

SPECIAL TOWN COUNCIL MEETING MINUTES
Town Hall Council Chambers
April 28, 2014, Monday

Present: Patrick O'Connor, President
Michael Smart, Councilor
Robert Conlon, Councilor
Kenneth DiFazio, Councilor
Jane Hackett, Councilor
Ed Harrington, Councilor
Rebecca Haugh, Councilor
Thomas J. Lacey, Councilor
Arthur Mathews, Councilor
Brian McDonald, Councilor
Michael Molisse, Councilor

Also Present: George Lane, Town Solicitor
Kathy Deree Town Clerk

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 7:32 PM. After the Pledge of Allegiance, Town Clerk Lathy Deree called the roll, with all members present.

ANNOUNCEMENTS

Councilor Smart announced the Fogg Library has reopened. He was present for the ribbon cutting and thanked the Mayor, James Clarke and the Planning Department, all of the Councilors and members of the town boards who worked to bring this to fruition.

Councilor Molisse announced that a special program on the Adams Society will be aired on CSPAN on May 3 and May 4 in honor of Women's History month.

MINUTES

Budget/Management Committee Meeting of March 17, 2014

A motion was made by Vice President Smart to approve the minutes from the Budget/Management Committee meeting of March 17, 2014, and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Rules Committee Meeting of March 17, 2014

A motion was made by Vice President Smart to approve the minutes from the Rules Committee meeting of March 17, 2014, and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Town Council Meeting Minutes of March 17, 2014

A motion was made by Vice President Smart to approve the minutes from the Town Council meeting of March 17, 2014, and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

OLD BUSINESS

Starwood's Proposed Revisions to the Enabling Legislation

-Continuing Discussion with Town Councilors-Matthew Barry, Vice President/ Robin Daniels, Director of Development

Matthew Barry and Robin Daniels were invited to the table. They distributed an updated version of the enabling legislation, based on discussions with the Mayor and town legal counsel. It was sent to the Mayor Friday and forwarded to Town Council today.

Mr. Barry noted the transitional timing issue is not fully resolved and that the most appropriate time to be determined so that the town is not subsidizing the services of Tri-Town and to insure full tax revenue to Weymouth for all municipal services is as soon as possible. The term master developer is clarified in the new version of the legislation so that the entity is not in question at the time of the transition. If and when negotiations conclude, Starwood is in fact the master developer at that time. Mr. Barry clarified the pledge revenue and interpretation in the future and not Weymouth's obligation. He noted there is further work to be conducted. Some additions were made to the proposed MOA that includes items under discussion for financial partnership for municipal services and additional provisions as discussed with the Mayor and that will be provided in the next few days. He reviewed the financial benefit analysis and the first five years. They looked at the revenue projections and Weymouth costs. There should be a plan in place to cover potential deficit. He offered to prepay within 30 days \$1 million HCA payment and continue to pay for five years; in 2020 start drawing down against it. It keeps Weymouth net positive going forward to get through the ramp-up. In years 6-10 Weymouth should realize excess revenue and this provides the financial security Weymouth has asked for.

Councilor Harrington asked if they plan to advance funds to cover shortfalls from HCA funds that were earmarked for projects, and if this is the way to address a solution to shortfalls. Mr. Barry noted that the Council asked them to find a method to assist the town with the concern there might be shortfalls in municipal services.

Councilor DiFazio asked if Burns & Levinson has recommended this; the host community agreement was an enticement to pass the project; not to cover a deficit. They requested Burns & Levinson identify the risks and how they will resolve these in the final legislation. Council President O'Connor responded that the Mayor and attorneys from Burns & Levinson were both invited they met earlier in the day, but they indicated they are not ready yet to report out or make a presentation.

Councilor Conlon concurred with the sentiments expressed by Councilors DiFazio and Harrington. Mr. Barry responded that they thought it might be a creative solution and he

apologized if it offended anyone. Council Vice President Smart suggested that the plan during years 6-9 should include a payment plan to make the host community whole again and a plan to put back funds into the stabilization fund. Councilor McDonald noted that they have not been shown an agreement on the table; nor how educational services will be addressed-they are already subsidizing Southfield. Councilor Mathews noted he was unable to attend the meetings and does not like the plan suggested. He does not agree with having to borrow what the town already has. There are two solutions he would suggest: 1. Take the \$1 million that was supposed to be used to build a golf course and give it to Weymouth or 2. Pay the infrastructure bond.

Mr. Barry responded they will continue to work on solutions. They received a marked up copy of the legislation from Burns & Levinson, but it doesn't include much of what he thought was agreed to; they are far less excited than they were. The Mayor's office and the Council does not speak with one voice and are in direct conflict. They would like to determine what the town wants. They understand the concerns and will come up with solutions but time will run out. He appreciates the work done by Council; they thought Thursday they had a deal worked out. He will continue working with the Council but is concerned the progress is not going forward.

Councilor McDonald asked what is different in the mark ups. Mr. Barry responded that he didn't have it in front of him, but there were changes in the three -town consensus and other items specific to the agreement between Weymouth and Starwood that would be in the MOA and a number of powers have reemerged. It appears that an expanded Tri-Town Board seems to be Weymouth's preference. Councilor Lacey thanked Mr. Barry for taking steps to increase the meetings and advocated for continued positive movement with the Mayor's office as he had requested. Councilor Harrington noted that Councilor Mathews provided solutions to addressing potential shortfalls; he suggested they pay each year until there is a profit as an incentive. Council President O'Connor thanked Starwood representatives for the update. He reported there is a meeting between Starwood and Burns and Levinson scheduled and an update will be provided to the Council internally.

Councilor Discussion of forwarding Legislation to Legislative Delegation

- **Resolution to Delegation**
- **Measure to Delegation**
- **No Action to Delegation**

Council President O'Connor reported he will invite the attorneys to the next meeting. He would like to get a general consensus as a placeholder to move forward with legislation. He spoke to the Mayor briefly today with regards to resolution to protect Weymouth with the 95-day window to put a resolution in place before signatory MOA. Bill McKinney is not sure how to proceed if the legislation is passed; they will need to have something whether or not they decide to take action, and if it is moving forward, to have something to provide to the Council.

Councilor Mathews noted he hasn't been able to attend the working group meetings and hoped before this discussion takes place to see what the Mayor has put together.

Council President O'Connor reported that the Mayor and the attorneys were invited, but were not ready to present. They await a final presentation from the Mayor.

Councilor Hackett reiterated that there is concern with the lack of guidance from the state. They are making decisions with cash flow with incomplete information and have questions concerning the transitional period; when to set a tax rate, when to establish budgets; how to collect and budget is also a concern of the CFO. She doesn't want to wait until July 15th to accept. The town is currently providing services they are not receiving revenue for and \$400,000 is projected to FY15 for police and fire protection. Councilor Hackett is very concerned with not receiving tax revenue in FY15. It is overwhelmingly challenging, but with the assistance of DOR they would work it out. Hopefully if and when it gets to the state, there will be a sit-down with the DOR and the three communities on how to book and receive these revenues. The cash flow is a major concern.

ADJOURNMENT

Council President O'Connor reported that the Special Town Council meetings scheduled for April 29, 2014 and April 30, 2014 were cancelled. The next regularly scheduled Town Council Meeting will be held on Monday May 5, 2014.

At 8:22 PM, there being no further business, a motion was made by Vice President Smart to adjourn and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Council President Patrick O'Connor

Voted unanimously on 2 June 2014