

**Needham Finance Committee
Minutes of Meeting of May 13, 2009**

The meeting of the Finance Committee was called to order by the Chair, David Escalante, at 6:30 pm in the Conference Room at the Newman School.

Present from the Finance Committee:	David Escalante, Chair Lisa Zappala, Vice Chair Scott Brightman Richard Creem	Richard Reilly (arrived 7:00 pm) Steven Rosenstock Michael Taggart (arrived 7:05 pm) Richard Zimbone
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Also Present: David Davison, Assistant Town Manager – Finance Director

There were no public comments.

Reserve Fund Transfer Request Legal Department: Also present for the discussion was Mr. Tobin, Town Counsel. The Legal Department is over budget because of a number of different legal cases. The Webster Street 40B case has cost approximately \$25,000. There is a zoning case on appeal in the Norfolk Superior Court, which is costing approximately \$13,000. The Golf Course case has cost approximately \$29,000 to date. There is a hearing scheduled for May 18, 2009 to dismiss the second lawsuit. The Department of Environmental Protection is attempting to force water usage conditions on the Town. This has cost the Town approximately \$6,000. The Habitat for Humanity project has cost approximately \$8,500 in legal fees. Mr. Zimbone recused himself from any discussion and vote because he is a member of the Needham Golf Club and the Golf Club is a party to the lawsuit referred to by Mr. Tobin.

Mr. Creem moved that the Finance Committee transfer \$38,000 from the Reserve Fund to account number 0001-1510-000- 00- 0000-000-00-51-3-02-0-5300-151-00. Ms. Zappala seconded the motion. Discussion: Mr. Rosenstock asked what the total snow and ice deficit would be for FY 2009 after a Reserve Fund transfer. Mr. Davison stated that he did not have the snow and ice removal costs with him. The snow and ice deficit will be the first item paid from revenue in FY 2010. Mr. Creem stated that the Senior Tax Relief Program is also going to be removing available revenue for appropriation, up to \$25,000. Mr. Creem's motion was approved by a vote of 5-0-1 (Mr. Zimbone abstained having recused himself).

Discuss and Vote as Appropriate Amendments to Annual Town Meeting Warrant Article 19: Votes and Resolutions of Town Meeting: There was a discussion whether the Finance Committee should state that proclamations for deceased people and other proclamations of recognition are not part of the *Omnibus* article. There was a discussion that Mr. Matthews has submitted an amendment to Article 19 that is consistent with the current decision-making process of the Moderator. Mr. Escalante stated that the process of bringing citizen petitions is onerous and difficult. Mr. Zimbone stated that the Finance Committee should support giving the Moderator the most latitude with the fewest restrictions possible. Ms. Zappala and Mr. Rosenstock agreed with Mr. Zimbone. The

Finance Committee consensus was to leave the *Omnibus* article as it currently exists and to oppose any proposed changes, whether as presented in Article 19 or by any amendment to Article 19.

Discuss and Vote as Appropriate Annual Town Meeting Warrant Article 43 Entitled “Appropriate to Community Preservation Fund”: Mr. Rosenstock moved that the Finance Committee recommend adoption of Article 43 entitled “Appropriate to Community Preservation Fund” as presented in the Annual Town Meeting Warrant or with line C amended from \$83,880 to \$108,880 should all Community Preservation Act appropriation articles not be adopted by Town Meeting; with the total amount being appropriated to the Community Preservation Fund of \$1,664,000. Mr. Zimbone seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0.

Discuss and Vote as Appropriate Annual Town Meeting Warrant Article 45 Entitled “Appropriate for General Fund Cash Capital”: Mr. Escalante provided a summary of the status of federal stimulus funding to the School Department. Mr. Rosenstock stated that he would prefer if the funds were used for one-time cash expenses. Ms. Zappala clarified that the funds are to be distributed directly to the School Department as grants. Mr. Zimbone stated that the Town is waiting for further information on the amounts and manner of disbursement of the funds.

Mr. Taggart moved that the meeting of the Finance Committee be suspended to be reconvened as necessary during the course of Town Meeting. Ms. Zappala seconded the motion. The meeting of the Finance Committee was suspended by unanimous vote 8-0 at approximately 7:15 pm.

Ms. Zappala moved to adjourn the meeting at approximately 10:50 pm, seconded by Mr. Brightman. The meeting was adjourned by unanimous vote: 8-0.

Respectfully submitted,

Louise Miller
Executive Secretary