

**BOARD OF SELECTMEN
MINUTES OF MEETING
APRIL 30, 2019**

The meeting took place in the Selectmen's Meeting Room located in the upper level of Town Hall. In attendance were Chairman Carl F. Kowalski; Vice Chairman Daniel L. Salvucci; Clerk Brian J. Bezanson; Member Randolph G. LaMattina; Member Scott J. Lambiase; and Town Administrator Francis J. Lynam. Chairman Kowalski opened the meeting at 7:00 p.m.

Chairman Kowalski asked everyone in attendance to stand and recite the Pledge of Allegiance. This was followed by a moment of silence dedicated to Robert Schmitt, former Whitman Call Firefighter and Emergency Management Director who passed away on April 18.

Chairman Kowalski announced the meeting is being recorded and televised by WHCA.

Mr. Salvucci **MOVED** to approve bill and payroll warrants. **Second** Mr. Bezanson, **so voted 5-0.**

Mr. Salvucci **MOVED** to approve correspondence in the Read File. **Second** Mr. Bezanson, **so voted 5-0.**

Chairman Kowalski opened public forum and no one in attendance came forward to address the Board.

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on Tuesday, February 19, 2019. **Second** Mr. Bezanson, **so voted 5-0.**

Mr. Salvucci **MOVED** to approve the Open Session minutes of the meeting held on Tuesday, April 2, 2019. **Second** Mr. Bezanson, **so voted 4-0-1** (Mr. Lambiase abstained).

Chairman Kowalski announced he would like to take the agenda out of order and hold the public hearing related to National Grid's petition first.

NEW BUSINESS

Public Hearing: Installation of Gas Main – Hogg Memorial Drive

National Grid representative Barbara Kelleher presented the Board with a proposal to install a gas main in order to provide service to new homes. Michael Generous, 234 Hogg Memorial Drive asked if the gas main that services his home will be changed. Ms. Kelleher advised Mr. Generous that service to his home will not be affected. Mr. Salvucci **MOVED** to approve the petition of National Grid to install and maintain approximately 520 feet ± of 2 inch gas main in Hogg Memorial Drive from the existing 4 inch main at Cortrell Avenue, westerly to the end of main at lot #25; and approximately 300 feet ± on National Drive from the 2 inch gas main on Hogg Memorial Drive, southerly to the end of main at Viking Drive, in order to provide gas service to 14 new homes. **Second** Mr. Bezanson, **so voted 5-0.**

TOWN ADMINISTRATOR'S REPORT

Refer to Budget Review and Policies & Procedures

BUDGET REVIEW

Mr. Lynam addressed comments made on social media that alluded to a nefarious plan on his part to keep the schools from receiving more funding from the town by not taking advantage of the excess levy number that is presented when the tax classification hearing is held. He then outlined the process that has always been used, stating that at Town Meeting, appropriations for the year are based on estimated growth for the previous year's tax limit and any additional development or construction. Information obtained from the Department of Revenue provides the potential tax rate, what the levy would be and what the town may have for excess levy. Mr. Lynam explained that the classification hearing generally takes place between late October and mid-November. In order to spend the excess levy, it must be appropriated. A Town Meeting would have to be held in order to vote on the appropriations, and there is not enough time between the time we are made aware of the numbers and the time needed to set a tax rate.

Mr. Lynam then invited Principal Assessor Kathleen Keefe to step up to the podium where she outlined the process involved in setting the tax rate and discussed excess levy capacity. Mr. Lynam asked Mrs. Keefe why the information required to set the tax rate is not available until late September or early October. Mrs. Keefe stated that new growth is determined by building permits that are issued from July 1 to June 30 each year. The town uses Patriot Properties to assess new construction and renovations; however, based on the terms of the contract between Patriot Properties and the town, Patriot Properties cannot begin the assessment process until July 1st. Patriot Properties generally submits a report in August and, once all of the information is prepared and submitted to the Department of Revenue, it goes into a queue which requires the town to wait for certification. All information must be submitted to the Department of Revenue by Thanksgiving; and revenue information is generally received by the town in December in order for the tax rate to be set by January 1. When asked by Mr. Lynam if he has been border-line harassing her for the figures each year, Mrs. Keefe agreed, 100 percent.

Mr. Lynam also noted that a timely submission of information required from other town departments would help in this process.

Mr. LaMattina stated that he spoke with Mrs. Keefe approximately 8 weeks ago and questioned the numbers from the last few years. He then asked Mrs. Keefe how the information could be obtained sooner. Mrs. Keefe said the numbers would have to be obtained sooner, which would involve other town departments getting on board. Mrs. Keefe also noted that the Town of Hanson has a handle on new growth because someone in-house is used to capture values as soon as the building permits come in.

Mr. LaMattina noted that Whitman left \$4.1 million on the table because the town outsources the work to Patriot Properties.

WHRSDC member Fred Small stated that he has spoken with The Department of Revenue with respect to utilizing the excess levy capacity.

Dawn Beyers, 20 Russell Road, asked how long the town has been using Patriot Properties. Mr. Lynam stated approximately 15 years. Mrs. Beyers then asked why so much money has been lost since 2010. Mr. Lynam stated that back then were some of the worst economic times and no one was building.

Chairman Kowalski took a moment to acknowledge Mrs. Beyers for all of the work she has done on this issue; and stated that it is a clear goal of the Board of Selectmen and other town officials to right the operation regarding levy limits.

Mr. Lynam presented the members of the board with a revised version of Article 2 that included an additional \$350,000 in anticipated excess levy. He also advised the Board that the Finance Committee voted most of Article 2; and is seeking recommendations from the Board of Selectmen on items that were not voted last week. Mr. Lynam also advised the Board that the Finance Committee has recommended an 8.5 percent increase to the WHRSD operating budget and Hanson has done the same. This results in an amount of \$14,398,151. The Finance Committee has also reduced the amount of funding for non-mandated busing to \$173,471. Mr. Lynam advised the Board that the Finance Committee is recommending the position of Health Inspector be reduced to a part-time position because the committee feels this position received too large of an increase last year.

Mr. Lynam advised that the Finance Committee reduced the salary of one of the DPW superintendents from \$100,356 to \$90,000, noting that the salary for the superintendent of Parks & Highway was approved at \$100,356. The Finance Committee chairman has indicated that the public works department is seeking to fund the amount of \$100,356 but is considering offering a lesser salary. Mr. Lynam advised the Board that he has not received anything from the DPW that supports that.

Mr. Lynam advised the Board that the Finance Committee has reduced a salary increase for nonunion employees from 2 percent to 1 percent, and all department heads have agreed to this. He noted that non-management administrative and clerical employees are compensated on a different level; and that several years ago the Board of Selectmen voted that nonunion administrative assistants would be equal to OPEIU (Town Hall Union employees), and they are requesting to be treated as they have in the past. Mr. Lynam stated that he feels it is not a fair approach to hit those on the lowest end of the salary scale with a lower increase than what the union is receiving.

Chairman Kowalski suggested the Board vote on each of these issues separately.

Mr. LaMattina stated that if the Board just votes to approve the use of \$350,000 in anticipated excess levy, the Finance Committee can replace the numbers that were cut.

Mr. Lynam said no, and explained that the Finance Committee wants to give nonunion employees a 1 percent salary increase to show that they are setting a trend.

Mr. Lambiase asked how much money is involved in cutting these employees from a 2 percent increase to a 1 percent increase.

Mr. Lynam stated approximately \$2,000.

Chairman Kowalski stated that these nonunion employees that are being discussed are not supervisors; and agreed with Mr. Lynam that they should not be treated the same as supervisors. Also, if the Board agrees to the use of the \$350,000, Mr. Lynam will meet with the Finance Committee this evening and let them know which numbers this board wants to see restored.

With respect to an 8.5 percent increase to the school district, all members of the Board were in favor of the increase.

With respect to non-mandated busing, Mr. LaMattina advised the Board that the amount of money the Finance Committee has left in that line is meant to act as somewhat of a safety net for those parents who cannot afford to pay for busing. Mr. Small advised that he was told by the Commissioner of Education that children enrolled in the Free and Reduced Lunch Program will be able to ride the bus free of charge. Mr. Lynam advised Mr. Small that he is still waiting for confirmation on that. All members of the Board agreed that more information outlining the number of families affected is necessary, as well as whether or not more crossing guards will be needed. Mr. Small said the regional agreement states that if the school district does not pay for non-mandated busing, the towns will be billed. Mr. LaMattina advised Mr. Small that it will have to be looked at. Chairman Kowalski stated that he is concerned with doing away with non-mandated busing, but he also understands that other towns have done so and now charge for busing. Mr. LaMattina asked if the Board's recommendation of \$397,604 remains, will it still allow for an 8.5 percent increase for the schools. Mr. Lynam advised that if the Board's recommendation for non-mandated busing remains, the percentage to the schools will not change. All agreed that more answers are needed before bringing this issue to Town Meeting and that it should be brought forward next year. All Board members disagreed with the Finance Committee's recommendation to cut non-mandated busing and to keep this line at \$397,604.

With respect to a 1 percent salary increase for nonunion employees who are not supervisors, Mr. Salvucci felt that because the Board previously agreed and voted to treat these employees equal to OPEIU, it should remain that way. All members of the Board agreed, with Mr. LaMattina citing past practice.

With respect to the position of Health Inspector being reduced to a part-time position, Mr. Lynam said the reasoning behind this is because the committee feels this position received too large of an increase last year. He went on to say that the chairman of the Board of Health attended the Finance Committee meeting last week and argued that the health inspector oversees the animal control officers; there have been an increase in condemnations as well as 3 hoarding situations in the past year; and surrounding towns employ a full-time health inspector. Mr. Bezanson expressed the need for a full-time health inspector due to the need for timely food inspections related to public health. Mr. Lambiase agreed that a full-time health inspector is needed, as is the case in most towns. In a poll of the Board, Chairman Kowalski, Mr. Salvucci, Mr. Bezanson and Mr. Lambiase agreed that a full-time health inspector is needed. Mr. LaMattina abstained. Mr. Lynam agreed to notify the Finance Committee of the Board's decision.

Mr. Bezanson asked what the reasoning is behind changing the amount of the salary for the DPW superintendent. Mr. Lynam stated that the commission voted to set both superintendent salaries at the same level. He has now heard from the chairman of the Finance Committee that he was told that it is not necessarily going to be that particular salary, but rather that funding. Town Meeting does not vote on the salary, but does vote on the funding. It is then up to the DPW Commissioners to set the compensation within the funding for the position and, it would not be out of line for the commissioners to decide they want to maintain the funding but may be uncertain as to whether or not that employee will perform the job or be compensated at the level the former superintendent was.

Mr. Lynam advised the Board that by adding \$350,000 of anticipated excess levy capacity, Articles 7 & 8 will be reclassified from free cash to the levy. When Article 9 is voted, we will have used what we have estimated to be our levy. This will leave \$439,000 in free cash. On May 6, Town Meeting will vote on the appropriations. Following the Annual Town Election where a debt exclusion will be on the ballot, Town Meeting will reconvene in June and vote on the business that was postponed on May 6.

Mr. Lynam thanked the Board and advised that he has everything he needs to bring to the Finance Committee later this evening.

POLICIES & PROCEDURES

Financial Management Policies & Objectives (DRAFT)

Mr. Salvucci **MOVED** to adopt the Financial Management Policies & Objectives with the understanding that additional provisions related to the anticipation of excess levy will be incorporated into the policy. **Second** Mr. Bezanson, **so voted 5-0.**

Performance Review Form

Mr. Lambiase asked to have a page added relating to goals and objectives. Mr. Lynam agreed to do so and will present the form for approval at the May 14, 2019, meeting.

NEW BUSINESS (cont'd)

Recreation Commission: Request to Use Funds from WWII Memorial Fund

Recreation Director Ollie Amado advised the Board that the fencing around Memorial Field is in need of replacement and on April 3, the Recreation Commission voted in favor of using \$9,800 from the World War II Memorial Fund to replace it.

Mr. Lynam advised the Board that there is currently \$10,590.03 remaining in the fund. If this request is approved, the balance remaining will be \$790.03. Mr. Salvucci **MOVED** to approve the request to use \$9,800 from the World War II Memorial Fund for the purpose of replacing the fence at Memorial Field. **Second** Mr. Bezanson, **so voted 4-0-1** (Mr. LaMattina abstained).

Request to Hold Memorial Day Parade

Mr. Salvucci **MOVED** to approve the request of Stephen Morse on behalf of Veterans of Foreign Wars Post No. 697 to hold the annual Memorial Day Parade on Monday, May 27, 2019. **Second** Mr. Bezanson, **so voted 5-0.**

Cultural Council Appointment

Mr. Salvucci **MOVED** to approve the request of Stephen Jenkins to be appointed as Member of the Whitman Cultural Council for a three-year term, through June 30, 2021, in order to fill an existing vacancy. **Second** Mr. Bezanson, **so voted 5-0.**

Historical Commission Appointment

Mr. Salvucci **MOVED** to approve the request of Lorna Holbrook to be appointed as Member of the Historical Commission for a three-year term, through June 30, 2021, in order to fill an existing vacancy. **Second** Mr. Bezanson, **so voted 5-0.**

Council on Aging Appointment

Mr. Salvucci **MOVED** to approve the request of Laura Andrade to be appointed to the position of Member of the Council on Aging for a three-year term, through June 30, 2021, in order to fill an existing vacancy. **Second Mr. Bezanson, so voted 5-0.**

Holy Ghost Parish: Request for One-Day Liquor License

Mr. Salvucci **MOVED** to approve the request of Dennis Leonard on behalf of Holy Ghost Parish for a One-Day Liquor License on Friday, May 10, 2019, on the premises located at 518 Washington Street, in connection with a Pasta Supper event; and to waive the fee for said permit. **Second Mr. Bezanson, so voted 5-0.**

The Board set their May meeting schedule for Monday, May 6, 2019, at 7:00 p.m.; Tuesday, May 14, 2019, at 7:00 p.m.; and Tuesday, May 21, 2019, at 7:00 p.m.

At 8:30 p.m. Mr. Salvucci **MOVED** into **EXECUTIVE SESSION** in accordance with the M.G.L., Chapter 30A, Section 21a, (1) to discuss the reputation, character, physical condition or mental health, rather than profession competence, of an individual; (3) to discuss strategy with respect to collective bargaining or potential litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; and (7) to comply with or act under the authority of, any general or special law. **Second Mr. Bezanson.** Roll call vote revealed: Mr. Bezanson – yes; Mr. LaMattina – yes; Mr. Lambiase – yes; Mr. Salvucci – yes; and Chairman Kowalski – yes. **So voted 5-0.** Chairman Kowalski declared that having this meeting in open session will have a detrimental effect on the bargaining or litigating position of the public body. The meeting will reconvene in open session for the purpose of adjourning the meeting.

At 8:45 p.m. Mr. Salvucci **MOVED** to adjourn the meeting. **Second Mr. Bezanson, so voted 5-0.**

Brian J. Bezanson, Clerk