

**TOWN COUNCIL MINUTES  
BUDGET/MANAGEMENT COMMITTEE  
Town Hall Council Chambers  
March 1, 2010- Monday**

Present: Kenneth DiFazio, Chairperson  
Patrick O'Connor  
Arthur Mathews  
Michael Molisse  
Michael Smart

Also Present: James Wilson, CFO  
George Lane, Town Solicitor  
Michael Gallagher, Director of Information and Comm. Svcs.  
James Clarke, Director, Planning and Development  
Bob Luongo, Planning Department  
Walter Flynn., Chair CPC

Recording Secretary: Diane Hachey

Chairman Kenneth DiFazio called the Budget/Management Committee meeting to order at 7:00 PM.

**10 007-COMMUNITY PRESERVATION COMMITTEE WHITMAN'S POND  
PRESERVATION FOR FUNDING ON CONSERVATION RESTRICTION FOR OPEN  
SPACE LAND PURCHASE ON WOODBINE ROAD**

Chairman DiFazio noted that this was referred on January 25, the committee met on February 1 and voted 5-0 to table pending the public hearing.

Councilor Mathews motioned to take measure number 10 007 off the table, motion seconded by Councilor Molisse and voted unanimously.

Councilor Mathews has received numerous calls from constituents regarding issues with the conservation restriction.

Councilor Mathews requested at CPC that certain language is removed, but his request was voted down. 99% of the language in the conservation restriction is acceptable to him, with a small percentage of which he has issues. Namely, on page 6, sections 3,4,5 as follows:

3. The construction at the end of Woodbine Road for no more than five cars, repair and maintenance of pervious, vehicular parking areas, and picnic areas
4. The use and parking of individual transportation vehicles necessary for the mobility of persons with disabilities

5. The construction of boat ramps and/or docks for the use of non motorized canoes and kayaks

It was asked of Jim Clarke if the town may strike certain language, he stated that the CPC spent much time in discussing drafting of the document and the Mayor is in favor. He is concerned that the Community Preservation Committee, town solicitor and the state have previously reviewed the conservation restriction. If a funding source is located it would have to come before Council. Mr. Clarke understands Councilor Mathews's but noted that the conservation restriction is a permissive document.

Councilor Smart feels comfortable that no plans would be going forward without Council approval.

Councilor DiFazio requested if it is possible to begin construction without obtaining Council approval-an example cited was if the town secured a grant or such. Mr. Wilson reiterated that it is a possibility that a grant specific for that purpose or if LNR makes payment it could be applied accordingly.

Mr. Clarke confirmed once again that no plans have been formalized as related to potential development and if and when this occurs, nothing could go forward without going through the proper channels.

Councilor Smart motioned for favorable action, motion seconded by Councilor Mathews, and voted 3-2, with Councilors Molisse, Mathews and O'Connor voting nay.

#### **09 111-External Audit Proposals for Fiscal Years 2010-2014** **(Discussion on Conflict of Interest Letter)**

Councilor Smart contacted President Mathews and requested that a Conflict of Interest Letter is forwarded to the five firms who submitted proposals. Maureen Duffy responded with a letter outlining her concerns. He acknowledged that Ms. Duffy was not present this evening, she wanted to be present but had prior commitments. Councilor Smart distributed a revised Conflict of Interest Letter which omits the individual naming of Ms. Duffy, which he had no problem in revising. He feels it important that this form is completed as he prefers being aware of any issues upfront so they can be dealt with versus choosing a firm and then forwarding the form.

Councilor Smart confirmed that he contacted all committee members and the President prior to developing this form.

He was not initially aware of the total of the number of principals and employees involved; the revision he distributed would encompass only principals and those employees specifically assigned to our audit.

Councilor O'Connor commended Councilor Smart as he feels this effort is important in that we need to account for taxpayers funding. He further motioned for favorable action.

Councilor Smart requested a point of information and noted that we are not voting the measure this evening, simply discussing the handling of the Conflict of Interest Form. Councilor O'Connor withdrew his prior motion.

Councilor O'Connor motioned to instruct the Town Auditor to forward the Conflict of Interest Form to the five firms who submitted proposals-- in request that all principals and employees specifically assigned to the Town of Weymouth audit complete and return to us prior to April 1. The motion was seconded by Councilor Smart.

Councilor Mathews noted that Councilor Smart contacted him with a proposal to develop a Conflict of Interest form. Maureen Duffy, in turn, cited issues she had with the document and Councilor Mathews asked her to put her concerns in writing, addressed to the committee. Councilor Smart subsequently made revisions to the original document. Councilor Mathews confirmed that he would speak with Maureen Duffy upon her return.

Councilor Smart asked about the status of the addendums to the original proposals. Councilor DiFazio confirmed that they have been received.

Councilor Molisse asked that all members of the Budget/Management Committee are copied on correspondence, he noted that he did not receive the memorandum and accompanying Conflict of Interest Forms from Councilor Smart. Councilor Smart noted that he was being cognizant of open meeting law regulations.

Motion passes unanimously.

At 7:28 PM, with no further business to conduct, Councilor Smart motioned to adjourn, motion seconded by Councilor Mathews and voted unanimously.

Respectfully submitted by:

Diane T. Hachey as Recording Secretary

Approved by:

Chairman DiFazio