

**Minutes
Town of Lexington Appropriation Committee
November 27, 2006**

Place and time: Town Office Building, Room G-15, 7:30 p.m.

Members present: Al Levine (Chair), Deborah Brown (Vice-Chair), John Bartenstein (Secretary), Rod Cole, Rick Eurich, Pam Hoffman, David Kanter, Mike Kennealy, Eric Michelson, Rob Addelson (ex officio, non-voting)

Also present: Tom Diaz (School Committee Chair), Tom Griffiths (School Committee Member)

The meeting was originally noticed for 7:30 p.m., but its commencement was delayed for about an hour to permit the Chair and several other committee members to attend an ad hoc meeting with the Board of Selectmen and others addressing the scope of the article to be presented at Special Town Meeting No. 2 for the DPW facility replacement project. The meeting was called to order at approximately 8:45 p.m.

1. Unpaid School Bills for FY06. Tom Diaz reported that the School Committee now has a handle on the issue of unpaid school bills for FY06. Bills totaling \$42,864 were originally identified as unpaid. Of this amount, \$5,815 has now been determined to have been misidentified or otherwise provided for, leaving a balance of \$37,049 to be paid. Although there might be a way to appropriate funds to pay these bills at the upcoming special Town Meeting, the Moderator is uncomfortable doing so under the existing warrant articles, and therefore the plan is to seek such an appropriation at next spring's annual town meeting. The vendor to whom the largest sum is owed, about \$27,000, has indicated that it would be willing to forego payment until this time, and it is believed that deferral of the other payments will not pose a problem.

David Kanter expressed the view that the School Committee should seek an appropriation for the unpaid school bills at the Special Town meeting, if possible, in fairness to all vendors owed payments. John Bartenstein suggested that one possible approach would be for the School Committee seek payment of the unpaid bills now from the finance committee reserve, and then request a supplemental appropriation to the FY07 budget (either at the Special Town Meeting or at next spring's annual town meeting) in a like amount to bring the reserve back up to current levels. He was not sure, however, whether such an approach would be legally permissible.

2. Committee Report for Special Town Meeting No. 1. There was a discussion with Messrs. Diaz, Griffiths and Addelson of the Committee's write-up of Article 2 in its draft report on Special Town Meeting No. 1, and the language of that section of the report was refined. The School Committee members then departed.

The Committee then discussed and agreed on final edits to the remainder of the report on Special Town Meeting No. 1 and took the following votes:

- *Voted* (9-0) to approve the proposed housekeeping adjustments in the water and sewer enterprise funds contemplated by Article 3.
- *Voted* (5-4) to retain language in the write-up on Article 4(ii)(a), addressing the use of CPA funds for the Hancock-Clarke House Restoration project, stating that a “majority” of the Committee felt that the “bar” should be set higher for approval of CPA funding for non-Town-owned assets; it was also agreed by consensus to drop language stating that the “bar” should be set “substantially” higher.
- *Voted* (7-2) to disapprove the proposed appropriation of CPA funds in Article 4(ii)(b) for the elevator at the Lexington Depot (superseding a previous vote taken at an earlier meeting in which there were several abstentions).

3. Committee Report for Special Town Meeting No. 2. The language contained in the Committee’s draft report on Special Town Meeting No. 2, including its recommendation to approve under Warrant Article 2 only those funds necessary to complete the design process through bid-ready documents, was discussed and finalized. One member changed his vote at a previous meeting to make the Committee’s recommendation on this article unanimous.

4. Miscellaneous. Al Levine provided a recap of the meeting earlier in the evening with the Board of Selectmen and representatives of the Permanent Building Committee, the Capital Expenditures Committee and other town committees to discuss final plans for the DPW Replacement Project warrant article at Special Town Meeting No. 2 and the effect of a more limited appropriation on the scheduling of a referendum vote and the commencement of construction.

Plans were made for circulating a final draft of the Committee’s two reports and taking comments so that a final version could be prepared and posted by the close of business on Tuesday, November 28.

Al Levine advised that the Committee would next meet at 6:30 p.m. on Wednesday, November 29 to consider last-minute issues for the Special Town Meetings, and at 6:45 p.m. on Thursday (subject to cancellation if the first Special Town Meeting is completed on Wednesday night).

It was agreed to meet at 6:30 on Wednesday, December 6 before the continuation of Special Town Meeting No. 2, and to cancel the meeting currently scheduled for Thursday, December 7. A regular meeting will be held on Thursday, December 14, and the Committee will plan to meet on a weekly basis in January.

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The meeting adjourned at approximately 10:45 p.m.

Respectfully submitted,

John Bartenstein

Approved December 6, 2006