

**Needham Finance Committee
Minutes of Meeting of November 3, 2010**

Mr. Zimbone, Chair, called the meeting of the Finance Committee to order at approximately 7:03 p.m. in the Charles River Conference Room at the PSAB Building (temporary Town Hall).

Present from the Finance Committee:

Richard Zimbone, Chair; Matthew Borrelli, Vice Chair

Members: John Connelly, Richard Creem, Richard Lunetta, Richard Reilly, Steven Rosenstock, Lisa Zappala

Also Present:

David Davison, Assistant Town Manager/Director of Finance

Citizen Requests:

Mr. John Fountain of Galen Road spoke to the Finance Committee on behalf of a group called "Share Greene's Field" about their support for locating the proposed senior center at Greene's Field. He felt that the Finance Committee should consider more issues than just the funding of projects put before it. He circulated photos and stated that the location with its attractive surroundings and the location near the Town center made Greene's Field a preferable site to the Heights location.

Mr. Sam Bass Warner of Emerson Road addressed the Finance Committee and stated that he planned to make a motion at Town Meeting to amend Article 11 to specify the Emery Grover Building as the location for the senior center. He disagreed with the reasons underlying the decision by the Council on Aging not to locate the senior center at the Emery Grover Building. He felt that the traffic issues could be addressed, and that the space was sufficient and could be configured to meet the COA's needs. He argued that that the need for senior services and expected use of the facility would be lower than estimated. He felt that the Emery Grover building is a good location, and will be less expensive to build.

Ms. Joan Story of Perry Drive stated that she has been involved with the senior center as a volunteer, then as a participant when she became a senior, and that she supports the many opportunities available at the Greene's Field location, such as use of the YMCA.

Mr. Richard Carey of Emerson Road stated that there are serious safety concerns in the area surrounding the Heights location chosen by the Board of Selectmen. He stated that there have been many more accidents and injuries at intersections in the area near the Heights train stop compared to the area near Greene's Field. He voiced his support of the Greene's Field site.

Approval of Minutes

Mr. Zimbone asked whether there were any comments regarding the minutes from the meeting of October 20, 2010 that had been distributed previously. There were no comments or

corrections.

MOVED: By Mr. Connelly that the Minutes of October 20, 2010, be approved as submitted. Mr. Rosenstock seconded the motion. The motion was approved by a unanimous vote of 7-0, with Mr. Reilly abstaining.

**Discuss and Vote as Appropriate Draft Special Town Meeting Warrant Article 11:
Appropriate for Senior Center Feasibility & Design**

Mr. Zimbone stated that the Board of Selectmen voted to amend Article 11 to change the words “a sum” to “\$500,000” and added language to designate the location as the MBTA property abutting the Heights train station. The Board voted 5-0 in favor of the article as amended.

Mr. Creem commented that while he wants a senior center for the Town, this project proposed for the Heights location is deficient. He has financial concerns and believes that sites that are eligible for CPA funding have not been adequately considered, and that an acceptable financing plan has not been developed. He strongly urges the senior center construction be funded through a debt exclusion override, and not within the general fund debt capacity. He is concerned about sacrificing other town capital needs. Mr. Creem stated that the study was hastily put together, and that the location was chosen as the path of least resistance. He feels it is premature to fund the design of the project without further consideration of other sites, and with the financing uncertain. He does not support this article, but would support a scaled-back study seeking more in-depth feasibility and funding information, and that considers at least one CPA-funded option.

Mr. Rosenstock stated that he wants to move forward with a senior center project, but feels he needs to vote against this article. He stated that the Finance Committee’s role is to advise Town Meeting what makes sense, and that there are still issues about the site and the financing. He believes that the senior center project will be considered a top priority and the Town will defer needed capital items since there is no clear financing plan. He stated that it is difficult to imagine the Board of Selectmen seeking an override for a portion of the costs. He feels that neither the Board nor the Council on Aging indicated that the Heights location was their strong choice. Mr. Rosenstock stated that thinking forward, Greene’s Field is the best site for a senior center, with the vision of a community campus in the Town Center. He feels he must vote against this article at this time.

Mr. Borrelli stated that he feels that the window of opportunity to proceed with this project is closing, and that the SCEC seriously considered all the sites. While he voted in favor of Greene’s Field, and there are many different opinions, he feels this article funding design at the Heights station is a step in the right direction. Mr. Borrelli stated that if this project does not keep moving, another capital project may push the senior center aside. He supports the site choice, and will vote in favor of this article.

Mr. Zimbone asked Mr. Borrelli to describe the SCEC’s process of making the final vote on the site. Mr. Borrelli stated at that meeting, the members were asked if they wanted to eliminate any sites from consideration. First, the Rosemary site was discussed, and the members voted to

eliminate it. Next, Emery Grover was discussed, and eliminated, with 2 dissenting votes. The remaining three sites, Greene's Field, Ridge Hill, and the Heights station were ranked by each member. Ridge Hill was determined to be third. Then the members ranked the last two sites again, and the Heights lot was chosen as the top choice, and Greene's Field second. The vote was 9-2 in favor of the Heights location.

Mr. Reilly asked Mr. Borrelli if he agreed with Mr. Creem's comments that the site study for the Heights station was perfunctory. Mr. Borrelli stated that the study did not go into the same depth as the other sites, but he felt it was sufficient, given the time frame they were working with. Mr. Reilly asked Mr. Creem whether his concerns about the CPA funding and the lack of a financing plan might apply to any site. Mr. Creem agreed that he is concerned it is premature to go to the design stage for any site without knowing the road to get to the conclusion. He suggested that the Town should learn a lesson from Wellesley which spent money to design a senior center and is now considering completely different options.

Mr. Connelly stated that he will vote in favor of the article. He has supported the project for a long time and is not tied to a site. A senior center is a clear need in town. The Board of Selectmen and Council on Aging have made a site choice, and it may be a compromise, but it is on the table now. He does not want to be an obstacle to building a senior center.

Ms. Zappala stated that she supported Ridge Hill, and understood the objections, but did not agree with the decision against that site. She felt if the Town does not go forward with the Heights location, there will never be a site that is agreeable to everyone. She was also concerned about the lack of a financing plan, and believes that the capital plan is tight. If the construction costs come entirely from within the 3% debt limit, there will be serious issues, though they may be possible to overcome. She was concerned that at least some funding will need to come from an override, though she feels an override could succeed. She would not be opposed to shrinking the funding for this article, maybe for a less detailed design. However, she felt the design could be modified for use at other sites. She expressed concern that if the Committee takes this article off the table for a lack of financing plan, it will derail the entire project. The longer the Town waits, the more expensive the project will become. She felt unless the Finance Committee wanted to say that it should choose the site, it should work with what is presented. While she would prefer a different site, she was not planning to vote against this article.

Mr. Reilly stated that the Finance Committee needs to express a continued interest in discussing the financing of the project. If the Committee supports this article, it is not signing off on it, but just keeping the project moving forward.

Mr. Lunetta expressed concern not with the location, but why a stand-alone senior center is being pursued. However, he feels it is not the Finance Committee's place to determine the place, but to support the financing. He would love to say no to this project, because he feels an intergenerational facility is a better direction to go than a single purpose building. However, he does not want to stifle the efforts made so far, and will support the article.

Mr. Zimbone stated that the Committee is unanimous in supporting the need for a senior center.

He feels that the Town needs to move forward to get sufficient information to develop a financing plan. He understands the concerns raised, but feels that the timing is important, and that the current economy might mean that construction costs will be lower than anticipated. Also, although the article calls for designing a property at the Heights property and there would be certain site-specific elements, he thinks the designs could also be used at Greene's Field. Mr. Zimbone supports going forward with the article as amended. He feels the Finance Committee should consider voting as Town Meeting Members rather than as a committee if there is a proposed amendment to change the site of the senior center. He stated that since the site choices were vetted by the SCEC and voted by the Board of Selectmen, the Finance Committee should not take up the issue.

Mr. Rosenstock stated that the Committee needs to consider not just the money, but what the Town is actually purchasing. The site is part of the value of the senior center. It should be a place where community services can grow.

MOVED: By Mr. Connelly that the Finance Committee recommend adoption of Special Town Meeting Article 11: Appropriate for Senior Center Feasibility & Design, with the amendments voted by the Board of Selectmen. Mr. Borrelli seconded the motion. There was no further discussion. The motion was approved by a vote of 6-2, with Mr. Creem and Mr. Rosenstock dissenting.

Mr. Zimbone asked whether others agreed that the Finance Committee should agree not take a position at Town Meeting regarding the site. Mr. Connelly stated that he felt that he did not think the Committee would be expected to take a position on an issue without the time to consider it. Ms. Zappala commented that she would have been comfortable with the \$500,000 design funds at any location. She felt that the Committee should not make a recommendation about possible amendments at this time, but can discuss it when proposed. Mr. Reilly stated that he felt it is not the Committee's charge to second guess the location decision.

Mr. Rosenstock stated that the Committee is making a recommendation based on a decision of the Board of Selectmen, which was delegated in this situation to the SCEC. He stated that the Finance Committee has a responsibility to make a recommendation to Town Meeting. Mr. Creem agreed that the SCEC served as an executive branch committee, and that the Finance Committee should offer an opinion on the article. There are specific financial implications relating to the different sites, and if there is an amendment to move the senior center to another site, the issue should come before the Committee. He noted that two of the sites may be eligible for CPA funding which affects the bottom line, and that there are noise and diesel fume mitigation issues at the Heights location with cost implications. Each site has its own financial implications that should be considered. Ms. Zappala stated that the Committee will need to deliberate cost issues as they arise.

Youth Commission Appointment

Mr. Zimbone stated that the By-Laws provide that the Finance Committee appoints one member of the Youth Commission, and that the current appointment expired. Cathy Lunetta has been the

Finance Committee for many years. Mr. Rosenstock stated the Finance Committee appointed her when he was Chair, and that she had been on the Commission before that. Ms. Zappala stated that the Finance Committee does not solicit appointees, though if anyone comes forward, they would be considered. In response to a question from Mr. Creem, Mr. Zimbone stated that the appointment would be retroactive to June 1, 2010, and last for three years.

Mr. Rosenstock and Mr. Lunetta recused themselves from the discussion. Mr. Creem noted that the Finance Committee should invite the appointee to a meeting at least annually to discuss the Youth Commission and her role.

MOVED: By Mr. Zimbone that the Finance Committee appoint Ms. Cathy Lunetta to the Youth Commission for the term of June 1, 2010 until June 1, 2013. Ms. Zappala seconded the motion. There was no further discussion. The motion was approved by a unanimous vote of 6-0. (Mr. Lunetta and Mr. Rosenstock had recused themselves from the matter.)

Finance Committee Executive Session Minutes Policy

Mr. Zimbone stated that the Finance Committee adopted a policy in September regarding the release of executive session minutes. He stated that Ms. Mizgerd received an e-mail from David Tobin, Town Counsel, suggesting review every six months. Ms. Mizgerd stated that Mr. Tobin suggested that the current policy calling for the release of minutes after three years was too long, and suggested that the minutes be reviewed every six months. Ms. Mizgerd stated that she was not sure he understood that after the initial three years, that there was a six month review cycle. She noted that the three year delay is based on the three year cycle of collective bargaining agreements to protect the negotiating strategies of the Town. She stated that at the recent ATFC annual meeting, at a panel on the open meeting law, Mr. Creem asked an Assistant Attorney General from the Department of Open Government specifically what he thought of holding such minutes for three years before release. He stated in his judgment that was reasonable. She said that while this was not an official position from the AG's office, the representative tended to be very conservative.

Ms. Zappala expressed concern that after three years, there would be staleness of involvement, as Committee members and the Executive Secretary may change. Mr. Creem reiterated as he stated in the previous discussion of this policy that accepting the minutes is a ministerial act, and that the minutes exist when they are taken. Members can vote to accept minutes for meetings at which they were not present. He stated that he saw no problem with the 3 year delay as a matter of public policy, and felt there was no reason to change. Mr. Connelly stated that since no action is needed after the 3 year period for the minutes to become public, he favors leaving the policy as is. Mr. Zimbone stated that unless he heard a motion to change the policy, he will leave it. No motion was presented.

Open Meeting Law

Mr. Creem stated that he moderated a panel about the new open meeting law at the ATFC annual

meeting with a representative from the Department of Open Government (DOG) and the Town Clerk from Foxborough. He stated that the DOG's current thinking was very conservative in favor of the public's interests. Mr. Creem asked the DOG representative a question about meetings of co-liaisons to a town department and whether their meetings had to be posted. The representative suggested that subsets of public bodies are public bodies, though he had no background in Finance Committees, and did not specifically understand what they do. Ms. Mizgerd noted that the representative did say that if the liaisons were strictly fact-finding and not discussing or deliberating issues, then the open meeting law did not apply.

Finance Committee Updates

Mr. Zimbone stated that he had received a letter from a resident, and read an article in the Needham Times expressing concerns about the Pollard repairs project in Article 9. Mr. Borrelli stated that he and Ms. Zappala met with members of the School Department to alert them to concerns about that article. He said that Marianne Cooley is going to speak about Article 9 at Town Meeting, and that Anne Gulati is preparing handouts. Ms. Zappala stated that Dan Gutekanst said there had been a public hearing, and a few concerns about traffic. Ms. Zappala stated that a resident had spoken to her concerned that the Pollard auditorium repairs were separated from the other repairs. Ms. Zappala told Dr. Gutekanst that people may be upset at Town Meeting that \$1.2 million is being spent at Pollard and not addressing the auditorium. She stated that she told Dr. Gutekanst that the Board of Selectmen will not be the main proponents, and the Finance Committee will only be addressing the financing. Mr. Zimbone stated that he also talked to Joe Barnes about the concerns.

Mr. Zimbone asked Mr. Davison if he knew the status of the Mitchell and Hillside assessments. Mr. Davison stated that the PPBC is going through the procurement process, but no one has been hired for the work. Ms. Zappala and Mr. Zimbone stated they had both heard concerns about why the assessments were moving slowly. Mr. Davison stated that the PPBC has been very busy, and other projects have come up. Mr. Connelly stated that many people don't understand the how involved the procurement process is. Ms. Zappala stated that there will be objections to the request for \$1.2 million for Pollard when the assessments have not been done.

Mr. Reilly stated that he will be attending a public hearing next week regarding RTS issues.

Mr. Zimbone reminded members about the department budget meetings. The Finance Committee members are invited as guests to listen.

Adjournment

MOVED: By Ms. Zappala, that the meeting be adjourned, there being no further business. Mr. Borrelli seconded the motion. The motion was approved by a vote of 8-0, at approximately 9:00 p.m.

Documents: November Special Town Meeting Warrant

Respectfully submitted,

Louise Mizgerd,
Executive Secretary

Approved December 8, 2010