

SPECIAL JOINT MEETING OF THE WEYMOUTH TOWN COUNCIL
and CONSERVATION COMMISSION
EXECUTIVE SESSION MINUTES
Zoom # 868 7063 4572
October 28, 2020, Wednesday

Present: Arthur Mathews, President
Michael Molisse, Vice President
Pascale Burga, Councilor
Kenneth DiFazio, Councilor
Brian Dwyer, Councilor
Jane Hackett, Councilor
Fred Happel, Councilor
Ed Harrington, Councilor
Rebecca Haugh, Councilor
Christopher Heffernan, Councilor
Maureen Kiely, Councilor

Present: Thomas Tanner, Chair, Conservation Commission
John Reilly, Vice Chair, Conservation Commission
Scott Dowd, Commissioner
George Loring, Commissioner
Frank Singleton, Commissioner

Also Present: Robert Hedlund, Mayor
Kathleen Deree, Town Clerk
Joseph Callanan, Town Solicitor
Richard Swanson, Town Auditor
James Malary, CFO
Mary Ellen Schloss, Conservation Administrator
Andrew Hultin, Assistant Administrator
Michael Smart, member, Ten-Citizen Group
Senator Patrick O'Connor, Ten-Citizen Group
Raymond Miyares, Miyares & Harrington
Bryan Bertram, Miyares & Harrington
Laurie Hansen, Resident, 10-citizen group

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:34 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with all members present.

Chair Tanner called the Conservation Commission to order and called the roll, with all members present.

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

Executive Session Pursuant to M.G.L. c.30A, §21 (Purpose 3) to Consider Strategy with Respect to Matter of Algonquin Gas Transmission, LLC, OADR Docket Nos. 2019-008, 2019-009, 2019-010, 2019-011, 2019-012, and 2019-013 and the Mayor's Previous Invitation in February 2017 to Councilors and Conservation Commission Members to Join Him in Forming a Ten-Citizen Group to Intervene in DEP Air Permit Proceedings Regarding the Proposed Compressor Station

The Town Council and Conservation Commission intend to adjourn from executive session, and will not reconvene in open session at the conclusion of the meeting.

On behalf of the Town Council, a motion was made by Vice President Molisse to enter into executive session Pursuant to M.G.L. c.30A, §21 (Purpose 3) to Consider Strategy with Respect to Matter of Algonquin Gas Transmission, LLC, OADR Docket Nos. 2019-008, 2019-010, 2019-011, 2019-012, and 2019-013 and the Mayor's Previous Invitation in February 2017 to Councilors and Conservation Commission Members to Join Him in Forming a Ten-Citizen Group to Intervene in DEP Air Permit Proceedings Regarding the Proposed Compressor Station. The motion was seconded by Councilor Harrington.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

On behalf of the Conservation Commission, a motion was made by Commissioner Reilly to enter into executive session, pursuant to M.G.L. c.30A, §21 (Purpose 3) to consider strategy with respect to Matter of Algonquin Gas Transmission, LLC, OADR Docket Nos. 2019-008, 2019-09, 2019-010, 2019-011, 2019-012, and 2019-013 and the Mayor's previous invitation in February 2017 to Councilors and Conservation Commission member to join him in forming a ten-citizen group to intervene in DEP Air Permit proceedings regarding the proposed compressor station. The motion was seconded by Commissioner Dowd.

A roll call vote was taken: Scott Dowd-Yes, Loring, and Frank Singleton- Yes, Vice Chair Reilly- Yes, Chair Thomas Tanner- Yes. UNANIMOUSLY VOTED.

President Mathews removed unauthorized attendees from the zoom meeting. He turned the meeting over to Mayor Hedlund.

Mayor Hedlund noted he would proceed remarks from the town Solicitor. The solicitor will explain the reasons for the meeting. To give some context, he had started reaching out to all councilors to have one-on-one meetings with him and bring everyone up to speed on where things stood on a number of fronts as it relates to the compressor station, and it was brought to his attention by their outside counsel late Sunday night (and yes; Miyares & Harrington were working on their behalf Sunday), because a lot of things happened quickly on this issue, and that's when he learned that they would not be able to meet under those circumstances and

required this meeting. He then turned it over to the solicitor for an explanation why that is, and he will speak again after him on some particulars of tonight's content.

Solicitor Callanan pointed out that Miyares & Harrington was working on Saturday too. They notified him on Saturday and they had a meeting on Sunday, and then he notified the Mayor. Ray Miyares and Brian Bertram from Miyares were on the video with him, and they wanted to meet with the citizen group that the mayor invited in February 2017 to join in the Air Quality Permitting proceeding in order to brief them on what's going on with the case. Since more than a quorum of the Conservation Commission and more than a quorum of the Town Council, as it is presently constituted makes up that Citizen group, they figured the best way to comply with the Open Meeting Law and brief the citizen group was a joint meeting of the Conservation Commission and the Council, since all the members of the Conservation Commission are on the Citizen group and more than a quorum of the present Council are on the Citizen group was part of the council in '17. There are some members of the Citizen group who are no longer on the council, but they are also invited to this briefing. They wanted to provide the Citizen group, the Conservation Commission and the council with an update of the proceeding and larger issues that are going on with the compressor station. The compressor station is fully permitted. It is expected to restart soon, despite the PHMSA (Pipeline and Hazardous Material Safety Administration) pause. "Soon" is a description in the timeline that even the Governor Baker described in a meeting that the governor and the mayor had. And of the 23 lawsuits that they filed, or were filed against the town, five are still pending; four are before DEP. That one pending case before DEP is an air quality permit appeal that the Citizens group is involved in. Miyares & Harrington have been working hard on prosecuting that air quality permit appeal. They're ready to file Friday, pre-filed direct testimony and exhibits and they want to introduce their case over whether the electric motor overdrive is the best available technology. That's the only objection left in the air quality permit. The Citizen group is represented by Miyares & Harrington and Solicitor Callanan. Despite these pending cases, the natural gas company has all their permits necessary to operate. There's very little chance that the remaining lawsuits will cause the compressor station to stop operating and stay stopped, just like the recent pause that occurred because the town was able to temporarily stop the project. The compressor station will operate unless three remote possibilities all line up in a row. First, the town has to win one of these court cases that is in superior court, remanded back to DEP. Secondly, the state agency where the permit is remanded to, most likely DEP, would then have to deny the permit that it already granted and which DEP has not done, in the air quality permit appeal. Thus, if the town were to win in court, and get a state agency to deny a permit it had already granted, the town would still need FERC to waive that permit requirement, just like FERC waived the earlier condition that Enbridge had to start construction within two years. The natural gas company can ask FERC to waive that condition within a half hour, FERC can waive that condition. So, for these reasons, the town and the mayor have been discussing settlement with the national gas company, and since the town and the mayor are discussing settlement, they wanted to bring together the Citizen group, the Council and the Conservation Commission to let everyone know what's going on. He turned it over to the mayor to describe the state of the settlement discussions.

Mayor Hedlund noted the reason for the timing is there were a number of issues that came together all at the same time as they completed the discussions on the air monitoring station,

location, the finalization of the emergency management plan came together around the same time and they entered into discussions of a host community agreement that covered a number of areas that he'll get into in a minute. He wanted to stress one thing out of the gate that is included in the host community agreement; specifically it talks about what rights the town retains moving forward after this lengthy legal process they have been engaged in, and wanted to make sure they have the ability to object, oppose or litigate any expansion, anything not already permitted under the Atlantic Bridge project; anything they determine as malfeasance and the town retains every right to seek from all regulating authorities which are beyond the town of Weymouth, that those regulators hold the natural gas companies to the strictest terms of their permits. That is something specified quite clearly in its own stand-alone section in this host community agreement.

Mayor Hedlund talked briefly about the emergency response plan. As many know, they were before the Environmental Committee this week to present the 1100-page Emergency Response Plan presented by Emergency Planning Director John Mulveyhill, Fire Chief Keith Stark, and Police Chief Rich Fuller. A lot of time was spent on it by John Mulveyhill and the fire chief. They did the bulk of the work on this. Obviously, it consists of input from other public safety entities and obviously from the gas company themselves, but the coordination on the town's side was led by those two, with the town's solicitor. More than 80% of the plan is available to the public, and it's on the website now. The stuff that has been redacted are things that are not allowed for public safety reasons to put out to the public. All of the government created documents are on the website; the only thing not posted at this point are a couple of appendices that Enbridge created and they are awaiting their okay to post them publicly. In the end they think only a handful of pages will be withheld and again, everything will be out there for the public to view. They are working on more clearly posting evacuation routes on the town's website; GIS Coordinator Garrett Walsh is working on that. He has some drafts completed and they are just waiting for some final okays before they put those on the website. They appreciate the cooperation and coordination they are getting from GIS and the town's Local Emergency Planning committee, and John Mulveyhill talked on that. The mayor was on most of the zoom call the other night and believes (John) addressed hosting an upcoming virtual meeting to answer questions from residents. (It may have been suggested by the committee; the mayor wasn't sure.) They answered a number of questions from the councilors the other night, and the LEPC will hold a meeting to answer residents' questions of public safety officials. The issues surrounding the air monitoring station have been resolved pretty much, and are also addressed in this document. They worked with Fore River Residents Against the Compressor Station (FRRACS), the Health Department, along with, obviously, DEP. There was input from Enbridge, which they only slightly considered. They think they have a location that they have consensus on, which is on the site of the old water tower on Monatiquot Street, by the corner of Bluff Road. He thanked Matt Brennan, who was point guy with the solicitor on that. He won't get into the reasons for that unless the council or commission wants him to, but they found from an aesthetics standpoint, an availability standpoint and something that also was closest to most affected residents, they thought that was a good fit. There is some work to be done over there to screen it, fence it, which they will make sure is done. They hope the site will look better after they're done and the station is placed there. It should be online in the spring. In the host community agreement, they have, among other things, financial provisions in there. There is a \$10 million upfront payment that's due within thirty days. It has language that talks about Enbridge's

cooperation with the tax situation on the site, which he provided more details; but first some detail on the \$10 million. The way it is to be structured, it will be applied in four basic areas: Public Safety, Health and Environmental Concerns- they know they will have public safety needs that will cost money. Some are existing needs that will be heightened with the placement of this facility here. There are other needs that have arisen as a result of the station being placed here. He would like to apply, and is in some discussions now- they have two pieces of fire apparatus that are sorely in need right now. One is a new ladder truck and they have consensus with the chief and the union on. A ladder truck would have some capability that would be helpful now should they have a need at this site. He looked at the truck himself (a similar model). So, that would be one example in the area of public safety that they would hope to apply some of those funds; finish some work at Station One. Whatever specialized equipment that the chief has identified; the cost of some continued training. They are trying to have that done outside of the agreement, and that may be the case, but if not, obviously it would be applied. That is a much lower amount of money compared to some of the other public safety items they would be looking at.

They would be using funds to update the state's Health Impact Assessment in the near future. There would be costs associated with water quality sampling in the Fore River; funds could be applied to that. Again, whatever additional public safety needs that would arise either specifically to this or generally town-wide, they could apply funds to that.

An area that would be important is general infrastructure improvements that are North Weymouth centric. Although they already have an aggressive paving program right now and although much of the paving is already underway that you notice as you drive around town, and in North Weymouth. There are some additional roads, sidewalks, infrastructure improvements in North Weymouth that they would like to get to that are beyond the scope of what is in the pavement program schedule right now. They would have the ability to address some of those.

Also under the heading of general infrastructure improvements, they would apply funds to any recreational facility improvements or maintenance in North Weymouth, as needed.

The other category is Coastal Resiliency infrastructure and beach improvements. They would have the ability to apply funds from this money to any beach re-nourishment / stabilization work; coastal protection needs in North Weymouth. As the council knows, they have finally, after decades of patching sea walls, completed the sea wall project in North Weymouth. They are moving forward with the second major seawall project now that they have had a buy-in from all of the abutters and secured the necessary paperwork. They will soon file a grant application and there will be funds needed for their local matches and they could, for instance, apply funds from this to secure the state grants and use those funds as the local match without impacting the existing bond or debt service.

The fourth category is considered Informational Technology infrastructure improvements. This is an area where (he expects to have more information from IT) but they would have some public safety IT needs in North Weymouth at the bridge. It was kind of interesting when he came into office seeing where they have IT capability that allows them to place security cameras in different areas, and where they don't. Some of the areas where they have that capability are very

passive areas, and other areas where they don't have the capability, are areas that strike him as areas where they need that capability. This will allow them to do those infrastructure improvements and do whatever IT related security measures that they need to do at the site or elsewhere. They will also use funds from this to advance their municipal fiber program that is in the early stages. They have entered into discussions with Quincy to look at an alternative to their current fiber capabilities, and the providing of municipal cable or internet service. It cover those three issues- municipal fiber program, improve their internet capabilities and the initial seed money that they would need will probably include the hiring of a consultant to go forward with a feasibility study for providing the new fiber, internet or cable service as an alternative to their existing provider, about which he knows the council gets a lot of feedback from residents.

So, those are the four areas as it relates to the cash upfront payment. Algonquin has, and this has been one of two points that hung them up at the last minute- but just in the last days he had direct discussion with House Majority Leader Ron Mariano, a discussion directly with Governor Baker, and the solicitor has had discussion directly with Algonquin to talk about the ridiculous situation that exists with the tax situation on the site. Current tax law, which he learned this week has been in place since about 1984, as it governs pipeline infrastructure. (Mayor Hedlund added to the list of people he talked to folks at Department of Revenue this week, which really necessitated more direct discussion with the governor), but in those discussions they learned a lot more of some of the history that governs gas pipeline infrastructure.) Currently, the town receives about \$185,000 property tax revenue from that vacant industrial-zoned site in North Weymouth, aka the North Parcel. It's assessed at \$13 million. Now they have a nearly fully operational compressor station, a huge investment on that site, that once operational, will change the way the state calculates the facilities themselves, and the town's annual tax will drop to less than \$50,000. To explain the perceived confusion, he explained the state looks at pipeline infrastructure in a composite way; the total linear feet is apportioned within each town based on the linear footage in the town, and the state does not distinguish between what is underground (pipe) or what kind of facility is aboveground regardless of the cost of that additional infrastructure. So, the value of the pipeline will be increasing, but the value of the land that it sits under will diminish. The governor was extremely amenable to working with them on this and the mayor thinks they will have a vehicle available legislatively to them very soon. So, this is on the front burner to get some language ready that the governor will submit in a legislative vehicle in the next couple of weeks. They have their legislators on alert and hope they don't have legislative opposition. The way this will probably be structured will not mean any decrease for other communities that host this pipeline. He noted the solicitor should be able to recall how many communities host this pipeline? The solicitor responded that there are three pipelines that are hosted by between 30 and 40 communities, total; throughout the state. They will not see a net loss the way this legislative change is structured. They have felt for some time that the DOR had the ability to do this administratively and didn't require legislative approval; they have not been amenable to that, but regardless, the administration has agreed to put that forward in a legislative fashion This agreement, unless something's changed in the last few hours (it has changed a couple of times), Enbridge has agreed to work with cooperatively. Candidly, they are relying on their attorneys' expertise as they are much more versed in pipeline related tax law, pipeline structure than what the mayor and town has available to them or the legislature or administration has available to them. That's codified in this agreement; that they would assist the town in that. They have a number of smaller issues, or not so small to other people, that are codified in this agreement:

Calpine Algonquin agreed to work with them in dedicating the area along the river to public recreation, complete the loop of the King Cove conservation restriction (FRRACS has been big on that). They intend to talk to the state about funds that would do some further improvements there; kayaking access; things like that. He knows it sounds conflicting when they have this facility here, but people have expressed an interest in wanting to see that happen. There is some other language in there regarding work on the coastal embankment stabilizing the coastal embankment and addressing outstanding issues as to the cleanup of the North Parcel; other issues that he knows are of interest to FRRACS are in there. He opened the discussion to questions, and for the attorneys to bring forward anything that he may have missed.

President Mathews asked if the solicitor had anything to add.

Solicitor Callanan suggested they wait until the others have had opportunity to ask questions.

President Mathews responded that he has several things, that he would defer at this point. He questioned what the role of the town council is specifically in this, considering the council never took a vote on this. Back on February 6, 2017 no action was taken; in reading the minutes from that meeting, "Action did not require a vote of the Town Council. Each councilor in agreement will sign an affidavit before the Town Clerk." That's from that 10-citizen petition. Six of his colleagues were still on the council back in 2017. He'll get into that further on. He certainly has other questions as it relates to specifics, because this is the first time they are all hearing this tonight. Something that comes right to mind; without seeing the host community agreement, what if there was a Merrimac Valley gas explosion like there was in September, 2018, with Columbia Gas on the North Shore? Would the Municipality of Weymouth be able to sue them if there was, like the North Shore? He has several questions, but deferred to his colleagues for questions first, then turn it over to the Conservation Commission for their questions, then the council's former colleagues who were members of the citizen group and present in this meeting.

Councilor Haugh stated a point of order- the purpose of the executive session tonight is to discuss litigation and it seems they have transitioned into a host community agreement and she does not know if they can discuss an HCA because she believes something of that nature should be a public meeting, such as other TIF's and other benefits that they have gotten on projects in the past. She would like clarification from the legal department before they continue; that this is actually an executive session topic, because they have moved from litigation to mitigation.

Solicitor Callanan responded and noted Atty. Bertram and Miyares can correct him or anything he may have omitted. The reason why it's under this purpose of the executive session is because they are talking about settling the litigation, so if they were to enter into the host community agreement they would withdraw from those five pending cases they are involved in. Both the town and the mayor would withdraw. Individual members of the citizen groups could continue forward in their individual capacity in that air quality permit, but they would not be able to use the firm of Miyares & Harrington or him, because they would be conflicted. The town would have settled, and if any individual member of the citizen group wants to go forward, they can on their own, so that is why they are talking about settlement, under the purpose of litigation. He asked if the attorneys from Miyares & Harrington had anything to add.

Atty. Miyares responded, that is exactly right.

Councilor Haugh asked to follow up with one quick question. She asked if they move forward with the host community agreement, or a \$10 million deal, is there any stipulation on town councilors that they cannot continue their own voice in whatever opposition, or if they are personally involved in anything against the compressor station, can they continue to move forward with that opposition, and not cost the town the \$10 million or any other settlement deal that may come from this?

Solicitor Callanan responded that the mayor talks about a \$10 million cash payment, but the tax provision is also an additional \$28-29 million; they're still calculation it, so that so the overall package is probably \$38-39 million. One of the last remaining issues was why didn't they have a deal earlier? It's a provision that Enbridge has put in, that they did not want the councilors to take any actions. If they took actions, then the town would have to return the \$10 million payment. They did not agree to that. They gave them new language as of 4:00 p.m. today, they added new language that the councilors would still be able to write letters; they could pass a resolution. If councilors tried to intervene to any administrative or judicial proceeding, as town officials, or on behalf of the town, then the mayor and solicitor would enter into those proceedings to say they can continue in their individual capacity but they do not represent the town. So, they have always had the ability to pursue this as an individual, and that would still be true, if the host community agreement settlement is signed, They never agreed to that; but the language they have now, that she is referring to is any interference is a punishment or punitive, if they were to oppose it, if the councilors or anyone intervened, then the town would intervene and say that they already settled.

President Mathews added for the group's benefit that back on February 6, 2017, they never voted as a town council. The current councilors who were on the council, and the prior colleagues who were on council at the time then signed as individuals on the 10-person petition. It was never action taken by this council.

Solicitor Callanan responded, correct; they are not asking for action by the council or but individual councilors and individual Conservation Commission members intervened as a 10-citizen group.

President Mathews agreed, but what he is trying to say is that Councilor Haugh is asking a question whether they can pursue it as an individual and he is trying to add to her discussion to say he believes she can because the council never took action in 2017.

Solicitor Callanan responded he is correct; although she can continue as an individual, (actually, there is a councilor and a member of the Conservation Commission that is a member of this citizen group, and a member of the FRRACS citizen group- that's the things going on today. They can continue with the FRRACS citizen group, too. They are not limiting in that in any way. Any member of a citizen group, if the town and the mayor were to settle, could continue out on their own, but they would continue on their own in their own capacity, they would not be able to have access to the solicitor or Miyares & Harrington; they would be conflicted.

Councilor Haugh asked for clarification. Mr. Singleton on Conservation Commission is on the other citizen group with FRRACS and they do use their individual names, but for instance, last week she was part of a filing for the commission's in-service they are sort of appealing the authorization of it, but when the solicitor said this meeting is a long shot, but she and the City of Quincy, FRRACS and another environmental group filed that last week, but she filed as "Weymouth Town Councilor Rebecca Haugh." Can she continue fighting as Town Councilor Rebecca Haugh or does anything moving forward have to be as just Rebecca Haugh and what about anything currently pending that says she is a Weymouth Town Councilor?

Solicitor Callanan responded that there is a difference between saying she is Town Councilor Rebecca Haugh and recognition as capacity as individual. He doesn't know if anyone has been involved with civil suit violation, but she has different capacities. She has an official capacity that if a suit the town would defend it. The insurance company would have a lawyer defend her. If it was something that was so egregiously wrong as a town official, then the town couldn't defend her. This arises in something like a town inspector going out and beating up a resident. They wouldn't defend that, but if the health inspector were to go out and tell a resident they have to clean up a property and then (the resident) sued the health inspector, they would defend that. That is the analogy here. She could continue in any individual capacity she has. She has never been able to prosecute in an official capacity suit. So, when she says these other proceedings, it's in an individual capacity suit. It's not an official capacity suit. The mayor can defend, prosecute and settle official capacity suits.

Ray Miyares responded that the 10-citizen group, the reason it is there in this case and in her case, is because they wanted to make sure someone was there who indisputably had standing to prosecute the case. As it turned out, it was a belt and suspenders approach, but as it turned out they didn't need the belt or the suspenders. The 10-citizen group made up of councilors, mayor and Conservation Commission in it as well derives its authority not from its standing with the fact that those are town officials but from their status as individual citizens of the Commonwealth. The activity that they have had up to now has been not necessarily in their capacity as town officials. Their rights are derived from DEP regulations that allow any 10 citizens. You don't have to be a town official to be in a citizens group.

Councilor Haugh noted they don't see the agreement and this is the first they are hearing about it. Her concern moving forward all of the documents and filings have her as a Weymouth town councilor on them. Will Enbridge come back and say you signed this deal, they're hearing now about a Weymouth town councilor doing this, that or the other thing in official records, so does her name saying she's a Weymouth town councilor on official documents moving forward negate any deal that might happen?

Solicitor Callanan responded that he didn't think so, but he can double check with them. He thinks moving forward, if she uses the phrase "Rebecca Haugh, Town Councilor, suing in individual capacity" that just makes it clearer.

Councilor Haugh responded that she wanted to put it out there that she does currently have an involvement in a suit as her own individual self, and it has been filed as a town councilor; not

just as Citizen Rebecca Haugh. She wanted to make that full disclosure to the other members of council and the Conservation Commission tonight.

President Mathews thanked her and asked if any other of his colleagues had questions or comments.

Councilor Hackett thanked the mayor. She also thanked Councilor Haugh for all she has done over the last twelve years. As they are just absorbing this tonight, she understands the answer that they can continue to participate as individuals but they do not represent the town and have no authority to settle or act on behalf of the town going forward. She questioned the detail and thanked them for clarity to Councilor Haugh's questions. She asked what is the amount of the tax collection if the legislation process goes through? \$28-29 million; over what type of period of time is that?

Solicitor Callanan responded 35 years.

Councilor Hackett responded that it's less than a \$1 million a year, starting now, right? It's around a million?

Solicitor Callanan responded that the first year would be FY 23, because it would be done January 1, 2021; that's when they'd start assessing things. Mr. Malary is on the call and he can correct if wrong, but assessment dates start calendar year 2021 and it would be a \$100 million on that facility on the site. They wouldn't be able to collect it until fiscal year 2023. He estimates and asked Algonquin to check that out his math that it would, in the first year, be over \$1.25 million. Back in 2016 the estimate of the tax provision was \$23 million but since then, that was based on what they were paying before the \$13 million sale. He thinks at that point they were paying \$80,000 in taxes and it was going to drop down to \$50,000. When they bought it for \$13 million the town immediately started assessing them for that \$13 million sale and that's why they were able to collect \$185,000 a year in taxes since that sale. So, although it's \$23 million more than before, they also don't get that \$5 million loss for the next 35 years because they went from \$185,000 down to \$50,000. The third factor that changes that number is that back then, they estimated the cost of the compressor station would be about \$74 million. Due to the (town's) efforts, they built a much more expensive compressor station. When the town pointed out the noise samples were only three minutes instead of 24 hours, they had to go back and added \$800,000 worth of noise suppression. This was one of the things they caught them on. Over the years, they've spent approximately \$40 million more on that compressor station than originally planned. He doesn't know how much of that is then going to be factored into the property tax assessment, but in the work that Miyares & Harrington is doing about the best available control technology in the electric motor overdrive. They're submitting that their baseline cost is \$92 million. So, if it's \$92 million instead of \$74 million as they said four years ago, that's when you get to \$29.7 million over thirty years. That's why he's asking Enbridge again (much more familiar with this than the town side is) but the tax provision change could mean \$28-29 million.

Councilor Hackett asked over 35 years?

Solicitor Callanan responded, correct; that's their depreciation schedule.

Councilor Hackett asked if they are then looking at a payment of \$23 million in FY23 of \$1.25 million approximately, and then it will go down from there?

Solicitor Callanan responded, correct. She is sure she will have other questions once she has reviewed the details; it's a lot to absorb in one evening. Solicitor Callanan responded that once they get the updated depreciation schedule, they can share it with the council.

Councilor Heffernan went back to a question President Mathews asked earlier and he is unsure if it was answered already, but he would just like to hear it again. Does this deal create a litigation shield for this company that, if anything were to happen down the line, that the residents and the town in general, could not take legal action?

Solicitor Callanan responded no; it would not. As the council president compared it to a Merrimac Valley incident, the town would be able to recover against them. The only things they are releasing are the lawsuits that were filed challenging the legitimacy of their permits under the Atlantic Bridge project. That is the only thing the town is releasing. They are releasing claims against the town that could potentially be the \$40 million that the town cost them extra. Councilor Haugh mentioned a lawsuit that the town didn't file. The last couple of years he has been trying to balance the fact that he knows they have cost them \$10's of millions and he hasn't wanted to prosecute suits that wouldn't open the town up for a civil rights suit from them to recover the \$10's of million that they are out. The town has never faced one of those things, because despite the fact that they filed 19 and defended or prosecuted 23 lawsuits, they've always done it in a way that shielded the town from a civil rights violation. So, they're releasing their claims against the town, and the only claims the town is releasing against them is the authority or viability of the legitimacy of the permits under the Atlantic Bridge project. If there was a catastrophic failure, God forbid it, they wouldn't want one; they hope it never happens, they hope that all they hours they plan for it, it will never be seen, the town would be able to recover under federal law. FRRACS has talked about making sure they have insurance policies. They don't have insurance policies; they have liability under federal law. If there were ever any hazardous waste or catastrophic failure, the town would be able to recover under federal law.

Councilor Heffernan responded in a final statement that he knows the company has spent millions of dollars fighting them, but the town has also spent a considerable amount of money fighting in court as well. It is their duty that, going down the line decades from now, they ensure that they can defend the citizens going forward. They can't have a litigation shield be part of this deal; period.

Councilor Dwyer is unsure if the question is for the mayor or solicitor, but he wants to drill down a bit with regards to the emergency evacuation plan. He is not questioning the expertise of the emergency director or the chiefs of police and fire, both of whom he knows have impeccable reputation, but he is wondering about the details of such a plan and what the coordination is with the state or federal regulators. That is something based on the incidents that occurred there that fellow residents talked about at a town council meeting and he knows there is public information out there but would like to get line of sight on what the next steps are and get that finalized?

Mayor Hedlund responded that a lot of that was covered earlier this week before the Environmental Committee. He asked Councilor Haugh; he thinks the request was made for a presentation before Town Council on that. He would avail everyone to do that; they have an LEPC meeting and the councilor talked about a public information meeting also. They've agreed to all of that to get as much information out there. Yes, there was coordination of a whole myriad of entities from Homeland Security, the Coast Guard, the federal level, MassDOT, (Councilor Dwyer's) old entity on the availability of busses should they be needed in an evacuation. Other municipalities as far away as Cohasset were involved in discussions. So, it's lengthy and how much more detail he wants the councilor to give him as to the plan, but they do want to get it out there, in whatever format.

Councilor Dwyer responded that is an item of interest and he appreciates the detail. He echoed Councilor Hackett's praise of Councilor Haugh, and included Councilor Burga; they both have been really focused on this issue on behalf of their residents. It's an issue for all of them on the council, but it has really fallen to them, so he offered a thank you to them.

Councilor Burga went back to a few questions. One, she noted that President Mathews asked what is the role of the town council to take? She wasn't part of the February 2017 discussions; what is their role as councilors with the announcement today, and if someone could answer that one; is this just an information session? What's their role here?

President Mathews responded for himself as council president. He believed this is just for informational purposes tonight; to ask questions and answers. He, as council president doesn't think he will entertain any motion regarding any of this tonight. The mayor has the sole authority to enter into host community agreements and litigation that's outside of the council's purview. As one individual councilor, he doesn't intend to take any vote at all, especially where there are colleagues such as herself who were not privy to the 2017 discussions. She was not on the council; Councilor Dwyer was not there; he isn't sure if Councilor Kiely was on the council then. Former councilor Smart is in the audience tonight; Senator O'Connor is here and signed it back then. He has no intention as one individual councilor. He asked Solicitor Callanan if he would like to add anything to add to answer her question.

Mayor Hedlund asked to preempt the solicitor to answer the question. As he said in his opening remarks, his intention was, and he initially scheduled most if not everybody for this week, he wanted to have a one-on-one sit down with each councilor to bring them up to speed on this, as things unfolded rather quickly with the facility about to be fully operational and obviously, fully permitted. Again, it was informational; to brief each councilor in that setting until that Sunday night they learned, as Joe pointed out earlier, the legal issues that precluded him from doing that. So that is why they are doing it in this setting. The solicitor can talk to the rest of that particular question.

Solicitor Callanan responded that they are just providing this information. It's informational; not a purpose. They are not expecting them to take any votes or actions; it's purely informational.

Councilor Burga responded that part of the reason she asked that question was for the future record; just so it's clear to anyone who might listen or read this. That was the reason she asked

that question. The second question is; the mayor has informed them there are four different categories where the money may be spent. Is there an allocation of fund for those four- has he decided, for example that 20% could go to the fire-is there a rule where the money can be allocated to be spent, as far as those four categories?

Mayor Hedlund responded that it's a general outline of what Enbridge wanted, to get a sense of what was happening. He didn't think they wanted the mayor to go out and buy a mayor's mansion for example, they just wanted a sense of what of what their intentions were with the money. He is not sure process-wise. He would ask the solicitor to tell them how those funds would be initially handled, but the same with any other appropriation, he would assume they would put a measure forward and handle things that way.

Councilor Burga continued. She noted one other thing he said at the beginning of the meeting that it would be an immediate payout. What is immediate? Would it go online? The mayor responded that it's stated in the agreement that it's within thirty days. Councilor Burga thanked him.

Councilor DiFazio suggested that as it appears there will be an eventual vote, it would behoove them to have a written list of two columns. One column would be exactly what they are getting out of some sort of agreement like this and the second one would be exactly what they are giving up as a town, and as a council so they can look at the list and give them whatever time is necessary instead of speculating and asking questions in a zoom meeting, so he asked for a list like that to be made.

Council President Mathews disagreed. In the minutes that he alluded to from the February 6, 2017 town council meeting there was no vote taken. They all signed up as individuals, so for them to start taking action as a council now, after three years of court cases as individuals. He does not think that would be appropriate, especially as they have new colleagues who were not here in 2017 and still have old colleagues. Essentially there are only six of the eleven councilors on the list before him that he got from the town solicitor. There's only six of the remaining from the council that signed that in 2017. He would disagree with Councilor DiFazio about them taking any action. The solicitor essentially said to them that if they wanted to pursue it as an individual they would be on their own without any legal help from the town or from the town's attorneys or outside legal counsel. They would have to pursue it as individual councilors and they would have to pay their own attorneys, the way he understands it.

Councilor DiFazio suggested he disregard that part of his comment then. He is just looking for a list of just what they would be getting from this and what it is they would be giving up if they didn't accept this. Whatever he's going to accept from this company, he wants to know what they'll be giving up and what they'll be getting. That's all he wants.

President Mathews suggested he say the mayor and not "them" as a body, because they are not them, as individuals. He wants to clarify it so it reflects in the minutes down the road. They are not negotiating, nor have they been part of any negotiation of any agreement. He asked the solicitor or the mayor if they wanted to comment on Councilor DiFazio's request. Solicitor Callanan responded that he understands the clarification and has no problem providing that

information. He said the list of what they are getting, which he doesn't have off the top of his head but can provide it. He knows there's only one thing on that other column of what they are giving up, and that's releasing any claims and filing withdrawals of the five pending cases, challenging the viability, challenging the legitimacy of the permits related to the Atlantic Bridge project. That's the only thing they are giving up.

Councilor Kiely asked how they came to the determination of \$10 million, where that number came from? Mayor Hedlund responded that there was discussion with the councils back in '16, that's the starting point or the benchmark and the strings that were tied to the amount then were more far-reaching than what they have now, despite the fact that the facility's permitted. When the issue of money was discussed at this time, they had less leverage than they had over four years ago. They were in a position where they had to engage in discussions with Enbridge on a lot of different matters- public safety issues, coordination of training, and there were discussions obviously for a long time on a host of matters. When the issue of any type of monetary component in a host community agreement came up, they (mayor) were quite frankly not interested in the numbers they put on the table. It just wasn't work it and eventually they arrived at a number that was a take it or leave it number and they left it. Eventually the number got to double digits or five figures and they felt that given the timing with where they are (and that's very recently), with it about to come online, it did not make sense to leave a number like that on the table. That's how the number was arrived at.

President Mathews recognized Councilor Haugh and she noted a couple of things as they wrap it up and turn discussion over to the Conservation Commission. A group of them filed a request for a rehearing on the commission's in-service authorization following the two accidents that happened there before it was even in service. She, as an individual has been in virtually every lawsuit with the town and the group of people, but what's more important, is the current one she's in is also with a citizen group in the City of Quincy. The City of Quincy has actually been funding it and she is grateful to Mayor Koch and Quincy City Council for funding it in their budget the past two or three years. She asked if the City of Quincy knows this deal is on the table, because they are fighting it; she has current and past lawsuits she is involved in with them? What are the relationships with Quincy and even Braintree, but especially Quincy, that has put some money into this; not nearly as much as Weymouth, but Quincy is actively fighting a request for rehearing.

Solicitor Callanan responded that none of the other municipalities are aware of the discussions. It would have been inappropriate to discuss with them before they discussed with the councilors. Councilor Haugh said the City of Quincy is still going; she is unsure when they get wind of this when it becomes a public thing how that might change, but as of right now, the City of Quincy is continuing the lawsuits. She wanted to put that out there. Solicitor Callanan added that any agreement that the town of Weymouth would enter into would not affect any other towns being able to still prosecute. Just as they aren't taking away the rights of individuals, they aren't taking away the rights of other municipalities to continue in their lawsuits. Other towns would still be able to prosecute any appeal that they have. Councilor Haugh continued, if the town is going to drop its five pending lawsuits, will they just drop them and remain quiet, or will they actively say they want this so people, like herself, and the City of Quincy and FRRACS are still fighting it. Solicitor Callanan responded that the idea is that they will file a Stipulation of Dismissal as to the

Town of Weymouth. They would ask the court to dismiss them from the lawsuit. They wouldn't take a position one way or another, other than they want out. That's a request to the court, but it's up to the court to decide; it's not simply them. They need court approval to get out of the lawsuits. He thinks there is a different process in the administrative procedure but essentially, they are filing Stipulations of Dismissal as to the Town of Weymouth, asking for the court or DEP to allow them to withdraw. Councilor Haugh asked moving forward will there be statements from the Town of Weymouth saying that they (town) agree to have the compressor station here while they (citizen groups) continue to fight? Solicitor Callanan responded no; they just give up the fight and ask to withdraw it with the Dismissal to withdraw from the case. Councilor Haugh noted Mayor Hedlund mentioned continuing the pathway around the entire North Parcel, which was actually a mitigation they were awarded in '99 with the siting of Sithe Energies, which is now Calpine. Her concern is who will follow up with that because there are some other things in the mitigation agreement with Sithe Energies that still haven't come to fruition in the town of Weymouth; for instance, in the Facilities Siting Board agreement from '99, it mentioned they were considering putting out a dock for the residents in King Cove. There's a lot of other things that they were sort of promised in that agreement back in '99 that they haven't even seen yet. Who will follow up on the pathway to make sure it actually happens this time around? Solicitor Callanan responded that he's already had discussions with Calpine's lawyers last month about that. That's been an outstanding condition for over twenty years but if you look at the last time Calpine filed with the FSB, they talked about they weren't able to do that work because that land was needed for the Fore River Bridge project. Back in '99 they were still reserving that land for the Fore River Bridge project. That land only became freed from the bridge project in 2017, but immediately then it became reserved for the construction area of the compressor station. So, now in the fall of 2020, twenty-one years later, is the first time that land has become available for Calpine to fulfill its obligations. They're willing to; they want to; and the idea about a dock- when he worked for the state, he did a lot of work with the Public Access Board and he will reach out to them and the Secretary of Environmental Affairs about using Public Access money for a dock or something like that.

President Mathews noted the Mayor also wished to respond. Mayor Hedlund said he didn't think the timing was appropriate to have discussions with Mayors Koch or Kokoris while negotiations were going on before notifying the council. He reminded the council that Weymouth has been engaged on the legal front for almost five years prior to Quincy's involvement, but they do appreciate Quincy's involvement. They have been fighting it many years; the firm of Miyares & Harrington was retained prior to this administration, so they've been at it a long time. He is well aware of the issues Councilor Haugh raised regarding the North Parcel. The mayor spoke at the last Town Meeting before the charter change, advocating for the town to take control of the North Parcel. If they remember (Councilor Haugh was not in town then), in the agreement with Sithe at the time that was surplus land they (he acknowledged Frank Singleton was involved with that); they fought for the town to take control of the parcel back then. He can't speak for what occurred under previous administrations subsequent to his becoming mayor, or why some of those things were not completed, but they want to see them completed in this agreement.

Councilor Burga noted Attorney Callanan announced that it was the turn-on of the compressor was outstanding, and the four things that were outstanding (the four things that would need to

happen for it not to happen). It raises the question: why are they offering this payment now; why would they come forward if it's going to happen anyway?

The mayor responded that he didn't want to speak for the company; he can only speculate. Joe or the outside counsel could possibly flavor this a little bit. His understanding is that there are other locations like this that they have; they don't have this kind of loose end hanging out. That's part of it, but Joe can possibly take that a step further. The solicitor responded that they (the company) had wanted to do a deal for years. Most litigation ends in resolution and settlement. As an example, in litigation you usually have offers when the jury is out before coming back. It's like offering money when the jury foreman is handing over the verdicts to the clerk to read. The fact is that they're still willing when the facility is fully permitted. They were still willing to offer because they have been willing to for years. They just kept it on the table. Most parties in a lawsuit would have taken it off the table by now.

Councilor Harrington noted that still doesn't answer the question; why?

Councilor Burga responded that the answer is sufficient, but it still leaves the question raised. It was answered but it still doesn't resolve it.

Councilor Harrington, moving along in the same vein in answer to the question, why?

Solicitor Callanan responded that it's hard to say why someone is doing something if he is not that person. They have been offering money for years. The chances of winning, and stopping the compressor station is remote. It's not that they're facing a chance of losing. There is a chance, but it's not that great. It's not a risk that they're worried about. It's not that the town has them behind the eight ball and they're giving money otherwise the compressor would stop. He does not believe that. So, why they're doing it is asking him to get in their head to tell what they're thinking. He knows from seeing it for five years that this facility is going to be operational in the next couple weeks. And, yes, they have five pending lawsuits that have a chance; not a great chance- a small chance, of some win. They won in the First Circuit and they're back before DEP fighting the air permit. So, whatever win they had, and they won when they illegally sold the property and subdivided, and what was the win? They just tried to resell the property and it was sold legally later on. To stop the compressor station is a very unlikely chance. So, \$10 million cash, payable in thirty days and cooperation on a tax change that could net the town another \$28-29 million over the next thirty years, all for giving up five lawsuits that the town has very little chance of winning- that's what he knows. He doesn't know what's in their minds.

President Mathews reported Councilor Hackett is next in line to speak, then Councilor Haugh and then he will turn it over to the Conservation Commissioners, then members of the 10-citizen group who are present.

Councilor Hackett asked how much the town has paid in attorneys' fees to date. Solicitor Callanan responded that there are not just attorney fees, but expert witness fees. Councilor Hackett asked what are the town's costs to dispute this. Solicitor Callanan responded that to date, over \$1.6 million but haven't got a bill from Ray Miyares yet, so he is sure it will be higher

Councilor Haugh wanted to touch briefly on Councilor Burga's question on why they are offering this money, and she is not a lawyer. She thanked Attorneys Callanan and Miyares for all that they have done, but she wanted to put it out there. The Town of Weymouth has five pending lawsuits and the compressor station has this Request for Rehearing from a whole bunch of other people because of the two accidents that occurred. There's a pretty hefty corrective action from PHMSA that says they have to fix all of these things before they can consider putting them back online. So, there is a reason why, because the moment the host town drops the lawsuits, that is the nail in the coffin. That's the reason-that is her blunt, being a town councilor, resident, whatever, and that is why they're offering the money, to Councilors Harrington's and Burga's point, because there is still a lot of legal stuff going on behind the scenes, and she wanted to throw it out there.

President Mathews turned it over to the chair of the Conservation Commission, Tom Tanner for comments and questions. Chair Tanner recognized the commissioner who is the representative on Conservation for anything that takes place around Route 3A.

Commissioner Singleton reported that in 2018 the coastal bank was severely damaged by a nor'easter called Grayson. He's looking, not at the Energy Siting Board for the siting on that side of the property; it is the unshielded side that faces Kings Cove that is in serious erosion. He is hoping this agreement includes some significant work by either Enbridge or Calpine or both on dealing with that before they end up with an exposed 60" sewer line, where that line goes and feeds the pump station, or there is more pollution being discharged to King Cove. Who is responsible to look at, not so much the energy facility siting board on the other side, but side facing King Cove with some severe damage from 2018 that is still open. It needs some significant work.

Commissioner Reilly heard a couple of things tonight when Becky was talking about some of the things that were promised and one of them was a dock being discussed. As a member of the Conservation Commission he does not recall discussion about a dock being in King Cove. He would assume it would come before the Conservation Commission. Commissioner Singleton also did not recall it. Chair Tanner responded yes. Commissioner Reilly does not believe a dock in King Cove was ever discussed that he recalls when he was involved back then on town meeting, and it's twenty years ago. He wasn't involved in the discussions themselves; just presiding over them. The other thing is when they talk about motivations on offers, he thinks that's extraneous; they don't need that. He's negotiated collective contracts with unions for over 30 years, and it's not productive to his mind to question motivations. When you have motivations, fine; you take them. Motivations really are immaterial.

Conservation Administrator Mary Ellen Schloss asked about any spending on environmental improvements: beach, seawall, environmental erosion, coastal access, etc. How did those decisions get made? Will the Conservation Commission have any input, or staff have any input to those decisions?

The Mayor responded as to consultation with her whether to include that language in this agreement; no, but they had an eye towards needs in North Weymouth overall. Obviously, the beaches are in North Weymouth and they know they have needs coming that the Conservation Commission has been involved in, whether it be beach re-nourishment, obviously, seawalls. They know they have the potential now that the engineering work has been done, there will be financial considerations if they want to advance the project and the beach coastal embankment stabilization project. That is why it was on the forefront. Those are important North Weymouth needs. Conservation Administrator Schloss thanked him.

Chair Tanner asked if the \$10 million is something that is timely; does it have to be spent within a certain time, or will it be put in an account and appropriated for items that he or the council and commission agree to spend it on?

Mayor Hedlund replied that they would spend in consultation with all of the appropriate town boards. He knows that on some of the needs that are most pressing they would want to act fast- the fire apparatus needs. They have borrowed pieces right now from the city of Boston, and they realize that is a pressing need. They identified some equipment that's ready and wouldn't have to be built to order, so they would want to move on that fast. They would want to hold on to some of those resources for some of the things that they hope they can apply them for; the local match for the grants for the seawall work for monies that could come through again from the Seaport Economic Development Council. They would want to have money available for local match for projects that are funded through that and the damaged seawall grant program. He hopes, and he mentioned in his presentation, that they would expend some funds immediately to supplement the paving program in North Weymouth. Oftentimes when they pave a road they don't have the ability to do the adjacent sidewalk and it frustrates him greatly. They would want to address some of the sidewalk needs in North Weymouth on top of what's included in the schedule for next year. So, they would see some additional paving in North Weymouth, in the next paving season, for instance. Again, hold on to some of those resources as needed for things that they know are coming a little bit further down the road.

Chair Tanner asked if there was no deadline in which they'd have to spend this money; within two, three or four years, and they can hold on to it until they have the need to spend?

Mayor Hedlund responded, correct.

Chair Tanner noted one of the things the Conservation has been truly concerned about is the erosion of the entire waterfront- the Cove area especially. As Commissioner Singleton mentioned, they have a sewer line that goes along that beach and it's very, very dangerous to have something with very little cover on it and not address it. Would this be something that either the North Weymouth Civic group or Conservation itself would come to the mayor and ask for it to be addressed, through this \$10 million mitigation, or is this something that would have to come out of the Department of Public Works because it's a sewer drain? They are concerned about this cover.

Mayor Hedlund responded that he is less familiar with that than some of the other issues he just spoke about but he thinks they have the leeway for general infrastructure, but he would not want

to commit to that without researching what would be more appropriate to fund it out of, the water department revolving funds for capital improvements? If they need something significant in the area like that and have to supplement it, he doesn't think they are restrained from doing that. He doesn't know if that would make the most sense, given the procedures the Water/Sewer Department go through for projects like that.

Chair Tanner noted the \$28 million that would be over the 35 years, that's a very small portion that will take place in 2023. He believes that is separate from the \$10 million?

The Mayor responded yes; it would just be to the general fund.

Commissioner Singleton noted that Enbridge or Calpine has significant responsibility for fixing and maintaining that bank; not the town. He may be wrong and maybe the solicitor could render an opinion, but he believes there is some responsibility for (Calpine) to maintain the bank all the way to the pump station. It should not be the town's responsibility. It's going to be expensive to do the repair there.

Mayor Hedlund responded that they talked about that in this agreement and he thought that the bank was further south than the exposed sewer line.

Chair Tanner noted one of the questions was why a corporation like this would step forward with anything at all and he has to say, he would think they are looking to become "a good neighbor" rather than to have the newspaper carry it in the town of Weymouth for another 10, 12, or 15 years. Every time something goes off- an alarm or whatnot, it would be in the newspaper. He thinks they are probably, and he could be wrong, trying to buy their silence and become a good neighbor. His last question is to the mayor. How does the town recapture the cost of the legal fees trying to fight this? Is it all going to be on the taxpayer or can it be on the Algonquin gas company?

Mayor Hedlund responded that's the consideration for how the \$10 million was arrived at.

Chair Tanner asked if they feel it's going to cover the whole thing and still make the town go away?

Mayor Hedlund responded that it's the investment they've made in the legal fight, which has given them the leverage to ask for that kind of money and it's what delayed this project and gave them hope. It's part of that overall calculation.

Chair Tanner noted they had the gas company before Conservation not too long ago, and they promised a number of things to Conservation Department and the conservation area itself there. If in fact they had made agreements with Conservation Department and they sign off on this, are they signing off on the agreements they made to the Conservation Commission?

Mayor Hedlund deferred to the solicitor. Solicitor Callanan responded that he didn't believe so, but is happy to take a look at what he is referring to. The permit that Conservation Commission denied is what was one of the appeals. So, they would be withdrawing from that appeal. If

Commission has since allowed or authorized Notices of Intent of Determinations since then, those are not what are being released. It's the denials in 2016, 2017 when they initially came before Conservation. That's what's being given up. If he is referring to last year, the electrostatic testing with Calpine's property?

Chair Tanner confirmed if they would not be relinquishing their obligations?

Solicitor Callanan responded no; because that's a permit that Conservation approved and they haven't fought. The subject is what was denied and appealed.

Chair Tanner thanked them. The information put together and that they are all getting here is a lot more than what they have all had.

President Mathews acknowledged several former colleagues who are in the meeting and gave them an opportunity to speak.

Former Councilor Michael Smart had no comments or questions.

Senator (former Councilor) Patrick O'Connor had no comments or questions.

Mayor Hedlund noted with the tax change that was brought up, they thought it could be done legislatively, and he wants to thank the legislative delegation who proactively filed legislation so they could accomplish this. He mentioned the discussions he had with the administrative branch. The legislative delegation has filed legislation to accomplish the same thing. He is unsure how the language aligns, whether it accomplishes the same thing. They are working with the legislative branch now, but that helped to get them on the radar screen of folks on Beacon Hill when they needed to be.

Councilor Haugh asked when this becomes public?

Chair Tanner asked if she was referring to this meeting?

Councilor Haugh responded no; she understands this meeting was posted. This is a pretty active fight against the compressor station. There are a lot of people who are wondering what is going on. At what point will the administration release this to the public so they know this is going on?

Mayor Hedlund responded hopefully soon, when the legal stuff is done with the solicitor and Atty. Miyares, the gas company, and after he's had a chance to talk to some of the folks she brought up like the neighboring mayors and those in the civic organizations who were involved in this.

Councilor Haugh asked for confirmation that he will make it public after the deal is signed?

Mayor Hedlund responded yes; that would be accurate. He is unsure how much of tonight's meeting is public. It's in executive session so it's not really public, but his intention is obviously to brief councilors as was scheduled earlier this week prior to its signing.

Councilor Haugh noted she and Councilor Burga would appreciate a heads up since they are the ones who are going to field the most of constituents' questions and concerns once this goes public. She doesn't want to be at work on a Tuesday and all of a sudden, her phone's blowing up with constituents asking what is she doing supporting some deal?

Mayor Hedlund responded soon, but will give them a heads up when they have a definitive time.

Councilor Haugh asked, noting that Councilor DiFazio talked about it, are the councilors going to see the deal prior to the mayor signing it?

Mayor Hedlund responded that he could ask the solicitor. Councilor DiFazio wanted the spreadsheet, which is fine, but whatever the folks who drafted it are comfortable with.

Councilor Haugh asked when they would see that so they can see what they get, and what they may have to give up?

Mayor Hedlund responded that what Councilor DiFazio requested should be fairly easy for them to put together, and not speaking for Joe, he would assume they would have it before the end of the week.

Solicitor Callanan responded that table is pretty easy to put together. They have been keeping track of the negotiations. They received the latest version at 4:00 PM today from Enbridge. He will get back to them probably tomorrow, so they can have a copy after. Again, it's not the final version. They do not yet have an agreement, but he can give them the latest version. It will be confidential, privileged settlement discussion subject to this executive session and so is shared with the residents and members of this group, the citizen groups, Council and Conservation Commission, but it's not a public document.

Councilor Haugh confirmed that once it's signed it then becomes a public document; correct?

Solicitor Callanan responded yes.

Councilor DiFazio asked if any of the monies received from this agreement will require a measure to go before the town council to make an expenditure from the money? The mayor deferred to the solicitor. Councilor DiFazio responded that whatever the plan is now, each and every measure expended from it will have to go before the council and will have to accept the recommendation at that time. He thanked the administration for getting them the information they need.

President Mathews responded to Councilor DiFazio that he would presume that it will be similar to the past practice with host community agreement and funds used with the former South Weymouth Naval Air Station. Each measure put forward by the administration would be approved for appropriation by the council. He doesn't remember if it was in a 002 account, but Auditor Swanson had it set up in a spreadsheet and he can do it similarly for this one.

Councilor Haugh asked if at year 30 does the town get zero dollars for the tax on the property.

Solicitor Callanan responded no; there is a floor to what they get. He would have to look up what it is, but it is not zero. It would be an asset that would be depreciated over 30 years.

Councilor Haugh noted that the Commonwealth has Green Energy goals by 2050; all energy will be renewable. It will be interesting come year thirty when they still have a compressor station and getting money.

Solicitor Callanan responded that even if it were shut off, it would still be owing property taxes. It's like a vacant storefront; it would still owe property taxes.

Councilor Harrington noted he had concerns about the money. He would much rather have seen concessions in safety than money but if money is all they are offering, that's fine. He is not crazy about being buttonholed into a wish list ahead of time. They're asking 10 or 15 people to drop their opposition to this and in return they get a wish list. He would rather be in on the thoughtful formation of the process and doesn't want to be stuck with a wish list. It sounds like it's all reasonable but he would rather have a more active part in determining where those monies would be allocated.

Mayor Hedlund responded that they are relying rather heavily on their public safety officials and some of this was conveyed in the meeting the other night. The fire department has spent a lot of time on this, and he has to have a lot of faith in their abilities and the information that is relayed to him from them after their training sessions with Enbridge. They will learn more and the public will learn more when they have the three meetings he mentioned earlier. He thinks Chief Stark and John Mulveyhill have done a pretty good job. He is comfortable with it; he is not comfortable that they have this facility in Weymouth, but he is comfortable that they have been very thorough in making sure the town is in a very vigilant situation. He knows Councilor Harrington expressed those same concerns to him earlier today. In terms of input, Councilor DiFazio mentioned these are going to be measures that the council will have the opportunity to discuss anyway, and they thought it was helpful to have some general categories that people will understand where that will go. Again, having those resources takes pressure off other areas, theoretically anyway. If he didn't have to commit in a capital program to a local match for a seawall in North Weymouth, it allows him to have an additional resource to address a capital project in South Weymouth. It's going to balance out.

Solicitor Callanan addressed the concessions. They've had five years of them with Algonquin in litigation. He spoke about the noise issue earlier. They found out the testing was being done wrong and had to make a concession to make the facility run more quietly. They also complained the station could be flooded, so now they have to raise the whole floor 6'4" to prevent flooding. They also limited how long they could operate blowdowns, from a half hour to 17 minutes and they wanted they wanted to increase the number of blowdowns and they had the number reduced. The concessions they made about safety and health and public welfare were part of the work through Miyares & Harrington and 23 lawsuits. By the time Algonquin came to them about settlement, yes; they are only talking about money because they fought them sitting on tidelands, they fought them on acquiring an interest in the conservation restriction, and it's quieter and

emits less pollutants and has less impact on the environment through the work of Miyares & Harrington. Algonquin, at this point in 2020 was not going to make any more concessions on safety because they fought them and won on multiple concessions on that topic.

Councilor Burga asked to confirm something the solicitor said that is shocking to her; that the blowdowns should only be 17 minutes long?

Solicitor Callanan responded that was a condition the town fought for and the hearing officer specifically included.

Attorney Bertram corrected the information. The startups and shutdowns, not the blowdowns are 17 minutes. When the combustion turbine fires up or shuts down, certain aspects of its pollutant control technologies are not as effective as at other times and so DEP essentially gave them a blank check to do that for up to 30 minutes. Based on modeling they got them to reduce any spread of potential carcinogens from the actual site itself.

Councilor Burga asked in regard to the actual blowdowns, they have an open card for 17 minutes they can blow down? Theoretically, if it takes them a minute to start up and then they get about 15 minutes? It seems a lot longer than she initially knew or thought.

Attorney Bertram responded that the startup and shutdown is not a blowdown. It's not the release of actual natural gas from the facility. It's basically the tail bite to the combustion turbine itself. It's whatever is being burned off and typically there's a type of control technology that removes certain carcinogens from that exhaust stream. It's just not as effective during the startups or shutdowns and so are limiting the duration of those. They are making sure they don't do it multiple times because it reduces the pollutants that are released and they're spread.

Solicitor Callanan confirmed with Atty. Bertram that they are only allowed two scheduled blowdowns per year; not the startups and shutdowns. They are allowed unclaimed startups and shutdowns but are limited to two scheduled blowdowns per year.

Attorney Bertram responded that he would have to check that to confirm.

Solicitor Callanan noted these are conditions they fought for in the air permitting and the administrative law judge specifically include in their permits. Another one was where they typically get waterways licenses for 30 years. This is a facility that is dependent on a pipeline and is only licensed for another 12 years. Why give this facility a license for 30 years when its reason for existence is only permitted in existence for 12 years. DEP agreed and licensed it for 12 years under the waterways permit. the town has fought, and achieved these concessions for health and safety and the environment.

Councilor Haugh thanked Councilor Harrington for bringing up a great point. One of the things they were fighting for many years was to get an electric motor there. It's one thing Enbridge would never concede. An electric motor would reduce a lot of noise. There would be virtually no noise and little to no smell and just being at one of these compressor stations, it's going to smell and it's going to be loud and for instance, Councilor Harrington said he wished they took the

money and used it for more public safety measures. That is a perfect example. She wished Enbridge had the \$10 million dollars and given an electric motor. That would have made a difference for the residents who have to live near it, but unfortunately, it's just not in their plan and with all the lawsuits, there was a BACT analysis and it was reassessed, because when DEP did the air permitting, it did not fully vet the electric motor. Commissioner Singleton can probably speak to that too. They didn't fully vet the effects of an electric motor here, and it literally would make a world of difference. She is unsure if it is still there, or where it is and asked Commissioner Singleton if he could weigh in on that and get back to them on whether it is still on the table as one of the other things they are still fighting in the citizens group.

Commissioner Singleton responded that he doesn't think it was taken off the table. He believes it is still there. FRRACS has not given up on that issue.

Councilor Haugh responded that it is still ongoing then; they are still fighting for that electric motor, which would be a couple of million dollars to install, but that's what Councilor Harrington was getting at. That is a mitigation factor that would make a world of difference to the people who have to live near this thing.

Solicitor Callanan confirmed it is still part of the air quality permit before the EPA.

Councilor Haugh noted that the air permit is before the DEP and that is why this those here in this meeting who were part of the original 10-citizen group that was formed. By saying they do not want to take part in this litigation, is giving up the fight to get that electric motor. That is one of the major mitigations that they really wanted from the start and DEP nixed it from the start in a hearing in Boston. It was part of that appeal that they had to go back and look at it. She thinks it's a detriment for their group to drop it because the perfect mitigation for this compressor station is to give them the electric motor. She doesn't think there is any changing it; it seems like it is a done deal with Mayor Hedlund, and so, she just wanted to let the group know there's still so many parts of this and she thinks the electric motor is probably the number one thing that could make a difference in this being a better facility, if you can say that. Commissioner Singleton concurred.

Vice President Molisse asked the solicitor if he is the only attorney reviewing this proposal or is other counsel working with him also?

Solicitor Callanan responded that Ray and Brian Bertram from Miyares & Harrington are also reviewing the agreement with him.

Vice President Molisse noted that Councilor Haugh brought up that in speaking against any pending cases they have with them, they'd be speaking not as a councilor, but as a private person. He thinks that would be hard for anyone to do whether it's him or Councilor Haugh. They are known as councilors no matter how they present themselves.

Solicitor Callanan agreed, but said what he was trying to get to in the law is the capacities. If Councilor Molisse were to file a lawsuit, is it because he's a councilor, or is it because he's a resident? Unfortunately, if he found himself in court, is the lawsuit about something he did as a

councilor? In that case, the town would defend him. Is it about what you've done outside of his role as a councilor, in his professional life, it is not something the town would defend him on. So that is the distinction he is trying to make; any official capacity for any lawsuit that someone tries to bring on behalf of the town as opposed to one they bring on themselves. If they bring in as themselves then the town cannot defend because state law says the mayor has that authority and if the mayor agrees to this and can prosecute on any official capacity suits. If as a citizen they can continue in any lawsuit they are in or any appeal, but it's as an individual. That individual may be a town councilor, but that individual would in his individual capacity.

Vice President Molisse responded that it is something that a councilor always carries with him; they'd have to be careful of that language he would think. He thinks there is a lot of things in there they have to be careful of. He doesn't quite know what this meeting is tonight. If it's just an informational meeting just to keep them up to date, as he figures is what it is; correct? Solicitor Callanan responded, correct.

Vice President Molisse noted about the tax classification on that property. They are willing to work with the town on that. He would think they would want to have something in place- they are going to; not they are willing to work. If this is going to take place, he thinks they would have the tax agreement in place before anything is signed.

Solicitor Callanan responded that the agreement talks about specific paths they are going to take, but there's no guaranty that Algonquin can force the state government in the government to sign a tax deal. This is an agreement between the town and Algonquin. They are relying on a third party and it's very hard in those circumstances for the town to agree that the general court will pass a bill that governs this. That is why Algonquin is willing to cooperate with them. They're going to send a letter about their rationale and what they are going to do, and they have already talked with them about drafting the language that they can put in the bill that they are going to file in the next couple of weeks. Those are specific tasks that they are going to do. Other language talks about them cooperating because it's not up to them to get the legislature and the majority of the House and Senate to pass and the governor to sign it into law.

Councilor Haugh asked the solicitor to go back to the tax classification and the money. Enbridge is already paying this money to the state the state, so in order for the state legislature to change the law, Weymouth gets \$28 million over 35 years. That means Enbridge isn't paying any more money to the state, but the state has to find ways to cut elsewhere to give money to Weymouth?

Solicitor Callanan responded, not really. What they are trying to draft as a local property tax is the value of a pipeline stretched through many communities, so you can figure out the value of the pipeline and the metering stations and compressor, figure out that value and the money is divided into those individual communities. Right now, there's a value for the hub line. As of January 1st, the value of that will increase by \$100 million because of the compressor station. If they don't do anything, all the communities would profit from that extra \$100 million that Enbridge is paying in property tax to all the communities that have pipeline. Everyone else that has a pipeline would get more money, except the town of Weymouth, because that property right now is taxed like any other piece of industrial/commercial property in Weymouth. As soon as it becomes part of the pipeline infrastructure, it's taxed differently. So, they go from vacant

industrial land valued at \$185,000 to pipeline infrastructure that would only be \$50,000, after you add a \$100 million facility to it. The language that they are trying to draft that doesn't exist yet- what it will say is no other community is going to lose money but, why should these all other communities profit from the siting of a \$100 million facility in Weymouth. That's unfair and in the conversation the mayor had with the governor on Monday, he even acknowledged it was unfair and it needs to be changed. The idea would be, that going forward when a community adds these facilities, they are not treated like pipeline divided between all the others, but that the host community would get that benefit. They aren't trying to take away property taxes from other communities but when Algonquin pays more property tax, the town wants that money to go to Weymouth, and not all the 30-40 other communities in Massachusetts that have pipeline.

Councilor Haugh responded that she understands that, but in centralized taxation the valuation is divided up, but Massachusetts already has about five other compressor stations, so if they draft the language she would assume it is for all other communities with compressor stations. So if the town of Charlton a compressor station would get extra money taken from other communities, unless this bill was specific to Weymouth, but if it's a whole new tax thing to help communities that host compressor stations, then the existing ones will be taking away money from other towns that have been getting profit from the pipeline currently in existence, if that makes any sense.

Solicitor Callanan responded that it does but they're not planning on drafting the legislation that way. When Charlton got a compressor station, they had the same problem Weymouth had but they didn't do anything about it. Same for Agawam when they got a compressor station. Now Weymouth is stepping up and making sure it doesn't happen in the future. He is concerned what is happening in Weymouth; not Charlton or Agawam. They didn't do anything about it- they suffered with it and didn't do anything about it. Weymouth is not okay with it so they will do something about it.

Councilor Haugh said that there is also as he said a third-party variable to get another \$28 million out of this. Will that bill draft the language going to be drafted only for the Algonquin pipeline or for all compressor stations? She would find it hard to pass in House and Senate when reps from other towns who have compressors say, whoa; why does Weymouth get extra money and they don't? How will they ensure that Weymouth will get that \$28 million? Because if they don't, they are stuck with less than \$50,000 a year and it is determined on the state legislature and if they actually pass it.

The mayor responded she is correct, and if she has suggestions on drafting language to accomplish that he would welcome them.

Councilor Haugh responded that she is not getting a straight answer if the language is going to be for the Algonquin line specifically, or all pipeline in Massachusetts. It's a yes or no question.

Solicitor Callanan responded, no, it's not for the Algonquin, it's going to be prospectively for facilities taxed as of January 1, 2021. The problem is they do not have language but this is what they intend to do. That language is what they give to the administration. The administration could change it, the House could change it, the Senate could change it, absolutely. There is no guarantee. What they are proposing and will fight for is for Weymouth, not for everybody else

who has compressor stations. They didn't fight for it when it happened to them, he doesn't see why Weymouth should have to expend their energy to protect Agawam or Charlton when they let a situation like this happen and Weymouth didn't.

Councilor Haugh responded the deal they are going to sign states that they are going to try and change the legislation but there is no language drafted for that part of the plan already.

Solicitor Callanan responded that is because until Monday a conversation between the Deputy Commissioner of DOR and the mayor, Algonquin and the town thought the solution would be handled administratively. They were told by the Deputy Commissioner of DOR Monday morning at 11 AM that they would need legislation which came as a surprise to Algonquin and as a surprise to the town. So now they are going to the legislature. They always knew this was a possibility. They thought most likely it was going to be legislative. Now as of Monday, they know it's only going to be legislative.

Councilor Haugh said Senator O'Connor, who is in the call will help keep them informed from the floor.

President Mathews has a few items to bring up. He cautioned all attendees in this call of their role in executive session. They are prohibited from speaking of this publicly until the mayor takes some action. If he does sign an agreement, he would ask for the courtesy to provide the people on this zoom call with a heads-up first so that they are not reading it in the newspaper or somewhere else first. He is sure Councilor Haugh and Burga will field calls asking what transpired at this meeting. Obviously, they can't until the mayor takes some action on his own, but thinks a courtesy of correspondence to all parties here is appropriate before it goes public.

The second thing he wants to bring up is his understanding of this meeting. The way he understands it, the mayor is in the process of litigating, mitigating host community agreements; all of the above, and if the mayor does sign an agreement he will be backing out of all of the pending lawsuits as well as taking the solicitor and special legal counsel who have been working on this for the last five years, but the people who are still listed and signed up as individuals – 15 more on the list, could move forward themselves, but they would be on their own and would pay for their own legal counsel. He asked the solicitor if his interpretation is accurate.

The solicitor responded he is correct.

President Mathews stated he wanted it to be known that with the 15 other people involved, it could potentially continue in court but they would have to come up with their own legal representation and they would not be getting any help from Weymouth in terms of resources or funding to do that. He wants that to be known; on the record.

He is disappointed that they are at this point. He wishes there was still an opportunity to fight this legally. He feels they have gone as far as they have and as alluded to tonight the community's chances are not good, so it is ultimately up to the mayor to determine how he wants to move forward. He noted that two motions will be required to adjourn; one from the

Conservation Commission and one from the Town Council. He called for a final opportunity for comment before doing so.

Mayor Hedlund added a quick comment. Obviously, they didn't arrive on the decision lightly and he weighed heavily on the advice that counsel has provided in handicapping these lawsuits. In every one of these that they filed, they have taken an aggressive posture. They fought harder than any community in the siting of one of these locations and when they handicap their chances at this step of the game he has to make a value judgment on what is good for the town. He has done that here. There was an issue that was raised that he nor the solicitor or outside counsel address and that was the comment that Councilor Haugh made about the electric turbine issue. It is something they did not dismiss. It was something they fought for and discussed and he thinks her comment kind of went unanswered on their end, and he hopes outside counsel could clarify for the council what was involved in their efforts on that and how they really didn't get assistance from the regulators in advancing that, while they have them available to that.

Solicitor Callanan gave Attorneys Bertram and Miyares a chance to correct any misstatements or omissions he may have made.

Attorney Miyares said he would give it a try. Whenever you are dealing with an administrative agency decision, you try to challenge what they are doing to you and you have a bit of an uphill battle because courts are likely to assume that agencies have more expertise than the court does and they engage in what they refer to as judicial deference in the decision. So, they work pretty hard not to contradict what the administrative agency has done. So, in the case of the air permit, they raised a whole lot of different objections when the air permit was analyzed and the one that caught the attention of the First Circuit Court of Appeals was the electric motor overdrive, which the attorneys said had not been properly analyzed. The First Circuit agreed with them and has sent that matter back to DEP, and DEP has an adjudatory proceeding coming up in November where the electric motor overdrive will be considered. They have been in the process of preparing expert testimony that is currently due on Friday. That expert testimony will do the best they can to persuade DEP that electric motor overdrive is the most cost-efficient way of achieving emission control for NOx (nitrogen oxide). Their experience with the hearing officer—he's been assigned to all of their appeals at DEP is that she listens carefully. She seems sympathetic and she writes an opinion that is in the main adverse to their interest. It's true that along the way they have gotten her to impose some conditions that Algonquin didn't want so none of these cases have been total losses. They have been just mostly losses. There have been some advantages that they have achieved. It's important to note that the arguments in favor of electric overdrive have been formulated to carry out that. The experts that they found for the town are using their testimony to support the town's position. The department has a backwards way of deciding things, which again works to their disadvantage. Before they take any evidence, they make a decision, and in this case, they made the decision that electric motor overdrive is not going to be required. And then, after they make a decision, then they hold a hearing. While it's not impossible for them to change their mind, it's a hard road for them to possibly change their mind. If they don't change their mind, chances are if there was an appeal the court would like to give deference to their opinion, especially since some parts of their decision will be exclusively the exercise of their discretion. To give an example, one of the things that Algonquin has argued is that they shouldn't have to consider electric motor overdrive because it's a fundamental

redesign of the project. The attorneys have said it's not, but DEP said yes, it is and the rule is they don't have to consider anything that is a fundamental redesign, but they can if they want to. They have discretion. As hard as it is to overturn a DEP decision, one that's explicitly consigned to discretion, it will be even harder to overcome. Those of the people present, who remember him all the way back to the Clean Harbors of Braintree case in 1988 know he's been representing Weymouth's environmental concerns for a very long time and they have had successes even in spite of the nature of the game. It's not easy to win these cases. You always have to go with the assumption that you will lose than that you will win and they feel as though they have put strong arguments before DEP and before the courts in a number of cases, not just in the air case, but a number of cases with the citizens group, in the waterways case with Coastal Zone Management case they think they have made strong arguments, it's very hard to overcome that deference. Meanwhile they don't have a mechanism to say the project should stop until these lawsuits are resolved. That's not the way it works. They get to keep going. And when it keeps going, it becomes harder and harder to see a pathway to get the court or DEP to say no. Notwithstanding the fact that you already put the work into it, now they're going to make you rip it out. As with many environmental controversies, until some point you have to determine if there is an agreement that you could enter into that would make the siting of this facility palatable. That's what happened with the Calpine Facility. They were against it in administrative proceedings over that many years, and ultimately, they entered into an agreement. Along the way they made a number of concessions and the facility has operated under the host community agreement. There have been a few things that slipped along the way (some of which were noted here) but an agreement to settle environmental litigation is fairly commonplace. They don't always decide that it's in the best interest of the community to fight to the death and sometimes you decide to make a deal. Whether it's better to make a deal in this circumstance here, he can provide an opinion on the prospects of the litigation, but ultimately, he does not have a dog in the race over what is in the best interest of the community. That's why you have elected representatives and why you have a mayor to make those kinds of decisions. They can put input into the decision, but at the end of the day, what's in the best interest of the community is for people other than the lawyers ought to be deciding. That is where they are. It should be clear that no steps that have been taken to settlement that have resulted in the attorneys taking a foot off the pedal in the litigation. They will continue to pursue the litigation up to the point when the mayor tells them he has a deal and he puts his pen down. That may be soon, but it's not yet, today. They are still working diligently on the litigation strategy as they speak now. He thanked them for their consideration.

President Mathews thanked the attorneys for joining them. This is the first time that this issue has come before the town council to speak in close to five years they've had the issue. The council is not privy to the discussions that the mayor has or that the attorneys have over the last 4.5 years or so. They are privy to some of it through the town solicitor, but the details of what is provided here tonight is certainly listening to some of the attorney's opinion on it. They are not often afforded the opportunity to have the attorneys come before the council; this is the first time for them to speak on this subject matter.

Councilor Haugh thanked Mr. Miyares. She knows he's been here since day one and he's done so much for the town. She asked to clarify-did he say he is moving forward with the BACT

Determination, which the hearing date is sometime in November, but once this deal is signed, that will be dropped by the town, because the other 10-citizen group is moving forward with it.

Atty. Miyares responded that is correct. The agreement specifically will say that the town will file stipulations withdrawing from various pieces of litigation, and that's what they will do if the agreement is signed.

Councilor Haugh noted the town filed an adjutory hearing the same day the citizen group. DEP is talking to the FRRACS lawyer, Michael Hayden about the date in November.

Atty. Bertram said the date is the Monday and Tuesday after Thanksgiving.

Councilor Haugh pointed out that if any agreement is signed this week, the town would have to back out of this appeal. Attorney Miyares said yes.

Chair Tanner expressed on his own behalf his thanks to the Mayor and attorneys for staying with this. He left the auditorium after the last town meeting and said to those around him that they were shoveling sand against the tide; they would never get anything. It was his personal opinion, and to see they are at least getting something has him ecstatic to see some action.

ADJOURNMENT

At 10:00 PM, there being no further business, Commissioner Singleton motioned to adjourn the meeting in executive session and was seconded by Commissioner Loring.

A roll call vote was taken: Chair Thomas Tanner- Yes, Vice Chair Scott Dowd- Yes, Commissioner Loring- Yes, and Commissioner Frank Singleton-Yes. UNANIMOUSLY VOTED.

At 10:01 PM, there being no further business, Vice President Molisse motioned to adjourn the meeting in executive session and was seconded by Councilor Hackett.

A roll call vote was taken: Councilor Burga-Yes, Councilor DiFazio-Yes, Councilor Hackett-Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Vice President Molisse-Yes, President Mathews-Yes. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Arthur Mathews as President of the Town Council.
Unanimously voted on 9 November 2020