

At a Financial Town Meeting holden within and for the Town of Scituate, on April 3, 2007 in the High School Auditorium in said Scituate, pursuant to the Warrant issued and to law, being for the purpose of hearing official reports, making appropriations, ordering a tax and transacting any other business that may lawfully come before said meeting.

After pledging allegiance to the flag of our country, the meeting was called to order at 8:05 P.M. by David D'Agostino, Town Moderator. Mr. D'Agostino welcomed everyone to the 276th Financial Town Meeting, noting that the first meeting was held on March 18, 1731. Mr. D'Agostino introduced the Town Council, School Committee, Superintendent of Schools, Town Clerk, Town Treasurer and Town Solicitor who were all sitting on the stage. He noted the budget totals \$30,200,443, an increase of \$1,169,216 over last year, which the administration deems necessary to continue existing services. This budget includes increased spending for education, public safety, highway improvements, libraries, recreational programs, social services, town properties and cultural services. He noted that if all appropriations and resolutions are adopted without change, the tax rate will not exceed \$21.42 per thousand for residential real estate, \$28.92 per thousand for commercial, industrial, mixed use real estate, and \$32.13 per thousand for tangible personal property. The proposed tax rates equal an effective tax rate increase of 5.25%. This represents a rate decrease of \$3.15 per thousand for residential tax payers.

The warrant, the posted notice and return of service was read by Town Clerk, Margaret M. Long.

Town Moderator, David D'Agostino, advised the audience of the rules and regulations of the meeting. He mentioned that visitors are all seated in the front rows to his right and explained the procedures, which would be followed for voting by registered voters. He advised that his role as Town Moderator is to preside and regulate these proceedings, to decide questions of order and to declare votes. This meeting will be conducted according to the following rules: The Statutes of the State of Rhode Island

pertaining to Financial Town Meetings will apply and will prevail.

Mr. D'Agostino ruled that all motions from the floor must be in writing (forms are available if needed), signed, and presented to him immediately after making the motion public. Once the motion has been made and seconded, he will then open the floor for discussion on that motion. He kindly asked that anyone making remarks, observations and comments keep them brief and to the point of the motion at hand. By law, every elector does have the right to speak once on each motion. Mr. D'Agostino noted that anyone wishing to speak should utilize the microphones at the front of the auditorium and please state their name and address. The comments or questions will be then addressed by the most appropriate person available. Each line item shown on the appropriations budget will be read individually and then voted upon. The decision of the majority of electors present qualified to vote will be accepted as the decision of this assembly. Voting is accomplished by a voice vote. A vote in the affirmative is "aye," and a vote in the negative is "no." If the voice vote is close, he may call for a standing vote; indicate your support for the motion or for the point before the assembly by standing, those opposed remain seated.

In the event that a paper ballot is called for or requested, then it will require at least 20 percent or one-fifth (1/5) of those qualified to vote to second that motion. If the motion is seconded by 20 percent of those qualified to vote and then passed, the Board of Canvassers will conduct the paper ballot. Discussions tonight will be concerned with and limited to items listed on and pertaining to the call of this meeting; specifically, the appropriation of monies, expenditure of monies and the imposition of taxes. If anyone's comments or motions are outside the scope of this meeting, Mr. D'Agostino will let them know that and try to bring them back to the point at hand.

Moderator D'Agostino advised that the Board of Canvassers has indicated the total number of electors present is 141. There are also 6 guests in attendance.

Town Treasurer, Theodore Przybyla, read a summary of receipts

of \$27,056,686 and disbursements of \$26,542,688 for the year ending March 31, 2007, with a beginning cash balance of \$393,588, leaving an ending cash balance of \$907,586.

Motion made by Council Vice President Farrar, seconded by Councilman Salisbury and others, and voted without discussion to accept the Treasurer's Report as read.

Item 110 was moved by Town Clerk Long, seconded by Council Vice President Farrar and others and voted without discussion. Town Moderator declared the motion carried.

Item 210 was moved by Town Clerk Long, seconded by Council Vice President Farrar and others and questioned by George Kuzmowycz, 37 Esek Hopkins Road. Mr. Kuzmowycz stated he is making a motion to reduce the amount budgeted for Item 210 by \$48,962., representing the School Department's portion of the cost of the Police Resource Officer. The motion was seconded by Michael Marcello of Chopmist Hill Road. Discussion followed. Superintendent Paul Lescault stated that the School Committee and School Department feel very strongly that the School Resource Officer greatly enhances safety in the schools for both students and staff. In a post-Columbine world, we cannot compromise safety. Regardless of fiscal condition, we feel that eliminating this position, would be compromising safety of our students and our staff. We are not willing to do this. Moderator D'Agostino stated there is a motion that has been seconded to amend line item #210 to reduce the amount appropriated in the budget to \$48,962 and called for a vote. With no further discussion, Moderator D'Agostino declared the motion is denied.

Michael Marcello, Chopmist Hill Road, questioned the School Department regarding the increase of \$800,000 with very little going to new programs and mostly going to salaries. He asked what is going to happen next year and future years with most of the money going to salaries and benefits? Discussion followed and Superintendent Paul Lescault stated that last year's budget had a total of 81% going to salaries, pension & health care. This year that total is 82%, representing a 1% increase.

Council President Budway stated that Scituate has joined with approximately ten other communities, along with Treasurer Przybyla and various state representatives and senators that formed a coalition in an effort to study the funding of education.

With no further discussion on line item #210 Support of Public Education, Moderator D'Agostino stated a motion was made and seconded and called for a vote. Motion carried.

Item 210, School Committee, was moved by Town Clerk Long, seconded by Council Vice President Farrar and others and voted without discussion. Town Moderator declared the motion carried.

Item 310 was moved by Town Clerk Long, seconded by Council Vice President Farrar and others and questioned by Don Stinchfield of 189 Elmdale Road, as to why we are increasing Item 310 if it has a surplus? Councilman Salisbury answered by stating that most of that money is encumbered and will be spent. With no further discussion, Town Moderator declared the motion carried.

Item 320 was moved by Town Clerk Long, seconded by Council Vice President Farrar and others, and questioned by Don Stinchfield of Elmdale Road as to what the recycling account is and why there is so much money in it? Public Works Director, Richard Iverson, explained that the recycling appropriation is combined with the curbside pick up and that all this money is encumbered. We will be re-bidding when our contract ends in June. This is an estimated increase, as we are going out to bid at that time. With no further discussion, Town Moderator declared the motion carried.

Items 330 was moved by Town Clerk Long, seconded by Vice President Farrar and others and questioned by Don Stinchfield of Elmdale Road with the same question. Why are we proposing an increase when there is a surplus? Mr. Iverson explained that we are looking at numbers that are all encumbered. With no further discussion, Town Moderator declared the motion carried.

Items 340, 350 and 390 were moved by Town Clerk Long, seconded by Council Vice President Farrar and others and voted with no discussion. Moderator D'Agostino declared the motions carried.

Items 410, 420, 430, 440, and 450 were moved by Town Clerk

Long, seconded by Council Vice President Farrar and others and voted with no discussion. Town Moderator declared the motions carried.

Items 510, 520, 530 and 540 were moved by Town Clerk Long, seconded by Council Vice President Farrar and others and voted with no discussion. Moderator declared motions carried.

Items 610 and 620 were moved by Town Clerk Long, seconded by Council Vice President Farrar and others and voted with no discussion. Town Moderator declared the motions carried.

Items 710, 720, 730, 740, 750, 760, and 770 were moved by Town Clerk Long, seconded by Council Vice President Farrar and others and voted with no discussion. Moderator declared motions carried.

Item 780 was moved by Town Clerk Long, seconded by Council Vice President Farrar and others and questioned by Michael Marcello of Chopmist Hill Road. Mr. Marcello asked what is the \$60,000 for the water study management consultant? He understands that committee is now defunct and asked if this money is going to be used to hire a Town Manager? Council President Budway stated that hiring a Town Manager has not been discussed. Councilman Salisbury stated that he is very much in favor of hiring a Town Manager on either a part time basis or full time basis, and something has to be done in the near future. Mr. Marcello agrees with hiring a Town Manager, but feels it should be done the right way and put before the electors of the Town. Mr. Marcello stated he feels it is a change in government and needs to be done in the proper way. Motion made by Michael Marcello and seconded by George Kuzmowycz, 37 Esek Hopkins Road, that this money be approved subject to a provision that no money be spent for the hiring or retention of a Town Manager for the next fiscal year. With no further discussion, Moderator D'Agostino called for a vote and motion is denied. Donald Stinchfield of Elmdale Road questioned why are we asking for \$244,000 in this account and what is the amount of money spent on legal expenses? Council President Budway stated we budget an amount based on what the needs of the Town are. Mr. Budway stated a good portion of money was spent on defending

the Town's position with the Providence Water Supply Board, the Police Contract, Dept. of Public Works employees, Zoning and a number of other items. Lengthy discussion followed. George Kuzmowycz, 37 Esek Hopkins Road, stated these answers are too vague for his taste. He asked how much we anticipate spending on Providence Supply Board litigation? Council President Budway stated that is impossible to give a specific number. Michael Marcello asked what we anticipate to spend in legal fees this year? Town Treasurer Przybyla stated we anticipate \$100,000 in legal fees this year. Discussion followed. Refer to tape.

John Tessitore of White Birch Circle stated the Town will continue to incur legal fees until there is a resolution. Mr. Tessitore asked where are we now? Where do things stand with the Providence Water Supply Board? Mr. Budway explained that we have engaged consultants to conduct an assessment. The City of Providence is still assessing. We have completed ours and are still waiting for the PWSB to finish theirs. We are confident that the experts that have been brought in will come up with a credible assessment. With no further discussion, Town Moderator D'Agostino called for a vote on the original motion that line item 780 be approved in the amount indicated, and declared the motion passed.

Items 810, 820 were moved by Town Clerk Long, seconded by Vice President Farrar and voted with no discussion. Moderator D'Agostino declared the motions passed.

Item #830 was moved by Town Clerk Long, seconded by Vice President Farrar and others and questioned by George Kuzmowycz as to what is the current unfunded police pension liability? Town Treasurer Przybyla stated he cannot give an exact amount because we just commissioned a study (every two years we commission a study) and the study coincides with the end of the fiscal year. The last two years we have been fully funded the current service costs.

This describes the Town's payment of its share of the pension contribution for the fiscal year. We are required to match the officer's contribution. In addition, we have contributed an additional \$200,000 for the unfounded liability. The actuarial

target of 8% has been achieved for the last two years; we have made progress in reducing the unfunded liability. We anticipate a 25 year horizon. The actuarial report should be ready within the next 60 days. Michael Marcello asked who did the report? Mr. Przybyla stated Angell Pension Group. With no further discussion, Moderator D'Agostino declared the motion passed.

Motion made by Town Clerk Long, seconded by Vice President Farrar and others and voted with no discussion to close appropriations. Moderator D'Agostino declared motion passes.

The following Resolutions were presented by Town Clerk Long, seconded by Council Vice President Farrar and others:

Resolution No. 1: Tax Anticipation Notes \$2,000,000.

With no discussion, Moderator D'Agostino declared the resolution passed.

Resolution No. 2: Authorizing the issuance of \$734,750. in notes for the purchase of Public Safety and Highway Equipment. Michael Marcello, Chopmist Hill Road, asked for a breakdown of this? Town Clerk Long stated rescue vehicles in the amount of \$175,000, police vehicles \$52,000, fire capital \$125,000, recreational capital \$13,000, server and computer software \$25,000, public works vehicles \$106,000 and a fire alarm system \$50,000, and \$188,750 for school maintenance & repairs. With no further discussion, Moderator D'Agostino called for a vote, and declared the Resolution passed.

Motion was made by Town Clerk Long, seconded by Council Vice President Farrar and others, and voted with no discussion that Resolution 07-06, as adopted by the Town Council on March 22, 2007, be ratified at this assembly. Town Moderator declared motion passed.

The following Tax Resolution was presented by Town Clerk Long, seconded by Council Vice President Farrar and others and voted with no discussion:

RESOLVED: That the electors of the Town of Scituate qualified to vote on any proposition to impose a tax in town meeting legally assembled, on the 3rd day of

April, A.D., 2007 hereby ordered the levy and collection of a tax on the ratable real estate and ratable personal property in a sum of not less than \$21,228,576., not more than \$22,343,076., plus the average of the last three (3) years of abated taxes (estimated at \$56,257.32), said tax is for the ordinary expenses and charges, for the payment of interest and indebtedness in whole or in part of said Town and for the other purposes authorized by law.

The Tax Assessor shall apportion said tax on the inhabitants and ratable property of said Town as of the 31st day of December A.D., 2006 at twelve o'clock, according to law, and shall on completion of said levy, date, certify and sign the same; deliver to and deposit the same in the office of the Town Clerk on or before the 15th day of June A.D., 2007.

The Town Clerk, on receipt of said assessment and levy, shall forthwith make a copy of the same and deliver it to the Town Treasurer who shall forthwith issue and affix to said copy a warrant under his hand directed to the Collector of Taxes of said Town, commanding her to proceed and collect said tax on the persons and estates liable therefore.

Said tax shall be due and payable on and between the 1st day of July A.D., 2007 and the 1st day of August A.D., 2007, and all taxes remaining unpaid on the 1st day of August A.D., 2007 shall carry until collected a penalty at the rate of twelve (12) per centum per annum upon such unpaid tax from July 1st A.D., 2007.

Said tax may be paid in four (4) installments, the first installment of 25% on or before the 1st day of August A.D., 2007, and the remaining installments as follows: 25% on or before the 1st day of October A.D., 2007; 25% on or before the 1st day of January A.D., 2008 and 25% on or before the 1st day of April A.D. 2008.

Each installment of taxes, if paid on or before the last day of each installment period successively and in order, shall be free from any charge for interest.

If the first installment or any succeeding installment of taxes is not paid by the last date of the respective installment period or periods as they occur, then the whole tax or remaining balance of the tax as the case may be, shall immediately become due and payable and shall carry until collected a penalty at the rate

aforesaid.

At 9:15 P.M. a motion was made by Town Clerk, Margaret M. Long to adjourn, seconded by Councilman Salisbury and others and voted without discussion.

Refer to electronic tape for complete discussion and testimonies given.

Witness:

Margaret M. Long, Town Clerk