

**Needham Finance Committee
Minutes of Meeting of April 29, 2009**

The meeting of the Finance Committee was called to order by the Chair, David Escalante, at 7:00 pm in the Selectmen's Meeting Room at Town Hall.

Present from the Finance Committee:	David Escalante, Chair Lisa Zappala, Vice Chair Scott Brightman Richard Creem	Richard Reilly Steven Rosenstock Michael Taggart (arrived 7:10 pm) Richard Zimbone
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Also Present: David Davison, Assistant Town Manager – Finance Director
Kate Fitzpatrick, Town Manager

There were no citizen requests to address the Finance Committee.

Discuss and Vote as Appropriate May Town Meeting Warrant Articles 38 and 39: Appropriate for CPA/Additional Easement Research to Complement Master Plan for Trails and Appropriate for CPA/Windows/Energy Improvements for Six 40B Housing Units: Ms. Zappala moved to postpone discussion of Articles 38 and 39 to a time certain, namely after the Finance Committee's discussion of the Reserve Fund Transfer and after discussion of the Property Tax Assistance Program. Mr. Rosenstock seconded the motion. Discussion: none. The motion was approved by unanimous vote: 7-0.

Reserve Fund Transfer Request: Present for the discussion was Mr. MacDonald, manager of the Information Technology Center. Mr. MacDonald explained that there had been a malfunction with a power distribution unit resulting in the request for a dual battery backup unit. There was a brief discussion regarding data loss. Mr. Zimbone moved that the Finance Committee approve transfer of \$7,800 to account number 01105505580. Mr. Creem seconded the motion. Discussion: Mr. Escalante stated that he will vote against the motion because he does not think that the Town should purchase a dual battery backup unit if the Town does not know the cause of the malfunction. The motion was approved by a vote of 7-1 (Mr. Escalante dissented).

Discuss and Vote as Appropriate Annual Town Meeting Warrant Article 25: Appropriate for Needham Property Tax Assistance Program: Present for the discussion was Mr. Wasserman, member of the Board of Selectmen. Mr. Wasserman stated that the Board of Selectmen voted to fund Article 25 with \$1,000 and reduce the Senior Corps program request for appropriation to \$9,000. There was a discussion that the number of Senior Corps workers fluctuates annually. There was a discussion of the amount that would be contributed annually to the Property Tax Assistance Program. There was a discussion of the guidelines for providing tax assistance. There was a discussion of why the Program is limited to seniors. Mr. Wasserman stated that the

Town cannot afford to broaden the Program, although he agreed that non-seniors could benefit from a tax assistance program. Mr. Wasserman also stated that the Board of Selectmen had set out to address tax relief for seniors, not others at this time. Mr. Creem asked about the prioritization of the Program in the budget process. Ms. Fitzpatrick stated that there is no guarantee of funding. The recommendation to fund could either be part of the balanced budget or part of the performance budget. Mr. Rosenstock moved that the Finance Committee recommend adoption of Annual Town Meeting Warrant Article 25 entitled "Appropriate for Needham Property Tax Assistance Program" with the following amendment: strike the words "a sum" and insert in their place "\$1,000". Mr. Zimbone seconded the motion. Discussion: Mr. Reilly stated that he will vote in favor of the Article but would like to see the Program broadened to groups other than seniors. Mr. Escalante stated that he will vote against the Program because he would like to see a broader program with more developed criteria. The motion was approved by a vote of 7-1 (Mr. Escalante dissented).

Discuss and Vote as Appropriate May Town Meeting Warrant Article 38 entitled "Appropriate for CPA/Additional Easement Research to Complement Master Plan for Trails": Present for the discussion was Mr. Commando, member of the Community Preservation Committee. Mr. Brightman stated that his question had been why the easement research was being funded out of the General Fund rather than the Open Space bucket. That question has been answered. Mr. Zimbone stated that the Draft Master Plan map shows proposed trails, the funding for which needs to be determined. Mr. Commando stated that whether CPA funds can be used depends on whether the trails are on existing Town land or new land. Ms. Fitzpatrick stated that the Trails Master Plan did not call for the acquisition of land for trails in the first few years. Mr. Rosenstock stated that the purpose of the Article is to find out where there are easements on private land. Ms. Fitzpatrick stated that the "easement detectives" would be looking for all easements and that could lead to the addition of trails or easements. Mr. Escalante asked about the cost and whether this assumed that trails would be used more than they are now. Ms. Zappala stated that the Trails Master Plan included the identification and marking of trails, which should result in greater usage. Mr. Commando stated that Town Meeting appropriated \$5,500 last year for signage. Olin College students and Eagle Scouts will be working on the project over the coming summer. Mr. Escalante suggested that it may make sense to wait and see what the usage of the trails is after the markers have been installed. Mr. Zimbone moved that the Finance Committee recommend adoption of Article 38 entitled "Appropriate for CPA/Additional Easement Research to Complement Master Plan for Trails". Mr. Brightman seconded the motion. Discussion: Mr. Rosenstock stated that he is still concerned about the funding source for the Article being CPA General Reserve. Mr. Rosenstock would prefer to see the Town Hall debt reduced at this time. Mr. Taggart stated that he does not think that it is worth spending \$25,000 for easement research. Mr. Taggart stated that this does not mean that he finds the Article to have no merit. The motion was approved by a vote of 5-3 (Mr. Escalante, Mr. Rosenstock, and Mr. Taggart dissented).

Discuss and Vote as Appropriate May Town Meeting Warrant Article 39 entitled "Appropriate for CPA/Windows/Energy Improvements for Six 40B Housing

Units’’: Mr. Commando stated that he voted against Article 39. As a committee, the CPC discussed the need for more information. If the Town was going to make an investment in the windows, then the CPC wanted some assurance that the building would remain 40B housing. The CPC found out that the affordable use restriction will be in effect for another 25 years. Mr. Brightman stated that the Finance Committee had received the guidelines from the CPC regarding what type of entities could apply for affordable housing monies. Mr. Brightman stated that he is still concerned about the CPC guidelines and would like to see more defined guidelines. Mr. Rosenstock stated that he would have no problem with the request for funds if it were for the development of affordable housing. Mr. Brightman moved that the Finance Committee recommend adoption of May Town Meeting Warrant Article 39 entitled “Appropriate for CPA/Windows/Energy Improvements for Six 40B Housing Units”. Mr. Zimbone seconded the motion. Discussion: Mr. Escalante stated that there should be some discussion on whether CPA funds should be spent on capital plan items, not on maintenance items. Mr. Zimbone suggested that a message be sent to the CPC that the Finance Committee would like to discuss this issue. Mr. Rosenstock stated that the purpose of CPA is to fund special programs, one area being affordable housing. Mr. Creem stated that he would rather see the CPC accumulate CPA funds for larger projects that have more impact. Mr. Creem would like to see a discussion of the Capital Improvement Plan and of prioritization when the Town has other projects that cannot be funded. Mr. Commando stated that there are two steps to the CPA funding process: first, qualification; and second, funding. Just because a project qualifies does not mean that it will be funded. Mr. Rosenstock stated that almost all the historic preservation funds were used for Town Hall and almost all the affordable housing funds were used for the High Rock Homes project. Mr. Rosenstock stated that most of the CPA funds were used on large projects. Mr. Escalante stated that he agrees with Mr. Rosenstock on the for-profit and non-profit distinction and is worried about the slippery slope of maintenance. Mr. Commando stated that every project must be considered on its own merits. The motion failed to pass. The vote was tied 4-4 (Mr. Zimbone, Ms. Zappala, Mr. Rosenstock and Mr. Brightman voting in favor of the motion, and Mr. Taggart, Mr. Reilly, Mr. Escalante and Mr. Creem voting against the motion).

Discuss and Vote as Appropriate Annual Town Meeting Warrant Articles 3 through 9: All Zoning Articles: Present for the discussion were Lee Newman, Planning Director, Jean McKnight, member of the Planning Board, Ron Ruth, member of the Planning Board, Martin Jacobs, chair of the Planning Board, Judi Barrett, Director of Planning, Community Opportunities Group, Inc. The Finance Committee discussed the fiscal impact study of the proposed By-Law changes prepared by Ms. Barrett. Mr. Escalante stated that the report was good. Mr. Reilly asked what circumstances may cause the fiscal study to be irrelevant. Ms. Barrett stated that a price is put on the demand for more service. The improvements could take longer to be effectuated. There could be more housing development rather than commercial development. There could be more \$20 than \$30 per square foot space. The numbers for the infrastructure costs were provided by the Town Engineer. Mr. Zimbone stated that Ms. Barrett had done an outstanding job with the study. Mr. Zimbone asked about the parking fund. Ms. McKnight stated that the parking fund is being addressed separately. There will be a

parking study of the downtown area. There was a discussion of possible fees, lease arrangements, reorganization of existing parking area, and subterranean parking.

Mr. Creem moved that the Finance Committee recommend adoption of Article 3 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Needham Center Overlay District". Mr. Rosenstock seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0. Mr. Creem moved that the Finance Committee recommend adoption of Article 4 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Lower Chestnut Street Overlay District". Ms. Zappala seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0. Mr. Creem moved that the Finance Committee recommend adoption of Article 5 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Garden Street Overlay District". Mr. Zimbone seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0. Mr. Creem moved that the Finance Committee recommend adoption of Article 6 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Map Change to Needham Center Overlay Sub-District A and Needham Center Overlay Sub-District B". Mr. Reilly seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0. Mr. Creem moved that the Finance Committee recommend adoption of Article 7 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Map Change to Lower Chestnut Street Overlay District". Mr. Brightman seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0. Mr. Creem moved that the Finance Committee recommend adoption of Article 8 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Map Change to Garden Street Overlay District". Mr. Reilly seconded the motion. Discussion: none. The motion was approved by unanimous vote: 8-0.

The purpose of Article 9 is to correct a mistake in lot coverage that cannot be corrected by special permit. Mr. Rosenstock asked whether the error would be an error of the building inspector or of the contractor. The Article is meant to alleviate excusable errors. Mr. Rosenstock stated that he does not want to see the Article become a loophole. Mr. Rosenstock moved that the Finance Committee take no position on Article 9 of the Annual Town Meeting Warrant, entitled "Amend Zoning By-Law - Dimensional Regulations (limited Exception to Lot Coverage Regulations by Special Permit)". Mr. Creem seconded the motion. Discussion: Mr. Creem stated that he is comfortable if no position is taken for this Article. The motion was approved by unanimous vote: 8-0.

Discuss and Vote as Appropriate Annual Town Meeting Warrant Article 20:

Citizens' Petition - Quiet Zone Study: Mr. Creem recused himself from the discussion and vote of Article 20 because he is a member of the Transportation Committee. Mr. Zimbone stated that the Board of Selectmen discussed referring Article 20 back to the Transportation Committee. Ms. McKnight stated that there appears to be general support of the idea of studying a quiet zone. The cost of a quiet zone could be as high as \$1 million, but a study may show ways to achieve a quiet zone less expensively. Mr. Rosenstock stated that the cost of implementing the quiet zone would need to be presented to the Town Manager and become part of the Town's Capital Improvement Plan. There was a discussion of the CIP and whether the Town can afford quiet zone implementation and whether quiet zone implementation is a priority. Mr. Brightman

asked about safety of a quiet zone. There was a discussion of safety. Ms. Zappala asked about the effect of a quiet zone on economic development. There was a discussion of the cost of the study and where the funding could be obtained. Mr. Escalante stated that the Board of Selectmen is willing to take funds from the Senior Corps to fund the Property Tax Assistance Program, and that \$350,000 could be found at the Special Town Meeting in May 2008 to fund the Newman repairs work. Funds could probably be found to fund the study. Mr. Brightman stated that there are higher priorities if there are additional funds available. Mr. Taggart stated that he would not say that there are no funds available, but rather than the Town chooses to not use the funds available for the study right now.

Mr. Rosenstock moved that the Finance Committee recommend that Annual Town Meeting Warrant Article 20, entitled "Citizens' Petition - Quiet Zone Study" be referred to the Transportation Committee and that the Transportation Committee consult with the Town Manager to get the study into the Capital Improvement Plan if that is the recommendation of the Transportation Committee. Mr. Zimbone seconded the motion. Discussion: Mr. Taggart would refer the Article to the Transportation Committee and Board of Selectmen. Mr. Reilly stated that a motion to refer is at least an endorsement of the concept of a quiet zone. A quiet zone is a significant economic benefit for a select group of people in Town. Mr. Rosenstock stated that if this is a vote to recommend funding, he would not recommend funding of the study. Mr. Zimbone stated that the Transportation Committee had already recommended a study to the Board of Selectmen one year ago, but the Board of Selectmen did not choose to prioritize the study. Mr. Taggart moved that the Finance Committee recommend that Annual Town Meeting Warrant Article 20 entitled "Citizens' Petition - Quiet Zone Study" be referred to the Transportation Committee and the Board of Selectmen. Mr. Brightman seconded the motion. Mr. Rosenstock withdrew his motion. Mr. Zimbone consented to the withdrawal. Discussion: none. Mr. Taggart's motion was approved by a vote of 5-2 (Mr. Reilly and Mr. Rosenstock dissented).

Accept Minutes of Prior Meetings: Mr. Creem moved that the minutes of the Finance Committee meeting of February 4, 2009 be approved as submitted. Mr. Zimbone seconded the motion. The motion was approved by a vote of 7-0-1 (Mr. Brightman abstained).

Discuss and Vote as Appropriate Annual Town Meeting Warrant Article 51: Appropriate for RTS Enterprise Fund Cash Capital: Mr. Reilly stated that there were two issues raised. The replacement of a truck with a continued useful life has been answered by the need for an additional truck. The transparency issues in the transfer of the vehicle and the need for the vehicle have been answered. Mr. Rosenstock moved that the Finance Committee recommend adoption of Annual Town Meeting Warrant Article 51, entitled "Appropriate for RTS Enterprise Fund Cash Capital". Mr. Zimbone seconded the motion. Discussion: Mr. Taggart will not support replacing a vehicle that still has a useful life and will not support adding to the Town fleet. Mr. Rosenstock stated that the vehicle is being replaced based on the schedule in the Capital Improvement Plan. There are funds available to replace the vehicle. The Public Facilities Department Manager will now have an old truck. Mr. Escalante stated that the Finance Committee

could approve the Article without any appropriation for the truck. Mr. Escalante stated that he still believes that the Public Facilities Department Manager does not need a truck. The motion was approved by a vote of 6-2 (Mr. Escalante and Mr. Taggart dissented).

Mr. Zimbone moved to adjourn the meeting of the Finance Committee at approximately 11:45 pm. Mr. Rosenstock seconded the motion. The meeting was adjourned by unanimous vote 8-0.

Respectfully submitted,

Louise Miller,
Executive Secretary