

SELECTMEN'S MEETING
FEBRUARY 3, 1997

ATTENDANCE: John A. Stefanini, Kathleen M. Pendergast, Valerie W. Mulvey, and Joyce A. Tolman

Mr. Marcoux reviewed the agenda.

WARRANTS:

#112	Accounts Payable	\$603,582.20
#113	Miscellaneous	\$494,930.85
#114	Capital Projects	\$289,819.80
#115	Payroll	\$666,895.63

PUBLIC PARTICIPATION:

Mr. Levay of Precinct 6 came before the Board and asked that the policy regarding commuter safety be reviewed. Mr. Levay felt that pedestrian safety was somewhat of an issue. Mr. Bloise asked to correct the minutes of the Board of Selectmen's minutes and was instructed to wait for the appropriate portion of the agenda to comment. Mr. Franci came before the Board to discuss the utility bill issue. Many members of his precinct asked if the service was forthcoming. Mr. Marcoux indicated that he was surprised that this service was not available and would investigate further.

Ms. Mulvey congratulated the Framingham's Boys Swim Team on their 5-0 win and becoming Bay State Champions. Ms. Mulvey moved and Ms. Tolman seconded the motion to commend Mr. Periera and the Boys Swim Team.

CONFERENCE - CHIEF LARRABEE AND MARGO DEANE - FRAMINGHAM COALITION

Mr. Stefanini commented on the grant money obtained by Congressman Markey for his efforts. Ms. Mulvey moved and Ms. Tolman seconded the motion to thank Congressman Markey for his efforts on behalf of the Town. Chief Larrabee thanked the Congressman and all elected officials who have advocated for the Framingham Police Department. Lieutenant Steven Carl was also thanked for his ability to obtain grant money. Margo Deane of the Framingham Coalition was introduced and Chief Larrabee explained that she was instrumental in qualifying the Town for receiving grant moneys. Chief Larrabee explained the nature of the funding and its components. Domestic violence, children at risk and equipment funding were parts of this grant. In addition, underwater recovery equipment money and baton money as well as upgrading motorcycle was also a component. Crime prevention was an important portion of the funding received by the state. Hate crimes, abuse crimes, etc. were also parts of the grant moneys to be received. Chief Larrabee was congratulated by Ms. Deane and the Board for his vision of the future. Ms. Pendergast would like to see some funding used to study the effects of a methadone clinic on a community. Further discussion occurred about cellular phones and other equipment. Chief Larrabee was asked to report to the Board and planned to make a presentation by the first meeting of March. Ms. Mulvey announced the upcoming programs planned by the Framingham Coalition. Ms. Mulvey moved and Ms. Tolman seconded the motion to endorse the Chief's grant proposal.

HEARING - BUGBOO CREEK - CHANGE OF MANAGER:

Since there were no representatives from Bugaboo Creek Restaurant, Ms. Mulvey moved and Ms. Pendergast seconded the motion to table the presentation. It was so voted.

HEARING - BAMBINO'S - LIQUOR VIOLATION

Chief Larrabee, Attorney John DelPrete, Jr., Henry Vara, and Jimmy Valpretis came before the Board. Chief Larrabee summarized the police officer's report which indicated that there were numerous violations regarding co-mingling with minors. Substantial problems for the community have arisen as a result of this practice. Chief Larrabee felt strongly that this was not to be permitted. Attorney DelPrete noted that the co-mingling statute was part of the Town's by-laws prior to 1997. Mr. DelPrete maintained that this practice was not a violation prior to the present year. Chief Larrabee stated the position of the Police Department. Ms. Tolman noted that this problem had occurred in the past and requested some guarantees from the Gorilla Bar that this issue would not become a problem in the future. Ms. Mulvey asked if the policy was unwritten and Chief Larrabee stated that the co-mingling policy had been added of late. Mr. Stefanini asked for assurances from the petitioner that the policies would be complied with and the conditions on the license would not be violate.

Ms. Pendergast hoped that the Board would not see the perpetrator before the Board again and would consider taking the offender before the ABCC. A motion was made by Ms. Mulvey and seconded by Ms. Pendergast to send a joint letter from the Chief and the Board indicating the current policy. It was so voted.

REPORT - THOMAS LANDRY - STIPEND REVIEW COMMITTEE

Tom Landry, Chief Procurement Officer for the Town came before the Board to review the findings of the ad hoc Stipend Committee. The review process was started by comparing 14 communities of comparable size as well as the city of Marlboro and the town of Natick who are in close proximity. The committee's position on stipends for full time employees who receive a stipend for part time activities the committee's position is to get out this stipend's practice. It was explained by Mr. Landry that the committee suggested that for the next fiscal year the practice should remain the same and asking the Personnel Board to review the present positions responsibilities and add to the present position the work of the stipend, factor in the work and reclassify the position. Receiving stipends for volunteers was not recommended by the committee. There was a distinct difference between cities and towns with regard to salaries; with cities receiving the higher salaries. The Selectmen in the Town of Framingham receive significantly lower salaries than most other communities surveyed. Mr. Marcoux was asked if those suggestions of the stipend committee was included in his budget figures and they were. Mr. Stefanini asked that the committee review the Selectmen's salaries and come back to the Board with a specific recommendation. Mr. Stefanini felt that Selectmen should not necessarily receive compensation for the hours expended but out of pocket expenses should be covered by the stipend figure. Mr. Stefanini suggested that \$3,000 would be an appropriate amount to cover expenses and that the chair should receive an additional \$500-\$1,000. Mr. Stefanini also suggested that an outside body review the study. Mr. Landry noted that the committee represented a philosophical view of what Framingham residents felt about town government. Procedurally, Mr. Stefanini noted that stipends have to be voted on by Town Meeting.

Mr. Landry was asked to review how to implement the stipend proposals. Either a budget article or a warrant article, or both could be used. Ms. Tolman would hope that Town Meeting should make the decision to reflect the philosophy of the Town. Ms. Tolman would like the committee to present a unified recommendation to the Selectmen. The committee did not feel that the Selectmen should be out of pocket. Ms. Pendergast disagreed with a philosophical position and felt the massive amounts of time were expended by the Selectmen and gave examples of such and also felt that the stipend was a respect issue in addition to a financial one. Ms. Pendergast would be willing to address the committee and explain the duties of office. Mr. Landry was thanked and will be advised as to whether the committee should convene again. A history over the past years was also required by the Board.

PRESENTATION OF THE BUDGET - RUSSELL MARCOUX, TOWN MANAGER & MARK REES, CFO:

Mr. Marcoux stated that the budget included \$132,800,000 including enterprise funds. The budget includes revenue projections and the use of free cash. Mr. Marcoux noted that if free cash and the stabilization fund were not used, the budget would be out of balance by \$1,600,000. The theme of the budget is financial and operational accountability. The municipal government side of the budget is decreased while the educational side is increased. It also includes pay step increases and reorganization increases proposed under the Town Manager's Act. No money for negotiating employee bargaining contracts has been included in the budget. Mr. Marcoux would still like to negotiate with each unit in good faith and free cash recertification will take place on June 30th. There is not an inclusion in the budget for snow and ice. Mr. Marcoux continued to explain the main points of the budget and indicated that the process was painful. The consolidation of athletic fields under Parks and Recreation, will not be included in this year's budget. The outweighing decision faced by the Town Manager was the need to put the Town's financial house in order. Sound financial management dictates that the stabilization fund should include 5% of the budget and this is not the case currently. In addition, the health insurance fund should be built up again. The budget was presented in three layers, a maintenance budget, an operational budget and a "wish" list layer. The current budget is \$1.6 million out of balance. Included in the budget is funding for a strategic plan and funding for a needs assessment. A joint effort is needed for the community. The time line for recommendation by the Boards is March 17th in order to present the budget to Town Meeting. Bottom line authority is being requested for all divisions and all divisions have been treated in a fair manner. Mr. Marcoux then presented visuals depicting revenues and expenditures and summary of major components of the budget.

It was pointed out that there is no use of free cash or the stabilization fund to arrive at this budget. Mr. Rees concurred that this budget was the best for the town. Mr. Stefanini asked when the budget was expected to go to print and when revenues would be updated and finally if a deficit budget was proposed for Town Meeting. Mr. Marcoux stated that all the budget processing has been completed and now the Board needs to review the figures and make a recommendation by March 17th. Printing will be scheduled by March 24th with informational meetings planned for Town Meeting members in April. The Board will be required to make policy decisions with regard to the budget. A question of when the revenue update would occur was raised and if there was a balanced budget to be presented to Town Meeting. Mr. Marcoux felt that this was his budget and was not prepared to reduce the figures. He requested policy direction with regard to use of free cash and a balanced budget. Mr. Rees indicated that the revenue figures changed daily. Ms. Tolman asked about the setting of priorities and the direction taken by the Town. Given priorities, some departments might be affected more deeply than others. Mr. Marcoux felt that education and public safety were priorities as well as the level of service provided. Organization and financial stability are implemented. Ms. Tolman questioned who was setting the priorities, the Board of Selectmen and the Finance Committee or the Town Manager. Certification of free cash was also questioned by Ms. Tolman. Ms. Tolman stated that if free cash is certified before Town Meeting, as a matter of trust, there is a strong presentation made that this money will be put in the stabilization fund and Town Meeting would likely not spend the money. Mr. Rees explained his feelings about free cash. Ms. Pendergast felt that priorities would become clear as the budget is studied in depth. Ms. Pendergast also questioned state aid with regard to tuition of state wards and how the figures were reached. Mr. Stefanini stated that the number was sent to the Superintendent and was state certified. A dialogue with the school committee was recommended by Ms. Pendergast and a review of state wards should be undertaken. Mr. Rees took a three year average to determine the figure of state wards. Mr. Rees will research this figures.

Mr. Sisitsky spoke and expressed concern about the presentation of the budget and was disappointed that the budget was unbalanced by \$1.6 million. Mr. Sisitsky felt that major department meetings were not scheduled because the Town Manager was undertaking this process and an option of balancing the budget should have been presented by Town Manager and the CFO. The burden is now on the Finance Committee's shoulders according to Mr. Sisitsky. Mr. Stefanini was also concerned with an unbalanced budget and was confident that a budget presentation to Town Meeting would be more in balance. He also requested that revenues be scrutinized in depth. Last year, a resolution was adopted to deal with a potential deficit and a strategy was presented to Town Meeting. Mr. Stefanini encouraged that a strategy be decided upon. Mr. Rees noted that the School Committee and he met and their figures were fairly close however there was a \$3,000,000 difference. A difference of opinion between Mr. Rees and Mr. Weader regarding the use of free cash explained the discrepancy in the figures. Ms. Tolman also questioned the computer conversions with regard to the schools. The final conversion for the schools has already been paid for. Ms. Tolman also asked about priorities with regard to capital project. No funds are included for any payment of capital projects out of operations. Enterprise funds will be discussed in early March. The Board of Public Works will be putting forth a proposal of use of enterprise funds and abatements. Ms. Mulvey questioned the "estimated" revenues and how firm they were. Ms. Mulvey was also concerned with prioritization of funds. Mr. Rees explained the revenue figures in depth and was comfortable with his figures on local receipts. Ms. Pendergast questioned the position of the Finance Committee and asked if the Town Manager was being asked to place certain groups on the "chopping block," for Town Meeting's dissection. Mr. Sisitsky expressed frustration with the new budget preparation process and the presentation of an unbalanced budget. He also listed ways to balance the budget given to Town Meeting in the past. Revenues should be explained to Town Meeting. Ms. Pendergast asked who would act as the "police" on the part of the school. Mr. Sisitsky felt that moneys existed which were not revealed, but Mr. Stefanini disagreed and felt that the Assessor Mr. Stefanini asked that there be a hearing on the budget to solicit input on the budget.

Mr. Weader of the School Committee spoke about the budget, as a private citizen, and felt that there would be about \$3 million more available than what is showing in the current budget, along with more money available from the enterprise funds. Also, Keefe's budget is fixed and not really subject to negotiation. Various budget anomalies were also discussed. Mr. Stefanini hoped that the School Committee would be involved in the budget process. Mr. Stefanini felt that the projection of revenues should be analyzed. Mr. Bloise asked about moneys promised by the MWRA. Mr. Kahn commented on the issues of priorities and a balanced budget. He felt that programs should be identified to accomplish objectives. Mr. Kahn indicated that last year's budget was also not balanced and this year's budget was similar to that of last year's. Ms. Tolman hoped that program based budgets would have been on line at this point. Mr. Sisitsky asked about the debt service budget for the interest for the construction loans for the Wilson School. Mr. Rees indicated that it would be part of the FY'99 budget. A public hearing was agreed upon for March 17th with the public invited.

Mr. Marcoux mentioned, in his report, that the overlay accounts had not been closed out. He also stated that the abatement process was well done. Mr. Stefanini noted that the abatements were less than half of those last year.

ACTION ITEMS

The approval of the minutes of January 6th was discussed. Mr. Bloise, a constituent, noted that he was present at this meeting and that his comments were missing. Mr. Stefanini stated that the minutes were not verbatim as prescribed by the Attorney General and consensus minutes were regularly taken. Ms. Tolman was not present and abstained from voting. Mr. Stefanini stated that twelve people spoke and were not all mentioned. Mr. Bloise felt that his comment were of a negative nature and therefore, not reported. Ms. Pendergast moved the acceptance of the minutes of January 6th as amended, however Ms. Mulvey did not receive the minutes nor the changes and asked that the changes be pointed out to the Board. The motion was not seconded. Ms. Pendergast noted that the corrections in the minutes were procedural changes and not substantive. Ms. Tolman moved that the discussion of the minutes be tabled until the next meeting. Ms. Mulvey seconded the motion which carried.

The next action item was the second vote on the adoption of the alcohol policy redefined by the Selectmen. Ms. Mulvey moved and Ms. Tolman second the adoption of the alcohol policy. It was so voted.

Action item three was the adoption of the Town Manager evaluation policy. Ms. Tolman moved and Ms. Mulvey seconded the motion to adopt the Town Manager's evaluation policy. It was so voted. It was noted that this was the second vote and the evaluation form was included in the packets. The goals and objectives as well as the time table were not included for review by the Board.

Action item four was the approval of the applicant for the CDBG position. Ms. Tolman moved the recommendation of Sam Swisher to appoint Rey Lemaine to the CDBG position. Ms. Mulvey seconded the motion which carried. It was recommended that the additional applicant be thanked and encouraged to apply for available positions in the future.

The request of the First Parish for the use of Framingham Common on October 13, 1997 was approved by the Board. Ms. Mulvey moved and Ms. Pendergast seconded the request which carried.

The request of the MetroWest Chamber of Commerce for the use of a transportation management shuttle. Mr. Marcoux recommended approval. Ms. Pendergast moved and Ms. Mulvey seconded the motion which carried unanimously.

REVIEW OF CORRESPONDENCE:

The first item of correspondence were two letters received from Boston Edison Company. There was not discussion and the Board chose to note receipt. Mr. Bloise, a constituent, asked what Boston Edison said and received the correspondence. Ms. Mulvey asked what the Board intended to do regarding Mr. Jacobs concerns about the brook system on Sloane Drive. In the past there has been special funding for DPW. Mr. Marcoux referred this letter to Public Works. Ms. Mulvey asked if Boston Edison had responded to Mr. Petrini's request for a \$25 credit to consumers. Mr. Marcoux stated that Boston Edison indirectly refused to credit consumers. A final decision has not been made by Boston Edison. Mr. Bloise asked if a number was available for customers to call when problems arise. Mr. Marcoux stated that numbers were made available to the necessary contacts within the Town.

Correspondence from the Planning Board reaffirmed the meetings of February 4th and February 10th.

Correspondence was read by Ms. Pendergast announcing that 35 students were planning to visit Lomonosov in the Spring. Ms. Pendergast asked that a poster be placed on the bulletin board announcing this event. Ms. Pendergast commended their efforts.

In addition there will be an event held by the Celebration Committee on February 22nd which the public is invited to attend. This will be a country/western night.

A motion to adjourn was entertained by the Board. Ms. Mulvey moved and Ms. Tolman seconded the motion to adjourn. It was so voted.

Kathleen M. Pendergast
KATHLEEN M. PENDERGAST, CLERK