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**MINUTES**  
**BOARD OF SELECTMEN**  
**WEDNESDAY, FEBRUARY 8, 2006**  
**SPECIAL SESSION**  
**COMMUNITY ROOM, CHENERY MIDDLE SCHOOL**  
**7:30 PM**

**Call to Order**

A special joint meeting of the Board of Selectmen together with the Warrant Committee (WC) and Capital Budget Committee (CBC) was called to order in open session at 7:30 PM on Wednesday, February 8, 2006 in the Community Room of the Chenery Middle School. All members of the Board were present. Town Administrator Tom Younger, Assistant Town Administrator Jeff Conti, Town Accountant Barbara Hagg, and Community Development Director Glenn Clancy were also present.

**Roads Stabilization Fund Capital Override - Discussion**

Mr. Younger stated that he has prepared a draft of the proposed ballot question and reported answers from Town Counsel to questions that had been posed by Warrant Committee Chair Ralph Jones.

The first question was, can we spend money from such a fund on consultants? Counsel feels the description of this fund is broad enough to cover consulting related to roads projects. Second, can we spend money from the fund on debt service for a very large road project? Counsel felt that this would be an appropriate use of the fund.

There was discussion of how the money is re-authorized each year. The Board of Selectmen would have to vote to authorize monies to the fund each year.

Mr. Jones' third question was, can we carry over funds to a new fiscal year if a project is not completed? Mr. Younger reported that Town Counsel confirmed this is allowed.

Finally, Mr. Younger said that counsel clarified that the baseline of available funds for a year is based on what you authorized in the previous year, not what you spend. However, there was a difference between what counsel told us and what is contained in the guidelines put out by the state Division of Local Services on what happens if you authorize no money in a given year. For the next year, do you stay at the prior year's budgeted level as stated in the guidelines, or do you have to re-create the fund as counsel believes? Mr. Younger will attempt to clear up this discrepancy.

Capital Budget Committee member Mark Clark asked for a summary of the proposal. Chairman Jones then summarized the proposal for members of the CBC. The proposal is

to ask for a Proposition 2.5 override that is dedicated to a Roads Stabilization Fund and would continue to go to that purpose every year.

Mr. Clark noted that the cost of road projects has gone up significantly over the past few years, including granite curbing and sidewalks. Are we going to include sidewalks and curbing in this program? What about Trapelo Road planning and allocation of Chapter 90 funds? What about routine maintenance of roads that are not being re-built?

Mr. Jones confirmed that the proposal would be to put \$3 million in the fund for pavement management and leave out the Chapter 90 amount because it varies from year to year. However, he stated we need to talk about whether \$3 million is enough.

Mr. Clancy reported that he currently has just over \$2 million available for roads, \$1.6 million of which is already earmarked. He therefore believes he can absorb the cost of the Trapelo Road and Pleasant Street surveys in his budget. There is no money for the pavement management in his FY07 operating budget.

CBC Chair Pat Bruschi stated that the CBC has traditionally tried to put \$1 million a year toward road projects generally. If we do an override for roads, we need to clarify what happens to this money. Will it be the case that only the money for the pavement management capital request is going to go over to the operating budget, or will the others as well – Pleasant Street drainage and Trapelo Road design?

Mr. Clancy stated his opinion that we have to have a dollar figure that is pavement management only. He noted we have dipped into pavement management money for projects like Pleasant Street and Trapelo Road and we have to stop doing that.

Warrant Committee member Linda Oates said that she thinks people feel that when we say we're going to do roads, they want that to mean asphalt – not bump-outs or granite curbs or anything but where the tires hit the road. Mr. Clancy responded that the pavement management program includes sidewalks, curbing, and traffic calming features. However, he stated he had no intention of Trapelo Road, Pleasant Street or any other special projects coming in under the heading of pavement management.

WC member Lynne Doblin said that if we go with the narrow definition of pavement management, we are going to need an operating override as well because we then cannot transfer a full million dollars from the capital budget. She stated her support for the roads fund decreases if it does not provide relief on the operating side.

Mr. Clark stated that we are actually talking about spending \$4 million on roads, because we allocated \$1 million for roads in a previous override. That would give us \$3 million for pavement management and \$1 million for the rest of roads. But someone who hits a pothole doesn't know or care which program's budget was too small.

WC member Geoff Tillotson asked where the \$3 million figure for the override came from. Mr. Clancy explained that the Town has generally been appropriating \$1.2 million

for pavement management. At this level it was originally thought we could get through our roads program in 13-15 years. Then it was realized that our cost projections were low. Mr. Clancy said when he re-ran the costs, it turned out the Town would need to spend \$2.75 million a year to stay within that same time frame. Mr. Clancy rounded this up to \$3 million, and calculated that at the rounded up figure we could probably complete the program in 10-11 years. This could allow the Town to begin addressing the smaller neighborhood roads sooner.

Mr. Tillotson asked what the \$3 million cost will be in dollars ten years from now. Mr. Clancy explained that he has factored cost inflation over time into his calculations.

Mr. Tillotson asked what the impact of a \$3 million override would be on the tax bill per household? There was general interest in obtaining this number and Selectman Brownsberger began calculating it.

Selectman Firenze noted that currently when the Town rebuilds a road, we are putting in sidewalks and granite curbing. In the context of all the Town's other needs, and given that this program is still going to take so many years just to get the main roads done, he suggested we look at simply doing full depth reconstruction of the roadway without the curbs and new sidewalks. He stated he is in a minority of the Selectmen on this, but just doesn't think the Town can afford to continue the way we have been.

Mr. Clancy noted that the reason we evolved to doing curbs and sidewalks had to do with DPW's inability to keep up with sidewalk repair. He explained that the Town had done one contract with asphalt curbs and those proved to be unsatisfactory. Curbs are important because they help maintain drainage and safety. He stated that when he looked at the Bright Road project, he determined that the roadway itself represented 62% of the cost including handicapped ramps and driveway access. So 38% would be sidewalks and curbing. 26% represents just the sidewalks.

Selectman Firenze said that he receives as many complaints about the curbs the Town has put in as he has positive feedback. He does not dislike the idea of doing curbs and sidewalks, but the Town has so many other needs, it really bothers him that we continue to go back to the residents and ask for more money for infrastructure.

Mr. Jones suggested that if the Town does not ask for it now we will have to ask for it later and in larger amounts.

Selectman Firenze raised the idea of having a \$1.5 million scaled-back roads override and a \$1.5 million operating override. There was discussion.

Returning to the question of curbing and sidewalks, Mr. Clark calculated that curbing is 12% of the cost of the Bright Road project. He asked if you spend this extra 12%, do you get 12% better drainage and 12% less maintenance cost? He explained that the person who built his house thought that curbs were important enough that he put in a private one.

If they are a good investment for a private home, maybe they are a good investment for the Town.

Chairman Solomon said that roads are the top complaint he gets and number 2 is sidewalks. He feels that the Town ought to do sidewalks at the same time that we do roads.

Ms. Bruschi noted that she complains about sidewalks but her road will never be touched because it's not a major road. The sidewalks on arterials that we're talking about addressing are actually in better shape than ones like hers.

Mr. Jones expressed concern that \$1.5 million would not be enough to do the roads even without the sidewalks and curbs, and it would be bad to raise taxes and not be able to get the job done.

WC member Jim Fitzgerald stated that if you don't have curbs people drive up on the grass, which causes the road to collapse, which fills up the catch basins and you have to replace the soil that washes away. These are all costs that have to be balanced. Whatever we come up with as a definition of "pavement management", that is what we are going to be held to by the voters. Also, last year Community Development couldn't spend the money that it had because we had cut staff. If we spend \$3 million, how many people would the department have to hire to properly spend the money?

Mr. Clancy answered that he is operating on the assumption that the Assistant Director position is restored and the engineer position is filled. That would be the personnel that he needs. He noted that in 2003, the Town did about 2.5 miles of road reconstruction work. The dollar value of that today is \$3.4 million. He does not think we could budget more than \$4 million and handle it, but Community Development can handle \$3 million.

WC member Jim Heigham stated that it's clear to all of us that \$3 million a year needs to be spent on the roads, not counting special projects like Trapelo Road. It is not our job to micromanage how that is spent.

Chairman Solomon then asked, does a \$3 million override for roads allow us to shift \$1 million from the capital budget to the operating budget? If not, then we have a gap in the operating budget we have to think about.

Ms. Bruschi explained that the assumption that had been made of \$1 million being freed up was based on the thinking that "roads" includes all roads projects. If we are just talking about pavement management in the capital budget, the amount that would be shifted would be significantly less than that.

Selectman Brownsberger said that we don't want to tie the hands of future town officials on how the money is spent on roads. He noted that he used to vote against granite curbing and has since learned that it helps preserve the quality of the road – it is not about aesthetics. He argued for the inclusion of projects like Trapelo Road and Pleasant Street

drainage because those are within Community Development's planning horizon. If that means we need \$3.5 million, then let's make it 3.5, but let's not have Community Development having things pop up and having to go back to the CBC for funds during the year. Let's make this cover all roads projects.

There was discussion about whether the amount of money being spent on roads should be presented as \$4 million or \$3 million and how the \$1 million from the last override is being counted. Selectman Brownsberger calculated that a \$3 million override would be about \$424 and a \$4 million override about \$564 on the average tax bill.

Ms. Doblin questioned whether it makes sense to do this without fixing the problem on the operating side. If this does not fix the operating budget, she believes we must put forth an operating override or our schools will end up like our roads. It has been 4 years since we had an operating override. Even a level service budget is not level service for our schools. And now this proposal will not get us to the level service budget.

WC member Mike Widmer said he could go along with the roads proposal as long as the \$1 million transfer was guaranteed, but if the \$1 million is not available for the operating budget this is a non-starter and he would have to support an operating override.

Selectman Brownsberger pointed out that if we cover all of the roads projects in the roads fund, then it does free up \$1 million in the capital budget.

Mr. Heigham noted that the state guidelines say that the Town can combine a stabilization override and an operating override in one vote. Ms. Doblin suggested a \$2 million net increase for roads and a \$2 million override for the operating budget.

Ms. Oates asked how we can sell any future override with any honesty if we are going to divert the \$1 million away from roads?

Selectman Brownsberger said that when we vote for an operating override, we make an explanation of how we're going to use the money, but that does not tie our hands years into the future, otherwise you could do that with every appropriation.

Ms. Oates replied that is not how it was advertised, as committed for one year only. She thinks it is dishonest to say we're going to use \$1 million a year and then change the rules a few years later.

Selectman Firenze agreed his perception was that we were going to spend \$1 million every year on roads. When he adds the impact of all these overrides including future projects like the Wellington, if our taxes are going to double within 10 years, very few people in town will be able to afford that. He said we have to start thinking in those terms. This override will be a test and we have to be open and frank and clear about what we are going to do with the money. Selectmen Firenze added that he is getting a ton of calls about the tax bill – as many as he gets about roads.

Mr. Jones noted that he has estimates we're looking at a \$3 million gap for level services in fiscal 2008, so we will be having to go to the voters again.

CBC member Jennifer Fallon expressed concern that \$3 million is not enough to cover both operating expenses and roads.

Chairman Solomon stated his agreement with Selectman Brownsberger that the roads fund should cover all roads projects so they are not a drain on the operating budget. He noted that he gets plenty of calls on taxes, and that he got "beaten up" on this issue during a visit at the Senior Center the other day. He feels however that the Town has had a holding pattern on capital projects other than the schools for many years. And that has created this problem, if we don't grasp this problem and present it to the voters, we are not doing our jobs. We may not get this override, but at least we will have tried. Chairman Solomon also said that he agrees we should maintain the pact we made with the voters for the \$1 million devoted to roads. He said he is attracted by the idea of a combined override, but if you put \$2 million in roads and \$1 million in operating relief, he does not think that's enough for roads. If we just say that we are shifting \$1 million in relief for the operating budget, we are being straight with the voters.

Mr. Younger noted that if the Town wants to hold a combined vote, it will be necessary to come up with both override amounts within the next 3 weeks in order to get it on the ballot in time.

There was general agreement that the Town should be very specific about where the previous override money for the roads program is going to go. WC member Phil Curtis added that people can vote the roads override up or down, but it's better than going for just an operating override. He does not believe there will be a voter credibility issue if we are properly forthcoming about this.

Chairman Solomon noted some people are saying that we are trying to put something over on people in order to raise taxes. He acknowledged that we are talking about raising taxes, but that we will be legally obligated to spend the money on roads and we have to stress that to people.

It was clarified that the discussion now had turned to the understanding that the CBC would not now be expected to cover any of Community Development's roads requests because they would all be included in the roads stabilization fund. All three Selectmen agreed with this.

Selectman Firenze said that we have spent a lot of money in the last 6-7 years. The more times we go to the voters and ask for money, the number of people who will vote for it will get smaller. It's not a question of whether the projects are good, we are just getting to the point where we simply can't afford it.

There was discussion of what the price of asphalt and concrete might get to if oil prices continue to increase.

Mr. Clark argued that if we are now talking about a \$3 million override including non-pavement management expenses, the Town will never get caught up to the level of road service we want to be at.

Mr. Clancy stated that right now our service grade on arterial roads is about a 72. This represents only about 25% of our total road system. At the \$3 million level of annual funding to address these roads, after 10-11 years we come out to a 90 rating. If we take the same amount of money and expand the focus to all roads in town, we start at about a 56 grade and after 10-11 years we actually drop to 46. Mr. Jones said it's important to realize that when we spend money to rebuild roads, there would be corresponding reductions in the maintenance costs.

Mr. Curtis said that in order to expect overrides from the voters, we need to earn them. The voters are not going to give us more money just to run things the way we run them now. He brought up the example of health insurance, and said this is why we need to renegotiate health insurance with the unions in order to demonstrate our credibility to the voters.

Mr. Heigham made a WC motion to recommend to the Board of Selectmen that the Town seek a \$3 million capital override for a roads stabilization fund. Ms. Doblin said she would prefer an alternative motion of \$3.5 million. There was discussion about the gap in the operating budget and the percentage increase in the average taxpayer's bill under this proposal. It was calculated that the one-year increase would be about 6%. It was clarified that the motion being discussed includes the \$1 million shift from the capital budget for operating relief.

The WC voted on the motion 11-1 in favor.

Ms. Fallon made the same motion for the CBC. The CBC voted 4-1 for the motion, and it was noted there were 2 members absent. CBC member Mr. Firenze clarified he supports sending this to the voters, but does not support the proposal itself.

Chairman Solomon said that the issue of using reserve funds to balance the remaining \$700,000 operating budget gap should be discussed by the WC soon. The WC and CBC then adjourned. The Board of Selectmen took a brief recess.

The Board then discussed how to handle the sidewalks question within the language of the ballot question. There was agreement to make the language cover all aspects of roads construction and drop the phrase "pavement management".

Selectman Firenze said we have not addressed how we are dealing with the \$700,000 gap in the operating budget. Mr. Younger pointed out that he is working on reducing the level services budget to cut that gap. Selectman Brownsberger said there are a number of ways we can make up this amount, it is not that big.

It was suggested that maybe the Town could take only about \$300,000 from the “free cash” reserve account.

There was discussion of language in the draft ballot question that seems to imply the override amount is only for one fiscal year, which is not the case. The Board expressed its determination to be very clear about this with the voters.

The Board moved: to approve the draft ballot question on the roads stabilization fund as amended and to place the question on the April 3 ballot.

The motion was carried unanimously (3-0).

It was noted that the Board will not now need to meet on February 22<sup>nd</sup>.

The Board adjourned at 9:51 PM.

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Thomas G. Younger  
Town Administrator