

# **Minutes: The Provincetown Finance Committee Wednesday June 20, 2012 in the Judge Welsh Room,**

This meeting is also available on PTV. (<http://www.provincetowntv.org/town-government/finance-committee/>)

Call to Ordered 10:00

Present: Tom Donegan, Mike Canizales, Clarence Walker, Duane Steele, Doug Cliggot, Tim Grobleski

Dan Jackson by remote teleconference until 10:55 when the teleconference failed.

Also Present for portions: Town Moderator, Chairman of the Selectmen, Chief of Police, Police Lt. Golden, Town Manager, Finance Director

**Statement by Moderator** Mary-Jo Avellar: Thanked and *welcomed* the members. Cautioned the committee on the Open Meeting Law, Reminded the Committee that its mission is to represent the taxpayer. Unanimity is not a goal unto itself. She values diversity of opinion and encourages active deliberations, and informative majority and minority recommendations to Town Meeting.

**Statement by the Chair**, Report from the Department of Revenue workshop. Desire to reduce time commitment of the Committee and staff while making the committee's deliberations more relevant to the Town Meeting.

**Statement by the Vice Chair**. We have a new group on the FinCom and dynamics are important. Canizales recommended the book "Please Understand Me" to help us understand one another. He reminded us that we will attack the problem not attack people. He encouraged us not to take questions or disagreement personally. Donegan moved without objection to take the agenda items out of order.

## **Risk Mitigation & HVAC at the Police Station**

Update on Evidence Locker, Ammunition & Firearms Safety, Health/Safety/Mold remediation, Fire Evacuation protocols, Fire Suppression, etc. from town staff.

Chief Jaran. Two quotes were made the Selectmen. Fire suppression and HVAC systems. The PPD has one quote for Fire Suppression, but needs additional quotes. Still seeking complete quotes for the HVAC. LT Golden provided updates on HVAC bidding issues. The quotes are in progress, but PPD does not have consensus from

Vendors on what the problems are and how to correct. Per Lt Golden, The Police will develop a scope of work and then issue a request for quote.

Fire Suppression is a different problem in that it requires an RFP because of a higher dollar amount. If PPD is to go with a minimum system they can do that with existing water systems, but full building would require new water service.

The Chief suggests we will be in the current building for at least a couple of years. The Chief reported he is unable to prioritize repairs as the building he described as a kindlebox, but the greater fire hazard might be the electrical system which is also out of date. Likewise the plumbing needs work. The 911 system is surrounded by poor plumbing, wiring and in and housed in a dangerous place. The Chief pointed to the 2009 building report which included 24 issues with fire suppression among them.

Tom Donegan noted that we will leave to Building Committee and Selectmen when and how to tackle the 24 issues, but FinCom's mission is to look out for the taxpayer and what financial risks and what uninsured risks might exist. Mike Canizales mentioned that the fist of interest to FinCom is not the 24 issues, but the those issues that have the greatest risk to life and to adverse financial consequences to town.

Chief Jaran reported that other risks include fire in the dispatch room while Canizales noted that we need to identify what are the prudent repairs and upgrades and asked for a reasonable person test to determine what risk we might incur. The Chief reported that police station building fire suppression is not required because of the building's age, but while the building does not meet current code no retrofit is required by law.

In addition to fire suppression of the cells, mold and evidence lockers need immediate repair. Duane Steele encourages the Town to move forward with a new station yet repair the building. Clarence Walker expressed his desire for a plan rather than a list of needed repairs. Donegan noted FinCom's role is to act only on those items that have an immediate requirement and some risk exists if we were to wait for Town Meeting. Tim Grobleski, clarified the status of the A/C buildings and an update on the A/C as well as mold remediation. Lt Golden described various sources of mold and noted the basement has a mold line from the floor to 14'up the wall.

Donegan again reminded that FinCom scope of authority is limited to risk mitigation that could result in adverse financial impact before the next Town Meeting that the Chairman Knight has reported such a meeting is scheduled for the fall.

Doug Cliggot asked the Chief if the list of Fire Suppression, Audio Visual are the the HVAC is the critical to immediate repair. The Chief agreed those issues are the high liability issues. Walker concurred: Air Condition, Mold remediation and Fire Suppression are the relevant issues while other police station issues should go to Special Town Meeting.

**Motion to Appropriate \$49,125 from the Finance Committee Reserve**

**Fund to Department 211** for the purpose of repairing the HVAC system, Mold remediation and fire suppression for evidence locker and jail cells.

Canizales, Walker, Grobeski asked Town Staff to act urgently and get the contracts signed and do so within contracting guidelines and to avail ourselves of all flexibility in contracting process. Grobeski asked the Town Manager to secure legal advice on emergency contracting while Donegan pointed Mass state no bid contract services pre-negotiated by the DOR may be of assistance.

*Moved* by Steele, Seconded by Walker. **Approved** 6-0-0

### **Audio Visual system repairs at the Police Station.**

For a month the system has been failing. The system was repaired on an emergency basis because it is required by Mass General Laws. The repairs were identified based on using FinCom funds yet FinCom was not notified. Canizales noted that the repairs were undertaken without notice to FinCom yet required FinCom funding. In the interest of effectively working together, he called on the Town Manager and Finance Director to proactively communicate with the FinCom. Walker asked that the official process be used in the future, and that process is a required for FinCom to fulfill its mission. Steele added that the FinCom role has been superseded and now FinCom must do its job and needs to be part of the process when it is required to be.

Town Manager Lynn. Responded to Steele about the role of FinCom, and noted the expanded role of the administration in the Town Charter.

Discussion of when and how the Chairman of the FinCom should be notified of relevant developments Donegan noted that he would expect such notification in the future, the Town Manager agreed to do so in the future. It was consensus that the AV system will be covered by budget transfers to the Police Department. The FinCom will act pending the action of the Selectmen.

### **Discussion of the Evidence Locker Repair.**

The FinCom invited the administration to develop a plan to upgrade the evidence locker and use a budget transfer to fund the expense. Lt Golden noted that a perfect solution does not exist but a substantial upgrade could be obtain for approximately \$8,000 annually an increase of \$6,000 over current expenses.

The Finance Committee encourages, the Town Manager, the Chief of Police, the Board of Selectmen, the Building Committee to move forward upgrading the evidence locker. The *Chairman* of Selectmen *noted* he has heard the *comments* of FinCom.

### **Discussion of Roles of FinCom from Donegan.**

Updates on meetings with Chair of the Selectmen and Town Manager. The meeting with the Town Manager went well.

### **Carryover issues.**

Personnel issues to be examined Town Manager asked FinCom to read to a legal opinion regarding the meeting and agreed to forward it to the committee.

VMESNMCC. Town Manager updated on the HVAC bidding process for repairs. This *work was* approved for \$600,000 at STM in April. Walker discussed with the *Town* Manager through the contracting process. Donegan asked if Town has an appropriation of more than \$600,000 even if grants can be used to offset overages.

FinCom Study on the VMCC. Town Manager reported that issues have been identified with roof and water issues The Town Manager will route the report The report suggests that significant spending will be required to repair the building.

### **Finance Director Update**

The School budget is controlled by the School Committee but some amount of money was under spent by approximately \$215,000 at least part of which will revert to Free Cash.

An update on unfunded pension costs, we are incrementally funding the shortfall, so we aiming to be fully funded in 2028, but that estimate includes very optimistic rates of return. The Director will forward the Barnstable Retirement annual report when it is received. The FinCom would like to better understand longer term implications of Pension and health care costs.

**Discussion or meeting times.** Discussion of potential Joint Board of Selectmen pending agreement on agenda items.

**Statement of the Chairman of the Board of Selection:** Encouraged FinCom members to attend the Open Meeting Law seminar. Clarification of the process regarding the Police Station Audio Visual repairs regarding the Board of Selectmen.

**Adjourned without objection at 12:40 pm**