

TMMA Executive Committee Minutes: December 12, 2007

Attendance:

TMMA Officers:

Edith Sandy – (Chair Pct 6)

Jim Osten – (Clerk Pct 8)

David Kaufman – (Communications Pct 6)

Precinct Officers and Members:

Pct 1:

Pct 2:

Pct 3:

Pct 4: Ellen McDonald, Margaret Heitz

Pct 5: Andrew Friedlich

Pct 6: Frank Sandy

Pct 7: James Courtemanche, Marsha Baker

Pct 8:

Pct 9:

Citizens: Mollie Garberg, Pct. 9

Agenda:

Edith called the meeting to order at 7:30 PM.

Minutes of the November 14, 2007 Meeting:

The minutes of the meeting were approved unanimously.

Treasurer's Report:

Edith noted a balance of \$2197.05. The major expenditure was to Brookline Bank which charges the TMMA a \$10 per month service charge. A new bank or bank relationship was suggested..

Notice was given that four TMM have now reached 30 years of service and will be so recognized at next years town meeting; Nancy Adler, Jim Barry, Sandra Shaw and Sam Silverman.

Other Business:

Edith began a discussion of the impact on TMMA of the proposed earlier start to Town Meeting.

1. An earlier start to Town Meeting and early consideration of budget issues at Town Meeting will allow an earlier date for a Proposition 2 1/2 override if deemed necessary. In the past, June voting on an override left final school staffing decisions in abeyance until the end of the fiscal year thus putting Lexington in a very unfavorable position to retain or attract teachers and other school staff. Even though no override is anticipated this year, starting Town Meeting earlier this year will give us a chance to fine-tune the process.
2. The selectmen will decide at their Dec. 17th meeting on the dates for town meeting. Possible dates and the implications for TMMA sessions are:

March 3: Town election Week of March 3 and week of March 10: Information sessions (4 nights including planning articles, and an additional snow date. It was generally agreed that a fourth information session may be required for planning articles and possibly the CPA articles.)

March 9: Bus tour

March 19: Opening of Town Meeting on Article 2, town reports

March 24: Town Meeting starts Article 4, the operating budget.

3. Edith discussed an amendment to the TMMA bylaws Article II Section 5A that currently requires the TMMA annual meeting to be held after the election, but not less than one week before the start of town meeting to remove the one-week restriction. Such an amendment must be approved by the TMMA executive committee and placed before the annual TMMA meeting.

4. Edith suggested the desirability of having Executive Committee members be available by email. Ellen McDonald suggested that all Town Meeting members should be available to the public via email as well as phone. Edith recommended making an outline of duties for Executive Committee members.

5. Edith recommended holding the TMMA Annual Meeting at Cary Hall prior to the first information session, instead of at Clarke, and to use town office building and Cary meeting rooms for the precinct sessions.

Information Sessions:

1) Mollie Garberg began a discussion of how to improve information sessions. Her major points were that time limits should be strictly adhered to, and that questions in the Warrant Information Report should be answered as part of the discussion, or re-asked from the floor, rather than being read in a list as they were at the Fall Special Town Meeting information session.

2) Marsha Baker will prepare a set of guidelines for the presenters at the information sessions.

3) Edith noted that the plethora of discussion on the TMM email list that would be useful to use or present as part of information sessions. Citizens or town presenters may not have access or be aware of the discussion. But Mollie pointed out that such issues would be much more effectively presented if they were brought up "fresh" at the information sessions.

4)

Margaret Heitz noted that overall design issues should be considered in CPC requests so that the town approves components that reflect a "holistic" view of the results. The Town design committee should be involved in CPC requests.

Discussion of Guidelines/Instruction Sheet for Presenters at information sessions

- 3 to 7 minutes for presentation with 5 to 10 minutes for questions
- Use 16 to 18 size font with dark colors on light colors

- Answer questions from TMMA booklet if time. The TMMA booklet should be mentioned not read.
- Provide more facts and less boiler plate from town/school officials
- With respect to budget items, Andy Friedlich asked for responses to the following questions:
 - o What are policy drivers in budget?
 - o How is level service preserved in budget?
 - o What are the tradeoffs in budget?
- Put audience in forefront

Adjourn:

Edith adjourned the meeting at 9:00 PM

Addendum on TMMA finances:

Steps to ascertain our status:

- Federal and State laws have changed since the TMMA was founded.
- We should contact Brookline Bank and ask what they have on file about the TMMA.
- We could check with the State of Massachusetts (secretary of state) to verify our status.

We should contact Brookline Bank and ask what they have on file about the TMMA. Since 911, banks have been required to obtain extensive documentation on any new bank accounts so that they can identify terrorist organizations. Prior to 911, bank accounts could be opened by an organization. Our bank account likely predates 911.

Unincorporated associations require a tax determination letter from the IRA in order for dues to be tax exempt and also must provide their Tax ID number to donors. Note that tax exempt status is for organizations whose primary purpose is charity.

Brookline Bank may have our Tax ID number if we do have one. We could call the IRA to see if they want an unincorporated association with annual interest income under \$50 to file an annual statement.

We could check with the State to verify our status. The IRS notes that regulation of unincorporated associations is primarily a function of states

I have copies of IRS form 23 "Application for Recognition of Exemption" (26 pages) and "Instructions for Form 1023" (38 pages)

The IRS website on creating a tax exempt organization:

Each application for exemption must be accompanied by an exact copy of the organization's organizing document: Articles of incorporation for a corporation, articles of organization for a limited liability company, articles of association or constitution for an association, or trust agreement or declaration of trust for a trust. If the organization does not have an organizing document, it will not qualify for exempt status.

If the organization's name has been officially changed by an amendment to its organizing documents, also attach an exact copy of that amendment to the application.

[State law](#) generally determines whether an organization is properly created and establishes the requirements for organizing documents.

Exempt Organization - By-Laws

By-laws are an organization's internal operating rules. Federal tax law does not require specific language in the by-laws of most organizations. State law may require nonprofit corporations to have by-laws, however, and nonprofit organizations generally find it advisable to have internal operating rules.

State Law Requirements for By-Laws

For additional information on what the state may require with respect to by-laws, you may want to contact [state officials](#).