the Town of Plymouth to make a payment into the tree replacement fund for any tree(s) which it removes.
9. Exemptions: This article shall not apply to privately owned land of 20,000 square feet or less.

Lee Hartmann, Director of Planning and Development, reported that these articles have changed dramatically from the language in the article in the warrant to what the Planning Board reviewed to what is being presented tonight. The current status may very well be considered outside the scope of the article and may not be allowed to be heard at Town Meeting. The Planning Board, Building Commissioner and Agriculture Committee all do not support and do not recommend these articles. They are so confusing they may lead to litigation if accepted. Enforcement of this bylaw would be nearly impossible.

Mr. Zukerman agreed that the article needs some additional work and is looking for guidance to get it into an acceptable format to be heard by Town Meeting.

There were lot of questions and comments made by the members. There was confusion about two articles being presented as one, about those that signed the petition being notified about all of the changes being made to what they signed, about financial implications for the Town, time required for monitoring, what the actual impact would be on developers, about the rights of land owners, about finding suitable parcels where the replacement trees would be planted, about calculating the payment into the tree replacement fund, about 8 inch caliper versus 5 inch caliper, and about what the tree replacement funds would be used for, about whether the modifications to the articles can be voted on or whether the vote needs to be on the actual article language in the warrant.

**Scott Stephenson made a motion to recommend Article 30 to Town Meeting. Betty Cavacco, second. The motion fails unanimously (0-12-0).**

**Scott Stephenson made a motion to recommend Article 31 to Town Meeting. Kevin Canty, second. The motion fails unanimously (0-12-0).**

## Old / New / Other Business

### ➤ Article 4F: Capital - Plymouth Beach Seawall

This article had been heard at the last meeting but there was confusion about the finances so a motion was made to postpone it and add it to this agenda. All the information has been received and clarified.

**Scott Stephenson made a motion to recommend Article 4F to Town Meeting. Betty Cavacco, second.**

Discussion:

The article involves borrowing \$1.1 million, \$93,563 reimbursement from a grant may be possible. That this project is of an emergency in nature as the seawall will most likely not last another winter.

**The motion carries unanimously (11-0-0).**

Betty Cavacco had left the room and did not vote.

### ➤ Article 8: Long Ridge Road

There is no motion being made tonight.

### ➤ Article 33: Poultry Bylaw

The petitioner has requested no motion no action on this article.

### ➤ Article 35: Easement off Wareham Road

The petitioner has requested no motion no action on this article.

### ➤ Supplement 1 to the Report & Recommendations Book

Supplement 1 will be put together based on the recommendations made tonight. Those will go into the mail on Friday to all Town Meeting members.

### ➤ Minutes by Article, Article Funding Sources, and Updated Caucus Schedule

These items were shared with committee members and are available on the Town Meeting webpage for anyone interested.

## Meeting Minutes

- September 7, 2016: **Scott Stephenson made a motion to approve the 9/7/16 meeting minutes. Kevin Canty, second. The motion carries unanimously (10-0-2). Harry Salerno and Peter Mador, abstained.**
- September 14, 2016: **Scott Stephenson made a motion to approve the 9/14/16 meeting minutes. Christopher Merrill, second. The motion carries unanimously (12-0-0).**
- September 15, 2016: **Scott Stephenson made a motion to approve the 9/15/16 meeting minutes. Betty Cavacco, second. The motion carries unanimously (11-0-1). Christopher Merrill, abstained.**

## ADJOURNMENT

**Betty Cavacco made a motion to adjourn. Scott Stephenson, second.**

**The motion for adjournment carries unanimously (12-0-0).**

The meeting adjourned at 8:27PM.

Respectfully submitted,  
Kere Gillette