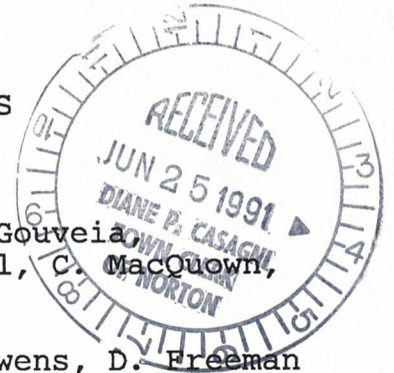


FINANCE COMMITTEE MEETING MINUTES
May 6, 1991



Present: M. Brown, J. Desrochers, K. Eagan, W. Gouveia,
M. Hackett, E. Hamilton, P. Helmreich, B. Kimball, C. MacQuown,
R. Nugent, D. Ward

Others Present: B. Andrews, R. Patenaude, Mr. Owens, D. Freeman

P. Helmreich informed the Committee that he has received the following communications:

1. The Fire Department has requested Muriel Reynolds to transfer \$850 from the expense account (01-220-570) to a new line item which Muriel will number to cover the costs for tuition and mileage for two firefighters to attend school to be certified. This will have to be done via a transfer from the Finance Committee reserve fund.

2. P. Helmreich received a bill of \$24.75 to be paid to Norfolk Newspaper Company for printing costs for the public hearing announcement. A motion was moved, seconded and voted to pay from the Finance Committee Account \$24.75. In Favor: unanimous

3. P. Helmreich received a letter from Chief Burgess informing him that he will be needing an unspecified amount to see the Fire Department through fiscal 91. The additional monies needed are due to sick time, injuries, a reinstated firefighter, and a high rate of call back.

The minutes of April 8, 10, and 17 were approved.

P. Helmreich next called on Selectman Andrews to answer questions from the Committee relating to the negotiation of the Police Chief's contract. P. Helmreich noted that the purpose of this meeting is to ask specifically: 1) whether the process of the negotiation appeared to be in violation of the Town Charter which states that two members of the Board of Selectmen and the Town Manager must be present at the time of the negotiation. And, 2) Whether or not filing of the contract was in violation of the Town By Law which states that all contracts must be filed within three days of signing with the Town Clerk.

In answer to question #2, B. Andrews stated that he filed the contract three weeks after the signing because he was busy with liquor violation hearings and then went on vacation. He said there was no deliberate conspiracy on his part to hide the contract from the public. He said that as soon as he remembered that it wasn't filed, he filed it; and he accepts full responsibility for the contract not being filed on time. He reiterated that it was an oversight and not a conspiracy to hide the contract from the public.



E. Hamilton asked Mr. Andrews if he held an open meeting to make the contract public. Mr. Andrews said he did not remember and would have to check the minutes of the meeting.

P. Helmreich requested that Mr. Andrews provide the Committee with copies of the meeting.

Next, Mr. Andrews responded to question #1 saying that it was true that the Town Manager was not present at the time of the negotiation. Mr. Andrews stated that S. Lombard told him that he did not want to negotiate this contract if the Selectmen felt it wasn't a problem.

P. Helmreich asked Mr. Andrews if he was aware that they were violating the Town Charter.

Mr. Andrews responded that he wasn't sure. He said that S. Lombard asked to be released as a Town employee. Mr. Andrews said that he followed the guideline that whatever the school received other contracts would be negotiated accordingly and that the Selectmen were not given guidelines on the amount to negotiate. P. Helmreich pointed out that the first year of the teachers' contract called for a 4% increase, while the Police Chief had been granted 6%.

B. Gouveia pointed out to Mr. Andrews that the Town Manager's responsibility is to give the Selectmen guidelines.

B. Kimball stated that the Finance Committee took the position of level funding.

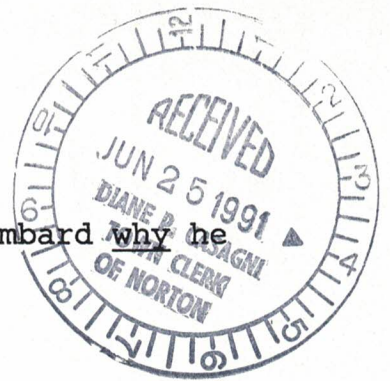
B. Andrews next stated that the contract is valid once it is signed and doesn't need to be voted on by the Town.

P. Helmreich informed Mr. Andrews that the Committee is seeking legal opinion from Town Counsel to see if the contract in the first year needs to be approved by the citizens of the Town.

P. Helmreich asked Mr. Andrews to be specific in why the Town Manager was not present.

R. Patenaude stated that this meeting was missing a key person, namely the Town Manager. Mr. Patenaude stated that S. Lombard said "you negotiate the contract, I don't want anything to do with it." Mr. Patenaude again asked Mr. Helmreich why S. Lombard was not present tonight for his explanation.

Mr. Andrews then stated that S. Lombard served as a resource but did not participate. He stated that he released S. Lombard from the negotiations because Mr. Lombard and Chief Keene are perceived by others as "kissing cousins." He said he felt that if Mr. Lombard had a problem with the Chief, it was in the best interests not to involve him.



R. Nugent asked Mr. Andrews why he didn't ask S. Lombard why he did not want to negotiate the contract.

Mr. Andrews said he didn't think to ask him why.

C. MacQuown stated to Mr. Andrews that S. Lombard was then incapable of following the Charter.

Mr. Andrews said, in his opinion, Mr. Lombard was more than able to do his job.

Mr. Hamilton asked Mr. Andrews what was the model used for \$6,000, \$8,000, and \$10,000 incentives for the education benefit.

Mr. Andrews stated that these figures are not high in comparison to other towns.

K. Eagan asked Mr. Andrews if deferred payments would be a model for future negotiations and stated that he feared that doing so would take the vote away from Town approval.

Mr. Andrews said the he is not trying to get around Town Meeting. He stated that if a raise passes at Town Meeting, deferment takes place immediately. If the raise doesn't pass, deferment ends, the contract is dead and it is back to the negotiating table.

Mr. Gouveia asked Mr. Andrews if he agrees that this contract was in violation of the Town Charter since the Town Manager was not involved.

Mr. Andrews stated that he would not answer this question without Town Counsel.

Mr. Gouveia then asked Mr. Andrews if he felt that, if indeed there was a violation of the Town Charter, can the contract be invalid.

Mr. Andrews said he would consult Town counsel.

P. Helmreich thanked Mr. Andrews for coming before the Committee. Next, he called on D. Freeman.

D. Freeman informed the Committee that the Solid Waste Advisory Committee is looking for a recycling site on Hill Street. She stated that start up costs and operating costs would be approximately:

\$4,000	hard topping
\$4,200	employee costs (\$13.50 per hr @ 6 hrs), open 1 day a week on Saturday

\$14,000 costs for paper trailer

She estimated that \$23,000 is needed annually for operating costs. She said, however, that it is possible to make money on tin and aluminum.

Discussion followed on operating costs, alternate sites, the impact of traffic on Hill Street.

D. Freeman stated that the bottom line figure for recycling would be \$4,412 to cover salary costs.

P. Helmreich thanked D. Freeman for coming before the Committee.

Next, the Committee turned to discussion of the articles for the Special Town Meeting.

Article 5

D. Freeman stated the Solid Waste Advisory Committee does not recommend Article 5.

Article 1

Motion moved, seconded and voted to transfer \$112,600 to Account #01-910-5171. In Favor: unanimous

Article 2

Motion moved, seconded and voted to recommend transfer of \$5,000 from Water Surplus Account to Water Salaries Account.

In Favor: 2 (Kimball, Nugent) Opposed: 8 (Ward, Hamilton, Gouveia, Hackett, Eagan, Brown, MacQuown, Desrochers)
Article not recommended.

Article 3

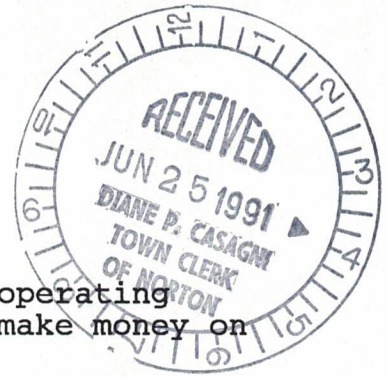
Transfer of \$4,668 from salaries side to expense side for purchase of automatic weapons for the Police Department. In Favor: 5 (Hamilton, Ward, Eagan, Nugent, MacQuown) Opposed: 5 (Kimball, Gouveia, Hackett, Brown, Desrochers) Chairman Helmreich votes in favor.
Article recommended.

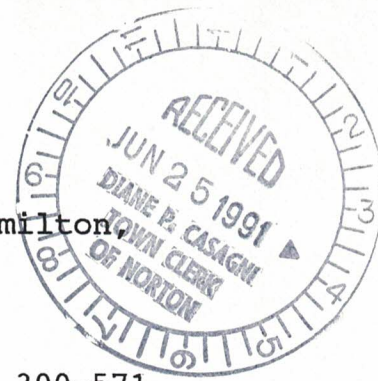
Motion moved seconded and voted to reconsider Account 122-511, Town Manager's budget, to rescind Committee's recommendation of \$24,796. In Favor: unanimous

Motion moved, seconded and voted to recommend \$32,695 (level funded).

Motion moved, seconded and voted to amend figure to \$26,133.

Vote on amended figure of \$26,133. In Favor: 2 (Kimball, Brown) Opposed: 7 (Ward, Hamilton, Gouveia, Hackett, Nugent, MacQuown, Desrochers) Motion defeated.





Vote on main motion of \$32,695. In Favor: 7 (Ward, Hamilton, Gouveia, Hackett, Nugent, MacQuown, Desrochers)
Opposed 2 (Kimball, Brown)
Motion carried.

Motion moved, seconded and voted to reconsider Account 300-571 (Unemployment Compensation) to put additional funds in unemployment compensation fund. In Favor: 7 (Kimball, Ward, Hamilton, Nugent, Hackett, Brown, MacQuown) Opposed: 2 (Gouveia, Desrochers)

Motion moved, seconded and voted to amend figure to \$9,094,233 with intention of transferring \$140,000 to Unemployment Compensation Account. In Favor: 3 (Kimball, Brown, MacQuown) Opposed: 6 (Ward, Hamilton, Gouveia, Hackett, Nugent, Desrochers)
Motion defeated.

The meeting adjourned at approximately 10:30 p.m.