



CITY OF SOMERVILLE, MASSACHUSETTS
LAW DEPARTMENT

MEMORANDUM

To: Maryann Heuston, Chair, and Members of the Finance Committee
From: Anne M. Thomas, Special Counsel
RE: Order regarding Library Grant
Date: June 8, 2011

At the Finance Committee Meeting on Monday, June 6, 2011, the Committee requested the Law Department to furnish an opinion that adoption of the three-paragraph Order recited below would not constitute the appropriation of the matching funds and that further action would be needed if the City is successful in obtaining the library grant.

ORDERED:

To approve the preliminary architectural design and location of a new public library in Union Square ("Library"); and

To authorize the Library Board of Trustees to apply for any state funds available to pay for all or part of the cost of land acquisition, design, construction, and equipping of such Library; and

To approve, contingent upon the receipt of such state funds and appropriation of matching funds, the acceptance and expenditure of said funds.

The Commonwealth includes a sample vote in the library grant application package. The sample vote does not include a contingency for "appropriation of matching funds". Those words were inserted in the final paragraph above expressly to clarify that matching funds are not being appropriated at this time and that further Board of Aldermen approval would be needed if the City is awarded the grant.