

Finance Committee  
Minutes  
May 6, 2009

Location: Amherst Regional Middle School Band Room

Attendance: Kay Moran, Brian Morton, (Chair), Douglas Slaughter, Andrew Steinberg, Marylou Theilman

Others present: John Musante (Assistant Town Manager and Finance Director), David Ziomek (Director of Conservation and Development)

Agenda:

1. Consideration and Recommendations for Deferred to Town Meeting Articles
  - a. Article 13 Gas Tax
  - b. Article 14 FY 09 Budget Amendments - Parts D and E
  - c. Article 19 CPAC Open Space
  - d. Article 20 CPAC Open Space
2. Next Meeting and Agenda
3. Miscellaneous

The meeting convened at 6:50 p.m.

Actions:

1. Moran moved that if Article 13 is considered on May 6, that the Finance Committee move to postpone consideration until after Article 20; if the motion fails, the Finance Committee have no recommendation; and that if the petitioner moves to dismiss the Article, the Finance Committee support that motion. Moran's motion was seconded by Theilman and passed with 5 in favor, 0 opposed, 2 members absent.
2. Theilman moved to support Article 19 as an appropriate use of Community Preservation Act Funds. The motion was seconded by Moran and passed with 5 in favor, 0 opposed, 2 members absent.
3. Moran moved to support Article 20 as an appropriate use of Community Preservation Act Funds. The motion was seconded by Slaughter and passed with 5 in favor, 0 opposed, 2 members absent.
4. Slaughter moved to postpone consideration of Motions D and E of Article 14 until 7:30 p.m. on June 1. The motion was seconded by Theilman and passed with 5 in favor, 0 opposed, 2 members absent.

Discussion:

Morton observed that the Petitioner for Article 13, Mr. O'Connor, has not presented the motion he intends to make. When O'Connor met with the committee previously, he said that the motion would not be in terms of the article. Moran suggested that the committee have no recommendation if the article comes up later in the evening. Morton said that we could move to defer consideration since the motion may have enough potential financial impact on the Town that we should consider it. He specifically referred to the backlog of needed road and bridge repairs and pointed out that the taxes referenced in the Article could generate funds for this part

of the state. Moran proposed the sequence of committee positions set forth in the first motion recorded above, under committee actions.

Mr. Ziomek presented information regarding the motions under Articles 19 and 20. Article 19 will acquire a conservation restriction on the "Johnson" property in the Lawrence Swamp aquifer area near South East Street, in a partnership with the Kestrel Trust. This is not an Agricultural Preservation Restriction ("APR"). The Kestrel trust is an active partner and was the applicant for the grant that will pay for part of the acquisition. The grant has been secured.

Article 19 is for another property in the same area, the Olendzki property. The appropriation of \$150,000 from the Community Preservation Act will match a \$380,000 LAND grant from the Commonwealth. Part of the property will be purchased in fee. The Town will obtain a conservation restriction for the remainder. The CPA funds will only be expended if the grant is awarded. The motion provides that the amount of the grant can be borrowed to complete the purchase, which will only happen if the Town has been notified that the grant will be awarded. In response to a question about whether the grant program is in jeopardy due to the state financial crisis, Ziomek said that Governor Patrick has remained fully supportive of the LAND program and requested funding.

Morton reminded the committee that it has still not been presented with a recommendation or taken action on Parts D and E of Article 14, the budget amendments. Musante said that he cannot make a recommendation for specific action at this time. As he previously informed the committee, there was expenditure in excess of budget for snow and ice removal and for the police facility. There were also expenditures above budget for legal expenses, elections, and veterans' benefits, but those costs might be covered with funds available from the budget appropriations. Since the specific motions are not ready for consideration, it was agreed that these motions should be postponed until June 1.

The next committee meeting will be on May 13 at 6:45 p.m. Moran moved to adjourn, which was approved unanimously.

The meeting adjourned at 7:20 pm.

Respectfully submitted,  
Andrew Steinberg, Acting Secretary