

**Finance Committee Meeting**  
**February 25, 2013**  
**7:30 PM**  
**Municipal Center – Selectmen’s Conference Room**

**Present:** Chair, Lee Tarantino; Vice-Chair, Michael Flaherty; Peter Carignan; Thomas DeLuca; Jackie Desrochers; Richard Dorney; Stephen Evans; Paul Helmreich; William Rotondi.  
Also present: Town Manager, Michael Yunits.

**Absent:** Robert Camp; Michael Thomas.

**Call to Order**

Meeting was called to order at 7:30 pm.

**I. Approval of Minutes**

**Motion** was made by Mr. DeLuca to approve the February 20, 2013 Finance Committee minutes as amended. Seconded by Mr. Helmreich. Vote: All in favor, with Ms. Desrochers abstaining. **Motion carries.**

**II. New Business**

**Comprehensive Review of Town By-Laws**

Attorney Lauren Goldberg addressed the Finance Committee regarding her suggested changes to the town’s by-laws. She said that she based a lot of the changes on the recently revised Charter. She also revised them according to state law changes. Ms. Goldberg also noted that many revisions are simply to provide a more unified document.

Her suggested revisions included, but are not limited to:

- Town Meeting postings – include electronic posting as one.
- Personnel matters – revise because of privacy reasons.
- Capital Improvements Committee – reorganize this section to be more cohesive.
- Wetland Fees – worth another look for cohesiveness.
- Council on Aging – presently states that a reorganization cannot occur during the year, Ms. Goldberg suggests allowing for reorganization anytime if necessary.
- Qualifications for Town Manager – suggests adding “or the most qualified candidate”.
- Finance Committee – regarding the posting of the FinCom report, it presently states that it has to be printed; Ms. Goldberg suggests revising this to “will print upon request” and also have it available electronically. She also suggests changing the 7 day requirement for posting the FinCom recommendations be changed to give the Committee a few extra days if needed. Ms. Goldberg also suggested changing the by-law stating that FinCom members may not be a town officer or a member of any other board.
- Historical District – Ms. Goldberg said that there are so many changes that need to be made in this section that she did not look at it yet.
- Annual Report – says “must print”, Ms. Goldberg suggests changing this to “will print upon request” (like the Finance Committee by-law).
- Solicitors – suggests changing to say that solicitors representing non-commercial, religious, non-profit, charity groups do not have to pay a fee.
- Dog Control – Ms. Goldberg said that there are a lot of revisions and she provided 3 memorandums to Mr. Yunits regarding this topic.
- Public Way/Handicapped and Disabled Veterans Parking – both of these violations by-laws need up to date fee schedules
- Gravel Removal – Ms. Goldberg suggested deleting this entire by-law because it is already dealt with in zoning permits.

- Submission of Budgets/Town Manager Screening Committee – suggested the deletion of these sections because the Charter deals with them in detail.
- Non-Criminal Disposition – Ms. Goldberg said that this by-law is very general. She also suggested amending it so that if a non-criminal act is committed (she gave the example of having large amounts of junk in yard) then the offender would be given the opportunity to defend him/herself.
- Mandated Connection to Common Sewer – This issue was recently presented at Town Meeting. Ms. Goldberg suggested that it be amended to say that homeowners would need to connect “when there is a Title V failure or has been 5 years, whichever comes sooner”.

Ms. Goldberg also noted that the Charter will always supersede the by-laws, though it does make more sense to align them.

She also stated that many of these by-laws are more likely enforced by state law.

Mr. Tarantino pointed out that the former Town Charter stated that in every year that ends in a 5 or a 0, there shall be a review of the by-laws. He questioned whether now is a good time to revise these by-laws, or if it should wait for a committee to do so as described in the newly revised Town Charter, which calls for a review during every year that ends in a 5. He pointed out that there are a lot of proposed changes, many of which are opinion/policy changes.

Mr. Helmreich said that he fundamentally agrees with Mr. Tarantino and that he hopes that the Board of Selectmen will form a committee to review these proposed changes and put them onto a warrant – maybe not this spring warrant, but possibly the fall town meeting warrant.

Ms. Goldberg responded by suggesting that at least the inconsistencies with the Town Charter or state law be changed immediately. She also said that the by-laws should be numbered to make the document more user-friendly. Ms. Goldberg said that other suggested changes could wait.

Ms. Goldberg said that she would provide the FinCom with a document that separates these revisions into the discussed categories and resubmit it to the FinCom for review.

Mr. Yunits said that he would speak with the Town Clerk about the numbering of the by-laws because a codification of town documents is currently taking place.

#### Water/Sewer Commission Articles

Duane Knapp, Water Superintendent, and W/S Commissioners Diane McElligott and Steve Wiseman were present to address the FinCom regarding the Water and Sewer articles as follows:

- **Inter-Municipal Agreement (IMA) Article** – This article would finalize and ratify the agreement that has already been made. This Inter-Municipal Agreement is between Norton, Foxboro, and Mansfield for the expansion of the sewer treatment plant.
- **Funding of Norton Center Sewer Extension Article** – This article would get Wheaton hooked into the Norton sewer system. Mr. Wiseman said that this likely will not happen. Ms. McElligott said the timeline for this project is closer to being a couple of years from now. This article will likely be pulled from the warrant.
- **Reilly Property Article** – This article has ties to the IMA article. The property is located in an underdeveloped area of Norton. The goal of this article is to purchase the Reilly property and then turn it over to the IMA district, once formed. This would put Norton in a strong position for negotiations in the district, particularly because Mansfield is in dire need of capacity. Mansfield already has a Purchase and Sales agreement signed for the property. This article would exercise Norton’s right of First Refusal and appropriate \$1,250,000 for purchase. Once the IMA is formed, the other 2 towns would reimburse Norton for their share of the purchase price.
- **Water Treatment Plant (for Wells 4, 5, and 6) Article** – This article would appropriate \$8.6M for the design and construction of a water treatment plant. Design contingency funds are built in to the estimated cost. Mr. Knapp explained that these 3 wells produce most of the flow for the town. They

are all located close to one another so the treatment plant could treat all 3 wells. They are located near, but not in, the town forest.

Ms. McElligott said that the Water Department has some reserves to help fund the project, but the rest would be a 20-year bond. She said that there are state revolving funds available that has 0% financing but that they are very difficult to get. The other option is a 2% rate. Mr. Tarantino said that he would like to see the 20-year rate study.

Ms. McElligott said that the Water Department is looking at increasing rates to help fund the project as well. Mr. Wiseman said that there will be a public hearing on March 19<sup>th</sup> regarding the increase of rates.

Mr. Rotondi asked how much of the cost is for the building and how much is for equipment. They said that they would get that information for the FinCom.

Mr. Helmreich asked about the other two wells. Mr. Knapp explained that the water from the other two wells would then become mixed with the water from the treatment plant and then be sent out to the town.

Mr. Dorney inquired about the effect this new treatment plant would have on the operating budget. The guesstimate is about \$210K for all materials and personnel.

Mr. Carignan stated that the voters at town meeting would want to know how much this project would raise the water rate.

Mr. Helmreich asked what the W/S Department's priority is – sewer plant, water treatment plant, any other projects? Mr. Knapp said that continuing the replacement of the main water pipes is very important.

### **III. Old Business**

#### **Next Meeting**

The next meeting is scheduled for February 27, 2013 at 7:30pm.

#### **Adjournment**

**Motion** was made by Mr. DeLuca to adjourn at 9:45pm. Seconded by Mr. Flaherty. Vote: Unanimous.

**Motion carries.**

**Documents Referenced:** Minutes of February 20, 2013  
Four Water/Sewer Department articles

Respectfully Submitted by: \_\_\_\_\_

**Lee Tarantino, Finance Committee Chair**

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**Sara Lyons, Finance Committee Secretary**