

**MINUTES OF THE BUDGET/MANAGEMENT COMMITTEE**  
**Town Hall Council Chambers**  
**November 29, 2004**

**PRESENT:** Kenneth DiFazio-Chairman, Sue Kay, Paul Leary, Colin McPherson,  
Michael Molisse

**OTHERS:** Richard Swanson-Auditor

**RECORDING SECRETARY:** Julie Santacroce Burt

Chairman DiFazio called the meeting to order at 6:30 PM.

**04 193 Appropriation Request \$669,907-Teachers' Collective Bargaining Agreement**

The agreement has been reviewed and questions have been asked.

Superintendent Rull stated that the agreement before the Committee was updated to include the longevity breakout as requested by Richard Swanson.

Richard Swanson commented that the Summary Sheet originally did not tie out, and he had requested more information. He further stated that he has reviewed the updated agreement in detail and is completely satisfied with it.

Colin McPherson asked if the number of retirees is a projection. Superintendent Rull stated that it is a projection at this time.

Paul Leary had a question regarding as to why there are no listings for Adjustment Counselors at the Academy or Johnson Schools.

Superintendent Rull explained that this is due to there not being a full-time position at Academy for an Adjustment Counselor and the Johnson School is funded by a grant.

Sue Kay spoke regarding her concerns on funding of nonunion contracts and longevity. She stated her understanding that the tie in is from a nonunion area which is fine. There is no tie in on the independent union contract which concerns her. This would provide an incentive to tie in. She further requested that this be discouraged in future contracts.

A MOTION was made by Paul Leary to send favorable action to the full Town Council on the appropriation request \$669,907-teachers' collective bargaining agreement and was seconded by Michael Molisse and was UNANIMOUSLY VOTED.

A MOTION was made by Colin McPherson to take item #04 195 out of order and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

**04 195 Appropriation Request \$42,249-High School Resource Officer**

Chief of Police, James Thomas, was before the Committee and distributed to its members a Draft Mission Statement/Job Description of the proposed High School Resource Officer (SRO).

Chief Thomas stated that he is requesting this position because of a genuine need. He further stated that in other communities in the Commonwealth who have an SRO, they have made positive contributions to the School. Chief Thomas stated that there are no major problems at the school but because of the school's size, this could be an issue if they are not proactive.

The SRO would be a uniformed presence that students could go to as well as teachers and staff. A person who will be well known and be a good contact for the students.

Sue Kay asked how this would work in regards to the school security. Superintendent Rull stated that they would work together. The difference is that this is a uniformed Police Officer.

Chairman DiFazio asked for a brief two to three year history of police presence at the high school. Chief Thomas stated that there are always two youth detectives with a seven day presence. However, there are other schools that require service and this pulls the detectives away from the high school. The SRO will be full-time at the high school.

Paul Leary asked if the SRO will have a full-time schedule. The Chief stated that when school is in session the SRO will be at the high school. After school the SRO will come back to the station and work there.

Michael Molisse asked if this officer will come from the Police Department. Chief Thomas stated that the SRO will be someone already hired in the Police Department who will fill the opening of the SRO position.

Colin McPherson had a question for Mr. Wilson with regards to the future funding for this position as it will be an ongoing recurring expense. Will this work for next year?

Mr. Wilson indicated that the Mayor is committed to this position and will be sure it is properly funding for FY06.

Mr. Wilson further stated that the \$42,249 has been reduced per the Mayor to \$31,687 due to the salary projection only being needed for 6 months, as opposed to 8 months.

A MOTION was made by Sue Kay to send favorable action to the full Town Council on the appropriation request \$31,687 (reduced from \$42,249) high school resource officer and was seconded by Michael Molisse and was UNANIMOUSLY VOTED.

#### **04 197 Appropriation Request \$6,122-Reclassification-Inspector of Buildings**

Denise Coleman, Human Resources Director, and James Clarke, Planning and Community Development Director, were before the Committee in regards to the reclassification of the Inspector of Buildings. Denise Coleman stated that it was brought to her attention that the Inspector of Buildings was performing at a higher level than his job was coded. The position was analyzed to see how the position changed. She discovered that the position requires a high level of expertise and increased level of contact with the public, DPW, schools, and also minimal supervision. Once these changes were determined they regraded the position at a Grade 16 from a Grade 12 and conducted a market salary survey. She is proposing to classify the position in a salary range of \$67,987 to \$83,798.

Colin McPherson asked what the current grade is. Denise Coleman stated that it is a Grade 12 Step 4. There are 10 steps within a range.

Chairman DiFazio asked how this came about. Denise Coleman responded that through the Mayor's office review of the Town Ordinance, it came up and was brought to the attention of Human Resources.

Paul Leary commented on the market study with regards to the towns being compared. Denise Coleman responded that it is important that when surveys are conducted that they need participation and may need to go to a larger population in order to get the participants required.

James Clarke stated that he agrees with the recommendation due to the position having taken on more responsibility.

A MOTION was made by Michael Molisse to send favorable action to the full Town Council on the appropriation request \$6,122-reclassification-inspector of buildings and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

#### **04 198 Appropriation Request \$1,980-Increase for Poll Workers**

Paul Leary stated that this is long overdue. He further stated that the amounts are in line with what is needed.

Michael Molisse stated that he is in agreement with Councilor Leary and is in full support of this measure.

A MOTION was made by Colin McPherson to send favorable action to the full Town Council on the appropriation request \$1,980-increase for poll workers and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

#### **04 215 Review of Polling Places-Handicap Access**

Sue Kay stated that she is working on this and things are moving forward. She requested that this be kept on Committee, and when she has all of her data she will let Chairman DiFazio know and it will be placed back on the agenda.

A MOTION was made by Sue Kay to continue the discussion on the review of polling places-handicap access and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

#### **04 201 Reserve Fund Transfer \$2,200-Mayor's Staffing**

Denise Coleman, Human Resources Director, was before the Committee. She stated that the Chief of Staff has been on a part-time reduced work schedule. Because of this the Mayor is requesting a part-time position as a supplement. Mr. McCormack would serve as the temporary supplement at 21 hours per week from October 2004 to March 2005. The temporary position is a Grade 15.

A MOTION was made by Michael Molisse to send favorable action to the full Town Council on the reserve fund transfer \$2,200-mayor's staffing and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

#### **04 212 Appointment to Cultural Council-Gertraud Gillen**

Colin McPherson requested that she attend a Town Council meeting. Mr. McCormack will invite her.

A MOTION was made by Colin McPherson to send favorable action to the full Town Council on the appointment to cultural council-Gertraud Gillen and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

A MOTION was made by Sue Kay to take item #04 216 TIF Review and Analysis out of order and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

#### **04 216 TIF Review and Analysis**

Richard Swanson received tax information and an updated annual report by Sager electrical supply company which he has looked at. He does not see a change to the information that he provided to the Committee.

Colin McPherson stated that he would only like to see one of the three tenants go through the decertification process.

Sue Kay asked if the parties present at the Committee meeting were invited and that all the parties were not present. Although she wishes to hear the parties, she clarified that this was not a public hearing.

Dan Dimarco and Tom O'Reilly were before the Committee. Chairman DiFazio stated that the Committee is not sure how to go forward but since they are here he allowed them to speak. Chairman DiFazio stated that they may be invited to come back.

Dan Dimarco asked that as the Committee goes forward to keep in mind that there have been financial issues that have resulted in low employee numbers.

Sager was the employee that they were counting on to provide the numbers and because of the tax incentive they had significant fall off in employment. They leased out a portion of the building and with those two numbers combined they meet the number required.

Chairman DiFazio asked for clarification on the number of employees at 50.

Richard Swanson stated that the 62 reported and then the loss of 12 results in the number 50.

Two other companies have leased the space and employees should be counted over the three companies. The two companies are consulting firms.

Paul Leary asked what the state requires. Do subleases qualify? He would like to know more.

Sue Kay stated her primary concern is that there are no employees who live in Weymouth employed at Sager Electric.

Colin McPherson asked the status of the bank. Dan Dimarco responded that the savings bank is now Sovereign Bank and their space is largely unoccupied.

Sue Kay would like to, through the Administration, look at this very carefully and invite all parties to be heard.

Paul Leary would like to know exactly what the TIF regulations are.

Chairman DiFazio asked if the Committee should take the initiative on this or refer it back to Administration.

Colin McPherson suggested asking what the regulation is for subcontracting space and get back to the Committee.

Sue Kay stated that this was brought to the Committee by the Administration and the Committee should go back and get more information as well as find out if the Administration is willing to decertify based on the information and we should have all of the information.

Colin McPherson stated that he would support decertifying the bank but not the other two which he does not support pursuing due to just coming through a recession. He thinks this is optional and therefore would not support decertifying the two.

Sue Kay stated that the Council approved two years of tax breaks to companies who are not even in the building. What does this say to the tax payers? She further stated that she vehemently disagrees with Colin McPherson.

Colin McPherson responded that this was done to induce a builder to build there. Through his consulting work with state agencies, he will not lightly take something away from a company due to a recession.

Paul Leary asked where does the TIF mention recession? He also stated that this was done to create jobs.

Chairman DiFazio requested that requirements of the TIF be obtained by Richard Swanson.

A plan was laid out for how to proceed as follows:

1. Get a clear understanding and all the information on what the regulations say, what must be done, and how to do it.
2. Agreement by both the Budget/Management Committee and the Administration what to do and how to do it.
3. Once the process is agreed on, the Budget/Management Committee will conduct a hearing and gather information.
4. Meet to determine what to do.

A MOTION was made by Sue Kay to continue the discussion on TIF review and analysis and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

#### **04 192 Internal Department Audits**

Richard Swanson presented the findings of his internal audit of the Fire Department, Department of Public Works (DPW) and IT Department. He looked at contracts, purchase requisitions, purchase orders, funding authorizations, and contracts of interest. He stated that after looking at the details he found work that had already started, and goods and services procured before authorization was approved. He further stated that Section 6.9 of the Charter was provided to the Committee. He feels that there have been some violations of this. The procurement process was explained by Richard Swanson, and he provided a three page summary and gave three examples from each department. Each department was asked to come before the Committee to explain each of the three examples given in the three page summary.

Fire Department-Richard Swanson stated that there have been cases where goods were received prior to a purchase order. Chief Leary spoke to address these concerns and stated that the Fire Department recognized that they are in violation.

Richard Swanson stated that he wished to get this out on the table and hopes in the future that this does not happen again.

Chief Leary spoke regarding the purchases that were in question. He stated that he obtained the Jaws of Life tool to show the people who had provided gifts what they were buying and to have something tangible to show at the ceremony. The tool was not put into use at the time of the ceremony.

The other items were in regards to purchases through a grant. Chief Leary stated that this process was a bit confusing and in his attempt to be fastidious with the federal requirements of the grant, he overlooked the procedures of the town. He assured the Committee that these will not be reoccurring problems and will be sure that this does not happen again.

Chairman DiFazio stated that the major concern is whether or not the Administration knew of these issues. Chief Leary stated that the Administration was not aware of this.

Colin McPherson stated that he looks to see if Richard Swanson or the Administration has followed up with these and if so he feels the audit purpose has been served.

Chairman DiFazio stated that he takes the language of the Charter very strongly which states these rules should be strictly enforced.

Paul Leary stated that we have a Charter and it should be abided by and it is the mandate.

Having no further questions, the Committee thanked Chief Leary.

Mr. O'Connor of the Department of Public Works (DPW) was next before the Committee. Richard Swanson gave four similar examples of violation of the process where the goods were purchased before the funds were received and a contract being funded, but the funds were available.

Mr. O'Connor stated that all the items are his responsibility. For the playground equipment, when he called to place the order which was through a state bid, he was told that if he placed the order that day, he would realize a 10 percent savings so he did go ahead before the contract was secured.

Chairman DiFazio asked Richard Swanson if any department at any time bought something with funds that were not approved and then the Council approved the funds after the item was purchased? Richard Swanson stated that he would like to address that question with the IT Department. This did not occur with the Fire Department or the DPW.

Mr. Wilson stated that in circumstances as this with regards to time pressures, Department Heads might act in a reasonable manner.

Colin McPherson asked if the PO process is a time consuming one. Mr. Wilson stated that if he is given notice and a situation warrants, he can move through the process and obtain a PO within an hour.

Having no further questions, the Committee thanked Mr. O'Connor.

Jim Limbey of the IT Department was before the Committee.

Richard Swanson stated that he noted invoice dates of June 30, 2004, but the service was to be provided in FY05. Richard Swanson states that any money approved in FY04 may not be used in FY05. If money is not used it should go to free cash at the end of the fiscal year, not be used to prepay the new fiscal year. This is due to contracts that start June 15, 18--not dated as a clean fiscal year. He showed several examples of this occurring. He prefers to see a clean cut off and these look like prepayments.

Jim Limbey spoke in response to these issues. He stated that putting into place up to a three year contract is done because of price-- we need to take advantage of this.

Chairman DiFazio asked Richard Swanson if he has resolved how to handle these contract issues.

Richard Swanson answered that he and Mr. Wilson have had discussions and some contracts could be rewritten to coincide with the fiscal year. The IT Department stated that this can be done but will take a little time.

Sue Kay asked if the amount was known when the budgets were done. Jim Limbey responded that yes, within reason.

Colin McPherson stated that Richard Swanson is doing what we want him to do, mistakes were acknowledged and there are some gray areas for some issues. This is what the Internal Audit is supposed to point out.

Sue Kay stated that we must know when existing contracts will lapse and be able to plan for it.

Richard Swanson raised one other issues with regards to consulting contracts. He wishes to see a more realistic contract and not set up a contract with arbitrary amounts. Jim Limbey stated that he puts into place an umbrella contract and underneath is an actual contract for specific work that is done. He does agree with Mr. Swanson and will work to lower these amounts.

Having no further questions, Chairman DiFazio thanked the department heads for cooperating with Mr. Swanson.

A MOTION was made by Paul Leary to report to the full Town Council that the Budget/Management Committee has reviewed with the Department Heads of Fire, DPW, and IT their responses to the internal audit conducted by Richard Swanson, and are confident that the issues raised will not happen again. Mr. Wilson will also work to be sure these issues do not recur-- and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

#### **04 179 Community Preservation Act**

Chairman DiFazio explained the handouts he distributed to the Committee by stating that he had asked Mr. Saccardi to take an example of a \$300,000 home and he provided some numbers with regards to generation of revenue with the 1 percent, 2 percent, and \$100,000 value exemption. Chairman DiFazio provided a sample of the motion and language from the town of Randolph who recently voted for the CPA. He also provided what the constituent would see should the item be placed on the ballot. Chairman DiFazio wants to keep the issue moving. He stated that he feels he has provided all he can from a technical standpoint and now leaves it to the Committee to make a decision.

A MOTION was made by Sue Kay to continue the discussion on the Community Preservation Act and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

#### **ADJOURNMENT**

Councilor Kay motioned to adjourn. Councilor Leary seconded and it was UNANIMOUSLY VOTED.

Respectfully submitted,

Julie Santacroce Burt  
Recording Secretary

Approved by: \_\_\_\_\_  
Kenneth DiFazio  
Chairman