

TOWN COUNCIL MEETING MINUTES
Town Hall Council Chambers
March 2, 2015, 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
Richard Swanson, Town Auditor
William McKinney, Chief Financial Officer
Michael Gallagher, Director of Admin. & Comm. Svcs.
James Clarke, Director of Planning & Comm. Dev.
Abigail McCabe, Principal Planner

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathy Deree called the roll with all present.

ANNOUNCEMENTS

Councilor Haugh announced two events at the Weymouth Public Library; March Madness reading challenge and an upcoming Spring Author Series that will bring eight noted authors to Weymouth over a two-month period. Information for both are available on the Library's Facebook page.

She also announced that the North Weymouth Civic Association will host Mayor Susan Kay for a State of North Weymouth forum on March 11th, at the McCulloch Building and will include neighborhood-specific and town issues. It is open to the public.

Councilor Hackett announced that the Public Parks and Recreation Committee meeting that was originally scheduled for February 2, 2015 but cancelled due to weather, is rescheduled to March 11, 2015 at 6:30 PM in Council Chambers.

Councilor McDonald announced that the fifth annual fundraiser with proceeds benefitting Weymouth Food Pantry and CeeCee & Friends, will be held at the Weymouth Elks Hall

on March 8, 2015. The 2015 South Shore Showcase will include entertainment and a buffet.

Councilor Conlon announced constituent office hours on Tuesday March 3, 2015- from 10-11 AM in Council Chambers and from 4-5 PM at Fogg Library. He also thanked the DPW for street clearing and water main break repairs following the recent storms. He also thanked the public for clearing the fire hydrants.

MINUTES

Town Council Meeting Minutes of January 20, 2015

A motion was made by Vice President Smart to approve the minutes of the January 20, 2015 Town Council meeting and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

Budget/Management Meeting Minutes of February 17, 2015

A motion was made by Vice President Smart to approve the minutes of the February 17, 2015 Budget/Management Committee meeting and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

Town Council Meeting Minutes of February 17, 2015

A motion was made by Vice President Smart to approve the minutes of the February 17, 2015 Town Council meeting and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

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

Midterm Report with Capital Finance Plan for Town of Weymouth- Mayor Susan Kay

Mayor Susan Kay, Planning Director James Clarke and CFO William McKinney presented the report in a Power Point presentation:

Mayors Capital Projects Funding Plan

- Overview
 - Capital Needs
 - Evaluation Process
 - Funding Options
 - Project Priorities
- Funding Our Capital Needs
 - Capital requests growing each Year: \$30 million FY15, \$34 for FY16
 - Capital Investments=sustainable public facilities
 - Maintained infrastructure supports business development, resident amenities, and property values
- Purpose of Capital Improvement Plan (CIP)
 - Five year plan to identify capital projects and equipment purchases

- Provides a comprehensive overview with the strategic plans and the annual budget
- Town Charter designates Planning Board as Capital Improvement Committee which submits annual update to Mayor
- Ordinances sets capital considerations: \$25,000+ and useful life of 3+ years
- Recently Bonded Capital Projects
 - June 2014- \$6,000,000-Legion Field and High School Turf Field
 - September 2012-\$4,865,000- Pratt Library and DPW building repairs, new salt shed, sidewalk and drainage repairs, Iron Hill Dam repair, Hamilton School doors and windows (partial), Lower Central Interceptor sewer project
 - March 2012-\$550,000-William Seach Primary School Boiler Replacement
 - September 2011-\$2,200,000-Teen Center Roof and Masonry repairs, Wessagusset School Roof, Police Station Re-Roof, Pratt Library HVAC, Fire and DPW Vehicles
 - June 2011-\$1,900,000-Emery Estate Land Acquisition Purchase and CPA payment
 - May 2009-\$1,200,000-Various Remodeling, Reconstruction, and Repairs for School Building and School Site Improvements
- Funding Options- Non-town Resources
 - Community Development Block Grant
 - Land and Water Conservation
 - DCR Rivers and Harbor Grants
 - Chapter 90 Highway Funds
 - School Building Reimbursement Program
 - Southfield; Host Community Agreement and MEPA Mitigation
- Funding Options- Town Resources
 - Bonding- cost review, long term life of a project, Town and School Building Repairs, Public Works Project
 - Community Preservation Act- Open Space, Historic Resources, Affordable Housing, Recreation
 - Meals Tax- Park Improvements, Legion Field
 - Free Cash- Police Vehicles
 - General Revenue- Rarely used for capital projects
- Capital Funding Options
 - Starwood Letter of Intent; July 2014
 - Chapman School Feasibility Study \$1 million reimbursement
 - Vehicle Purchase, FY15 CIP lists \$2 million
 - Initiation within a year
- FY 2016 Budget Bonding
 - Annual bond payments being reduced
 - Frees up annual payment; can be used to pay for new bond
 - \$400,000 Annual payment= 10 year, \$3 million bond
 - Projects to be Funded:
 - Johnson School Roof Replacement - \$385,000

- School Floor Tile Replacement - \$675,000
 - Hamilton Door Replacement - \$175,000
 - Paving - \$695,000
 - Various Town Building Repairs - \$1,070,000
- Town Building Repairs
 - Tufts Library
 - Police Station
 - Town Hall
 - DPW Building
- Other Projects Needing Attention
 - Identified as critical needs or requiring significant repairs:
 - North Weymouth Fire Station #1
 - McCulloch Building
 - Adams and Wessagusset School Boiler Replacement
 - Ralph Talbot Memorial Wall
 - Emery Estate
 - Lovell Field and Playground
 - North Weymouth Fire Station #1- \$3,000,000- Built in 1936 with addition in 1974 Structural Repairs, Ramps and Bays for Ladder Trucks, New Female Living Quarters
 - McCulloch Roof, Gym Floor, Central A/C- \$1,350,000
 - School Boiler Replacement- \$1,650,000 Abigail Adams Middle School and Wessagusset Primary
 - Ralph Talbot Memorial Wall- \$600,000- Repair and Reset the Memorial Tablets, Reset Cap and Repoint Wall
 - Emery Estate- \$900,000 – Remove asbestos tile roof, remove lead paint, repaint exterior, new vehicle entry and parking area, accessible bathrooms
 - Lovell Field and Playground- \$11,000,000- complete renovation: new fields, paths, basketball court, skate park, playground, and parking area
- How to Pay for These Needs
 - Voter approval can increase revenue with:
 - Temporary Debt Exclusion: Property tax increase to fund specific projects. Only for one time capital purposes (public buildings, equipment, land acquisitions and public works projects). Tax payment exists until the debt is retired.
 - Permanent Override: property tax increase to fund municipal operational expenses.
- Cost to Town Residents –Total Debt Exclusion amount = \$18,500,000
 - Average Cost to Residents= \$71.29 / year until debt retired (15 year bond)

FY	Cost to Residents
2016	\$86.41
2017	\$84.25

2018	\$82.09
2019	\$79.93
2020	\$77.77
2021	\$75.61
2022	\$73.45
2023	\$71.29
2024	\$69.13
2025	\$66.97
2026	\$64.81
2027	\$62.65
2028	\$60.49
2029	\$58.33
2030	\$56.17

total \$1,069.35
Average /Year \$71.29*

*Based on average home value of \$302,000 and assumes a 4% interest rate

- Debt Exclusion Next Steps
 - Public Hearing and 2/3 vote of Town Council to place exclusion question on the ballot
 - Written notice of the referendum at least 35 days before election
 - Town Clerk to notify Secretary of State of ballot question for special election
 - Funds earmarked specific capital projects
- In Summary
 - FY 16 Bond and Debt Exclusion addresses significant immediate and long term needs
 - Funds majority of School Committee’s FY16 capital priority list
 - Lovell Playground provides major upgrade to recreational facilities
 - Catch up on projects delayed during recession

Council President O’Connor asked for a copy of the presentation and when the Council could expect a measure to be forwarded. Mayor Kay responded that she would submit a measure for the next Council meeting.

Vice President Smart noted a number of needs were presented and this speaks to the priorities but doesn’t include the cost of maintaining the new fields, the director position or other funding sources such as the Safer Grant. Mayor Kay responded that the intent was to try and keep the total to an affordable amount. The schools list came from their CIP and Station One is one in dire need; all others need to be worked on but if the critical needs are met, then it frees up funding for other items. Vice President Smart asked if the estimate for Station One is for demolish and rebuild or gut and remodel? Mr. Clarke responded that the estimate is to demolish and rebuild but they will have to look at this further.

Councilor Hackett asked about the bond parameters. CFO McKinney responded that some of the bond payments are coming off. Councilor Hackett also wanted to ensure that the cost of the project at Lovell field will include the relocation of leagues while the work is ongoing. Mayor Kay responded that the administration will be happy to come back and answer questions. She will hold two public meetings for resident comment. Councilor DiFazio asked if the proposal is an all or nothing proposition. Mayor Kay responded that it would be binding with no substitutions. Council can reduce but not substitute.

Councilor Conlon asked about the scope of the Emery proposal and James Clarke reviewed, stating that the plan is to include asbestos removal, roof replacement and bathrooms.

Councilor Lacey asked if it will be a single measure brought before Council. Mayor Kay responded that the administration would like to keep it all together. Councilor Lacey asked if it were voted down, would they then come back with a supplemental. Mayor Kay responded that the intent is for one shot, but they will listen to resident feedback. Mayor Kay also noted that none of the projects are frivolous.

Councilor Conlon noted he would like to see something about town ambulance service included in the measure, and if going out for proposals, this should be included. Mayor Kay responded that they are willing to look at it if there is interest, but it requires analysis first, and it doesn't belong in this critical needs package.

Councilor Molisse suggested that the plan for expanded fields needs to be accompanied by a maintenance plan. They will have to maintain the fields once they are constructed. Mayor Kay responded that the administration is working on it internally.

Councilor Haugh noted that the Seach School boiler replacement was partially reimbursed by the state, and she asked if there are any in this plan that might qualify for reimbursement.

Councilor Mathews noted that he has concerns with a fifteen-year bond paying for a field whose life expectancy is only eight years. He suggested this should include the cost of replacement. He also doesn't see that the user fees will cover the cost of replacement. He thinks it should be further vetted before bringing to the voters. Mayor Kay responded that the cost analysis includes a maintenance plan. Council President O'Connor asked the administration to provide back up materials including the maintenance plan and cost analysis.

Vice President Smart suggested this would be an opportune time to discuss centralized maintenance and asked if they would consider this as part of this measure and include a fee schedule. Mr. Clarke responded that as they get into the process this will be up for discussion, and information will be presented at the next Public Parks and Recreation Committee meeting. Vice President Smart asked if the administration intends to modify

the request based on the present discussion. Mayor Kay responded that she did not hear anything distinctly that would indicate they should change it.

Councilor Lacey responded that it is difficult to provide detailed questions when they haven't been provided with anything concrete to review. It's important that they have funding sources, personnel, etc. to see where this is going and he's not in favor of agreeing to move forward when it doesn't include a solidly funded maintenance plan. He would need to see more before he can vote it forward to the public.

Councilor Harrington noted he would also require a usage plan for Emery Estate prior to voting.

Councilor Hackett noted that in follow-up to comments from Councilors Smart and Lacey, they need to take a solid look at the plan and be able to meet with department heads. She is concerned a week and a half isn't sufficient time for them to review. She is also concerned with the premise of raising taxes for ordinary maintenance.

Councilor Harrington commented that the Council is not being asked to increase taxes, but to put the question before the voters.

Councilor Conlon commented that it is an excellent time to bond with interest rates at 4% as the economy is improving.

Issue- Capital Improvement Plan for 2016

CFO McKinney presented the Capital Improvement Plan that was handed out to Council.

A motion was made by Vice President Smart to refer the Capital Improvement Plan for 2016- to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

15 011-Debt Refinancing

CFO McKinney presented the measure to refund existing bonds.

“ORDERED: that in order to reduce interest costs, the Treasurer, with the approval of the Mayor, is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all or any portion of the Town's general obligation bonds outstanding as of the date of adoption of this order and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the bonds of the Town to be refunded, and costs of issuance of the refunding bonds; and that the Treasurer is authorized to execute such documents as may be necessary or desirable to carry out this transaction, including one or more refunding trust agreements with a bank or trust company.”

A motion was made by Vice President Smart to forward measure 15 011 to the Budget/Management Committee and was seconded by Councilor Mathews.

CFO McKinney noted for Councilors Hackett and Mathews that this is not the \$400,000 bond and that the term of the bond is unchanged. VOTED UNANIMOUSLY.

15 012-Bonding for Various Capital Projects

CFO McKinney presented the measure:

“ORDERED, that \$385,000 is appropriated for the purpose of paying costs of reconstructing and replacing the front section of the roof, and complete the new roofing of the Johnson School, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority; and that the Mayor is authorized to contract for and expend any grants, aid or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

FURTHER ORDERED, that \$675,000 is appropriated for the purpose of paying costs of replacing tile at various school buildings, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority; and that the Mayor is authorized to contract for and expend any grants, aid or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

FURTHER ORDERED, that \$175,000 is appropriated for the purpose of paying costs of replacing doors and glass storefronts at the Thomas W. Hamilton Primary School, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority; and that the Mayor is authorized to contract for and expend any grants, aid or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

FURTHER ORDERED, that \$200,000 is appropriated for the purpose of paying costs of repairing and resurfacing the Weymouth High School Track including small areas of track repair, new top coat to the existing latex track, installation of track channel drains, and athletic ball netting, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(25) of the General Laws, or pursuant to any other enabling authority; and that the Mayor is authorized to contract for and expend any grants, aid or gifts available for this project; and that the Mayor is

authorized to take any other action necessary or convenient to carry out this project.

FURTHER ORDERED, that \$695,000 is appropriated for the purpose of paying costs of repaving sidewalks, town building parking lots and school parking lots and driveways, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(6) of the General Laws, or pursuant to any other enabling authority; and that the Mayor is authorized to contract for and expend any grants, aid or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.

FURTHER ORDERED, that \$1,070,000 is appropriated for the purpose of paying costs of remodeling, reconstructing and making extraordinary repairs to the following Town buildings: Tufts Library (roof and gutter replacement), Police Station (new heating system), Town Hall (roof and gutter repairs, brick repointing, cupola window replacement and HVAC improvements), DPW building (HVAC and other improvements) and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Town Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3A) of the General Laws, or pursuant to any other enabling authority; and that the Mayor is authorized to contract for and expend any grants, aid or gifts available for this project; and that the Mayor is authorized to take any other action necessary or convenient to carry out this project.”

A motion was made by Vice President Smart to forward measure 15 012 to the Budget/Management Committee and was seconded by Councilor Mathews. CFO McKinney clarified for Councilor Haugh that this is a measure to authorize borrowing. UNANIMOUSLY VOTED.

A motion was made by Vice President Smart to take “New Business” out of order and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

NEW BUSINESS

OPEB Report for Fiscal Year July 1, 2013 through June 30, 2014-Michael Frank, President and Actuary, Aquarius Capital Solutions Group, LLC

Mr. Frank reviewed his credentials and reviewed the report, particularly the unfunded liability. The Council was provided with a detailed report that summarizes the analysis of estimated costs for post-employment benefits valuation under GASBY no. 43 & 45. The report included:

- Financial Results
- Covered Benefits and Claim Cost Assumptions
- Sensitivity Analysis

- Healthcare Reform
- Reporting of Experience by Group
- Overview of Actuarial Gain/Loss
- Demographic Information
- Assumption & Definitions
- Information Reviewed
- Data Reliance & Limitations
- Actuarial Opinion
- Summaries

Council President O'Connor noted that many municipalities are in the same position as Weymouth. He asked what the take is on the analysis compared to two years ago. Mr. Frank noted that the town has started to contribute to its liability. Councilor Harrington noted that it is a massive liability and the town has no strategy to deal with it. He asked what the solution is. Mr. Frank responded that the solution will factor collective bargaining, classroom education. The present value annuity affects the future. Councilor Harrington asked if there is any chance of legislative relief. Mr. Frank noted it would probably need to be a large scale GIC change. Councilor Lacey asked if liability will impact the town's future bond rating. Mr. Frank responded that it will not. The evaluation is based on current circumstances. Councilor Conlon asked the average age of Weymouth employees and retirees. It was noted that it is 46.4 / 71.4. Council President O'Connor asked if the town can anticipate the liability be mandated to be paid on an annual basis. Mr. Frank responded that the only state that currently mandates it, Texas, coincidentally also doesn't recognize GASBY45 standard. With the current economy, it would be a challenge to be able to fund and he doesn't see laws changing in the near future. It would be easier to sell bonding for a concrete benefit, such as a CIP. Councilor Lacey asked if the OPEB liability could be bonded. CFO McKinney responded that it is exempt.

A motion was made by Vice President Smart to accept the OPEB Report for Fiscal Year July 1, 2013 to June 30, 2014 and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Ordinance Committee- Chairman Ken DiFazio

14 107-Zoning Ordinance Amendment to Allow Restaurants with Drive-Through Windows in the HT (Highway Transition) Zoning District- Application submitted by Michael and Mark Mignosa/Trustees and Joseph Murray-1255 Main Street

Councilor DiFazio reported that the measure was time stamped in to the Council office on November 5, 2014 and was referred to the Ordinance Committee at the Town Council meeting of November 17, 2014. The Ordinance Committee met and deliberated the measure on January 5, 2015. Legal notice was given on December 31, 2014 and again on January 7, 2015. A joint hearing was held with the Planning Board on January 20, 2015, and the Planning Board issued its recommendation on February 17, 2015. Councilor DiFazio summarized the Planning Board's recommendation:

“The Board supports modifying the applicants’ request to include a one-acre lot size minimum and no other amendments for the following reasons:

- 1. The proposed use change is allowed only by Special Permit and is a discretionary approval by the special permit granting authority.*
- 2. The lot size minimum of one acre (43,560 square feet) limits the qualifying properties from 190 to 32 different properties. A further analysis concludes that, at most, approximately twelve properties would likely develop under the proposed zone change.*
- 3. Amending the proposal to include the lot size minimum gives clear direction and guidance to interested property and business owners on the Town’s development standards and protects the town from a potential increase in this type of Special Permit application on sites that may be undesirable or problematic.*

For these reasons, the Planning Board voted 3-0 to recommend favorable action on the below modified the applicants Measure 14-107, and the below version is as follows:

Amend the Weymouth Zoning Ordinance, Article VIB “Highway Transition District (HT),” Section 120-22.8 E “Special Permit Uses” from:

E. Restaurant, except that no drive-through window is allowed.

Be Amended to read,

E. Restaurant except that no drive-through window be allowed unless the restaurant has less than 20 seats and the minimum lot size land area shall be 43,560 square feet.”

On behalf of the Budget/Management Committee, a motion was made by Councilor DiFazio to adopt the recommendation of the Weymouth Planning Board and approve measure 14 107-Zoning Ordinance Amendment to Allow Restaurants with Drive-Through Windows in the HT (Highway Transition) Zoning District and was seconded by Vice President Smart.

Vice President Smart reported that he supports the measure; as this is the perfect parcel for this opportunity and he supports the amendment limiting the size to a one-acre minimum lot. The Council has supported bringing increased commercial opportunities into the town, and this is a business that has operated in Weymouth over twenty years and is requesting this in order to help them increase their business. As a result, this will increase both revenue stream and meals tax revenue.

Councilor Conlon noted that of the 190 lots in the HT zone, 32 would be eligible under the amendment. He asked if any of these owners could request the same through the BZA process. Councilor DiFazio responded that although 32 may meet the criteria, the Planning Department has reviewed the properties further and only 12 of these are configured in such a way to allow it. Mr. Clarke also noted that this is a conservative approach; 9 of the sites have existing businesses or residences. Any of these applicants

would still be required to go through a rigorous review by the Planning Board in order to obtain a special permit. Councilor Conlon noted that the areas in the highway transitional zone are like traditional neighborhoods; he is concerned that if this passes they will see a surge in applications from restaurants. Councilor Smart noted that only a limited few meet the criteria.

Councilor Molisse supported the measure; the town is always interested in attracting quality businesses. Councilor Harrington noted that the BZA gets many requests for splitting lots; this change will be good for the businesses and for the area. The town desperately needs the commercial tax base; everyone will be well-served and he welcomes it.

Councilor Haugh noted she will support this measure; the configuration and size of drive-throughs are changing and the town can have some control over how they are presented. Vote PASSED 10/1 (Councilor Conlon – NO)

Issue – Board of Health Regulation #33 (Bodyworks Regulation)

Councilor DiFazio reported that this matter was referred to the Budget/Management Committee on January 5, 2015. The committee has met and the matter is ongoing; there is nothing to report out at this time.

ADJOURNMENT

The next regularly scheduled meeting of the Town Council is scheduled for Monday, March 16, 2015. At 9:36 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 6 April 2015