

**Finance Committee  
Minutes of July 9, 2014**

Present for the Finance Committee meeting was: Louise Tremblay, Helen Hamel, Michele Green and John Zimini. Also present was Recording Secretary Samantha Carver. The meeting was held at the Richardson Room at Harmony Hall, Dracut, MA.

Also present for the discussion was: Attorney Jim Hall, Town Counsel and Moderator Leo Gaudette

Absent: Dave L'Heureux

Ms. Tremblay opened the meeting and announced that this meeting was being taped by Dracut Access Television.

The discussion began on the agenda item to review, discuss, and act upon a letter of complaint relative to the Finance Committee meeting held on Monday June 2, 2014. Mr. Zimini stated that he has done some research on how an open meeting law complaint is supposed to be filed with the Attorney General's office he read from the handout. He also provided a copy to the Committee, Attorney Hall and Moderator Leo Gaudette. After reading the instruction paragraph from the hand out on how to file a complaint, Mr. Zimini stated that the complaint was not filed properly and he would be making a motion to dismiss the complaint.

Chairperson Tremblay asked Attorney Hall his opinion on whether the complaint was filed properly. Mr. Hall explained that even though it appears it is not filed properly it does not mean the Committee could not voluntarily try to resolve it before it went further to the Attorney General's office or the Superior Court.

Ms. Green stated that she does not want to violate the open meeting law and asked if this was filed properly what would be the next steps.

Attorney Hall explained that any steps to rectify the issue or resolve the problem with all parties to clear the air before it reaches the Attorney General's office would be the goal. Attorney Hall said that it would be up to the Attorney General to interpret whether they would accept a complaint that was not on the form provided.

Mr. Zimini made a motion to dismiss the complaint for not being filed on the proper form. Ms. Tremblay seconded the motion for discussion. Ms. Hamel stated that she did not see what change or affect anything the Committee did at this point would have because it was voted on at Town Meeting and they cannot change that vote. Ms. Green stated that after she thought about this vote and what little percentage the stipends affected the budget she felt differently about her vote. She did not feel everyone was given enough time and notice that this item was coming before the Committee and she would not be voting on something last minute again. Ms. Tremblay stated that she does not feel that the Committee violated the open meeting law. Mr. Zimini reiterated when he was a Selectmen he did not accept the stipend and always felt that the money could be used for other purposes. He mentioned the Superintendent of Schools stated he

would use the extra monies for supplies for the students. The motion moved to a vote with all four members voting in favor of dismissal.

The Committee had no further comments on item two on the agenda.

The next item on the agenda was to review, discuss and act upon the minutes of the Finance Committee meeting held on Monday June 2, 2014. There was a discussion on whether this could come again at the November Town Meeting and be voted back in. If the original motion had failed then according to the Charter you would have to wait a year to bring it back up however that is not the case in this instance.

Mr. Gaudette through the Chairperson asked to go over a few items to help maintain the integrity of the Committee. Mr. Zimini objected to allowing Mr. Gaudette to speak. He stated he only appoints the Committee and needs to separate himself from the duties of the Committee. The Chairperson allowed Mr. Gaudette to go over his points.

Mr. Gaudette suggested the following things be done by the Committee:

1. A refresher course be taken online relative to the Open Meeting Laws;
2. Take a refresher course online on the Ethics Laws (if they haven't already)
3. Require as in the Town Bylaws for the future that when recommendations are made on the warrant articles that the vote on each article be typed up, printed and handed out with the warrant at Town Meeting;
4. And as a recommendation, that if an individual on the Committee is going to be speaking opposed to a vote taken by the Committee, that they give the Committee the courtesy of letting them know prior to speaking at Town Meeting so that there is no surprise.

Mr. Gaudette spoke about mistakes he had made as the Moderator whereas violations were made such as revisiting an article. An article can be revisited if new and compelling information comes forward on the issue, then it can be revisited. He also stated that Mr. Dristiliaris was in violation making a motion on an article that would have a beneficial impact on a family member. Mr. Gaudette stated that even though he was looking to take the stipend away, it still affected his wife as an elected official for the Town. Mr. Gaudette stated for the Committee's information that Town Meeting does not fall under the open meeting law. Mr. Gaudette also mentioned that when an article for setting a salary is approved, it doesn't take effect until the following Fiscal Year beginning in July.

## **Minutes**

The Committee reviewed the minutes of June 2, 2014. Mr. Zimini stated that he would like to table these because there is added discussion related to Article 4. Mr. Zimini made a motion to table the minutes for the next meeting. Ms. Green seconded the motion. The motion carried.

Mr. Zimini made a motion to have the finance meetings recorded in the future. Ms. Green seconded the motion. The motion carried unanimously.

**Adjourn**

Mr. Zimini made a motion to adjourn the meeting at 7:43 p.m. Ms. Green seconded the motion. The motion carried unanimously.

**FINANCE COMMITTEE**

*Laura Temple*  
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*Mark D*  
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*[Signature]*  
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*Alan R. Hamel*  
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