

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
February 2, 2009

Present: Michael Smart, President
Arthur Mathews, Vice President
Robert Conlon
Kenneth DiFazio
Ed Harrington
Thomas J. Lacey
Brian McDonald
Michael Molisse
Patrick O'Connor
Victor Pap, III
Kevin Whitaker

Also Present: Franklin Fryer, Town Clerk
Maureen Duffy, Town Auditor
Mayor Susan Kay
George Lane, Town Solicitor
James Wilson, Chief Financial Officer
Michael Gallagher, Director of Administrative Services

Recording Secretary: Diane T. Hachey

President Smart called the Town Council Meeting to order at 7:30 PM. Town Clerk, Franklin Fryer, conducted the roll call with all members present.

ANNOUNCEMENTS

Moment of Silence in Memory of Frank Kay

-Council President Michael Smart

Council President Smart announced the unfortunate passing of Mayor Kay's husband, Frank. He extended, on behalf of the Town Council, their condolences during this difficult period.

Councilor Mathews announced that the Conservation Commission will meet again on Wednesday, February 11, 2009, to continue the public hearing on the Alexan/Arbor Hill project.

Councilor Molisse announced that the Mayor's Office, in conjunction with the Community Events Committee are holding a Valentine Party on Sunday, February 8,

2009. This event is free and will be held at the Immaculate Conception Parish Center. Attendees are requested to bring a donation for the Weymouth Food Pantry.

RESIDENT AND COMMUNITY COMMENT

Council President Smart noted that due to a communication issue, Mr. Paul Delmonico was not included on the agenda.

Council President Smart entertained a motion to add a late agenda item, so moved by Councilor McDonald, seconded by Councilor Mathews and voted unanimously.

Mr. Paul Delmonico spoke of the Yard Sale Ordinance which was developed seven years ago and revised five years ago, adding provisions for a fee permit and enforcement. He noted that historically (from the ordinance inception to the current revisions) that violations have increased substantially, yet only warnings have been issued. He feels that the ordinance was devised solely for him and that he is the only individual who has received a written violation. Mr. Delmonico noted constituents who regularly hold yard sales, are in violation of the ordinance, and have not been reprimanded accordingly. He is requesting that the yard sale ordinance be overturned, and stated that he will seek legal action if this does not occur.

Mr. Delmonico acknowledged that due to intervention by the Mayor, Councilor Pap, and the Acting Police Chief, additional verbal warnings were in fact issued to those in violation of the ordinance.

Council President Smart stated that development and subsequent revision of the yard sale ordinance, was not solely directed to Mr. Delmonico. He further noted that the Police Department, and not the Town Council, are the enforcing agents of said ordinance. Council President Smart further noted that Mr. Delmonico's testimony will be taken under consideration.

COMMUNICATIONS AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS

Mayor Kay extended her appreciation to the Council and the public for the outpouring of support she has received as of late, due to the passing of her husband.

Overview of State Aid for Fiscal Year 2009 to Fiscal Year 2011

-Mayor Susan Kay and James Wilson, Chief Financial Officer

Mayor Kay delivered an overview to the Town Council of the current situation concerning state aid. Highlights of her overview are as follows:

-Weymouth is subject to cuts in state aid for both fiscal year 2009 and 2010. The total amount of reductions are \$1,057,525 and in excess of \$3.6 million

respectively.

-The town is able to absorb the fiscal year 2009 impact and will not experience any reductions in staffing levels.

-as far as fiscal year 2010 is concerned, the Governor has declared no cuts in aid to the schools, but rather to general government, inclusive of police, fire and other public services.

-due diligence on the Mayor's part, since October of 2008, resulted in planning on weathering the impacts for fiscal year 2009

-in preparation for development of the fiscal year 2010 budget, it has been requested of all Town Department Heads to submit a level funded budget, inclusive of an impact statement. Additionally, the Mayor has requested the Department Heads to forecast through fiscal year 2011-based on the level funded premise. The Mayor will meet with all Department Heads in an effort to review their individual budgets, solutions to meeting the level funded mandate, and the impact statements.

-The Mayor's goal is to maintain staffing levels, and has requested specifically from police and fire, the impact of level funding in those respective departments.

Mr. Wilson proceeded to deliver a power point presentation on the overview of state aid. Highlights of the presentation are as follows:

-fiscal year 2009 impact will be funded by the proceeds of the sale of the Fulton School (pending Town Council approval) resulting in 9C cuts having no impact on the fiscal year 2009 budget

-fiscal year 2010 net reduction totals \$3,636,798

-each Department Head has been requested to budget at or below the fiscal year 2009 appropriation-this will result in a preliminary budget, which is subject to the Mayor's review

-Department Heads have been directed to develop level funded budgets for fiscal year 2011 as well-inclusive of step increases and forecasting of utility costs by approximately 5%

-Capital improvement projects need to be a priority for the fiscal year 2011 budget development

-considerations during the budget process are: an increase of property taxes by 2.5% each year, and increases in water and sewer rates

-Mayor Kay is considering all revenue options, is working in tandem with SSTTDC in an effort to maximize our potential revenue sources, and is working with area Mayors in the hopes of regionalizing services.

The floor was opened to questions by the Councilors. Councilor Mathews asked what the historical decrease has been in state aid. Mr. Wilson responded that according to the cherry sheets, receipts are level funded from fiscal year 2003 to fiscal year 2010. Councilor Mathews further asked if the 9C cuts are included in these figures. Mr. Wilson confirmed that the figures would be at the 2001-2002 levels.

Councilor Conlon noted his concern with the Veteran's category (decreased by 30%) and is hopeful that we can handle the volume of Veterans returning from Iraq. Mr. Wilson confirmed that we are required to meet this benefit, fund it, and attempt to seek reimbursement-which may or may not occur.

Councilor DiFazio asked if there are any alternate potential income sources from SSTTDC, aside from the water issue. The Mayor confirmed that her administration is reviewing contracts, in the hopes of supplementing our public safety needs.

Councilor O'Connor asked what the stabilization fund balance was back in 2001-to which Mr. Wilson answered \$3.5. Councilor O'Connor suggested the possibility of applying this towards the deficit. Mr. Wilson noted that the funds were not sufficient to cover said deficit. Councilor O'Connor further questioned where specifically budget hits would be taken-if the same approach as last year (namely across the board) would be applied. The Mayor clarified that this is a first pass at a level funded budget- in an effort to meet her budget goals. Cuts across the board will not likely occur, as she will determine the priorities.

Councilor Whitaker voiced concern with the releasing of the House budget prior to April. He suggested that we look at other issues during Budget/Management deliberations such as capital expenditure issues, allotments, and use of revenue services.

09 007-Use of Funds from the Sale of Town Owned Property

Mr. Wilson requested on behalf of the Mayor's Office that the Town of Weymouth appropriate the sum of \$1,057,525 from the Sale of Town Owned Property (fund 4903) for the purpose of funding a portion of the fiscal year 2009 operating budget debt service (function code 7) in accord with General Laws Chapter 44 Section 63 as amended. The net proceeds from the sale of the Fulton School are \$1,279,783.

Councilor Mathews motioned for referral to the Budget/Management Committee, seconded by Councilor O'Connor and voted unanimously.

09 008-Appointment of Director of Human Resources-Cindy DePina

Mr. Wilson requested on behalf of the Mayor's Office that in accordance with section 2-10 of the Town Charter, submittal of the name of Cindy DePina for appointment as the Director of Human Resources.

Councilor Mathews motioned for referral to the Budget/Management Committee, motioned seconded by Councilor O'Connor and unanimously voted.

ADJOURNMENT

At 8:13 PM, there being no further business to conduct, a MOTION was made by Councilor Mathews to ADJOURN, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Respectfully submitted by: Diane T. Hachey

Approved by:

Michael Smart-Town Council President