Date Approved: 11-10-10
VOTE: 7-0-1

Town of Brewster
Minutes of the Finance Committee
October 6, 2010

Members present: Don Schober, Mike Fitzgerald, Lisa Gerrish, Dennis Hanson, Dan Guertin, Herb Montgomery, Rebecca Smith and Su Ballantine

In attendance: Selectmen Liaison Greg Levasseur, Robert Bersin, and Chris Miller

Documents: Brewster Fire Dept. Article Expenditures 2010.10.06.001
Draft Zoning Bylaw Amendments 2010.10.06.002

Chairman Don Schober called the meeting to order at 6:00PM

Warrant Articles

Article #4 -Capital & Special Project Expenditures Article 1.a-f – Bob Bersin – DPW Superintendent

a) Road Sweeper Lease/Purchase Payment	$38,900.00		
b) Replace Transfer Station Grapple	$180,000.00		
c) DPW/Transfer Station/Salt Shed Roof Repairs	$2,000.00		
d) Replace One Ton Dump Truck	$60,000.00		
e) Upgrade Staff Safety Gear	$2,300.00		
f) Loader Equipment Repair	$30,000.00		
sub-total	$313,200.00		

Schober- will you explain all Articles then we will discuss each?
Bersin- full explanation of six articles on the digital recording.
Montgomery to Chris Miller- Do you need such a big vehicle?
Miller- yes, for loading shellfish and hauling the large trailer (8-9000 pounds) etc.
Guertin- The sweeper, does that get traded in?
Bersin- to be sold, internet bidding, $25,000 minimum, has been advertized.
Fitzgerald- what is the general lifespan on the grapple?
Bersin- should be replaced in 7-8 years
Fitzgerald- if not taking commercial trash; does that have a negative impact on income?
*Bersin-*on a one year basis we are losing money, over the long haul (including all costs) over the life span, yes.
Fitzgerald- then it reduces the loss, it has a positive impact.
Bersin- I can send the spreadsheets on the costs
Ballantine- Are you taking the $180,000.00 into account?
Bersin- A 30 year lifespan on the transfer station. This includes the grapple and all major pieces of equipment, divided over the expected lifespan of each. Waste is expensive.
Fitzgerald- can you prioritize these?
Bersin- They are, as listed.
Gerrish- I was told the grapple would be up and working this weekend.
Bersin- we are jury rigging it.
*Gerrish-*regarding the dump truck; are less roads going to be plowed this year?
Bersin- everything will be the same. We did a survey and rode all the problem roads. Public safety is the answer.
Schober- what is meant by "problem roads"?
Bersin- low brush, speed bumps, can't get down.
Ballantine- This a Fire Department issue also.
Bersin- Yes, many private roads service other areas.
Ballantine- Some Homeowners Associations have insurance on the road, can the DPW (Town) put in for a claim if vehicles are damaged?

BREWSTER TOWN CLERK
'10 NOV15 10:06AM

Schober- that is the problem with private roads, the residents are accountable for what goes on.
Bersin- it is a "public safety" issue.
Levasseur- through Town Meeting vote, all roads are to be plowed as an issue of public safety. Policy regarding liability. No reduced plowing this year.
Bersin- we will survey and then decide. A lot of associations clear branches with permission.
Ballantine- regarding 1.a; is this a lease payment or lease to purchase agreement?
Bersin- purchase.
Ballantine-how many grapple quotes?
Bersin- one
Ballantine- only one bid company?
Bersin- yes
Ballantine- regarding the transfer of the old truck and purchase new?
Levasseur-not settled yet
Smith- how many 1 ton trucks do you have?
Bersin- three and three 5-ton
Hanson- regarding 1 c; the maintenance staff is not allowed to do anything at a certain height above the ground. I would like to see 3 quotes for this item. 1 d; comfortable with this, relative to Board of Selectmen vote. 1 e; full compliance, huge risk on the roads. 1 f; no problem. 1 b; the grapple, a significant amount of money to deal with this issue. No warning that this was going. Would it be possible to look at a modification to the backhoe? Look at homeowners trash. Total research needed first. The grapple was made for grabbing, picking and moving not compacting. Are there alternatives to be investigates and evaluated?
Bersin- it is a bottomless pit.
Hanson- Relative to snow and ice; has Town Counsel been consulted? It has bee stated that roads must be "open to the public use", speed bump owners should be put on notice regarding the damage to vehicles (Fire, Police, DPW)
Montgomery- Lease payment due July 1st
Bersin- first payment was made when purchased, this is the 3rd.
Montgomery- previous TM draft was an article for $20,000 for grapple, where did it go?
Bersin- we felt it was more appropriate for replacement than repair.

Article #4 Capital & Special Project Expenditures Article 6a-d – Chris Miller – Natural Resources Director

a. Stony Brook Mill Preliminary Dam Engineering Evaluation	$18,000.00		
b. Natural Resources Park & Trail Enhancement Project	$10,000.00		
c. Spruce Hill Conservation Area Stairs	$5,000.00		
d. Breakwater Beach Stairway	$4,000.00		
sub-total	$37,000.00		

Miller- Four items; a) Millsites dam is failing, Fish America Grant will be applied for final design.
b) This is a catchall for Punkhorn property bounds, Saints Landing stairs, seed beach grass, Mant's Landing, Spruce Hill, Matthews Property, Quivet Marsh Vista, invasive species control, fencing and bike racks.
c) Stairs at Spruce Hill are closed and must come out and be replaced.
d) Stair erosion is steep, must go forward with a smaller stairway
Smith- There was discussion previously about a Grant to study erosion?
Miller- no way to stop it, A stone revetment could be done but not a solution.
Schober- What about Ellis Landing?
Miller- It is in terrible shape
Hanson- All of these are from free cash?
Levasseur- yes
Hanson- I appreciate the professional descriptions. 6 b; Land acquisitions are a problem- cost of running these areas over time is an issue.
Miller- these properties were handed to me
Hanson- referring to c+d; have they been permitted by ConCom? Until this is done we won't know the true cost. Has the notice of intent been signed off?
Miller- b; existing Order of Intent, been through permitting. C+d; cost of permitting is zero, fast process.
Hanson- assumption is the problem.

Miller- most of the work will be through grants
Hanson-don't mind the purchase of land but it is the balance of the work and upkeep.
Schober-when a purchase is made it is the ongoing and ancillary costs that add to it.
Levasseur-Whoever is in charge of managing the property gives it a shot. The Town does not have a management plan. Protect the trees, wildlife etc. but little is considered for ongoing costs by putting money aside.
Miller- AmeriCorps for the last 2 years are working on a management plan for these properties
Gerrish- Which "dam" are we talking about at Stoney Brook?
Miller- the upper end at the pond, metal structure doesn't work anymore.
Fitzgerald- what has been the cost of the upkeep of these properties for the last 10 years?
Miller- we don't have those figures but I will look into it.
Guertin-What happened to the grant ($15,000) for the Millsite dam?
Miller- set aside and returned, may get it again for final design.
Guertin- can you go to CPC for these funds?
Miller-possible
Montgomery- will the Spruce Hill stairs be permanent?
Miller-nothing is permanent with the coast.
Schober- it is ongoing but we need to put funding within the department
Levasseur-This happened with the Mattot House. We have talked about a budget line item as an ongoing funding source.
Montgomery- could come under CPC.
Levasseur-Only for property purchased by CPC funds
Taylor- that is a problem, but it may be added at time of purchase. Trail work yes, only on property we purchase.

Article #10-13 Zoning Bylaws– Sue Leven – Town Planner & Elizabeth Taylor – Chairman – Planning Board

10	**ZONING BYLAW AMENDENT**	Manufacturing	**HOLD**
11	**ZONING BYLAW AMENDENT**	Accessory Apartment Housekeeping	**7-0-0**
12	**ZONING BYLAW AMENDENT**	Planned Residential Development Housekeeping	**8-0-0**
13	**ZONING BYLAW AMENDENT**	Home Occupation Definitions	**HOLD**

Leven- Four total articles; 3 housekeeping and one adding to original Bylaw.

#10 is amending language – option of height and/or material. Fence over 6 feet is a structure thus an 8 foot fence requirement/request would have to go to ZBA for a Variance. This is an opportunity to work with various heights.
Montgomery- on a large lot you would need a large fence to enclose it.
Leven- intent allows the Planning Board to fence a certain/specific area. We can work with the applicant.
Montgomery- "sufficient" is subjective
Leven- true, what kind of word works?
Montgomery- reasonable might be better
Leven-this is in the bylaw currently, taking out the 8 foot gives more flexibility
Schober-would the height be used to hide this stuff?
Fitzgerald- Wouldn't this preclude you from requiring an 8 foot fence.
Leven- can not require them to seek a Variance
Schober- Does the Planning Board agree with this?
Leven-This is Victor's position and the Building Code, it trumps all.
Gerrish-concerned about subjectivity
Leven-scope to eliminate the 8 foot but height is an option
Gerrish- change it all now
Ballantine- "subjectivity " this bothers me also; intent not to require 8 feet. This doesn't solve much with the new wording "from and whatever from". Should talk about what you are screening from.
Leven- just to get something out of the bylaw that is potentially illegal.
Hanson- has a Planning Board public hearing been held? Was it unanimous to endorse? What zone does this apply to? Commercial?
Leven- It is use not district.
Hanson- I am voting in the negative to the Zoning Articles. I think they should be presented at Annual Town Meeting only.
Leven- These are the things that the Board would like to bring to Spring town meeting that are very complex.
Hanson-How many people have gone to the ZBA as this is written?

Leven-none
Hanson- If its not broken it doesn't need to be fixed.
Smith- "sufficient" is wrong. There must be some way to say "acceptable screening", or someway to say this does not require a Variance.
Leven- all descriptors' are subjective.
Schober- will you take that out?
Leven- Only if the Planning Board removes it. I will take it back to the Board.

#11 Accessory Apartment Housekeeping
Leven- removing double wording, must be done this way.

#12 Planned Residential Development Housekeeping
Leven- 1990 the Cape Cod Regional Development was changed to Cape Cod Commission

#13 Home Occupation Definitions
Leven- current list does not have definitions to match all. This makes the language clearer by defining terms. Basically a little more involved. So we all speak the same language. Summaries have a clear paragraph and explain the language.
Schober- does this open Pandora's box.
Leven- no, makes it clearer. The purpose of Home Occupation-is produced on site.
Ballantine- consumption off site is your tag
Leven- example-commercial bakery not allowed, bakery not a home occupation
Ballantine- this is what home occupation is not.
Guertin- can't sell something you purchased elsewhere.
Leven- depends on the district.
Montgomery- are you going to differentiate?
Leven-it is spelled out in the summary?
Smith- then massage in your home is a home occupation?
Leven- YES
Gerrish- an optometrist?
Leven- a single provider, one vs. many.
Fitzgerald- concerned about bakery.
Leven- Board of Health issue
Levasseur-The summary should clear this up.

MOTION made by Dennis Hanson to **approve Article 11** as printed in the Warrant.
Second by Lisa Gerrish
VOTE: 7-0-0

MOTION made by Dennis Hanson to **approve Article 12** as printed in the Warrant.
Second by Lisa Gerrish
VOTE: 8-0-0

Minutes of July 21 , 2010
MOTION made by Dennis Hanson to **approve Minutes of July 21, 2010** as amended
Seconded by Lisa Gerrish
VOTE: 8-0-0

Minutes of September 1, 2010
MOTION made by Herb Montgomery to **approve Minutes of September 1, 2010**
Seconded by Lisa Gerrish
VOTE: 7-0-1

Other Business
Mike Fitzgerald spoke to the new Fire Chief and he will be ready to come to the Finance Committee on October 13th.

Motion made by Lisa Gerrish to adjourn meeting
Second by Su Ballantine
VOTE: 8-0-0

Respectfully submitted,

Marilyn Mooers, Recording Secretary