

FINAL DRAFT



## Natick Finance Committee

Pursuant to Chapter 40, Section 3 of the Town of Natick By-Laws, I attest that the attached copy is the approved copy of the minutes for the following Meeting:

### **Town of Natick Finance Committee**

**Meeting Date: September 2, 2021**

The minutes were approved through the following action:

|              |                      |
|--------------|----------------------|
| Motion:      | Approval, as amended |
| Made by:     | Ms. Wollschlager     |
| Seconded by: | Mr. Gillenwater      |
| Vote:        | 11 – 0 – 2           |
| Date:        | September 21, 2021   |

Respectfully submitted,

Bruce Evans

Secretary

Natick Finance Committee



## **TOWN OF NATICK**

### **Meeting Notice**

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, Sections 18-25

### **Natick Finance Committee**

#### **DAY, DATE AND TIME**

September 2, 2021 at 7:00 PM

#### **PLACE OF MEETING**

Virtual Meeting accessed via Zoom:  
<https://us02web.zoom.us/j/83449923540>

Meeting ID: 834 4992 3540  
Passcode: 220129  
One tap mobile  
+13017158592,,83449923540# US (Washington DC)  
Dial by your location  
+1 929 205 6099 US (New York)

#### **MEETING AGENDA**

Notice to the Public: 1) Finance Committee meetings may be broadcast/recorded by Natick Pegasus. 2) The meeting is an open public meeting and interested parties can attend the meeting. 3) Those seeking to make public comments (for topics not on the agenda or for specific agenda items) are requested to submit their comments in advance, by 2:00 PM on the day of the meeting, to [fincom@natickma.org](mailto:fincom@natickma.org). Comments will be posted on NovusAgenda and read aloud for the proper agenda item. Please keep comments to 350-400 words. 4) The Chat function on Zoom Conferencing will be disabled.

1. Call to Order
  - a. Pledge of Allegiance & Moment of Silence
  - b. Advisement of Pegasus Live Broadcast and Recording for On-Demand Viewing
  - c. Review of Meeting Agenda and Ordering of Items
2. Announcements
3. Public Comments
  - a. [Committee policy & procedures available via this link and also at the meeting location](#)
4. Meeting Minutes
  - a. Review & Approve Meeting Minutes for April 1, 2021 and April 20, 2021
5. New Business
  - a. Guide For Citizen Petitions and Warrant Articles
6. 2021 Fall Annual Town Meeting Warrant Articles - Public Hearing
  - a. Article 34: Amend Home Rule Charter, Article 3
  - b. Article 4: Unpaid Bills
  - c. Article 9: Acceptance of M.G.L. Chapter 200A, Section 9A: Disposition of Abandoned Funds
  - d. Article 10: Create a Natick Town Bylaw to provide for Tax Payment Agreements pursuant to M.G.L c.60 section 62A
  - e. Article 15: Establish and Authorize Revolving Fund for Community Gardens
  - f. Article 16: Amend Bylaws: Personnel Bylaw Amendments
  - g. Committee Discussion on Article 14: Amend By-Laws: Dates of Spring Annual Town Meeting & Submission of Fiscal Documents
7. Committee and Subcommittee Scheduling
  - a. Update on upcoming Committee and Subcommittee meetings
8. Committee Discussion for items not on agenda
9. Adjourn

**MEMBERS PRESENT:**

Hossam Behery, Member  
Dirk Coburn, Member  
Bruce Evans, Secretary  
Bill Grome, Member  
Todd Gillenwater, Vice-Chairman  
Kat Monahan, Member  
Richard Pope, Member  
Linda Wollschlager, Chairperson

**MEMBERS ABSENT:**

Cathy Coughlin, Member  
David Coffey, Member  
Jeff DeLuca, Member  
Julien LaFleur, Member  
Chris Resmini, Member  
Phil Rooney, Member

### Town Administration

Mr. John Townsend, Deputy Town Administrator, Finance  
Mr. James Errickson, Town Administrator  
Ms. Diane Packer, Town Clerk  
Ms. Juiling de los Reyes, Ass't Director, Finance  
Mr. Abdul Rauf, Finance Dept.  
Ms. Susan Ramsey, Director of Senior Center & Community Services  
Dr. Peter Gray, Director of Finance, Natick Public Schools

Call to Order: Meeting called to order at 7:26 p.m. by Linda Wollschlager, Chairperson.

### Announcements –

Ms. Wollschlager announced that Mr. Jerry Pierce had resigned from the Finance Committee. Ms. Wollschlager thanked Mr. Pierce for his contributions to the community especially on behalf of the senior citizens. She added that if anyone knows someone who is interested in joining the Committee to contact the Moderator.

### Public Comments: None

Mr. Evans moved to open the public hearing on the Fall 2021 Annual Town Meeting Warrant Article review, seconded by Mr. Gillenwater, voted 8 – 0 – 0.

### Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

### Article 34: Amend Home Rule Charter, Article 3

Presenter: Ms. Packer, Town Clerk

Ms. Packer said that approximately three years ago, the Mass. Legislature changed the laws regarding the composition of local housing authorities and this article brings the town bylaws into compliance. (Link here: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter121B/Section5>). The law stipulates that the process whereby tenants would elect members to the Housing Authority. The town will work with the Housing Authority to implement the law. At this point, there is a member on the Housing Authority, who is a tenant who was elected at-large. Ms. Packer said this motion has been reviewed and approved by Town Counsel.

### Questions from the Committee

Mr. Coburn asked for more detail on what regulations have been promulgated. Ms. Packer noted that, although these regulations have been written, they are not final. Town Housing Authorities can ask for a one-year waiver to not do this right away. In Natick, there's already a tenant who is a member of the Housing Authority. A member of the tenants group will be appointed by either by the Housing Authority

or the Select Board or some combination thereof. They are still discussing this and have been discussing it since before the pandemic. Ms. Packer noted that she will work with the Housing Authority Director and its elected members to determine how they want to move forward.

Mr. Coburn asked what would happen in the case of a member resignation from the Housing Authority. Ms. Packer said the Legislature took the “election” piece out of the regulations because it did not seem feasible. As the town runs elections for the whole community, we cannot guarantee that a member who is a tenant would win. Town Counsel stated that the Legislature is still trying to wade through these regulations. In short, this changes the number of elected people that the town as a whole elects from four to three because one person is appointed by either the Governor or the Department of Housing and Urban Development and another is a member who is a tenant in Housing Authority properties. That's the fifth person and then the other members are elected.

*Mr. Evans moved to recommend Favorable Action on Article 34 and to request that the Moderator put it on the consent agenda, seconded by Mr. Gillenwater, voted 8 – 0 – 0.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

Debate:

Mr. Evans thanked Ms. Packer for the thorough answer noted that it makes sense to tie this to the revised state law language.

Mr. Gillenwater said this is a good step to ensure that the town has balanced representation on the Housing Authority.

Ms. Wollschlager thanked Ms. Packer for the summary and will include that in the Recommendation book to head off questions that Town Meeting may have, so they will not want to take this off the consent agenda. As this article has no financial impact, it should remain on the consent agenda.

Article 4: Unpaid Bills

Mr. Townsend said that there were no unpaid bills carried over from the previous fiscal year and requested a “No Action” recommendation from the Committee.

Mr. Evans moved to recommend No Action on Article 4 and to request that the Moderator put it on the consent agenda, seconded by Mr. Gillenwater, voted 8 – 0 – 0.

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

Article 9: Acceptance of M.G.L. Chapter 200A, Section 9A: Disposition of Abandoned Funds

Mr. Townsend said many of us are familiar with the ads from the Mass. State Treasurer stating that a person may be entitled to abandoned funds and can claim them. Chapter 220A § 9A allows municipalities to keep any abandoned funds that it has discovered. These abandoned funds are mostly checks that have never been cashed by vendors for whatever reason. Section 9A specifies that, following a notice period,

the town gets to keep the money. Mr. Townsend said that he wasn't sure why the town has never accepted this statute since it was passed in 2010. Mr. Townsend said he researched Town Reports since 2010 and found no Town Meeting action to accept the statute. We recommend that Town Meeting accept this at this time.

### Questions from the Committee

Mr. Coburn asked whether there are limitations on the type of payments or monetary amount. Mr. Townsend said that previously, one of the largest amounts of abandoned funds was payroll checks, because some employees just don't like to cash those. However, since the town switched over to direct deposit, that really isn't an issue anymore. Most of these are payments to vendors or refunds to individuals who are owed money back from the town. Mr. Townsend said there is a fairly extensive notice process whereby the Town Clerk sends a notice to the last known address of the person or vendor and they have one year after receipts of that notice to make a claim. After that year expires, the town can categorize them as abandoned funds and claim them.

Mr. Evans noted that that when we present this Article, we should define what “*escheat*” means.

Mr. Gillenwater noted that the amount is approximately \$250,000 and asked for a ballpark idea of what this has been running annually, since this number seems high for one year. Mr. Townsend said he believes the \$250,000 covers a three year period.

Ms. Wollschlager noted that the state makes a big deal of unclaimed money and has a website where people can check to see if they are owed money in the event that something has changed with their circumstances or they have moved. Mr. Townsend said any amount of money over \$100 has to be posted. However, the statute uses the boilerplate language of “notice in a newspaper of general circulation”, but we do post the entire list of everything that we're processing and if someone thought the town might owe them money, they would be able to find out if their name was on there.

Mr. Coburn asked for clarification for the state vs. local escheatment program. In the state escheatment program, if you're owed money, and it's on their list, you can claim it years later and they'll research it and determine if you are owed payment. It sounds like that not the case with the local escheatment program as described. Mr. Townsend noted that, by accepting this statute, the least amount of notice that needs to be given is one year from that notice. The town could opt to lengthen that period.

*Mr. Gillenwater moved to recommend Favorable Action on Article 9, seconded by Mr. Grome, voted 8 – 0 – 0.*

### Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

### Debate

Mr. Gillenwater said the article seems fairly straightforward and is well explained and we can do a good write-up in the book. But, he thought that there may be enough questions that it's not a consent agenda.

Mr. Coburn said he will support this but said it seems to be one of those not infrequent cases where something that works given how our statutes are constructed that leaves him philosophically unsettled. On the one hand, this, this is a benefit to the town both in terms of simplifying things administratively, and as a small business person, he knows what statutes and regulations and mandates do. On the other hand, we're participating in a double standard where people who, in good faith, do business with the town have less right to their money then when they do business with other parties, such as the state. If something

goes awry, they've got remedy in perpetuity with the state, but are limited with the town bylaw, and that bothers him, but looks forward to hearing what Town Meeting decides that it's comfortable doing.

Ms. Wollschlager agreed with Mr. Coburn, noting that she is uncomfortable that there isn't a remedy for businesses in particular that, for some reason, may have overlooked a payment from the town, which was why I asked about where people can find the information. That said, she noted that Mr. Townsend said this really isn't affecting individual town employees that much since we've gone to direct deposit. Given that it's mostly vendors who probably should have a better handle on their accounts receivable. I feel like with the notice of one year is adequate.

Article 10: Create a Natick Town Bylaw to provide for Tax Payment Agreements pursuant to M.G.L. c.60 section 62A

[Link to M.G.L. c.60 section 62A](#)

Here is the text of the law: *"Municipalities may by bylaw or ordinance authorize payment agreements between the treasurer and persons entitled to redeem parcels in tax title. Such agreements shall be for a maximum term of no more than 5 years or such lesser period as the ordinance or bylaw may specify and may waive not more than 50 per cent of the interest that has accrued on the amount of the tax title account, subject to such lower limit as the ordinance or bylaw may specify. An ordinance or bylaw under this section shall provide for such agreements and waivers uniformly for classes of tax titles defined in the ordinance or bylaw.*

*Any such agreement must require a minimum payment at the inception of the agreement of 25 per cent of the amount needed to redeem the parcel. During the term of the agreement the treasurer may not bring an action to foreclose the tax title unless payments are not made in accordance with the schedule set out in the agreement or timely payments are not made on other amounts due to the municipality that are a lien on the same parcel."*

Mr. Errickson said that he has not heard back from Town Counsel on her review of this article and suggested that he provide a quick overview to inform the Committee of the intent of the article. Mr. Townsend said acceptance of MGL c. 60 § 62A which is payment agreements for people who are in tax title. This Article requires the actual creation of a bylaw (not acceptance of a state bylaw) and that's why we need to hear the edits Town Counsel has. Mr. Townsend noted that there are several reasons people go into tax title, the most obvious is non-payment of real estate taxes, and then we can go into court and proceed against their property to foreclose on it. Another type of tax title is utility bills. If you do not pay your water bill, then your property is put into tax title and a lien actually is attached to your property. If necessary, the town can foreclose on your property to pay the outstanding utility bills. This Article would enable the town Treasurer to enter into payment plans with someone who is going into tax title. This person has the right to redeem their property (remove it from tax title status) by paying the outstanding bills (and interest). Thus, it doesn't apply to someone like a bank that would hold a mortgage on a property, but with the actual owner being able to reach an agreement with the town on an installment plan to pay the outstanding balance in tax title. Mr. Townsend said one reason they're doing this is that, during COVID, they had a lot of questions from people wanting to work with the town to develop payment plans with regards to their taxes. Unfortunately, the Treasurer doesn't have a lot of flexibility to do this. This bylaw would allow the Treasurer not only to enter into a payment plan for the actual payment of taxes, but also to waive a certain amount of interest as well, which is very beneficial to people who are in tax title. Some of the provisions are a maximum of five years, with at least 25% as a down payment. The language in the bylaw



closely tracks the language in the statute and will provide another tool in the Treasurer's toolkit to help people who are in arrears on their taxes or utility bills. Further, this is a good time to pass this because in November, the town will update its tax title software and they will be trying to clean up a lot of the old cases. A lot of the tax title cases date back quite some time with a couple that go back to the 1960s. Many of these cases are small pieces of property where the town no longer has the ability to find out who owns them, and will cost more for to do a title search than the property is worth, so the town will work with its attorneys to clean up these cases before we put them into our new system.

#### Questions from the Committee

Mr. Evans asked what the town is seeing in terms of tax collection given the COVID economic environment we're in right now. Mr. Townsend said, generally speaking, our collection rates remain in the high 90s. The town hasn't seen a lot of the defaults on real estate property that one might expect. He said that their sense is the people who are having problems paying taxes can turn around and sell their property really easily in the local real estate market. It remains to be seen what the effect is on the commercial side of things since those particular cases are starting to move through the process. Hopefully, the economy has started to rebound and the town hasn't seen a lot of defaults on those that side of things, but it's something that's being tracked closely. Mr. Pope asked if passage of this Article would result in positive, negative or neutral revenue. Mr. Townsend said it will likely be revenue-neutral, noting that the town still has the ability to foreclose if payment is not completed.

#### Article 15: Establish and Authorize Revolving Fund for Community Gardens

##### **Presenters:**

Ms. Susan Ramsey, Director, Community Services

Ms. Jillian Wilson-Martin, Sustainability Director

Ms. Ramsey noted that Natick has a robust community gardens program with an additional number of community garden beds coming online next fiscal year and stated that they want to be building a model that will provide sustainability for the program. Ms. Ramsey said the best approach is to establish a revolving fund account to ensure that the fees collected from renting the garden beds at the locations (three current locations, plus a fourth location next fiscal year) would provide the revenue needed to help sustain some of the general maintenance for the garden beds as well as the salary of a seasonal, part-time Community Garden Coordinator. This revolving fund would be like other revolving funds established in the town and the other funds that currently exist in the Community Services Division through the Council on Aging.

Ms. Wilson-Martin noted that the motion was developed by Town Counsel and adds to the existing part bylaw on revolving funds and inserts this into the list of the revolving funds. It is a lengthy motion, because it includes the full bylaw. As noted in the questionnaire, this is not seeking to create a Community Garden Coordinator position - that position already exists and is supported by a grant right now and they would like to continue having that position and fund it in a sustainable way through the garden plot fees.

Mr. Errickson requested that the Committee correct a scrivener's error from Town Counsel where the top of the motion notes "*Section 41*"; it should be "*Article 41*"

*Mr. Evans moved to recommend Favorable Action on Article 15, seconded by Mr. Grome, voted 8 – 0 – 0.*

### Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

### Debate

Mr. Evans noted that the community garden program is a great program and it makes sense to establish a revolving fund to collect the plot fees to fund the maintenance and/or management of the community gardens.

Ms. Wollschlager thanked the proponents for the thorough response to the Finance Committee questionnaire. Ms. Wollschlager also said she wanted to make it clear that it doesn't mean that this will fully subsidize the Community Garden Coordinator position. Ms. Wollschlager noted that the way the Committee can suggest that the Moderator put items on the Consent Agenda and the Moderator makes the decision on whether to do so.

### Article 16: Amend Bylaws: Personnel Bylaw Amendments

Mr. James Errickson, Town Administrator

Article 16, has two components, Motion A and Motion B. Both deal with amendments to the personnel section of the town's bylaws, which is article 24.

Motion A deals specifically with the holiday section, which is section 7.1 of Article 24 and adds the Juneteenth holiday which was formally accepted or adopted as a state and federal holiday this past year. We observed this holiday this past year and this is formally putting it into our personnel bylaw. In addition, we want to add "Indigenous Peoples Day"

Motion B reflects a policy level administration decision regarding how vacation time for non-union employees is accrued and managed, given how our fiscal year (July 1 through June 30). Each year, we get many non-union employees wanting to carry over several weeks of vacation so that they can use it that following summer. Typically, at the end of the fiscal year, the way the bylaw is currently written, you would have to use the vacation, and then there would be a request for a carryover to the town administration or town administrator. Motion B changes how we handle vacation time.

- Vacations shall be calculated based upon the fiscal year of the Town and provided at the start of the fiscal year for immediate use.
- Vacations shall be based upon the length of service as of the anniversary date of employment of each employee, as defined in a table included in Motion B.
- Vacation for a new employee is pro-rated based on the number of full months worked in his/her first fiscal year of employment, provided however that vacation shall not be taken until after the probation period (6 months).
- The objective is to reduce the amount of people seeking to carry over vacation time from one year to the next. If a non-union employee were to start part-way during the year, the accrual rates would still be in place. Or, if an employee were to leave part-way through the year, each would have access to their entire allotment of the yearly vacation and they

would either be paid out for unused time or would have to pay back the time that they did use in their final paycheck.

- Motion B allows us much more streamlined administration of vacation time from one fiscal year to the next there's several edits that need to be made to accommodate this. And at the same time that we were proposing to do some of the edits specific to the management of vacation time. Town Counsel recommended that we also change the terms for increased clarity.
- In Section 7.2.2, we added the accrual rates for clarity – these rates did not actually change, it just provides the number of hours per month that is equivalent to the number of vacation weeks.
- In Section 7.2.6, the present language is quite open-ended in any nonunion employee can seek to carry over vacation from one year to the next. Mr. Errickson said they are trying to tighten up that language a little bit so that only one week of vacation time can be carried over. He said that the town is trying to encourage people to use their earned vacation time. Being able to give people access to vacation at the beginning of the fiscal year, means they can better plan their vacation usage for the year. At the end of the fiscal year, we hope that they won't have much vacation time to carry over. There are some special circumstances whereby maybe we're understaffed during a certain part of the year, so folks are asked to put in more time, but this still puts a limit on the amount of vacation time that can be carried over. Another benefit of this is that it limits the ability for a significant amount of vacation time to be saved up by any one individual, which can become a financial liability for the town.

#### Questions from the Committee

- Ms Monahan asked whether we need to keep Columbus Day in addition to Indigenous Peoples Day. Mr. Errickson said the town is following the state law and they still term it Columbus Day as well.
- Ms. Monahan noted that as a payroll and HR person these changes are great and preventing the huge vacation payout liability issues is a positive step. However she asked what the sick time policy is for the town. For example, suppose a nonunion employee runs out of sick time and seeks to use vacation time for medical leave - would this policy negatively impact an employee in that situation? Mr. Errickson said that every situation is going to be unique to the individual and the individual situation. Sick time is a separate set of time for employees to use and is accrued on a different basis (he believes one day per month over the course of the year and you can carry that sick leave over year-to-year it maxes out at a certain point. Our experience shows that people are able to save up enough sick time that if there is a chronic illness or some type of challenging illness that they have, they can certainly tap their vacation time or use short-term or long-term disability benefits. It's hard to say exactly if this is going to be a negative impact - not many people carry over large amounts of vacation days. Typically people carry over 2-3 weeks from one fiscal year to the next with the intent of using those weeks during the following summer. There are a handful of employees that have larger balances, but the town is working with employees to use their vacation time.

- Mr. Pope asked, regarding section 7.2.5, does the Director of Human Resources and the Town Administrator have to approve every employee or is this saying this is a universal policy. Mr. Errickson said the typical practice would be that an individual fills out a form seeking approval from the Town Administrator to carry over vacation. Through the years, Town Administrators have, in some cases, provided a sort of a blanket approval for anybody seeking to carry over up to a certain amount of time, such as 80 hours or two weeks. In this case, it'd be at the discretion of the Town Administrator. Since there is a cap of up to one week, it would likely be as simple as just to allow that for to be an automatic carryover and limit the amount of additional paperwork that would need to go through town administration and the HR department. Without the limit, my recommendation as Town Administrator would be to require some type of form to be filled out. Mr. Pope commented that he agreed with this approach.
- Mr. Coburn stated, in Section 7.2.6, he thought there was a discrepancy between the way this was described in the overview and, and Section 7.2.6 regarding employees who are terminated during the year. The way it was explained was that if an employee had used accrued vacation, those vacation days would be deducted from their final paycheck, but there's nothing in 7.2.6 that enables that. He asked for verification that this was true and whether we should put in language that reflects that. Mr. Errickson said he said he had written version that had clarifying language in it and Town Counsel recommended that it be removed and the term "consistent with the requirements of Mass General Laws" be used instead. Mr. Errickson said that he had language whereby it clarified if an employee had overdrawn their time, how that would be paid back. Mr. Errickson said that his understanding is MGL provides a mechanism for that to occur and Town Counsel suggested that he research that and will follow up with the Committee.
- Mr. Coburn noted that while it is a good idea to stay consistent with MGL and it's important that the levels of government play nicely with each other and if MGL changes, the town doesn't need to change its bylaws to be consistent with that change. Mr. Errickson said, in some respects, we're saving ourselves from having to amend our bylaws later if the laws change and will seek clarification from counsel on that exact point.
- Mr. Evans noted that Mr. Errickson said there are some non-union employees who have carried over vacation time in excess of one week and asked whether there a timeframe in which those employees must reduce to only carrying over one week. Mr. Errickson said, in April 2021, the Interim Town Administrator drafted this policy in a memo to staff noting that, pending Town Meeting approval this fall, the policy would be effective at the beginning of next fiscal year and the recommendation would be for staff to get there vacation time aligned with the proposed policy. Again, this is for non-union personnel. Union personnel such as Police, Fire, DPW workers, etc. have stipulations in their collective bargaining agreements that specify vacation time policy, ranging from zero carryover time to two weeks. The notification went out to non-union personnel in April and we have seen these employees start to use their vacation time.
- Ms. Wollschlager asked whether the intent was to get this to be the standard for union contracts as well. Mr. Errickson said that most, if not all of our union contracts have

limits on the amount of carryover time already in them, so this change helps the town get the nonunion employees consistency with the union employees. However, there are trade-offs in contract negotiations and that may not be possible

- Ms. Wollschlager asked if Mr. Errickson could provide a rough estimate of how many people have more than one week of vacation time that they typically carry over at this time. Mr. Errickson said that, under the current policy, because of the fiscal year and the desire of many employees (including myself) to carry over time to be used in the summer months of the new year, my guesstimate would be that a majority of nonunion employees carry over more than one week, typically two weeks. Generally, employees take 1-2 weeks off over the summer. At summer, the number of people in excess of that initial carryover decreases to maybe a half dozen to a dozen employees.
- If this bylaw passes, Ms. Wollschlager asked whether Mr. Errickson anticipated any problems with employee coverage where a non-union employee would take a significant period of time off to not lose any vacation time. Mr. Errickson said the intent with their memo was to provide a year plus advance notice to ensure that department heads could work with any employee who did have significant balances to try to take time off accordingly over the course of the next 18 months. I'm confident we'll be able to encourage most, if not all employees to use their time to be compliant with this bylaw.

*Mr. Evans moved to recommend Favorable Action on Article 16 Motion A, seconded by Mr. Gillenwater; voted 8 – 0 – 0.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

Debate:

Mr. Evans noted that this synced with state and national guidelines.

*Mr. Evans moved to recommend Favorable Action on Article 16 Motion B, seconded by Mr. Gillenwater; MOTION WITHDRAWN (see information below).*

*Mr. Pope moved to recommend Favorable Action on Article 16 Motion B, seconded by Mr. Behery, with the change that the maximum number of weeks carried over, as specified in section 7.2.5, be changed to two weeks, voted 7 – 1 – 0 (MOTION DID NOT CARRY).*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = no  | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

#### Debate – Two week option

Ms. Wollschlager stated that the committee would hear debate on the “two-week” option first.

Mr. Pope said that the two weeks limit gives employees extra flexibility while encouraging uniformity among non-union employees to use their vacation time. This would allow the Town Administrator to set one week as a policy, but have two weeks as an exception where needed at the Town Administrator’s discretion.

Mr. Behery said that the one week limit is too restrictive especially when you have been working for the town for 11+ years and believes the two week limit makes more sense.

Mr. Evans noted that he is coming around that the position of having two weeks available for the reasons that have been mentioned during debate and agreed that there is nothing to preclude the Town Administrator from establishing a policy of one week, with an absolute maximum of two weeks.

Mr. Coburn said he is not unsympathetic to what’s being discussed here, but views his role is that of a “Board of Directors” for the town management team and that team has not ask for additional flexibility in providing more flexibility may limit their ability to set boundaries. He said he is reluctant to loosen things and note that it can be reconciled administratively and cannot support the amendment.

Ms. Wollschlager noted that even the one week carryover is not guaranteed because it says “upon approval” so town administration might not approve any vacation carryover. She said that she understands that this is not the intent, but this is what the language says. Changing to two weeks doesn’t necessarily guarantee that the employee can take two weeks – the Town Administrator can refuse to allow the employee to take two weeks. As a result, she is in favor of the amended motion because it doesn’t force any change over the original motion.

#### Debate – One week option

Mr. Evans said that, on the one hand, he would like the finance committee to have a recommendation for town meeting that we could potentially reconsider. Or we could simply say that we insist on the two weeks that did not meet the threshold for approval, but we could reconsider it prior to town meeting. My inclination is to vote against the one week option because it forces us to reconsider the effect of the two week option, so he said he was going to vote against his own motion.

Mr. Gillenwater said that he was of similar mind pending input from Mr. Errickson and asked if he could comment at this time.

Ms. Wollschlager said that normally she would not permit this. However, it is clear at this point that the committee will not have a recommendation for town meeting and was hopeful that Mr. Errickson could provide clarification.

Mr. Errickson said that the intent of motion B is to reduce the amount of carryover vacation time to encourage staff to take vacation time. He noted that, from his perspective, there is no difference between the one or two week limit in the flexibility to set the policy internally is implied regardless of whether it is one or two weeks because it requires the approval of the Town Administrator. The current language of the bylaw is much too open-ended because it allowed any amount of vacation time to be carried over, but is comfortable with the amendment specifying two weeks.

*Mr. Evans moved to reconsider Article 16 Motion B, seconded by Mr. Pope, with the change that the maximum number of weeks carried over, as specified in section 7.2.5, be changed to two weeks, voted 8 – 0 – 0.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

Debate

Mr. Evans said that Mr. Errickson's comments that it is up to the town administrator's discretion whether to allow more than one week of vacation carryover and that reflects the intent of the two week option. Mr. Coburn said that he doesn't like "micro – crafting" language in the finance committee meetings, but is sympathetic to the position advocating for the two week option. He noted that he would've preferred to hear the comments from the Personnel Department, but the Town Administrator's comfort with managing this process eases his concerns.

*Mr. Pope moved to recommend Favorable Action on Article 16 Motion B, seconded by Mr. Evans, with the change that the maximum number of weeks carried over, as specified in section 7.2.5, be changed to two weeks, voted 8 – 0 – 0.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

Debate: None

Minutes

*Ms. Wollschlager moved to approve the April 1, 2021 minutes, as amended, seconded by Mr. Gillenwater.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

*Mr. Gillenwater moved to approve the April 20, 2021 minutes, as amended, seconded by Mr. Grome.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

Article 14

Ms. Wollschlager stated that Article 14 seeks to change the dates of Spring Annual Town Meeting and the dates by which the Town Administrator's budget will be ready. This came up during the Finance Committee's retreat. Mr. Grome (among others) noted that it was very frustrating for some of our subcommittees to take votes on the budgets when they are very likely to change. Perhaps, the objective might be to postpone the budget until a later time when some of the numbers are more understood and the state budget would be done. And hopefully, we can review a budget that is closer to what we finally end up with it at Spring Annual Town Meeting.

Mr. Errickson said that the Finance team from the town side and Dr. Gray, Business Manager, NPS is here. Mr. Errickson said that town administration and school administration has been challenged to produce an accurate and balanced budget by January 1 each year and is seeking the Finance Committee's thoughts on how they might improve the efficiency of this budget process. The budgeting process for the next fiscal year starts several months before January 1. This means that, on the town side will, it's really challenging to understand what we're going to need nine months later when we're only a 25% through the fiscal year. On the school side, it's even more challenging since the schools have only been open for a month before they begin work on the next fiscal year's budget. We brainstormed about what we can to make it better for the Finance Committee, town staff, and school staff, to produce the most accurate budget that we can and Article 14 is the result of these discussions. Mr. Errickson is supporting it so it can be discussed at Fall Annual Town Meeting. He has spoken with the Select Board, Town Moderator and Town Clerk and reached out to impacted parties. This change would not only affect when the Finance Committee would receive the budget, but also shifts the start date of Spring Annual Town Meeting.

The budget revenue and expense picture crystallizes in the months after the start of the year, with many numbers becoming known during February. For example, the town typically gets our medical insurance rates for the following year, two to three weeks into February. On the school side, they get a better picture of their entitlement grants, Chapter 70 funding, and Circuit Breaker funding around that same timeframe. The final School Committee vote occurs in early March. These are major components of our budget. Around this time, we also get a clearer picture of the expense and revenue side, as well as the state budget. If we could shift the budget due date to March 1, we will likely have a budget that is very close to final. We understand this may present scheduling challenges for Spring Annual Town Meeting.

The bylaw is written so that Spring Annual Town Meeting occurs two weeks following the local election at the end of March, which typically means it's the second Tuesday in April. If it is shifted to be four weeks after the election, that would mean the last Tuesday in April. So while we understand there will be less time for budget review, we believe that we will be able to



produce a more accurate budget by March 1 that will reduce the iterations of reviews. By March 1, we would have a more accurate budget to review with Finance Committee; concurrently shifting Spring Annual Town Meeting out would allow additional time to review the budget. The Town Clerk noted that an added benefit of shifting the start to four weeks following the election is that it gives her more time to process and contact new Town Meeting members.

#### Questions from the Committee

Ms. Wollschlager asked the Committee for their initial thoughts; if other thoughts come afterwards, email them and she'll compile them and get them to Mr. Errickson.

Mr. Coburn stated that he applauds this whole discussion in that these are important matters and thinking creatively to address them. From long experience, I know that the school department, a large and important department in town, and I believe others in town have benefited in recruitment from the fact that Spring Annual Town Meeting is completed somewhat earlier than a lot of surrounding towns that has allowed the school department to make resources go farther, get good talent committed or on board before surrounding towns have been able to post jobs. He would like to see if there are ways in which town meeting can start later, but will there's a "budget: Town Meeting and an "everything else" Town Meeting so we can adjourn the budget Town Meeting promptly and still have some of that recruiting advantage will.

Mr. Evans noted that it has been frustrating for both Town Administration and the Finance Committee to deal with moving budget targets. However, the subcommittee process often raises issues that are brought to the attention of town or school administration that may have been overlooked and are reflected in the final budget, and the subcommittee process starts earlier for that purpose. As stated earlier by the Town Administrator, many moving parts aren't available until late February or early March. The two week move, although it compresses our timeframe to turn the budget around, also gives us the opportunity to ask questions ahead of time, and then finalize them in the proposed final budget. Right now, we have a vote on a preliminary vote that gets revised during the weeks leading up to Town Meeting. The other factor is that there's a lot of cooperation between the town administration and the school department to get on the same page sooner rather than later that should shorten the time. There are a number of key items that will not be finalized until mid- to late-February. However, we will have a vague idea through our legislative representatives what the state budget will look like for the coming year. As stated, the big moving parts are health insurance, the school budget in terms of the manpower required for teaching and everything that goes into that. So what I'd like to see is a "pro forma budget" that lays out the broad brush strokes of the budget so that the Finance Committee can have confidence in the direction that Town Administration and School administration are headed. We don't expect to be able to vote on this nor should we pretend to do so. However, as we get final information, we refine the pro forma statement and develop a final budget that we can vote on. Mr. Evans said we can't just wait until March to start evaluating the budget; we must start moving well in advance of March, and then be able to finalize the budget and vote on it.

Mr. Grome thanked town and school administration, for recognizing that there was a problem and being willing to work together to come up with a solution which we all can live with. Mr. Grome noted that the logistics of how this gets implemented will be a future discussion. I'm grateful that all responsible parties are willing to sit down together and recognize and work out a solution

Dr. Gray noted that, listening to Mr. Evans and Mr. Coburn's comments, he wanted to make some observations. Regarding hiring, at present we post positions with a caveat saying that these positions are subject to Town Meeting approval. Nonetheless, we have had that advantage as Mr. Coburn pointed out of having some advanced hiring practices, but I don't think two weeks would be a deterrent as we move forward if that gave us more time to construct a more comprehensive budget. Regarding Mr. Evans comments, I also agree that there's value in having subcommittee meetings to move towards finalized budget. Much of that information is discussed in depth with the School Committee which examines the rationale for curriculum changes, staffing changes and requests and other things. Those all discussions can be contingent on a final presentation of the budget with knowing that the subcommittee has delved into that and know where school administration is proposing to move forward. Dr, Gray noted that this is his sixth budget for NPS and each year we come out with our January projections and start out millions of dollars apart. By late February / early March, our numbers are more in focus and we get down to the final budget numbers a few weeks before Town Meeting This proposed change would be advantageous as well to help the general public to understand how both the town and the schools come up with their final budget.

Mr. Pope said he's broadly supportive of this effort noted that much of the work that we do on the Education subcommittee is talk about the principles of what the school administration is trying to do. Having those discussions as an early part of the subcommittee process is useful so that we can when the solid numbers come out, we can focus on a fully formed budget rather than re-assessing new numbers every week.

Mr. Errickson posited that it sounded like there's a clear willingness to entertain a well-crafted motion or motions that would advance this conversation in a meaningful way to Town Meeting, but also noticed hesitation from the Finance Committee on its ability to get through all of the review that is necessary for the budget review process. Mr. Errickson wondered if it may be possible to have a preliminary submission, maybe February 1, with a final submission at some point in early March. Mr. Errickson said he needs to sit down with Dr. Gray and Mr. Townsend to figure out what can actually be done from a logistical standpoint. I would also like to discuss whether moving the start of the Finance Committee review process might move out to February 1 if we are shifting the budget to March 1, etc.

Ms. Wollschlager wanted to point out a couple of considerations for Town Meeting

- Even though we're starting two weeks later, we're only losing one week because we typically take week off for school vacation, so Town Meeting would start after school vacation week.
- Town Meeting has been starting a little earlier than it has historically, which I (and others) prefer, but the Town Meeting sets the start time.

Concerned that we cannot have what are presently getting on March 1 what we see on January, which is a multi-million dollar disconnect between the schools and town administration. Ms. Wollschlager said she understands that the School Committee doesn't typically vote on the budget until the first week in March. She said that given the large portion of the budget that the school budget includes, the Finance Committee needs enough time to thoroughly review it. She said that the Finance Committee is trying hard not to meet during Town Meeting, if at all possible. The more that we have to meet during town meeting, the less information is available in

advance to town meeting and that doesn't serve anyone well. Ms. Wollschlager implored town and school administration to try to get consensus on the budget earlier, understanding that you're never always going to agree and sometimes Town meeting will need to make the final decision if there are discrepancies but I'd like to see the process be supportive of getting the budgets closer together in an agreement.

#### Subcommittee Updates

Mr. Evans reported that he is working with Cathi Collins, the School Committee liaison to the Finance Committee and Dr. Nolin to set up an Education and Learning Subcommittee meeting to discuss their identified needs, funding resources, and identification of any shortfalls. There are a number of state and federal resources and grants that need to be identified. Many of these grants are for very specific purposes and cannot be used for other items, such as summer grants, summer, FEMA, etc. We want to be able to lay all these out and be able to inform Town Meeting about these and to better understand the net cost to the town. Another aspect is a lot of the government reimbursement is in arrears, in that actual spending occurs well before reimbursement. One good example is FEMA reimbursement that we are only now receiving. We are trying to set this meeting up for the third week of September. Mr. Evans said that he would send out a Doodle poll of dates and times to meet. You know, as you're well aware, fall town meeting schedule is always very compressed.

Ms. Wollschlager noted that Mr. Coburn is a member of the South Natick Dam Advisory Committee and suggested that he provide an update at the next meeting. Mr. Coburn said that he will send some links around to material on the Dam Advisory Committee.

*Mr. Evans moved to close the public hearing seconded by Mr. Pope.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

New Business

Ms. Wollschlager said that the Finance Committee has a guide on the town website to provide information for citizen petitioners to submit an Article for Town Meeting. It needs updating and two citizen petitioners have volunteered to help. Ms. Martha Paynter, who has a background in graphic design volunteered to help us revise this and make it more understandable. In particular, from a layman's perspective, as someone who is not a town meeting member and not familiar with it. Another citizen petitioner, Ms. Kathryn Coughlin who also presented to the Finance Committee is willing to help. Mr. Evans said he is happy to work with them following Fall Annual Town Meeting completion. Ms. Wollschlager said if anyone else is interested, let her know.

*Mr. Coburn moved to adjourn, seconded by Mr. Grome, voted 8 – 0 – 0.*

Roll-call vote:

|                  |                        |
|------------------|------------------------|
| Mr. Behery = yes | Mr. Gillenwater = yes  |
| Mr. Coburn = yes | Ms. Monahan = yes      |
| Mr. Evans = yes  | Mr. Pope = yes         |
| Mr. Grome = yes  | Ms. Wollschlager = yes |

**Meeting Adjourned 9:48 PM**