

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: September 7, 2023

Town of Natick Finance Committee
Meeting Date: September 7, 2023

The minutes were approved through the following action:

Motion:

Made by:

Seconded by:

Vote: 0 – 0 – 0

Date: X, 2023

Respectfully submitted,

Cody Jacobs

Secretary

Natick Finance Committee

The meeting was called to order at 7:09 p.m. The chair noted that a quorum was present in person and a few others were online.

Roll Call

Members present; R-denotes members attending remotely

Leona Bessonova - R
Grace Keeney - R
Todd Gillenwater
Toby Metcalf - R
Cody Jacobs
Kat Monahan
Richard Pope
Patti Sciarra
Linda Wollschlager

Announcements

Motion by Mr. Gillenwater, seconded by Ms. Sciarra to open the public hearing on the Fall Annual Town Meeting Warrant. Motion carried unanimously (9-0-0).

Public Comment

None.

Article 10: Establish and Authorize Revolving Funds

Jon Marshall, Deputy Town Administrator for Operations presented. Mr. Marshall explained that this article would create two revolving funds, one related to energy efficiency, another related to recreation and parks.

The first motion would allow the town to have a vehicle to receive rebates from the state and federal government to spend money on energy conservation and efficiency.

The second motion would replace the existing revolving fund for parks and recreation to a new kind of fund that would allow more flexibility in which expenses can be paid for from that fund. For example, the current revolving fund does not allow payment of full time employees, but this new one would.

Mr. Pope asked how much money might end up going into these funds. Mr. Marshall indicated that it would vary depending on the type of funds received for specific projects as to the sustainability fund. For the recreation and parks fund, Mr. Marshall said it was about 1.2-1.5 million dollars that rolls through that fund every year and that this might increase as the parks department provides more services.

Ms. Sciarra asked if the plan would be to close the existing parks and recreation account. Mr. Marshall said later they would come back to do that, but that during the transition they would still operate the old account.

Ms. Wollschlager asked if the sustainability account could be used to accept grants. Mr. Marshall said it could if it were state or federal grants, but otherwise it would be a separate process for grants.

Ms. Wollschlager asked if the only difference between the current account and the proposed new account is the ability to pay full time employees. Mr. Marshall answered that the current account has a limit to the amount that can carry over year to year in the account (10,000 dollars) whereas the new version would not.

Mr. Gillenwater moved, seconded by Ms. Sciarra, that the finance committee recommend favorable action on the subject matter of Article 10 through the one motion option in the meeting materials with a recommendation that the moderator put it on the consent agenda. The Finance Committee voted unanimously to approve the motion (9-0-0).

Article 23: Ensure Safety of Residents living on Dead-End Streets

Mr. Roger Scott, 40 Water Street, spoke in support of the Article. He explained that it was a safety measure for residents living on dead-end streets. It would limit the amount of housing that could be built on dead end streets to no more than 15 units.

Mr. Scott explained that he was motivated by what happened with the property on Auburn Street. He noted that the Natick Select Board voted to select a proposal that would build 32 units on that (dead end) street. Mr. Scott argued that this created a safety risk for people on that street and that the same thing could happen on other dead end streets in Natick.

Mr. Gillenwater asked what section of the zoning code was being amended here. Mr. Scott answered that he wasn't sure about that and was open to input but wanted to get this before the town to act on it.

Ms. Wollschlager explained that this has not been heard by the Planning Board nor has it been referred to the Planning Board by the Select Board.

Mr. Jacobs asked what the Select Board actually did on this. Kathryn Coughlin, Select Board member, indicated that they only talked about the articles that the Select Board itself was sponsoring. Ms. Coughlin also explained that the Select Board has held several meetings about the safety concerns behind this article specifically as to the Auburn street property. She also indicated that the zoning board will have to review the proposal for many of the safety issues Mr. Scott raised.

Mr. Jacobs asked if the sponsor would be amenable to a referral motion. Mr. Scott indicated that he would be if he could get the cooperation of people who would actually be able to get something passed but that he thinks this is an urgent matter.

Mr. Pope asked if this was specific to 5 Auburn Street only. Mr. Scott explained that the situation at Auburn Street was the original motivation but that it has gone beyond that and is about ensuring that doesn't happen in other places in town.

Ms. Wollschlager noted that the Administration has advised us that zoning amendments must be submitted to the Select Board and then referred by them to the Planning Board before Town

Meeting can legally take action on them.

Ms. Sciarra moved to refer the matter to the sponsor, seconded by Mr. Gillenwater.

Ms. Sciarra explained that legal steps need to happen first before this can be ready for town meeting including going to the Select Board for them to refer it to the Planning Board.

Mr. Jacobs said he was going to support this but that he wishes there was a little bit more help for people filing citizens' petitions to make this process easier and less likely to run into procedural roadblocks.

Ms. Wollschlager said that she agreed the process could be improved but that there are legal constraints on that. For example, town counsel thought a program could not be created for Fincom to help with the process because it could create a conflict of interest.

The motion passed by a unanimous vote (9-0-0).

Article 33: Fixed Annual Real Estate Tax for Long-Term Homeowners

Ms. Wollschlager started by discussing a legal opinion that was received by town counsel about this Article. Town counsel indicated that the article as written is inconsistent with state law. Thus, only a special act could create this program.

Mr. Scott presented in support of this article as well. He explained that it was to see if the town would vote to have a fixed tax amount for people who have lived in a home here for 25 or more years at the amount of the 25th year.

Mr. Scott argued that high tax rates in Natick have caused difficulty for long term residents. Especially people who are disabled or low income. He pointed to the Select Board's practice of adopting a single tax rate as being particularly difficult for homeowners.

Mr. Gillenwater asked if this would be means tested. Mr. Scott answered that he didn't know.

Mr. Gillenwater asked, if this were to pass, if people who were already in their houses would look back to whenever they hit the 25th year. Mr. Scott said no, that people who qualify would start when it passes.

Mr. Gillenwater asked if any improvements to a home would be taxed at a new rate under this proposal. Mr. Scott said that was possible but he wasn't sure.

Ms. Monahan asked if in the 28th year the tax rate decreases, would they still pay the 25th year rate? Mr. Scott said he didn't think that would happen.

Ms. Monahan asked if this would apply to houses held in trust. Mr. Scott said yes.

Mr. Jacobs asked if this was separate from the decision of whether to split the tax rate. Mr. Scott said that it was separate.

Mr. Jacobs asked whether the amount would be a fixed dollar amount or a fixed rate. Mr. Scott answered that it would be a fixed dollar amount.

Mr. Jacobs asked whether the sponsor wanted a resolution or something else. Mr. Scott said that he wasn't confident that this would pass in any event but he wanted to get it discussed.

Ms. Keeney asked whether this addresses the goal of helping people who need it or if it was more about rewarding loyalty. Mr. Scott said that this was essentially to give people a guarantee that they would know exactly what the amount of their taxes would be after that 25th year.

Mr. Pope asked the percentage of Natick homeowners who would be impacted. Mr. Scott said that would be up to the town to determine.

Mr. Pope asked how much we would have to raise the rest of the town's rates in order to pay for this. Mr. Scott said that it depended on how "out of control" the town is with its spending.

Mr. Pope asked how much home equity the town has given to him. Mr. Scott said he wasn't sure.

Josh Ostroff, Town Meeting Member from Precinct 6, asked, given town counsel's opinion, what we are doing here?

Frank Foss, Town Moderator, said that any article could be heard at Town Meeting whether it is legal or not. He said we are required to act on every article that is placed on the warrant.

Mr. Foss also asked about the text of the motion which says rate but not amount.

Ms. Monahan moved for indefinite postponement, seconded by Ms. Keeney.

Ms. Monahan explained that the motion is not workable in spirit or letter.

Ms. Keeney agreed and said that this could risk wasting time if the sponsor knows that this is unlikely to pass.

Ms. Sciarra pointed out that a committee was formed a few years ago to study this issue and that there are programs in town that allow seniors who qualify based on income to defer their taxes at a very low rate using the appreciation on their homes.

Ms. Wollschlager explained that there is merit to protecting vulnerable seniors from the tax burden but that she is voting indefinite postponement because this is illegal under state law.

The committee voted unanimously to pass the motion (9-0-0)

Article 29: Eligibility of FinCom to Serve on Charter Commission

Ms. Wollschlager explained that concerns have been raised about conflicts of interest related to this article and that Town Counsel has advised that members can participate in this discussion

but may submit a conflict of interest form if they have been involved with the Charter Commission effort.

Josh Ostroff presented the Article. Mr. Ostroff explained that the article is fairly straightforward. He said the idea of a Charter Commission is to provide the voters with a committee to investigate our form of government that is broad enough that any member of the public can participate. There is only one group of people in Natick that would be precluded from being on the commission and it is the fifteen members of the Finance Committee.

Mr. Ostroff said while some towns have this prohibition, many do not. He explained that the idea though was to give everyone an opportunity to participate.

Mr. Jacobs indicated that he submitted a disclosure related to this Article because of his work for the Charter Commission Campaign. He indicated he did not believe there was a conflict because the campaign did not endorse this article.

Mr. Jacobs asked if this should also amend the provision about when people are removed from the Finance Committee. Mr. Ostroff said that was his intention and he would alter it.

Ms. Sciarra asked what the justification was for not allowing Finance Committee members to serve on other boards and committees. Mr. Ostroff said he wasn't completely sure but he thought the idea was to separate the Finance Committee's legislative responsibilities from other boards and committees.

Ms. Sciarra asked whether the time commitment to serve on both boards would be too much. Mr. Ostroff said it was a major commitment with previous commissions being about two meetings per month.

Ms. Sciarra asked if this actually increased public participation because it would potentially lead to the same person serving in two important positions. Mr. Ostroff agreed that this was a potential drawback but did note that the voters could make that decision for themselves.

Ms. Wollchlager noted for the record that she had filed a disclosure as well because she may run for Charter Commission. She wasn't sure if she would or not but said she wanted to file one in an abundance of caution.

Member Dirk Coburn joined the meeting remotely at approximately 9:00 p.m.

Mr. Foss said he saw nothing wrong with the form of the motion. However, he did note that Fincom is unique in that it is only a legislative body. He also noted that it would be a major time commitment and that Finance Committee members don't necessarily make all their meetings as it is, so how would they have time to serve on the Charter Commission?

Mr. Pope, seconded by Mr. Jacobs moved that we recommend favorable action on the subject matter of this Article as presented in the materials but with the additional revision discussed so that the new text reads:

Move to insert the words "Charter Commission," in the first sentences of Article 23, Sections 1.2 and 1.3 of the Town of Natick Bylaws, so that Sections 1.2 and

1.3 read in their entirety:

1.2 Eligibility - Persons holding an elective Town office, except Charter Commission, Town Meeting member or constable, and those serving on appointed committees or boards that have responsibility for issuing permits, approving expenditure of funds, or exercising final authority over any matter are not eligible to be Finance Committee members. Finance Committee members may serve on committees that advise decision-making Town agencies or Town Meeting. No Finance Committee member shall serve for more than a total of twelve (12) years.

1.3 Removal or Resignation from Office - Any member of the Finance Committee who files for any Town elective office except that of Charter Commission, Town Meeting member or constable shall cease to be a member of said Committee. Members may resign by sending a notice of resignation to the Finance Committee chairman, the Town Moderator, and the Town Clerk; and they shall resign when they are no longer eligible to be Finance Committee members.

Mr. Pope explained that people being on the Finance Committee is good experience that could help inform the work of a Charter Commission.

Mr. Jacobs agreed and added that this would make the Finance Committee on equal footing with other boards and committees in town. He suggested that there could be a compromise to allow people to run but then require them to step off if they get elected.

Mr. Coburn said that the decisions on this should ultimately be up to the voters. He also noted that the Moderator can consider dual service when deciding whether to re-appoint someone to the Finance Committee.

Ms. Sciarra said she was not going to support it because it is a heavy lift. She said she is concerned about making a "one-off" exception to the general rule not allowing people to serve on other boards and committees.

Ms. Wollschlager said that it really depends on the person as far as the time commitment. She said that she was able to serve on the time intensive Government Study Committee while serving as Chair of the Finance Committee. She also noted that we have a unique perspective on the Finance Committee that could be very valuable on the Commission.

The motion passed (8-2-0). The roll call vote was as follows:

Leona Bessonova - Yes
Dirk Coburn - Yes
Grace Keeney - Yes
Todd Gillenwater -Yes
Toby Metcalf - No
Cody Jacobs -Yes
Kat Monahan -Yes
Richard Pope - Yes
Patti Sciarra - No

Linda Wollschlager -Yes

Article 32: Paid Family Medical Leave for Town of Natick Employees

Ms. Monahan presented. She started by noting she was recusing herself from the discussion and debate on this Article.

Ms. Monahan indicated that starting in 2019, a state program began that created a paid family medical leave fund that is funded by a combination of payroll taxes paid by employees and employers and the state itself. Municipalities are not covered under this law, however, unless they opt in. Ms. Monahan explained that currently this is unavailable to Natick employees and instead they have to take unpaid leave under federal law or they must use sick days and vacation days to cover the time off.

Ms. Sciarra asked if employees in town wanted this. Ms. Monahan indicated that she had spoken to town employees and the response was positive.

Ms. Sciarra asked if employees have paid parental leave already such as school employees. Ms. Monahan said no.

Ms. Sciarra asked if we can carry over vacation days in Natick. Ms. Monahan indicated that she wasn't sure.

Ms. Sciarra asked how much it would cost the town per year. Ms. Monahan said she agreed with the Town Administrator's estimate of 300-600 thousand dollars.

Mr. Jacobs asked what the cost would be to town employees as a percentage. Ms. Monahan said about .32% of wages but that it could change over time because the state sets the rate.

Ms. Wollschlager asked how this would work with negotiating with individual unions in town about this. Ms. Monahan indicated she wasn't sure but that we can't negotiate it until we adopt this and that it wouldn't be an "all at once" thing.

Ms. Wollschlager indicated that she was concerned about how the program might be administered with different unions potentially having different agreements with different deduction amounts. Ms. Monahan said she was not sure but that it was a fairly easy program to administer and that she had discussed this issue with the Town Administrator.

Mr. Pope asked what happens in July when this goes into effect. Ms. Monahan indicated that after Town Meeting votes, a form must be submitted to the state and then the town creates a PFML account. She said that part of the notice of election likely includes a start date of withholding. Ms. Monahan was not sure if that same week someone can apply for PFML.

Ms. Bessonova asked if there were communities that have already adopted this. Ms. Monahan said no.

Ms. Bessonova asked if this could be implemented for only a subset of employees. Ms. Monahan indicated that she believes that that is not possible under the law.

Ms. Bessonova said her understanding is that PFML is 80% of salary and the employer decides whether to pay the rest, and is that correct. Ms. Monahan said that she believed that is correct.

Ms. Bessonova asked whether this was a commitment to adopt this law or if it would just ask us to explore this. Ms. Monahan said it would be committing for the town to adopt this.

Mr. Coburn asked if the discussion with the Town Administrator included a discussion about what would happen between adopting the program and negotiating collective bargaining agreements. Ms. Monahan said that it wasn't discussed specifically.

Mr. Coburn asked what the dynamics of the negotiating position would be if the benefit was enacted in advance of negotiations. Ms. Monahan indicated that she was not privy to those kinds of negotiations.

Ms. Coughlin, speaking as a member of the public, said that in her experience watching union negotiations that it would be imprudent to assume that between now and July an agreement could be reached with the unions. She said that impact bargaining of this type is never just one issue but rather that in her experience some unions would come back with a long list of demands and that it would be a long protracted discussion. She said this was not true of every union but that there are some unions that have gone to this kind of aggressive bargaining over everything. She indicated that the lack of other participating municipalities gave her pause.

Dr. Donna McKenzie, member of the public, asked if a person who adopted a baby would be covered. Ms. Monahan said yes.

Motion by Ms. Keeney for referral to the sponsor, the Select Board, the Town Administrator, and the School Committee, seconded by Mr. Coburn.

Mr. Jacobs made a motion for positive action but it was not seconded.

Ms. Keeney said there were questions about whether there is a desire or a need for this. She urged the sponsor to "gather more stories" and to partner closer with the town administration on how this would be implemented.

Mr. Coburn said that this is not like the state paid sick leave law because it doesn't exempt employees subject to collective bargaining agreements. He said having been a School Committee member he knows that this would "pull the rug out from under" the town's negotiating position. Mr. Coburn indicated that he would prefer to see this as a resolution or for it to be addressed through negotiations with the individual unions.

Mr. Jacobs indicated that he was voting no. He said that this is a great opportunity for us to provide an important benefit to town employees that every employee should have. He argued that the administrative concerns are an argument for not taking action.

Mr. Pope said he wanted this to happen but he wanted it done right. He said that he was particularly concerned about the collective bargaining process.

Ms. Bessonova argued that we need more time to research this topic particularly about having a

timeline for unions and non-union employees. Particularly for that reason, she said she would be voting for referral.

Ms. Wollschlager indicated that she was also in support of it, but said that more homework needs to be done before we can vote to adopt this. Particularly around questions of whether we would have to pay for this while we waited for the collective bargaining process to play out. She said she was going to be voting no.

The committee passed the motion 8-1-0. The roll call vote was as follows:

Leona Bessonova - Yes
Dirk Coburn - Yes
Grace Keeney - Yes
Todd Gillenwater -Yes
Toby Metcalf - Yes
Cody Jacobs - No
Richard Pope - Yes
Patti Sciarra - Yes
Linda Wollschlager -Yes

Mr. Gillenwater moved to close the public hearing, seconded by Mr. Jacobs. The motion passed unanimously (10-0-0).

Committee and Sub-Committee Scheduling

Ms. Wollschlager indicated that Tuesday we will be hearing from the Charter and By-Law Review Committee. The two articles we will be seeing concern the town seal and the personnel board.

Mr. Jacobs noted that the capital subcommittee would be meeting on Tuesday, September 12 at 6pm.

Meeting Minutes

None.

Committee Discussion (for items not on the agenda)

Adjourn

Ms. Sciarra moved to adjourn the meeting, seconded by Mr. Gillenwater. The committee voted unanimously to adjourn the meeting (10-0-0). The meeting was adjourned at 10:32 p.m.