

**TOWN COUNCIL MEETING MINUTES**  
**Weymouth High School**  
**Mary Jo Livingstone Humanities Center**  
**April 6, 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: Susan M. Kay, Mayor  
George Lane, Town Solicitor  
Kathy Deree, Town Clerk  
William McKinney, Chief Financial Officer  
James Clarke, Director of Planning & Community Development  
Kenan Connell, Director, Department of Public Works  
Jeff Richards, Director, Licensing & Inspections

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 members present.

**ANNOUNCEMENTS**

Councilor Harrington announced the Economic Development Committee will meet on April 13, 2015 to deliberate Southfield and its role in the town.

Councilor Mathews announced the annual Herring Run clean up will take place on Saturday, April 11, 2015, meeting behind the Venetian Restaurant.

Councilor Smart announced a new state law for Massachusetts drivers requiring headlights be operated when wipers are on or when visibility is reduced.

Councilor Molisse announced the "Adopt a Green" program is accepting applications. Interested residents may call the Town Council office. There are many greens available.

Councilor Conlon announced he will hold constituent office hours on Tuesday, April 7, 2015 from 10-11 AM at Council Chambers, and from 4-5 PM at the Fogg Library.

Councilor Conlon also commented on an article in the Weymouth News on the recent drug overdoses in town. He commended Chief Stark of the Weymouth Fire Department and South Shore Hospital, which provides and trains officers in administering Narcan and at no cost.

**Proclamation announcing the week of April 6, 2-15 as “National Community Development Week” – Council President Patrick O’Connor**

Council President O’Connor read the following Proclamation:

*“Whereas, the week of April 6-10, 2015 has been designated National Community Development Week by the National Community Development Association to recognize and acknowledge the accomplishments of the Community Development Block Grant Program and the HOME Investment Partnerships Program in communities across the nation; and*

*Whereas, The Town of Weymouth has clearly demonstrated the capacity to administer and customize the CDBG and HOME Programs to identify, prioritize and resolve pressing local issues, such as housing rehabilitation, public housing modernization, infrastructure and facilities improvements, neighborhood and public service needs; and*

*Whereas, over the past five years, the Town of Weymouth has received a total of \$3,341,917 in CDBG Program funds and \$908,083 in HOME Consortium Program funds, through the U.S. Department of Housing & Urban Development; and*

*Whereas, the following CDBG and HOME Program activities are proposed for FY16; transportation and volunteer services for seniors through Weymouth Elder Services, homeless case management services through Father Bill’s Mainspring, STEM after school enrichment programming at Seach School through Camp Fire of Eastern MA, facility improvements at the ARC of the South Shore, roadway and drainage improvements on Klasson Lane, Ericson Road and Sundin Road through Weymouth DPW, and housing rehabilitation loans to income-qualified homeowners and tenants through the Town’s Housing Coordinator Neighborhoods Southern Mass and Quincy Community Action Programs, and*

*Now, therefore, We, Mayor Susan M. Kay and Patrick O’Connor, President of the Town Council, of Weymouth by virtue of the authority vested in us as Mayor and President of the legislative body of the Town of Weymouth, do hereby proclaim the week beginning on April 6<sup>th</sup> and ending on April 10<sup>th</sup> in the year two-thousand and fifteen as National Community Development Week. These two valuable programs have made tremendous contributions to the viability of the housing stock, infrastructure, public service offerings and vitality of our community.*

*In Witness whereof, I have hereunto set my hand and caused the seal of the Town of Weymouth, Massachusetts to be fixed this 6<sup>th</sup> day of April in the year two-thousand and fifteen.*

*Susan M. Kay, Mayor  
Town of Weymouth*

*Patrick O’Connor, President  
Weymouth Town Council”*

**MINUTES**

**Ordinance Committee Meeting Minutes of March 2, 2015**

A motion was made by Vice President Smart to approve the minutes of the Ordinance Committee meeting of March 2, 2015 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**Town Council Meeting Minutes of March 2, 2015**

A motion was made by Vice President Smart to approve the minutes of the Town Council meeting of March 2, 2015 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**Public Parks and Recreation Committee Minutes of March 11, 2015**

A motion was made by Vice President Smart to approve the minutes of the Public Parks and Recreation meeting of March 11, 2015 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**Budget/Management Committee Meeting Minutes of March 16, 2015**

A motion was made by Vice President Smart to approve the minutes of the Budget/Management Committee meeting of March 16, 2015 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**Town Council Meeting Minutes of March 16, 2015**

A motion was made by Vice President Smart to approve the minutes of the Town Council meeting of March 16, 2015 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

A motion was made by Vice President Smart to take REPORTS OF COMMITTEES out of order and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**REPORTS OF COMMITTEES**

**Budget/Management Committee-Chair Michael Molisse**

**15 003-FY2014 Audited Financial Statements and Management Letter Presentation by Melanson & Heath**

Chairman Molisse reported that this measure was referred to the Budget/Management Committee on January 20, 2015. A presentation was made by Frank Biron and Erica Lussier of Melanson & Heath at the Budget/Management Committee and Town Council meetings of March 16, 2015. Auditor Swanson was not able to be present, and was invited at this time to present his report:

**“Highlights on the Fiscal Year 2014 Audited Financial Statements/Management Letter Relating to Measure 15 003:**

- A. *Is excellent, as it means no material discrepancies were found during the audit of the Books and Records of the Town for FY 2014.*
- B. *At the end of the year, total assets exceeded liabilities by \$98,901,937 and the current ratio was 3.34 to 1, which is outstanding. This strong ratio shows there is \$3.34 in assets to cover each \$1.00 in liabilities.*
- C. *Total Bonds Payable Debt at year-end was \$79,065,213 a decrease of \$7,431,679 from FY2013. This significant decrease of 8.6% resulted from pay down and refinancing of debt.*
- D. *The Water & Sewer Enterprise Funds Operating Revenue for FY14 was \$24,682,047 and Operating Expenses were \$17,085,148 resulting in \$7,596,899 of Operating Income. A portion of the Operating Income was used to pay Interest Expense (net \$1,544,011) and Transfers to the General Fund (net \$2,277,529 to reimburse the General Fund for Benefits & Indirect expenses. After these payments Net Income for Water & Sewer Operations was \$3,775,359.*

- E. *Total Investment in Capital Assets at year-end was \$195,861,950 (net of depreciation), an increase of \$4,368,289 compared to the prior year. Four major additions to Capital Assets were:*
- a. *\$1,796,654 Improvements to Roadways using Chapter 90 funds*
  - b. *\$399,493 Dispatch/Communications project and equipment upgrades*
  - c. *\$274,447 School Technology*
  - d. *\$243,365 Public Works International 4300 Vacuum Sweeper*
- F. *Total FY14 Revenue for the General Fund was \$144,645,785, which was \$1,860,421 over budget. The principal drivers of higher revenues were:*
- a. *\$302,737 Excise Taxes*
  - b. *\$252,475 Intergovernmental*
  - c. *\$538,144 Charges for Services*
  - d. *\$586,196 Interest, Penalties and other taxes*
- Total Expenditures for FY14 were \$141,341,634 which was \$1,443,730 less than budget. The principal driver of lower expenditures resulted from Employee Benefits being \$1,020,099 less than budget.*
- G. *Contained within Melanson Heath's 2014 Management Letter were four recommendations to improve internal controls. The Administration (with input from Town Auditor Swanson) provided a response to each recommendation. I will follow up during the course of my audit work to assure the recommendations are implemented."*

On behalf of the Budget/Management Committee a motion was made by Councilor Molisse to approve measure number 15 003; that the town of Weymouth accept the FY2014 Audited Financial Statement and Management Letter Presentation by Melanson and Heath, and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**15 011-Debt Refinancing**

**15 012-Bonding for Various Capital Projects**

**15 014-Debt Exclusion Bonding for Various Projects**

**15 015-Special Purpose Stabilization Fund-Legion Field**

**15 016-Community Preservation Committee-Legion Field**

Councilor Molisse reported that these measures were referred to the Budget/Management Committee. The Mayor has submitted a letter today to the Town Council through its President withdrawing the five measures. Mayor Susan Kay was invited to the table and she read the following memo into the record:

*"Please accept this letter as my official withdrawal of the following measures:*

*15 011-Debt Refinancing*

*15 012-Bonding for Various Capital Projects*

*15 014-Debt Exclusion Bonding for various Capital Projects*

*15 015-Special Purpose Stabilization Fund Legion Field*

*15 016- CPC Legion Field*

*These measures, which my team, consisting of representatives from multiple departments and I worked on for several months, were a plan to deal with pressing capital needs of our town, such as the replacement of roofs on buildings, repair and remediation to alleviate water infiltration at town hall, paving of parking lots and roadways, and boiler replacements. These are projects and necessities that are outside the operational needs of our departments.*

*That plan was presented to the Town Council at your March 2, 2015 meeting and further vetted during a public hearing on two of these measures at the March 16, 2015 Town Council meeting. Since that time, however, there appears to be quite a lot of confusion regarding these capital improvement measures and how they would work in conjunction with my FY2016 budget proposal.*

*To remove any confusion in this regard it is my intent to present a comprehensive budget plan to the Town Council at your April 21, 2015 meeting that supports the immediate operational needs of the Town for FY2016 and addresses the long term capital projects as outlined in my capital plan as presented to the Town Council on March 16, 2015.*

*The measures in question are budgetary in nature and having consulted with Solicitor Lane, they may be withdrawn by me at any time. The Town Council simply needs to take no action as the measures, inclusive of the two measures that have previously been discussed at a prior public hearing, are no longer in effect.*

*I appreciate your cooperation in this matter and look forward to presenting to you my FY2016 budget proposal at which time we will all have an opportunity to further discuss the operational needs of our departments, the growing list of capital improvements that must be addressed to maintain the integrity of our buildings and equipment and the need to develop a methodology to increase revenues to address both areas.”*

Councilor Molisse asked Solicitor Lane to provide guidance on the process. Mr. Lane reported that two of the measures have not completed the public hearing process and three have not begun it. Under the terms of section 7-6 of the Town Charter, the measures may be withdrawn with no action taken.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse that the Town Council take no action on items:

*15 011-Debt Refinancing  
15 012-Bonding for Various Capital Projects  
15 014-Debt Exclusion Bonding for various Capital Projects  
15 015-Special Purpose Stabilization Fund Legion Field  
15 016- CPC Legion Field*

and was seconded by Vice President Smart. Council President O’Connor explained the action for the viewing public. Councilor Harrington thanked the Mayor for withdrawing the measures and for expressing an interest in working with the Council. UNANIMOUSLY VOTED.

**15 017-Appointment to the Board of Elder Services-Christine McDonough**

This matter was referred to the Budget/Management Committee on March 16, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action. Councilor Molisse reported that usually first time appointees are invited to appear before the Council but Ms. McDonough was unable to make the meeting. She had submitted a resume and the Director of Elder Services, Susan Barnes recommended her.

On behalf of the Budget/Management Committee and in accordance with 2-10 of the Town Charter, a motion was made by Councilor Molisse to approve measure 15 017; that the town of Weymouth appoint Christine McDonough of 70 Fuller Road to the Board of Elder Services for a

term to expire on June 30, 2018 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

The following reappointments were bundled together for a vote. On behalf of the Budget/Management Committee and in accordance with 2-10 of the Town Charter, a motion was made by Councilor Molisse to approve the following measures for reappointment to the terms as outlined and was seconded by Vice President Smart:

**15 018-Reappointment to the Board of Elder Services-Dorothy Canniff**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action for the reappointment of Dorothy Caniff, 84 Madison Street to the Board of Elder Services for a term to expire on June 30, 2018.

**15 019-Reappointment to the Historical Commission-Donald Mathewson**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Donald Mathewson, 9 Regatta Road, to the Historical Commission for a term to expire on June 30, 2018.

**15 020-Reappointment to the Veteran's Council-Francine Nesson**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Francine Nesson, 19 Carroll Street, to the Veterans' Council for a term to expire on June 30, 2018.

**15 021-Reappointment to the Board of Health-Karen DeTellis**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Karen DeTellis, 8 Chauncy Street, to the Board of Health for a term to expire on June 30, 2018.

**15 022-Reappointment to the Board of Assessors-Paul Haley**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Paul Haley, 55 Cassandra Road, to the Board of Assessors for a term to expire on June 30, 2018.

**15 023-Reappointment to the WETC Board of Directors-Robert O'Connor**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Robert O'Connor, 513 East Street, to the WETC Board of Directors for a term to expire on June 30, 2018.

**15 024-Reappointment to the Conservation Commission-Thomas Tanner**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Thomas Tanner, 169 Park Avenue West, to the Conservation Commission for a term to expire on June 30, 2018.

**15 025-Reappointment to the Board of Library Trustees-Donna Shea**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Donna Shea, 37 Heritage Lane, to the Board of Library Trustees for a term to expire on June 30, 2018.

**15 026-Reappointment to the Recreation Commission-Karen Johnston**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Karen Johnston, 35 Clarendon Street, to the Recreation Commission for a term to expire on June 30, 2018.

**15 027-Reappointment to the Housing Authority-Donald Sheehan**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Donald Sheehan, 145 Bald Eagle Road, to the Housing Authority for a term to expire on June 30, 2020.

**15 028-Reappointment to the Board of Health-Richard Wetterberg**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Richard Wetterberg, 102 Ryder Road, to the Board of Health for a term to expire on June 30, 2018.

**15 029-Reappointment to the Recreation Commission-Mark Kilban**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Mark Kilban, 12 Clinton Road, to the for a term to expire on June 30, 2018.

**15 030-Reappointment to the Waterfront Committee-Nancy Blazo**

This matter was referred to the committee on March 30, 2015. The committee met on April 6, 2015 and voted to forward to the full Town Council with a recommendation for favorable action the reappointment of Nancy Blazo, 23 Regatta Road, to the for a term to expire on June 30, 2018.

UNANIMOUSLY VOTED.

**Ordinance Committee- Chair Ken DiFazio**

Councilor DiFazio reported that the committee met on March 20, 2015 to review three items.

**15 006-Requested Change to Ordinance Amendment – Chapter 7**

This matter was referred to the committee on January 20, 2015. The committee met on March 30, 2015. It appears that there are some legal impediments that have been resolved, but there are future modifications before action is recommended.

**15 -13-Requested Change to Ordinance Section 120-22.8 (note: Zoning Ordinance)**

This matter was referred to the committee on March 16, 2015. The committee met on March 30, 2015. This Council passed 14 017 modifying Ordinance Section 120-22.8 and this measure is a petition from a citizen for further changes to this ordinance. A public hearing is scheduled for May 4, 2015.

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

This matter was referred to the committee at the request of a citizen. The committee met on March 30, 2015 and listened to the proponent. The matter was taken under advisement and the committee will report out at a later date.

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

**15 031-Parking fines Amendment to Code of Ordinances Section 13-103(q)**

CFO William McKinney requested, on behalf of the Mayor, that the Town of Weymouth, through Town Council, amend the Town of Weymouth Code of Ordinances, Section 13-103(q), by deleting same in its entirety and in substitution thereof, the following:

(q) Parking Fines

Pursuant to the provisions of M.G.L. C. 90, s. 20A, and C. 40, s. 21, the following schedule of fines is enacted:

Twenty-Five Dollars, (\$25.00) Fines:

1. Right wheels more than twelve (12) inches from curb;
2. Overtime parking;
3. All night parking;
4. Within twenty (20) feet of an intersection;
5. Wrong direction;
6. Restricted or prohibited areas including Town Hall and Municipal Lots;
7. Beach Permit parking;
8. Improper parallel parking;
9. Improper angle parking;
10. Lack of ten foot (10') Passage
11. Blocking a driveway or Private Road;
12. Double parking;
13. Restricted Area.

Fifty Dollar, (\$50.00) Fines:

1. Truck parking restriction;
2. Vehicle on crosswalk;
3. Interfering with snow removal;
4. Fire Station entrance;
5. Within ten (10) feet of a fire hydrant;
6. Block private way/obstruct fire apparatus;
7. On a sidewalk;
8. Within an intersection;
9. Uninspected motor vehicle on a public way;
10. Unauthorized parking on any Municipal Property.

One Hundred Dollar, (\$100.00) Fines:

1. Unregistered motor vehicle in a public way;
2. Vehicle parked in a bus stop shall be subject to a one hundred dollar, (\$100.00) fine for the first offense and two hundred dollars, (\$200.00) for any second or subsequent offense;
3. Parking in Fire Lane.



Two Hundred Dollar, (\$200.00) Fines:

1. Handicapped Parking Zone;
2. Blocking Handicap ramp;
3. Blocking Handicap Access.

A motion was made by Vice President Smart to refer measure 15 031-Parking Fines Amendment to the Code of Ordinances Section 13-103(1) to the Ordinance Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**15 032-Reappointment to the Zoning Board of Appeals-Kemal Denizkurt**

CFO William McKinney requested, on behalf of the Mayor, that the Town of Weymouth appoint Kemal Denizkurt of 33 Circuit Road to the Zoning Board of Appeals for a term to expire on June 30, 2017.

**15 033-Reappointment to the Planning Board-Sandra Williams**

CFO William McKinney requested on behalf of the Mayor, that the town of Weymouth reappoint Sandra Williams of 61 Heritage Lane to the Planning Board for a term to expire on June 30, 2020.

**15 034-Reappointment to the Zoning Board of Appeals-Charles Golden**

CFO William McKinney requested on behalf of the Mayor, that the town of Weymouth reappoint Charles Golden of 11 Golden Bear Lane to the Zoning Board of Appeals for a term to expire on June 30, 2017.

**15 035-Reappointment to the Scholarship Fund Committee-Janet Tatten McGrath**

CFO William McKinney requested on behalf of the Mayor, that the town of Weymouth reappoint Janet Tatten McGrath of 381 Columbian Street to the Scholarship Fund Committee for a term to expire on June 30, 2018.

**15 036-Reappointment to the Waterfront Committee-Patricia O'Leary**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Patricia O'Leary of 999 Commercial Street to the Waterfront Committee for a term to expire on June 30, 2018.

**15 037-Reappointment to the Recreation Commission-Janelle Quinn**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Janelle Quinn of 29 Tamarack Trail to the Recreation Commission for a term to expire on June 30, 2018.

**15 038-Reappointment to the Memorial Committee-Keith Spain**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Keith Spain of 15 Georgia Road to the Memorial Committee for a term to expire on June 30, 2018.

**15 039-Reappointment to the Zoning Board of Appeals-Robin Moroz**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Robin Moroz of 56 Pine Cliff Road to the Zoning Board of Appeals for a term to expire on June 30, 2017.

**15 040-Reappointment to the Waterfront Committee-Paul Brooks**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Paul Brooks of 38 Ocean Avenue to the Waterfront Committee for a term to expire on June 30, 2018.

**15 041-Reappointment to the Cultural Council-Annemarie Gables**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Annemarie Gables of 23 Edgeworth Street to the Cultural Council for a term to expire on June 30, 2017.

**15 042-Reappointment to the Local Emergency Planning Committee-Robert Vanasse**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Robert Vanasse of 76 Vine Street to the Local Emergency Planning Committee for a term to expire on June 30, 2018.

**15 043-Reappointment to the Zoning Board of Appeals-Edward Foley**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Edward Foley of 54 Harding Avenue to the Zoning Board of Appeals for a term to expire on June 30, 2017.

**15 044-Reappointment to the Planning Board-B.D. Nayak**

CFO William McKinney requested on behalf of the Mayor that the Town of Weymouth reappoint B.D. Nayak of 20 Hollis Street to the Planning Board for a term to expire on June 30, 2020.

**15 045-Reappointment to the Community Events Committee-Frannie Xerokostas**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Frannie Xerokostas of 126 Oak Street to the Community Events Committee for a term to expire on June 30, 2018.

**15 046-Reappointment to the Zoning Board of Appeals-Associate Member-Robert Stevens**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Robert Stevens of 35 West Lake Drive to the Zoning Board of Appeals as an Associate Member for a term to expire on June 30, 2017.

**15 047-Reappointment to the Cemetery Commission-Deborah Sullivan**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Deborah Sullivan of PO Box 231, Weymouth to the Cemetery Commission for a term to expire on June 30, 2018.

**15 048-Reappointment to the Historical Commission-Nancy Pendergast-Cameron**

CFO William McKinney requested on behalf of the Mayor, that the Town of Weymouth reappoint Nancy Pendergast-Cameron of 106 Pilgrim Road to the for a term to expire on June 30, 2018.

A motion was made by Vice President Smart to refer the reappointments; measures 15 032 through 15 048, inclusive, to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## NEW BUSINESS

### **Request for Appearance of Southfield Redevelopment Authority, LNR and Town Administration-Councilor Kenneth DiFazio**

Councilor DiFazio reported that he requested a meeting and provided a letter:

*“April 1, 2015*

*Weymouth Town Councilors  
75 Middle Street  
Weymouth, MA 02189*

*REQUEST FOR APPEARANCE OF: Southfield Redevelopment Authority (SRA), LNR & Town Administration before the Weymouth Town Council*

*Dear Councilors:*

*It appears that under the recently passed new legislation governing the Southfield redevelopment, as well as the Definitive Development Mitigation Agreement between the Town of Weymouth and LNR South Shore, LLC (LNR), several significant milestones have been missed, thereby requiring our scrutiny once again on behalf of the citizens of Weymouth.*

*If you may recall, both the SRA and LNR were both before the Council on January 5, 2015. Both entities indicated to this Council that for purposes of implementing the new legislation the conditions of Section 34 (b) and (c) had been met and that pursuant to sections 19 (a,b,c and d), starting on January 1, 2015 Weymouth would:*

- 1. Begin collecting real estate taxes*
- 2. Begin providing services*
- 3. Begin the transfer of roadways, and*
- 4. Terminate all previous service agreements between the town of Weymouth and the project*

*Both the initial legislative approval and occurrence of the above events, triggers the following requirements which require review of their status at this time:*

- A. Pursuant to Section 13 (5), the master developer is required to submit to the SRA no later than seven months (3/20/15) after the passage of the act, an open space preservation plan consistent with any amenities plan agreed upon by the master developer and the three towns, which shall include a schedule for the removal of all existing runways, taxiways, traffic control towers and other infrastructures located on any land zoned open space as of the effective date of this act.*
- B. Based upon both LNR and RDA's previous representation that the contingencies of Section 34 (b) and (c) of the legislature being timely accomplished LNR is required pursuant to Section 3.1 of the Definitive Development Mitigation Agreement between the town and LNR, to enter into design contracts for Permanent Water Supply and Wastewater Disposal 60 days after the contingency date as set forth in the Definitive Development Mitigation Agreement. Therefore, this milestone date is April 1, 2015.*
- C. Pursuant to Section 4.1 of the Definitive Development Mitigation agreement entered into between the Town of Weymouth and LNR, LNR shall forward an Amenity Plan construction schedule to the Town of Weymouth 210 days after the passing of the legislature. That milestone date is February 20, 2015.*

*Respectfully, I request that this memo be addressed at our next Town Council meeting, scheduled for April 6, 2015 for review of the above.*

*Respectfully submitted,*

*Kenneth J. DiFazio  
District Three Councilor “*

Council President O’Connor reported that he will add his name to the letter and request the principals appear at the April 20, 2015 Town Council meeting.

A motion was made by Vice President Smart to approve the item “ Request for Appearance of Southfield Redevelopment Authority, LNR and Town Administration”, that the Town Council contact the principals requesting they appear at the time and date specified. UNANIMOUSLY VOTED.

#### **ADJOURNMENT**

The next regularly meeting of the Town Council is scheduled for Tuesday, April 21, 2015. At 8:02 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 21 April 2015**