

FINANCE COMMITTEE

Minutes

January 31, 2008

Regular meeting of the Finance Committee of the Finance Committee was held on Thursday, January 31, 2008 with the following members present: T. Jalkut, L. Donovan, R. Knobel, M. Hickey, S. Kelliher, J. Muti, S. Connell, S. Rose, T. Bowen, M. Gallivan, C. Lane, Also in attendance was Town Administrator M. Boynton.

7:30 p.m. – Quorum being present, the meeting was called to order by the Chairman T. Jalkut

Town Administrator's Budget Update

Town Administrator spoke to there not being any changes presently in the budget. School Department is looking for a 7% increase in their budget. They are looking to add 9 to 12 new positions. He will attempt to hold the line on the budget. He spoke to the difficulty in adding new positions during contract negotiations. Shortage of 1.3 million presently and hopes that there is a change in Norfolk Count Retirement and Health Insurance costs. There are no new positions being requested on the municipal side.

March 10,2008 Special Town Meeting

Planning Board provided the Committee with an updated document on the Zoning By-Laws Re-write. There are not suppose to be any significant changes to the document than the one that was previously handed out. At this time it is not known if the Selectmen will be putting an additional article on the Special Warrant.

Chairman Jalkut asked for the Committee's input on how they feel would be the best way to handle this rewrite. Finance Committee has the main motion at Town Meeting. Committee's responsibility is to either recommend it in its entirety or not. Town Administrator spoke to the possibility of offering amendments, but has to be careful not to change the scope of the article.. Board of Selectmen could prepare an article (Article 3) which combines the two articles of the Planning Board.

R. Knobel would like a change sheet explaining any changes to the documents.

C. Snuffer, RTM Member, requested to speak on the Zoning Rewrite. He values the opinion of the Finance Committee over the Planning Board. He questioned what a Master Plan is and who does it serve, if not the people that are affected on a daily basis. He does not feel the document works well in favor of the citizens. Town has had to deal with many proposed uses that are allowed under the present zoning i.e. 750 low and moderate income properties, Texaco oil leaks, three sludge locations, regional trash

station, Edison sub-station, plus other proposals received this fall that fall under the wording of any lawful uses. Proposed power plant brought forward the issue, people went to the Planning Board on this change on use table and Planning Board did not want to change it last October. They were told to go to the Selectmen and request the change and then went back to Planning Board and thought it was taken care of. He feels there is an obstinacy on part of the Planning Board to do the change. He will offer a substitute Motion of No Action on their articles at Town Meeting. These changes are simplistic to the Use Table. Three possible motions could be done, Favorable Action, No Action or Refer Back to Committee. Town is dealing with environmental and safety of the residents of the Town. Town will be looking to Finance Committee for leadership on this.

T. Bowen spoke to being uncomfortable with the previous meeting with the Planning Board, there was suppose to be only one article, now the warrant has two articles. Article 1 deals with the Zoning Rewrite and Article 2 deals with amending the Schedule of Use Regulations if Article 1 passes. He felt that if there is a problem with Article 1, nothing should be done on Article 2.

T. Jalkut spoke to the enormous amount of work done on this Rewrite of the Bylaw and foolish not to amend the Schedule of Use Regulations under Article 1.

Town Administrator spoke to the Planning Board's role in zoning. He likes many of the things in the rewrite. Planning Board's staff only works for Board and they have the final authority. There is merit to this department being under the jurisdiction of Town Administration. There is value of a Community Development Department, it would eliminate multiple departments. Final say and options would be for anyone to go to the Board of Selectmen.

Mr. Boynton suggested that a letter be sent to the Planning Board stating that it is the recommendation that the current proposal causes too much confusion and suggests that the Article 2 deletions be included in Article 1, incorporating the uses. If there were any changes done on Town Meeting floor, someone might say that they didn't get due notice of the notice of the change. Cleaner way is to incorporate everything into one article.

J. Muti spoke to some of the changes in the By-laws being proposed by an attorney that represents developers. She does not feel that the first section of Article 2 is good. Eliminating the uses should be included in the rewrite and not allow the option of going to the Board of Appeals. She thought the uses were going to be taken out of the table last October and there would be only one article.

C. Lane spoke to attending many of the Planning Board meetings, difficult for lay people to deal with lawyers as they don't fully understand what they are doing. How does the Committee feel on the issues on what is being attempted under Article 2.

L. Donovan questioned making the changes at the public hearing. Town Administrator spoke to the warrant being set on February 12 by the Board of Selectmen and any major changes would create problems with Attorney General.

S. Connell – spoke to being in support of all the work that has been done to make it a more usable document, he is in favor of deleting Article 2 and making Article 1 a more user friendly article.

M. Gallivan spoke to liking the proposed restructuring, committee has done a good job, uncomfortable with wording of any other unlawful uses.

T. Jalkut would like the Committee to send a letter to the Planning Board with their vote.

Mr. Snuffer spoke to the letter to the Planning Board should applaud the work that has been done and the Finance Committee would have the Main Motion at Town Meeting.

M. Boynton – spoke to having a conversation with Town Planner D. Johnson and he thought the original text would have to be published, but was informed that it only had to be available in various areas throughout the town. Mr. Boynton could speak to Town Counsel Ilana Quirk on a suggested Main Motion and see if it is doable.

T. Jalkut will speak with the Moderator, J. Rockwood regarding the motion at town meeting and assume that the Committee would recommend the rest of the changes of the rewrite and authorize him to write the letter.

MOTION MADE by T. Bowen, Seconded by S. Connell to authorize the Chairman, T. Jalkut, to write a letter to the Planning Board. Motion Approved (11-0-0) (11 voting)

Mr. Jalkut's letter will be circulated to the committee as informational but not for comments as e-mail is a public document. He asked for anything else the Committee would like communicated to the Planning Board.

It was suggested that letter should say that we like what they have done and request that the second part of Article 2 be incorporated into Article 1 and if not we will do an amendment or a substitute motion.

Town Administrator spoke to the intention of going along with Article 1 with the hope that Article 2 is adopted, it would need 2/3 vote for passage.

L. Donovan questioned whether the Committee was prepared to say that we would not accept the article as it now stands.

C. Lane spoke to the warrant having three articles, this complicates discussion. One article by the Planning Board would present no confusion and would be clean and neat.

She also spoke to the proposed changes to Age Qualified and why it was being changed from 10 acres to 5 acres. She will speak to the Planner on this. Everyone needs to get together in order to pass.

M. Gallivan questioned putting Article 3 from the Selectmen as Article 1.

T. Jalkut spoke to Committee further reviewing the latest rewrite and e-mail any questions on it to him and they will be forwarded to Planning Board.

T. Bowen expressed concerns with Section 13-11, felt it was too restrictive to building.

Town Administrator will ask Town Counsel if the Finance Committee can amend the motion, and what would be the procedural way to handle it. Would it be allowed as an amendment, can the Finance Committee, with the main motion, amend the document before it under Article 1 and, if so, does the proposed motion be incorporated into Article 1 without changing the scope of Article 1 and not create a failure with the Attorney General. Any motion for a substitute motion requires a simple majority to pass, but needs 2/3 vote to pass as the main motion. It was also questioned that if an article fails could it come back within two years. He spoke to it being very positive to do this rewrite and everyone needs to get together and get issues resolved. Consultants have done a good job.

Special Town Meeting will take place at the Johnson Middle School due to a conflict at the high school.

MOTION MADE by R. Knobel, Seconded by S. Kelliher to adjourn the meeting at 9:55 p.m. Motion Passed, Unanimous (11-0-0) (11 voting)

Respectfully submitted,

Clare P. Abril
Secretary

