

Minutes of the Meeting of the Heath Finance Committee
November 15, 2010

Time: 7:00 pm

Place: Sawyer Hall

Present: Don Freeman, Ned Wolf, Jan Carr, Jeff Simmons, Dave Gott, and by invitation of the committee Dave Howland

The minutes of the November 9th meeting were read and approved with emendations.

Don made available copies of the Waiver of Damages, Appraisal, and Relocations Benefits and Release of all Claims, the Intermunicipal Agreement, e-mails from Mark Reich to Sheila Litchfield on October 25 and November 15, and the Charlemont, Hawley, and Heath Warrant Articles.

Members reviewed the history of the Landfill which opened in 1973 and closed in 1988. In 2007 a permit was obtained from the DEP for the three towns to cap the Landfill. Complaints over the years from the McClouds about the quality of their well water have been supported by the DEP. The McClouds have offered the towns an opportunity to buy their property for \$350,000 and in return receive from the McClouds a signed waiver of future liability.

Members reviewed the Waiver document and agreed that the wording of the last sentence should be changed from "may be recorded with the Franklin Registry of Deeds" to "will be recorded with the Franklin Registry of Deeds". In a discussion of the decommissioning of the McCloud well, Jeff noted that any public water supply coming off the well would also have to be decommissioned.

Dave Howland expressed concern about the need for \$70,000 in addition to the \$350,000 for purchasing the property. Is some of the \$70,000 to help the McClouds move? Don expressed members' interest in there being an escrow fund set up for handling anything in excess of \$350,000. The fund would be administered by 3 representatives, one from each town. Any funds left over would go back to the towns.

The FinCom would like to see a copy of the deed restriction, license agreement, and purchase sale agreement. Jeff asked whether the deed restriction has an expiration date.

The discussion shifted to the topic of revenue sharing as members read copies of Mark Reich's e-mails to Sheila. Mark says that the towns have the stronger hand if there is a deed restriction and a less strong hand if they settle for indemnification. To the question of whether sharing in Charlemont's costs exposes ourselves to risks Mark answers No. Dave Gott recalled Sheila's stating that she feels the approval of the purchase proposal by the three towns would be more likely if Heath and Hawley were seen as having the same arrangement with Charlemont after the purchase. Hawley's selectboard has shown no interest in revenue sharing. The Heath FinCom is reluctant to revenue share.

Moving to the drafts of the Warrant Articles, members noted the need to replace "two parcels of land" in the first sentence with "three parcels of land". Concern was expressed over the words "said funds to be expended for the cleaning up or preventing of pollution caused by the Three Town Landfill". Don noted that the actual "cleaning up" will be done by Charlemont with an agreement that keeps Heath out. Members seek clarification of the language.

Members suggested possible sources of funds. Perhaps \$50,000 could come from Free Cash, \$60,000 from Stabilization, and \$8,000 from the Dump Closing Account. That would leave a balance of \$22,000. Jeff mentioned the escrow account for the Franklin County Solid Waste Management. He will check on how much is in that account. Jan asked how much FEMA money is outstanding. Would incoming FEMA money be added to next year's Free Cash? Borrowing may still be necessary. For both the use of Stabilization and for borrowing a two thirds vote is needed. Don will check out current loan obligations.

Under New Business Jeff reported being enrolled in Fire Academy, a commitment that may affect his attending FinCom meetings. He recently participated in a training exercise that involved scaling ladders against Sawyer Hall. This gave him a view of what is inadequate insulation above the ceiling of the selectboard room, something to be considered in plans to improve the efficiency of heating town buildings.

The minutes of the October 26th meeting were read and approved.

The next meeting will be at 7:00 pm on Tuesday, November 23rd in Sawyer Hall. Ned will post the meeting.

The meeting adjourned at 8:45 pm.

Respectfully submitted,
Ned Wolf, Secretary