

MINUTES
OF THE
FINANCE COMMITTEE
MONDAY, NOVEMBER 3, 2008
TOWN OFFICES
16 JAN SEBASTIAN DRIVE
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Present: Paul Kilty, John Vibberts, Hank Tuohy, Lou Cerrone, Bill Diederling, Ellen Yaffe

Absent: Glenn Pare', Veronica Mooney, Ellen Scott

Also Present: Mr. Dunham, Selectmen Linell Grundman, John Kennan and Randy Hunt; Town Moderator Jan Teehan; Town Accountant Doreen Guild; Richard Augustine; Carl Johansen; William Carig; Mike Baker; Sandwich Taxpayer Association representative Shawn Murray; Yvonne Anderson; Mary Stanley, Paul Babin and SACAT

Meeting called to order at 7:00 p.m.

Mr. Kilty noted that tonight's meeting will offer the 1<sup>st</sup> public forum. There is a sign up sheet and each speaker will be given 3 minutes. After everyone has had a chance to speak, an additional 3 minutes will be allowed if needed.

Mr. Kilty read two letters from Town Counsel into the minutes of the meeting.

**ITEM #2**  
**TOWN MANAGER'S REPORT**

Deferred to later in the meeting.

**ITEM#3**  
**ANNOUNCEMENTS/CORRESPONDENCE**

-Mr. Kilty noted that the first letter which was read, dated October 31, 2008, was e-mailed from Town Counsel John Giorgio to the Town Manager regarding opinion of reopening of the East Sandwich Fire Station.

-The second letter was e-mailed from Town Counsel John Giorgio to the Town Manager October 30, 2008 regarding motions and options regarding East Sandwich Fire Department.

**ITEM #4**  
**PUBLIC FORUM**

Mr. Augustine, 9 Manor Drive is supportive of opening the East Sandwich Fire Station – does not support the article as it passed at Town Meeting – strongly urged the Finance Committee not recommend funding this article.

Mr. Carl Johansen, concerned citizen, doesn't dispute the passing of the article but wonders why the Finance Committee did not make a recommendation on the article. Mr. Johansen offered Charter and By-Law information.

Mr. William Carig of Boardley Road expressed his concern about the Finance Committee not offering a recommendation at Town Meeting. Concerned about the tax impact on the residents.

Mr. Shawn Murray of the Sandwich Taxpayers Assoc. expressed concern about the structural deficit. Offered some options and suggested that there needs to be open dialogue with the Town. The people of Sandwich need to be better informed about various issues.

Mr. Kilty noted that the Finance Committee does not get involved in contract negotiations but the Committee can and will continue discussions on the structural deficit. Eighty percent of the Town's costs are labor related.

Ms. Yvonne Anderson of Grove Street offered that she hopes that the Selectmen and Finance Committee realize that the passage of the article to reopen the East Sandwich Fire Station will be a big problem for some of the people in this town. A lot of people cannot sell their homes because of the taxes in this town. I hope everyone thinks of the little people in town.

Mr. Carl Johansen thinks that the Finance Committee needs to make a statement that the Committee will follow the rules of the By-laws and the Town Charter. All articles should have a recommendation by the Finance Committee and there is a procedural process in place. An article should not even come before town meeting if it has not been following the letter of the law. Everyone who voted at Town Meeting thought that everyone on the stage including the Finance Committee feels that this article on opening the East Sandwich Fire Station was ok.

Mr. Kilty noted that, in the past, the Finance Committee had done what it was supposed to do and assured Mr. Johansen that he takes this very seriously and will be addressing it.

Ms. Yaffe spoke about the time line on the citizen petition article and noted that the Finance Committee will follow to the letter of the law, the Town By-Laws and Charter.

General discussion on the citizens' petition article.

Ms. Teehan thanked the Finance Committee for sponsoring this meeting and spoke about the timing, wording and possible funding of the citizens' petition article.

Mr. Diedering noted that the Finance Committee should and does weigh in on all articles on a Town Meeting Warrant that may have a financial impact on the Town. The Finance Committee has probably missed an opportunity to influence a positive result at Town Meeting. It is important that the petitioner knows what the article gets into and that the Finance Committee makes an informed decision. The Finance Committee can change its recommendation if need be i.e. if there is a change in the wording of an article at the last minute.

Brief discussion on funding possibilities for the citizens' petition article.

Ms. Teehan noted that the language of an article is always shown to Town Counsel.

Mr. Carig spoke about the rewording of the citizen's petition article.

Mr. Diederling mentioned that the Finance Committee has by-laws that govern it. A legal opinion was received prior to Town Meeting that the Finance Committee did not need to make a legal opinion on this citizen's petition article. A financial recommendation will be made on all future articles.

Mr. Johansen asked for an assurance from the Finance Committee that it will act on everything that was talked about tonight and that it will make the statement that from now on the Finance Committee will do what is mandated by the by-laws and the Charter.

Ms. Yaffe noted that there is no written procedure for petition articles in the Charter.

Mr. Baker mentioned that the Finance Committee has never made recommendations on petition articles but from time to time it has supported a petition article. All you need to do is inform the tax payers what the consequences are of voting the article.

Mr. Diederling asked if Mr. Baker thinks the Committee should be recommending petition articles?

Mr. Baker noted that advising the people is appropriate.

Mr. Diederling noted that he feels the Finance Committee should have a policy to vote on all articles with the understanding that if the wording changes, the Finance Committee recommendation does not stand.

Mr. Kilty noted that perhaps it is time to make a policy on this type of recommendation for future petition articles presents.

Mr. Dunham offered information and guidelines regarding time frames, wording and the voting process for submission of articles for warrants noting that all petition articles have to be submitted for print exactly as they are given to us by the petitioner.

Ms. Yvonne Anderson thanked everyone on the Finance Committee for their time and said she feels she was financially hi-jacked with the petition article. How do we get out of this?

Mr. Kilty gave a closing statement to give the public a better understanding of last Monday night's Special Town Meeting.

The Board of Selectmen's meeting this Thursday at the Human Services Building at 7 p.m. will be a joint meeting with the Finance Committee.

**\*MOTION WAS MADE BY MR. DIEDERLING TO ENACT A POLICY DECISION TO MAKE ALL PETITION ARTICLES AND OTHERWISE HAVE A RECOMMENDATION BY THE FINANCE COMMITTEE. SECONDED BY MS. YAFFE.**

General discussion on incorporating procedural issues, more specifics about the articles, time frame for submitting a petition article, the Finance Committee's recommendations on financial articles and future petition articles, the By-laws and the Town's Charter.

**\*MR. DIEDERLING WITHDREW THE MOTION.**

Mr. Diederling asked if the Finance Committee wants to make any recommendations to the Board of Selectmen on this article?

Mr. Kilty noted that the decision is up to the Board of Selectmen but the Board of Selectmen seeks the Finance Committee's recommendation and we can meet, deliberate and go forward.

**\*\*MOTION WAS MADE BY MR. DIEDERING THAT THE FINANCE COMMITTEE RECOMMENDS TO THE BOARD OF SELECTMEN THAT THEY DO NOT BEGIN STAFFING AND HIRING FOR FIRE STATION #2 UNTIL THEY CAN IDENTIFY FUNDING SOURCES IN YEAR TWO AND BEYOND. SECONDED BY MR. VIBBERTS.**

General discussion-

If funding is through an override vote then the Selectmen should not staff Station #2 until an override passes. Otherwise they would have to identify where the cuts would be happening.

Mr. Kilty noted that recurring funding sources have to be identified. Those who voted for this article have to be acknowledged. We are now faced with a funding source solution for this.

Mr. Diederling and Mr. Kilty both noted that they are not advocating for an override.

Ms. Teehan noted that she supports this motion.

**VOTE: UNANIMOUS**

-A Joint meeting of the Board of Selectmen and the Finance Committee will be held this Thursday night, November 6 at 7:30 p.m.

**ITEM #5**  
**ADJOURNMENT**

**8:53 P.M.**

**\*MOTION TO ADJOURN WAS MADE BY MR. VIBBERTS. SECONDED BY MS. YAFFE. VOTE - UNANIMOUS**

Respectfully Submitted,

Diane M. Hanelt  
Secretary