

Pursuant to a call to order and notice duly given in the manner required by law and the By-laws of the Town of Dartmouth, a meeting of the Finance Committee was held on Thursday, October 4, 2007 at 7:15P.M. at the Town Hall Room 315.

MEMBERS PRESENT: Greg Lynam, Peter Friedman, Francis Pettengill, George Jacobs, Leonard Gonsalves, Melissa Haskell, Stewart Washburn, Shannon Jenkins, Larry Fox
MEMBERS ABSENT:

BEGINNING RESERVE FUND BALANCE: \$630,000

ENDING RESERVE FUND BALANCE: \$551,000

Finance Committee Agenda

October 4, 2007

Room 315

7:00 P.M. Review and Approve Minutes from September 27, 2007

7:05 P.M. Discussion of Article to Recommend from the Floor

- Article O,P,Q
- Article CC
- Article DD
- Article V License Agreement

7:50 P.M. Article X

8:20 P.M. Quinn Windows

8:35 P.M Town Meeting Strategy

8:50 P.M. Review Action Items

9:00 P.M. Adjourn

Scheduled Meeting dates:

Oct 11

ACTION ITEMS:

- Receive a monthly account of Town Revenue – to start by the end of July (08/10/07-reminded C. Karvonen via email, 09/05/07- follow-up email)
- Receive an update of legal bill estimates and some sort of a calculation of the variance between budgeted and actual expenses – check at the end of first quarter (unassigned)
- Schedule a meeting with Mary Sahady to review the Town Audit and Management Letter (decide if necessary after reviewing Management Letters)
- Insure that the October Town meeting Schedule A is in the same format as the last Town Meeting so that it is consistent and presented in a format to which Town Meeting Members are accustomed. (unassigned)
- Draft a Town Financial Status Report for website (Peter and Greg)
- Ask for 2007 Management Letter around September 28th (date of last years management letter).
- Contact School Department or Engineer for the estimated repayment period for Quinn School windows (Greg)
- Follow-up on appropriate allocation of Municipal Paralegal's salary between departments on Schedule A for Spring 2008 Town Meeting. (M. Gagne and E. Iacaponi)
- Amount of money from the General Fund expended on the Roger's Street Landing Project/Acquisition to date. (E. Iacaponi)

UNSCHEDULED AGENDA ITEMS

- discuss audit and management letter and response - ongoing
- discuss Financial Management Review from DOR - ongoing
- Discuss letters to department heads regarding 2% challenge (Stewart)
- Consistent format for Revenue breakdown (Greg)
- Discuss a potential FinCom recommendation for a liason to the School Committee for contract negotiation.

IDEAS FOR FURTHER CONSIDERATION

MOTION

Melissa Haskell moved that the meeting minutes from September 27, 2007 be accepted. George Jacobs seconded the motion.

(Vote 9-0-0)

MOTION

Melissa Haskell moved to recommend the acceptance of a portion of Lincoln Street as recommended by the Planning Board and Department of Public Works. Leonard Gonsalves seconded the motion.

(Vote 7-2-0)

Gregory Lynam said that he would vote against street acceptances because they cost the Town money in terms of maintenance and manpower. Peter Friedman disagreed with this view stating that these people are residents of the Town and they pay taxes. Gregory Lynam countered that these individuals move into subdivisions when they know that the streets are not accepted. Leonard Gonsalves pointed out that the residents move in with the understanding that the street will be accepted when the streets meet the specifications. It was pointed out by Mr. Lynam that this promotes development and developers make money on the building of these subdivisions and expect the Town to take over the maintenance of the roads. He further pointed out that while we cannot legally charge developers an impact fee, we can choose not to be impacted. It was discussed that an alternative to street acceptance would be to keep the road private and let the residents pay the costs of maintenance of the road, etc. There apparently are various rules applied to the delivery of mail on private roads.

Summary of delayed items

There were a variety of warrant articles that the Finance Committee had hoped to vote on, but were delayed.

The license agreement for the property on Lakeside Avenue was awaiting final approval of Town Counsel, but was expected to be sent out for Finance Committee member review before the next meeting.

Melissa Haskell reported that she had spoken with Heather Martino in Anthony Savastano's office who said the "shall" could be changed to "may" in the wind by-law, but felt some additional language that would support a Select Board denial would need to be added to essentially make a denial not be contestable. Peter Friedman indicated that he had spoken with Michael Gagne and Michael had given the by-law to Mark Bobrowski to review. All agreed that we would wait to see Mark Bobrowski's suggested wording changes.

Mr. Friedman pointed out the very specific issues raised by Mr. Lynam with regard to making it a requirement to have a certified engineer review plans and Mr. Lynam's concerns for abutters to turbines that might be installed. There was further discussion about the issues that remained and the FinCom's role in addressing these issues. Reference was made to the Finance Committee Handbook and it was pointed out that we are well within the parameters set for the Finance Committee in raising these issues. Leonard Gonsalves pointed out that there are likely to be fiscal implications related to all of these issues. Larry Fox felt there was not consensus and should be deferred to the fall for all the issues to be worked out. Finance Committee members were reminded by Mr. Gonsalves that one catalyst for much of the discussion about the wind turbine was the possibility of locating one on Town land and generating revenues for the Town. So, there are fiscal implications and it is one of the main reasons for getting this by-law done at this Town meeting. Larry Fox discussed cell towers as being an opportunity to generate revenue and that he had volunteered his professional expertise in this area and had not been taken up on it about two and a half years ago. Francis Pettengill pointed out that we had one more meeting and suggested that we wait until then to see what other information might be available. He further pointed out that there was not need to decide on the issue at this meeting. There was general agreement on this point.

Peter Friedman asked if the wording change of "shall" to "may" was enough or did the Finance Committee want to recommend other changes. Leonard Gonsalves pointed out that a two-thirds vote was necessary for passage and that if areas of this by-law remained murky, it would be difficult to get a two-thirds majority. Larry Fox expressed concern about wind turbines potentially surrounding developments.

George Jacobs noted that the recommending body would be a committee of lay people that may be energy ideologists or not. He thought that if anyone were going to shoot down this by-law, it should be Town Meeting and well informed FinCom members should not be acting as a super agency. Mr. Jacobs further noted that he was wary of making more than the single word change.

Mr. Friedman expressed concerns with the ability of provisions to be explicitly waived. Some discussion took place about the precedence for this with other boards. Gregory Lynam questioned whether stricter standards might be imposed by the special permit granting entity. Leonard Gonsalves pointed to section 34.401 as allowing the special permit granting authority some latitude in its requirements. Shannon Jenkins expressed her desire to see the word “shall” changed to “may”. George Jacobs said the addition of “requirements” or “considerations” to this section would fix the problem. The appeal process for a special permit was discussed. There was group agreement to defer any further discussion to next week.

Quinn Windows

Leonard Gonsalves pointed out that while the FinCom was trying to do a good thing for the schools, there has been no documentation to quantify the savings to be effected by a replacement of the Quinn School windows. Larry Fox said that this should be supported because it blocked the pipeline of other items the schools needed and they would not try to do any of those things, including replace computers, until these windows were replaced. George Jacobs expressed his difficulty in supporting this article when there is not information about the return on this investment. The Town is financially strapped and there is no clear payback period. The group agreed that Dr. Russell would be asked for some additional information.

Town Meeting Strategy

A discussion took place about the information that would be presented to Town Meeting by the Chair and the Vice Chair.

Diane Gilbert noted that she had been voted as the Select Board representative on school contract negotiations.

Melissa Haskell asked if exploration of the legality of a five year contract might be explored at a future FinCom meeting. She pointed out that Mr. Lynam had raised the point some time earlier that he thought contracts were limited by law to three years.

MOTION

Melissa Haskell moved and Larry Fox seconded a motion to adjourn.
(Vote 9-0-0)

Meeting adjourned at 9:03 P.M.

Respectfully submitted,

Melissa Haskell
Clerk