Needham Finance Committee
Minutes of Meeting of October 30, 2023

The meeting of the Finance Committee was called to order by Vice Chair Carol Fachetti at approximately 7:03 pm in the Great Plain Room at Needham Town Hall.

Present from the Finance Committee:
Louise Miller, Chair (arrived 7:08 pm); Carol Fachetti, Vice Chair;
Members: Karen Calton; Barry Coffman; John Connelly, Carli Hairston, Joshua Levy, Paul O'Connor

Others present:
David Davison, Assistant Town Manager/Finance Director

Special Town Meeting Warrant Issues

Ms. Fachetti stated that there were language changes in Article 14, and asked Mr. Levy to explain. Mr. Levy stated that on September 26, the Select Board closed the warrant, subject to technical corrections, which was prior to the Finance Committee's vote on this article on September 27. He stated that he was in touch with Town Counsel in the week prior to the October 30 Special Town Meeting regarding the bylaw changes being effectuated by the article when he learned that there were not only a number of technical corrections after the warrant closed, but also three changes that could be considered more substantive. In two instances, a row of the table in the article was removed and two violations being combined under one heading, and in one other instance, a row was added to the table. The new row added to the table did not add a violation. Instead, it referred to a violation that was already in the text of the existing bylaw, but originally not included in the amendment to the bylaw. Mr. Levy stated that the substantive nature of the changes is minor but there is a lack of clarity about the timing of the changes, and he would like to have more confidence that once the warrant closes, there will not be substantive changes to the language of any article. Mr. Connelly asked if there was a motion to amend the article. Mr. Levy stated that there was not an amendment because the changes were made to the warrant after the warrant was closed but before the document was finalized and distributed.

Mr. Coffman stated that the situation is unfortunate, and the Committee should have been made aware, but the changes are not significant. Ms. Calton stated that this is still a problem. Mr. Connelly stated that he does not want to stand in the way of this article, but the Committee needs to know that this will not happen again. Ms. Hairston asked if this is the first time that the language of an article changed after the close of the warrant but before printing. Mr. Levy stated that he does not know and would not have known about this change if he has not had suggested posting a document showing the changes which led to an interaction with Town Counsel. Mr. Coffman stated that he can understand how this would happen with an article such as this one with the number of details and the table. Mr. Levy stated that if there are changes after the warrant is closed, then there should be a motion to amend.

Mr. Coffman stated that the real problem is that the final warrant shows the Finance Committee recommendation with language that does not correspond to the draft that the Committee actually voted. Mr. Levy described the changes between the final language and the draft as voted. Ms. Miller stated that, aside from the fact that the Select Board did not tell the Committee of the changes and that there should have been a motion to amend, the main issue seems to be that the Finance Committee voted and then the language changed. Ms. Miller stated that she had not yet spoken with the Moderator regarding these changes since she did not know the specifics of the issue but would let him know. She stated that this is certainly a problem and is bad precedent. Mr. Levy stated that he did not want to take any steps that would interfere with this article.

MOVED: By Mr. Coffman that the Finance Committee reconsider it recommendation with respect to Special Town Meeting Article 14: Amend General By-Laws – Non-Criminal Dispositions. Mr. Levy seconded the motion. The motion was approved by a vote of 8-0.

Mr. Connelly requested that, at the next Finance Committee meeting, he would like to have a discussion about this issue and invite someone from the Select Board to explain to the Committee what happened. Ms. Miller agreed.

MOVED: By Mr. Coffman that the Finance Committee recommend adoption of Special Town Meeting Article 14: Amend General By-Laws – Non-Criminal Dispositions as it appears in the final warrant. Mr. Levy seconded the motion. The motion was approved by a vote of 8-0.

Updates:

Mr. Davison stated that Article 3 would be withdrawn. The funds to be appropriated under Article 3 need to be used for traffic safety purposes at Kendrick Street. The plan for the funds involved a project that the state did not approve of, so the Town decided to withdraw the article and bring it to Town Meeting in the spring when the specifics of the plan have been worked out.

Adjournment

MOVED: By Mr. Connelly that the Finance Committee meeting be adjourned, there being no further business. Mr. Levy seconded the motion. The motion was approved by a vote of 8-0, at approximately 7:18 p.m.

Documents: October 30, 2022 Special Town Meeting Warrant.

Respectfully submitted,

Louise Mizgerd
Staff Analyst