

**Town of Oak Bluffs  
Finance and Advisory Committee  
Thursday, March 19, 2009 3:30PM  
Oak Bluffs Library**

Present: Chair Thad Harshbarger, Steve Auerbach  
Doug Best, Bill McGrath, Peter Palches,  
Mike Perry, Hans Von Steiger

Others: Town Administrator – Michael Dutton  
Board of Selectmen – Chair Ron DiOrio, Kerry Scott  
Tax Collector – Cheryl Sashin  
Recorder - Marni Lipke\*

Absent: Mimi Davisson, Frank Case

\* Late arrivals or early departures  
noted solely to mark vote counts.

The meeting was called to order at 3:41PM.

**2. Announcements.**

- Chair Thad Harshbarger introduced new FinCom member Steve Auerbach who will serve until the election. Candidates and slots and were reviewed.
- Thad Harshbarger apologized for not complying with the FinCom vote to inform the schools of the decision to place school budget increases on overrides (see 3/5/09 Minutes p.3 #5).

**3. Review the Minutes of Prior Meetings.**

- **BILL MCGRATH MOVED TO APPROVE THE FEBRUARY 5, 2009 MINUTES AS AMENDED: DOUG BEST SECONDED: MOTION PASSED: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**
- **BILL MCGRATH MOVED TO APPROVE THE FEBRUARY 19, 2009 MINUTES AS AMENDED: DOUG BEST SECONDED: MOTION PASSED: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**
- **DOUG BEST MOVED TO APPROVE THE MARCH 5, 2009 MINUTES AS AMENDED: BILL MCGRATH SECONDED: MOTION PASSED: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**
- The March 12, 2009 Minutes were tabled until the next meeting.

**4. Review Warrant for Special Town Meeting** (See documents on file.)

#1. OPEB Trust Legislative Act (See 3/6/08 Minutes p.2-3.)

This would authorize an Islandwide voluntary trust fund for Other Post Employment Benefits (OBEB), similar to the Dukes County Retirement Board, increasing investment leverage and minimizing costs. As drafted it would be ruled by a Board with weighted votes in proportion to Town investments.

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**- BILL MCGRATH MOVED TO SUPPORT THE ARTICLE TO REQUEST A LEGISLATIVE ACT TO AUTHORIZE AN OTHER POST EMPLOYMENT BENEFITS TRUST; DOUG BEST SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

#2. Lease, Sell or Transfer the Current Superintendent's Office Facility

The issue was sale for market value without being put on the State lists for open bidding. It was possible the building would be sold to the Town of Tisbury.

**- DOUG BEST MOVED TO SUPPORT THE ARTICLE TO AUTHORIZE THE EXCHANGE, TRANSFER, SALE OR LEASE OF THE MARTHA'S VINEYARD REGIONAL HIGH SCHOOL DISTRICT PROPERTY AND BUILDING AT 4 PINE STREET, VINEYARD HAVEN; BILL MCGRATH SECONDED; MOTION PASSED: 5 AYES, 2 NAYS – PETER PALCHES, HANS VON STEIGER, 0 ABSTENTIONS.**

#3. Journal transfers,

**- DOUG BEST MOVED TO SUPPORT THE ARTICLE TO AUTHORIZE JOURNAL TRANSFERS; BILL MCGRATH SECONDED; MOTION WITHDRAWN.**

The issues were the specifics of negotiated Salary Increases. More information was requested. It was probable these were 2009 salaries negotiated after the Fiscal Year 2009 (FY09) Budget was set (mostly police union and compensation/classification study appeals—see below #6).

#4. Ferry Fees for Repair Seaview Avenue Beach Storm Water Runoff

There was not enough Free Cash to cover the project.

**- PETER PALCHES MOVED TO SUPPORT WHOLEHEARTEDLY THE ARTICLE TO USE FERRY FEE REVENUES TO REPAIR THE STORM WATER DRAINAGE AT SEAVIEW AVENUE; BILL MCGRATH SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#5. Annual Reservation of Community Preservation Act Funds as Mandated.

**- MIKE PERRY MOVED TO SUPPORT THE ARTICLE TO RESERVE THE COMMUNITY PRESERVATION ACT FUNDS AS MANDATED; BILL MCGRATH SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#6. Classification and Compensation Finding Appeals

Eleven appeals resulted in five reclassifications retroactive to 2009.

**- DOUG BEST MOVED TO SUPPORT THE ARTICLE TO RESERVE THE COMMUNITY PRESERVATION ACT FUNDS AS MANDATED; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

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**5. Review Warrant for Town Meeting** (See documents on file.)

#3. \$10,700 Ground Water Testing and Gas Monitoring at the Landfill.

The previous pollution concerns had been met and the contract re-bid at savings. As an annual expense this should become part of the Town operating budget.

**- DOUG BEST MOVED TO SUPPORT THE ARTICLE TO EXPEND FREE CASH FOR BOARD OF HEALTH GROUND WATER AND GAS MONITORING; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#4. \$7,000 Drug Task Force

**DOUG BEST MOVED TO SUPPORT THE ARTICLE TO EXPEND FREE CASH FOR THE DRUG TASK FORCE; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#5. Oak Bluffs FY2010 Budget

There was a long discussion on the protocol for voting the Wastewater Budget (see below: Actions). It was emphasized that Ferry Fee moneys were largely fungible. Other Towns' management of Ferry Fee revenues was noted.

**- IT WAS CONSENSUS OF THE OAK BLUFFS FINANCE COMMITTEE TO ADVISE THAT THE FERRY FEE REVENUES BE SPREAD TO COVER WASTEWATER, HARBOR TRASH PICK UP, POLICE, AND OTHER ACCOUNTS CONSISTENT WITH THE FERRY FEE LEGISLATION.**

**- DOUG BEST MOVED TO SUPPORT ALL THE AMOUNTS IN THE ARTICLE AND TO BREAK OUT #D OF ARTICLE #5; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#6. \$4,635.04 Intermunicipal Agreement to Support Pest Management Program

#7. \$7,933.77 Intermunicipal Agreement to Support Vineyard Health Care Access Program

#8. \$10,259.27 Intermunicipal Agreement to Support Vineyard Health Care Access Program

This continued the agreed upon shift of County programs to Town expenses (See 2/5/09 Minutes p.2 #5).

- Oak Bluffs made no or minimal use of the Pest Management services.

- The Vineyard Health Care Access Program (VHCAP) requested an additional amount to compensate for loss of Mass. State and grant revenues.

- It was strongly felt that VHCAP as a valuable program that became more necessary in difficult economic times, not be funded at the whim of overrides (see below: Actions).

**- DOUG BEST MOVED TO HAVE THE SELECTMEN PUT FUNDING FOR ARTICLES 6, 7 AND 8 REGARDING THE DUKES COUNTY PEST CARE MANAGEMENT PROGRAM AND THE VINEYARD HEALTH CARE ACCESS PROGRAM INTO THE OAK BLUFFS TOWN BUDGET RATHER THAN HAVING TO VOTE THE FUNDING BY OVERRIDE ARTICLES; BILL MCGRATH SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

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#9. Harbor Revolving Fund Reauthorization

- **PETER PALCHES MOVED TO SUPPORT THE ARTICLE TO RE-ESTABLISH THE MARINA REVOLVING FUND; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#10. Community Preservation Act Fund Expenditure Recommendations

- PETER PALCHES MOVED TO SUPPORT THE ARTICLE FOR DISCUSSION PURPOSES; BILL MCGRATH SECONDED; MOTION WITHDRAWN.

The issue was public moneys for church and/or private projects.

- **PETER PALCHES MOVED TO SUPPORT THE ARTICLE TO EXPEND COMMUNITY PRESERVATION ACT FUNDS AS RECOMMENDED BY THE COMMUNITY PRESERVATION COMMITTEE; DOUG BEST SECONDED; MOTION FAILED: 1 AYE – PETER PALCHES, 4 NAYS – DOUG BEST, BILL MCGRATH, MIKE PERRY, HANS VON STEIGER, 2 ABSTENTIONS – STEVE AUERBACH, THAD HARSHBARGER.**

#11. Bylaw to Forbid Car Washing on Public Property in Zoning Districts B-1 and B-2.

The issue concerned car rental companies generating complaints on spraying and large run off/puddles.

- **DOUG BEST MOVED TO SUPPORT THE ARTICLE TO ADOPT A BYLAW ON CAR WASHING ON PUBLIC PROPERTY; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#12. Affordable Housing Special Zoning Permits

The issues were financial implications of increased school enrollment. (See below: Actions).

- **PETER PALCHES MOVED TO SUPPORT THE ARTICLE TO AMEND THE ZONING BYLAW FOR AFFORDABLE HOUSING ON SUBSTANDARD LOTS; BILL MCGRATH SECONDED; MOTION FAILED UNANIMOUSLY: 0 AYES, 7 NAYS, 0 ABSTENTIONS.**

#13. Revision of Finance Committee Bylaws re: Meeting Times

- **BILL MCGRATH MOVED TO SUPPORT THE ARTICLE TO REVISE THE FINANCE AND ADVISORY COMMITTEE BYLAWS; DOUG BEST SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

#14. Comprehensive Amendment to Animal Control Bylaws

- **DOUG BEST MOVED TO SUPPORT THE ARTICLE TO AMEND THE ANIMAL CONTROL BYLAWS; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 1 ABSTENTION – PETER PALCHES.**

#15. Creation of an Affordable Housing Trust Fund

This would allow the Town to take timely advantage of sales or opportunities. Four other Towns on the Island had similar trusts.

- **PETER PALCHES MOVED TO SUPPORT THE ARTICLE TO ESTABLISH AN AFFORDABLE HOUSING TRUST FUND; DOUG BEST SECONDED; MOTION PASSED: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

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#16. \$500,000 to Dredge Sengekontacket Pond

The issues were:

- rejuvenation of shellfishing that fed residents and summer guests,
- stimulus or grant money's timing vs. strict dredging regulations,
- possible failure of override,
- Edgartown dredge and recent Sengekontacket dredge project.

**• PETER PALCHES MOVED TO SUPPORT THE ARTICLE; MIKE PERRY SECONDED;**

**- PETER PALCHES MOVED TO AMEND THE MOTION THAT THE SUPPORT/APPROVAL BE SUBJECT TO FUNDING BY DEBT EXCLUSION ONLY; MIKE PERRY AND DOUG BEST SECONDED; AMENDED MOTION PASSED: 6 AYES, 0 NAYS, 1 ABSTENTION-STEVE AUERBACH.**

#17, Compensation for Town Personell

The issues were:

- classification increases for the Town Clerk.
- FinCom recommendations to eliminate all stipends for elected officials (see 3/5/09 Minutes p.3 #8 and 3/5/09 documents on file).

**• BILL MCGRATH MOVED TO PAY THE TOWN CLERK AT GRADE II STEP H \$74,360 WITH THE UNDERSTANDING THAT THERE WAS NO LONGEVITY TO HER POSITION; DOUG BEST SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

**• DOUG BEST MOVED TO TABLE THE SUPPORT OF ARTICLE 17 ON STIPENDS AND COMPENSATION PENDING FURTHER INFORMATION TO BE PRESENTED AT THE MARCH 23, 2009 FINCOM MEETING; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

**6. Review Town Meeting Overrides**

**7. Review Current Projected 2010 Budget dated 3/4/09 [Michael**

The FinCom discussed the Oak Bluffs School budget and the MV Regional High School (MVRHS) budget in terms of the Town's hiring freeze and level funded budgets (see documents on file) The issues being (see 3/5/09 Minutes p.2):

- enrollment projections and school choice,
- expectation of stimulus funds,
- staff numbers and class size,
- political status and voting block,
- MVRHS assessment inequities,
- staggering cut backs in other towns in the Cape Cod, South Coast regions.

**• PETER PALCHES MOVED TO DIRECT THE OAK BLUFFS SCHOOL TO LEVEL FUND ITS FISCAL YEAR 2010 BUDGET AND IMPLEMENT THE TOWNWIDE HIRING FREEZE; HANS VON STEIGER SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

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**• PETER PALCHES MOVED TO PAY THE MARTHA'S VINEYARD REGIONAL HIGH SCHOOL FISCAL YEAR 2010 BUDGET ASSESSMENT AS CERTIFIED IF THE BUDGET WERE LEVEL FUNDED; STEVE AUERBACH SECONDED; MOTION PASSED: 5 AYES, 0 NAYS, 1 ABSTENTION – BILL MCGRATH** due to conflict of interest.

The next FinCom meeting was scheduled for **Tuesday**, March 24, 2009 at 3:30PM at the Oak Bluffs Library.

**Adjourn**

**• PETER PALCHES MOVED TO ADJOURN AT 7:06PM; BILL MCGRATH SECONDED; MOTION TO ADJOURN PASSED BY CONSENSUS.**

**Action List:**

- Michael Dutton/Paul Manzi – break out Special Town Meeting journal transfers
- Michael Dutton/Paul Manzi – put water and gas monitoring in operating budgets
- Michael Dutton/Paul Manzi – check with Joe Alosso re: Waste Water numbers.
- Michael Dutton/Paul Manzi/Ron DiOrio – put County programs in the budget.
  - speak to County articles withdrawal at Town Meeting
  - inform County.
  - remove from Executive Summary.
  - find money in FY10 budget.
- Michael Dutton/Kerry Scott – contact Moderator and Petitioner re: Sengekontacket dredge revision.
- All – Find Mimi Davisson email re: stipends wrap up.
- Michael Dutton/Paul Manzi – email corrected school budget to FinCom.

**3/24/09 Agenda:**

- Revise this Agenda
- Minutes 3/12/09, 3/19/09
- FY10 Budget.
- Reconsider vote on Article 12 – Affordable Housing Permits

**Meetings**

- OB FinCom - 3:30PM **Tuesday**, March 24, 2009 at the OB Library
- OB Board of Selectmen/FinCom – 5:00PM, Tuesday, March 24, 2009 at the OB Library
- OB FinCom - 3:30PM Thursdays, April 2, 2009 & April 9, 2009 at the OB Library

**Ongoing Action List from previous meetings.**

- FinCom - talk about Federal Stimulus money at Town Meeting.
- FinCom – Continue to emphasize \$2,000,000 Stabilization Fund goal.
- Thad - Inform the Selectmen in writing of all significant FinCom decisions
- Inform Depts. - any item not in dept. budgets will not be recommended for free cash.
  - update Capital Improvement Plan regularly.
- Regular meetings with Bd. of Selectmen and Personnel Board re: Financial Team.
- Ask about end-of-year transfers in the FY09 budget season.

**continued**

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Future Agendas:

- Discussion with School Representatives on school budgets / override decision.
- Ambulance Fund Report.
- Dukes County Charter Commission Report
- CDC - Cost of Services Survey Results.
- Reconsider Finance Dept. Reorganization

**Documents on file:**

- Agenda 3/19/09
- Warrant for Special Town Meeting (9 p.) 3/10/09
- Warrant for Special Town Meeting/Annual Town Meeting (23 p.) 3/17/09
- Warrant for Special Town Meeting (9 p.) 3/10/09
- OB Next Year / Current Year Budget Analysis Projection Fiscal 2010 Budget (7 p.)  
- Harshbarger cover email re: Fwd: FY2010 Budget.xls 3/17/09
- OB Other Expenses Breakdown Fiscal 2010 (3 p.)
- Palches email re: Proposal in re: OB School Budget 3/18/09

**• These Minutes approved as amended by the Oak Bluffs FinCom 3/24/09.**

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Finance and Advisory Committee  
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Present: Chair Thad Harshbarger, Steve Auerbach  
Doug Best, Bill McGrath, Peter Palches,  
Mike Perry, Hans Von Steiger

Others: Town Administrator – Michael Dutton  
Board of Selectmen – Chair Ron DiOrio, Kerry Scott  
Tax Collector – Cheryl Sashin  
Recorder - Marni Lipke\*

Absent: Mimi Davisson, Frank Case

\* Late arrivals or early departures  
noted solely to mark vote counts.

**WARRANT/BUDGET SUMMARY**

**4. Review Warrant for Special Town Meeting** (See documents on file.)

#1. OPEB Trust Legislative Act (See 3/6/08 Minutes p.2-3.)

- **BILL MCGRATH MOVED TO SUPPORT THE ARTICLE TO REQUEST A LEGISLATIVE ACT TO AUTHORIZE AN OTHER POST EMPLOYMENT BENEFITS TRUST; DOUG BEST SECONDED; MOTION PASSED UNANIMOUSLY: 6 AYES, 0 NAYS, 0 ABSTENTIONS.**

#2. Lease, sell or transfer the current Superintendent's Office Facility

The issues were sale for market value

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The issues were the specifics of negotiated Salary Increases.

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There was not enough Free Cash to cover the project.

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#5. Annual Reservation of Community Preservation Act Funds as Mandated.

- **MIKE PERRY MOVED TO SUPPORT THE ARTICLE TO RESERVE THE COMMUNITY PRESERVATION ACT FUNDS AS MANDATED; BILL MCGRATH SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**



**Warrant/Budget Summary  
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#6. Classification and Compensation Finding Appeals

- **DOUG BEST MOVED TO SUPPORT THE ARTICLE TO RESERVE THE COMMUNITY PRESERVATION ACT FUNDS AS MANDATED; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

**5. Review Warrant for Town Meeting** (See documents on file.)

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The contract re-bid at savings. Should become part of the Town operating budget.

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#5. Oak Bluffs FY2010 Budget

- IT WAS CONSENSUS OF THE OAK BLUFFS FINANCE COMMITTEE TO ADVISE THAT THE FERRY FEE REVENUES BE SPREAD TO COVER WASTEWATER, HARBOR TRASH PICK UP, POLICE, AND OTHER ACCOUNTS CONSISTENT WITH THE FERRY FEE LEGISLATION.

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The issue was public moneys for church and/or private projects.

- **PETER PALCHES MOVED TO SUPPORT THE ARTICLE TO EXPEND COMMUNITY PRESERVATION ACT FUNDS AS RECOMMENDED BY THE COMMUNITY PRESERVATION COMMITTEE; DOUG BEST SECONDED; MOTION FAILED: 1 AYE – PETER PALCHES, 4 NAYS – DOUG BEST, BILL MCGRATH, MIKE PERRY, HANS VON STEIGER, 2 ABSTENTIONS – STEVE AUERBACH, THAD HARSHBARGER.**

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- **DOUG BEST MOVED TO SUPPORT THE ARTICLE TO ADOPT A BYLAW ON CAR WASHING ON PUBLIC PROPERTY; MIKE PERRY SECONDED; MOTION PASSED UNANIMOUSLY: 7 AYES, 0 NAYS, 0 ABSTENTIONS.**

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The issues were financial implications of increased school enrollment.

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**7. Review Current Projected 2010 Budget dated 3/4/09 [Michael**

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