

SELECTMEN'S MEETING
DECEMBER 15, 1997

ATTENDANCE: Kathleen M. Pendergast, Christopher J. Petrini, Joyce A. Tolman, Valerie W. Mulvey, and John M. Kahn.

The meeting was called to order at 7:45 by Ms. Pendergast.

WARRANTS:

#980124	Accounts Payable	\$1,537,183.28
#980224	Miscellaneous	\$339,124.00
#121397	Payroll	\$2,691,698.82

PUBLIC PARTICIPATION: Chuck Gerstein of Precinct 7 rose to speak about the incident at Edgell Cemetery which was quickly resolved by the Police Department. Mr. O'Neil rose to wish all a happy holiday season. Ms. Bannon rose to request that a committee be formed to review the situation with Staples and the concurrent sewer problems. Ms. Mash also rose to support Ms. Bannon's request to formulate a group to investigate Article 8 on the Special Town Meeting warrant. Ms. Pendergast spoke and welcomed the involvement of a few citizens, but would like the Public Works Commissioners involved in the process. Ms. Tolman hoped that a citizen's group be formed as a fact finding committee. Mr. Petrini felt that the committee should have a broader base. Mr. Kahn would like the group to have some definition as to their task and receive a report in January. Mr. Marcoux was asked for his recommendations. He suggested that he become involved to a certain degree. Ms. Bannon hoped for a vote this evening. Ms. Tolman moved that each Board member appoint a Town Meeting member to further study the issue and present a preliminary report. Additional members could be appointed at a later date. Mr. Kahn would prefer to wait to appoint a committee, however the proposers of the suggestion could investigate until the formal committee was appointed. Mr. Petrini agreed and hoped for a report at the January 5, 1998 meeting. Mr. Kahn offered an friendly amendment to Ms. Tolman's motion. He stated that Ms. Bannon and Ms. Mash should proceed with their work independently and come back on January 5th with a report. They should also request the assistance of the Town Manager. Ms. Mulvey seconded the motion which carried. Mr. Franchi rose to discuss the closing of the entrance of Conant Road He was extremely concerned about the neighbors and their ability to access Waverly Street and will canvas the neighborhood for a petition in opposition. Mr. Marcoux indicated that Chief Larrabee will re-look at the intersection to see what could be resolved. Mr. Kahn was concerned that all the neighbors were not content with the arrangement. Mr. Marcoux said that he had clarified the issue with neighbors and they had no problem with Waverly Street. Mr. Marcoux was asked to organize a meeting with Chief Larrabee and Chief Smith to seek resolution.

TAX CLASSIFICATION HEARING: Mr. Flynn, Chief Assessor, William Figler, and Arthur Holmes came before the Board to discuss setting the tax rate. Mr. Flynn was asked to summarize the figures previously presented by his department. If the Board keeps the same shift, the residential tax rate would be \$17.65 and the commercial would be \$31.75. Mr. Sisitsky, a constituent, urged the Selectmen to shift the rate to 150% which would increase the commercial tax rate to .64 per thousand. Mr. Levay, of Precinct 6, made comments as did numerous other members of the audience. Mr. Welte, President of the Chamber of Commerce rose to speak on behalf of the business community. Other speakers who rose to talk about the classification were as follows: Larry Marsh, John Fashjian, Tilio Franchi, Sue Bernstein, John Handrahan, Tom O'Neil, Chuck Gerstein, David Wittemore, Edward Levay, Chris Tosti, Elizabeth Bannon and Paul Brassard. Both pros and cons of the tax situation were discussed in depth. Ms. Tolman stated that Mr. Flynn did make a detailed presentation in November and felt that MetroWest was a magnet for business. Ms. Tolman moved that the tax rate be established at 150%. Ms. Mulvey seconded the motion for purposes of discussion. Mr. Kahn discussed the nature of the policy of taxing business and residential taxpayers at a split rate. He stated that no message of hostility was being sent to business by setting a split tax rate. Small business can be granted tax relief which would be paid for by larger business owners. Mr. Kahn felt that maintaining the split at 147% as it was last year, would increase the business tax rate of 3.7% and the residential tax rate to 2.3%. Mr. Kahn moved that the tax rate be maintained at 147%. Mr. Petrini seconded the motion for purposes of discussion. Mr. Petrini would support the motion to keep the rate at 147%. Ms. Pendergast raised the point that the TIF agreed to with Staples will be scrutinized. She also pointed out that small business was the recipient of extraordinary police and fire services and the Boards efforts to ease traffic problems. Ms. Tolman noted that 72% of the total tax levy was residential. A vote on Ms. Tolman motion was one in favor, four against. The vote on Mr. Kahn's motion was four in favor, one opposed.

Ms. Tolman requested that her vote be changed to reflect unanimity. Mr. Petrini would like to move that there be a committee convened with the Assessor chairing it, to investigate ways to make Framingham more responsive to small business and to report back by February 1, 1998. Ms. Mulvey seconded the motion for purposes of discussion. Ms. Mulvey recommended that the EDIC field the job and the chair of this commission had numerous facts and figures at hand. Mr. Flynn would help coordinate the efforts. Mr. Petrini accepted Ms. Mulvey's recommendation as a friendly amendment. All Selectmen voted in the affirmative.

ACTION ITEM:

Mr. Holmes and Leslee Willitts, representing the Conservation Commission, came before the Board, to request that the Board accept 3.3. acres of land along the Sudbury River. Mr. Kahn raised a question about the outfall area which was explained by Mr. Holmes. Mr. Petrini asked if a 21E had been done and it was explained that there was no activity on that site which would warrant such a study. Mr. Petrini also requested a copy of the Open Space Plan which will be provided. Mr. Petrini moved and Ms. Tolman seconded the motion to accept the land for purposes of conservation. It was so voted.

REPORTS- GOALS AND OBJECTIVES:

Mr. Marcoux explained that a summary of the Board's goals and objectives was developed in early summer. Mr. Kahn hoped that the Board would form committees of one to obtain completion of objectives. Each Board member would take responsibility for one aspect of the Board's goals. Mr. Petrini suggested that some of the organizational issues could be taken up at a future meeting in January. He then suggested that goals be agreed upon for discussion of the Town Manager's review. He recommended that concrete goals for the Town Manager be established which the Town Manager could reasonably accomplish in the next few months and this would give the Board something to work with when evaluating the Town Manager. A special meeting could be held at a later date on issues of more structure. Ms. Pendergast stated that she would work more closely with the Town Manager on each upcoming agenda so meetings will run smoothly. Scheduling problems should be handled in advance. Ms. Pendergast would like to implement one working session monthly and have more meetings of a shorter duration. The Selectmen should establish policy and not micro-manage the Town Manager. Stronger direction should be provided to the Town Manager by the Board. The Board could contact Ms. Pendergast in advance to arrange for scheduling and keep lines of communication open. She would like to be able to assist Mr. Marcoux with the accomplishment of his goals. Mr. Petrini asked the Town Manager if he was comfortable with the short term goals and Mr. Marcoux indicated that he was. Mr. Petrini asked about the submission of a five year capital plan which was outlined by Mr. Marcoux. It was stated by Mr. Marcoux that he would present a plan along with the budget. Mr. Petrini moved for the purposes of discussion, Mr. Kahn's list of goals to be achieved by March 1st, with the addition that the Board will receive a written capital plan to the Board prior to March 1st. Ms. Tolman also asked for a five year operational plan to be submitted to the Board and a program based budget for police, fire and public works and possibly some other departments.. A comprehensive plan was also discussed by Mr. Marcoux. Ms. Tolman seconded the amended motion. The list of goals is as follows:

1. Prepare and deliver a written comprehensive report on the status of implementation of the Manager's Reorganization Plan as approved by Town Meeting, including the Inspectional Services Division. Include in the report any changes recommended by the Manager and a statement of all changes in personnel, personnel duties and responsibilities and a statement of all compensation changes made in connection with implementing the reorganization plan.
2. Prepare and deliver a written comprehensive report describing the roles of the Manager, Selectmen, Advisory Boards and the elected and appointed boards and commissions as they exist under the Town Manager form of government. Include recommendations for changes in those roles, especially in relation to the Town Manager and the Selectmen's responsibilities.
3. Develop a program BASED budget for the Police, Fire and Public Works Departments as the basis for the budget presentation to the 1998 Annual Town Meeting.
4. Describe specific actions taken by the Town Manager since his appointment to make the operation of town government more responsive to the needs of the residents. Include in the report a discussion of the need for or desirability of creating either or both of the positions of Town Ombudsman, Grant Writer, or similar positions.
5. Submit prior to March 1, 1998 a written five (5) year capital plan for consideration by the Board of Selectmen.
6. Develop a five (5) year operational plan based upon the Town Manager's recommendation for a town comprehensive plan.

Mr. Marcoux stated that he planned to submit a five year capital plan for FY'98 and a five year operational plan will also be presented. A strategic comprehensive plan is being investigated and RFQ's will be sent out. Mr. Marcoux pointed out that his evaluation was due February 1, 1998 and all pay increments would be based on that date. Mr. Petrini agreed with that statement in terms of Mr. Marcoux's contract even though the actual evaluation might not be completed until March 1st. Mr. Kahn hoped that Mr. Marcoux's report would reflect his opinions. The evaluation instrument will be submitted the last week in February for evaluation of the manager by March 1st. All Selectmen approved the amended motion. Mr. Petrini requested that a list of the goals be submitted to the Selectmen.

ACTION ITEMS: (CONTINUED)

The minutes of October 6, 1997 were approved as written. All Selectmen voted in the affirmative.

The request of the James McGrath American Legion Post regarding an extension of hours on New Year's Eve was granted. Ms. Mulvey moved and Mr. Petrini seconded the motion which carried.

The request of the Italian American Club to remain open on New Year's Eve was also granted by the Board. Ms. Mulvey moved and Mr. Petrini seconded the request of the petitioner. The motion carried.

The two Stop and Shop supermarkets in Framingham requested to be open for a twenty-four hour period on the two days preceding Christmas. Mr. Petrini moved and Ms. Pendergast seconded the motion to approve the request, pending input from the Police Department. It was so voted.

Mr. Marcoux was asked if there was a report about the Dunkin Donuts. He stated that he did not hear any news from Officer Donnelly. Mr. Marcoux will get a report and present it to the Board.

New Business

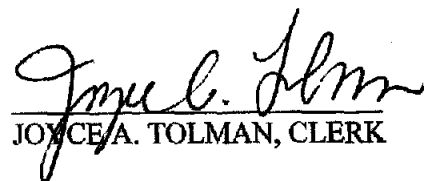
Ms. Pendergast discussed the proposed session which included a weekly meeting and making the fourth Monday of each month a working meeting. Mr. Petrini moved the proposed schedule with the fourth Monday of each month being a working session. Ms. Mulvey questioned the discussion of the Selectmen's goals and objectives which could be reviewed on January 12th. Ms. Mulvey seconded the motion. All voted in favor.

Unfinished Business:

Concerning the reappointment of Philip Robinson for the position of Constable in the Town of Framingham, Mr. Petrini stated that the Board note receipt of his application.

There was no Executive Session.

The meeting was adjourned at 11:15 P.M. Mr. Petrini moved and Ms. Mulvey seconded the motion with all Selectmen voting in the affirmative.


JOYCE A. TOLMAN, CLERK