

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
January 9, 2012 - Monday

Present: Arthur Mathews, President
Patrick O'Connor, Vice President
Robert Conlon, Councilor
Kenneth DiFazio, Councilor
Jane Hackett, Councilor
Edmund Harrington, Councilor
Thomas J. Lacey, Councilor
Brian McDonald, Councilor
Michael Molisse, Councilor
Michael Smart, Councilor
Victor Pap, III, Councilor

Also Present: William McKinney, Chief Financial Officer
George Lane, Town Solicitor
Richard Swanson, Town Auditor
Kathleen Deree, Asst. Town Clerk

Recording Secretary: Mary Barker

Town Council President Mathews called the Town Council Meeting to order at 7:30 PM. Following the Pledge of Allegiance, Asst. Town Clerk Deree called the roll with all members present.

Election of Officers

President Mathews opened the floor for nominations for Town Council President.

A MOTION was made by Councilor Smart to OPEN the nominations for Town Council President and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Smart to NOMINATE Arthur Mathews as President of the Town Council and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Smart to CLOSE the nominations for president of Town Council and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Smart to ELECT Arthur Mathews as President of the Town Council for a period of two years, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

President Mathews briefly addressed the Council and thanked them for their support with the following remarks:

“As the legislative branch of government for the town of Weymouth, we have an important role in our government. We review and approve the operating budget, town ordinances, and all other measures in town. We also conduct audits of various departments in town through our town auditor. Most importantly, we work with our constituents on many issues to improve the quality of life for the residents of Weymouth.

Over the next two years, we have a number of projects that I’d like to see the Town Council work with Mayor Kay to bring to fruition. Over the last few months we’ve worked with Mayor Kay to establish a special Stabilization account for revenue for the Host Community Agreement with LNR. To date, this account has \$1.7 million in it, and more will be coming in the future. It’s time for us to prioritize the Host Community Agreement that was developed in 2005 and make sure these projects come to completion. Two examples of this are Legion Field and Fogg Library. Both have received improvements over the past few years, and we should utilize Host Community funding to bring both of these to full use for the residents of our community.

In closing, there are a number of important issues that we will be working on in the next two years and we as Town Councilors must work closely with the residents of Weymouth to make sure our community is a better place for all. Thank you again for the support of my colleagues.”

Council President Mathews received an ovation.

President Mathews opened the floor for nominations for Town Council Vice President.

A MOTION was made by Councilor Pap to OPEN the nominations for Vice President of Town Council and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Pap to NOMINATE Patrick O’Connor as Vice President of the Town Council and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Pap to CLOSE the nominations for Vice President of Town Council, for a period of two years and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Pap to ELECT Patrick O’Connor as Vice President of the Town Council and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Vice President O’Connor briefly addressed the Council.

“First off, I’d like to thank my family and colleagues for their support and trust. This is the best group of individuals I’ve had the privilege of working with and with everything that’s going on; the partisan divide in Washington and state houses and chambers such as these throughout the country, it’s refreshing to see that we have a collective group of

concerned citizens and public servants who are looking to make this community a better place to live, work and raise a family. I look forward to working with you over the next two years to do just that, because I believe as everyone on this Council does, that Weymouth's best days lie ahead. Let's work to strive to achieve that.

Vice President O'Connor received an ovation.

ANNOUNCEMENTS

Councilor Pap announced that the North Weymouth Civic Association will hold its election of officers and directors on January 11, 2012, from 6-8PM at the Henley Building. All members in good standing are encouraged to attend.

Councilor Conlon made a brief comment regarding returning veterans and the need for employment opportunities. With construction on the Fore River Bridge, three major casinos and the development of Southfield, he advocated for a public/private partnership with the state, and businesses such as LNR and with union participation. These three major developments will be the conduit for thousands of jobs in the state. The commissioners for the casinos, public transportation and LNR corporations and the unions could propose a plan that would enable the returning veterans preference for these jobs. Giving a job to a veteran will go a long way to his or her physical and psychological process.

MINUTES

Town Council Meeting Minutes of December 19, 2011

A MOTION was made by Vice President O'Connor to APPROVE the minutes of the Town Council Meeting of December 19, 2011 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

RESIDENT AND COMMUNITY COMMENT

Fore River Bridge replacement Project- Gary Peters of 34 Bluff Road

Mr. Peters as one of the spokesmen for the Fore River Bridge Neighborhood Association presented an update on the environmental permits for the Council and the public. Comments have been filed on virtually all of them. He provided a packet with an overview of the history. The temporary bridge was begun in 1979 and finished in 1999 as far as its permitting went. This was a disaster, and they are trying to get a better handle on the design of the permanent bridge that seeks to serve the South Shore for 75 years.

The new permitting process started in 2009 when MassDOT filed a Category Exclusion, which meant there would be no problems with a bridge of that size. The group did not agree and neither did the federal folks. It then moved to Assessment, the middle tier of the permit. They made it clear that an Environmental Impact Statement probably was needed, if there was significant impact to North Weymouth. Unfortunately a finding of No Significant Impact was recently released.

There have been a number of other Environmental Impact Statements that were filed. The

one they are awaiting is the final one, bridge permits for the United States Coast Guard, but before it can move forward there are a number of other smaller permits that will all be pulled together. Once those are all in place the Coast Guard will give the final permit on it.

The Clean Water Act calls for a couple of levels in the Fore River; one is through the DEP (401 Water Quality Certificate) and one through the Army Corps of Engineers (404 Water Quality Certificate). Once those are pulled together, the Coastal Zone Management people look at the whole package relative to conformance across Massachusetts and how it dovetails to their plan. There have been some missteps with these permits and it's coming time to make some decisions. He will be filing a document that is the last piece of the Coastal Zone Management that was originally filed in January, but no one was invited to participate. This was not approached in an open manner and there will be challenges as these things come out. Mr. Peters noted that the FRBNA was never in favor of the preferred alternative bridge. The town is at a critical point; does it challenge any or all of the permits? If they have their way, this bridge will be one of the largest in Massachusetts. It will be as big as the Mystic River Bridge and taller than the Bunker Hill Monument; larger than any building in the state of Vermont or any lighthouse in the country. When proponents testified in front of the Council, they used not-to-scale artist renderings. The size just doesn't fit and the FRBNA can't justify it with the work that was done. As the group moves forward, and with the changes to the Open Meeting Law, Mr. Peters recalls that in years past they were able to go into Executive Session to discuss legal strategies relative to ongoing business with regard to the position of the town for potential litigation. He brought it up because with some of the permits, there is no in-house process; it's a straight shot to federal court. They want to be smart and attack this on issues, and on the merits or lack of merits thereof; however to do it in open session could potentially compromise any position they might have.

He also suggested investigation of criminal charges of misconduct or to discuss the filing of criminal complaints. He outlined one of the missteps; the group has tried desperately to obtain all of the documents to make some intelligent decisions. They've met with the General Counsel and Mr. Peters sat with the Secretary of Transportation, but to date they still do not have those documents. They've been told they're in draft form. He questioned how this is possible, when the Council had the chance to review the 25% Design Phase. They say they have complied with every request for documents and each request under the Freedom of Information Act, and it's simply not the truth. The reality is that on December 7, on behalf of the FRBNA, the Secretary of State issued an order for them to comply; the next step will be in front of the Attorney General.

Mr. Peters reported that this is an enormous project that will affect the South Shore and Weymouth for years to come both in terms of the final project and the construction thereof, and he looked to the Council and the Town Solicitor for advice on how to proceed appropriately.

Council President Mathews deferred to Solicitor Lane as to whether this is under the Council's or the Mayor's jurisdiction and as to the inquiry directed to the Town Council.

Solicitor Lane responded that the inquiry is a Chief Executive Officer decision, per the Code of Ordinances and the Charter. The other inquiry to be made at the same time would be as to finances. He reminded all that the town spent over \$100,000 on the Barry trash disposal proposal on the Abington line. The financial budget would need to be deliberated as well as the executive decision to go forward and get involved legally. He is certainly willing to discuss it with the Mayor, but those are the two things to consider.

President Mathews noted the Council is supportive and although this is not within their jurisdiction, he will follow up with a request that the Mayor look into it. Councilor Pap thanked the Council for its previous unanimous support in the form of a resolution outlining these concerns. He noted Mr. Peters update is well-timed, with the current 25% Design Phase; however a number of questions have been raised; first and foremost the concern with dredging. The Environmental Assessment Report and the later finding of No Significant Impact did not discuss dredging in detail when in reality there could be a significant amount of dredging. Mr. Peters responded that there are going to be a number of environmental impacts to Weymouth and some of them may have administrative possibilities and some may be taken up by private citizens. He recommended not moving forward as far as legal action until it is clear what the issues are. It may be in the form of a study group.

A MOTION was made by Councilor Pap that this be referred to the Environmental Committee for lengthy discussion, and was seconded by Councilor McDonald. Councilor Pap amended his motion to include invitation for Gary Peters to appear before the committee as well as a representative from MassDOT and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Councilor Conlon commented that the public should be aware of the work done by Mr. Peters on behalf of the town, and that he has been stonewalled. The bridge as proposed will be a travesty.

Councilor McDonald echoed the same sentiments. It is totally out of character and unnecessary for the area of North Weymouth. The plan was already planned before it ever came before the town. The town should be prepared to fight and not be steamrolled. The meeting will be scheduled as soon as next week.

Mr. Peters responded that because this was part of the Governor's Accelerated Bridge plan, and the town was invited to participate once it was at the 24% Design Phase. It is time to change, and once the people of Weymouth see the actual size of the bridge, it cannot be justified. Councilor Pap noted the larger the bridge, the more traffic will be diverted through Weymouth Landing due to the longer construction period.

President Mathews asked Mr. Peters to provide a list of the documents that he has requested and from what entities, so that a request can be written on his behalf by the Council. Mr. Peters noted the next step is Suffolk Superior Court. President Mathews asked if there is an email or websites that citizens can access information. Mr. Peters

responded that the group has a presence on Facebook.

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

Update from Administration on Essex Street Water Tank

Jeff Bina/Michael Gallagher presented an update on the Essex Street tank. Mr. Bina thanked the neighbors for their patience during this process, and the Mayor's office for keeping the neighborhood informed. He reported that this tank was constructed in 1991 and the town is in the process of repainting it for the first time since it was built. Bids were opened on April 7, 2011, and came in higher than anticipated. The DPW came before the Council for the additional funding in June and it was granted. Construction had to be delayed until after Labor Day because of high water. A community meeting was held with the residents of the area on August 31st. The contractor mobilized on site September 1st, erected scaffolding and began paint blasting of the interior surface on September 26th. This was completed on November 4th. Interior painting commenced November 7th and was completed on November 23rd. Exterior scaffolding erection for the outside of the interior portion tank began on November 23rd and the exterior (bulb portion) of the tank continued for about a month. The containment was started on November 7th and completed on November 24th. The contractor was to complete by November 23rd; however, he was granted an extension for one month to December 23rd. Exterior blasting commenced from November 28th through December 14th and then began exterior painting. The exterior is about 99% complete at this time, and when it is done, there is some interior painting to be completed next spring. On December 27th, a high wind event tore off some of the containment. It was attended to immediately, and an assessment was made. In the following days, loose containment was removed. The exterior scaffolding is now being dismantled and should be completed shortly. The tank is in service.

Vice President O'Connor commended the Mayor's Office; it appears from the emails that came through that the residents were pleased with the communication. He asked if the project is still within budget. Mr. Bina responded that it is. Because of the extension of time, there were additional charges for the site engineer; those will be met with liquidated damages against the contractor. No additional charges will be borne by the town. Vice President O'Connor noted that this is the second water tank the town has been mandated by the state to paint and he asked if there are others on the horizon that the town will need to address. Mr. Bina responded that the paint coating of the towers has about a fifteen year life cycle and there is a continuous replacement basis. The last tanks done were Reed Ave. and Great Hill; next in line will be Park Ave.

Councilor Lacey acknowledged the response from the administration to the noise and debris from the high wind event. He noted the project overall and the responsiveness to the residents was well managed. He asked about the follow up testing of the site. Mr. Bina responded that prior to construction, five soil samples were taken from inside the site. As required, RCRA and metal (most notably, lead) testing was completed. Four of the five samples came back at below DEP action levels. One sample came back between

DEP and EPA action levels. DPW takes the more conservative DEP action level of 300 parts per billion. Lead level came back at just over the 300ppb at the south/southwest location of the tower site or closer to the soccer field side. Once that sample came back it was incumbent on the DPW to take additional samples outside of the site. All five of those samples were below the DEP action level. No increased levels have been found outside of the fenced area. Once the work is complete, repeat samples will be taken.

Councilor Lacey asked who conducts the testing. Mr. Bina responded that the testing was done by the contractor and the DPW team, through an outside independent lab. The contractor is required to cover the cost of the samples in accordance with the terms of the contract. Samples are taken by the site representative and submitted to a state certified lab. Results are given to the DPW and the engineer, and assessed. Councilor Lacey asked who identifies the areas for sampling. Mr. Bina responded that it is performed by the site engineer. Councilor Lacey noted some residents asked for consideration of sampling of their properties to be included in the testing. He noted that the town needs to respond to those residents and be clear of its commitment and set expectations for them as well. He commended the department on the well-managed project with little or no interruption on the neighboring soccer fields.

Councilor Harrington asked if lead paint was used in the initial painting of tank at installation. Mr. Bina responded that the lead paint was likely used to cover graffiti during the 1990's. Mr. Bina can't vouch for the paint on the tank that was on the premises prior to this one, which could have accounted for the lead in the soil sample.

Councilor Lacey reminded all that the administration was responsible for follow up to finding lead by requesting an additional \$250,000 to safely handle and follow up to put the abutters and neighbors at ease. There should not be any risk to the neighbors. Councilor Harrington agreed that the problem should be rectified by the town. Mr. Gallagher responded that the soil samples were taken inside and outside the perimeter of the project and the only sample that came back elevated was inside the perimeter. The town is following up with additional sampling.

Councilor Smart asked for confirmation of dates for blasting and clean -up of the blasting material. Mr. Bina asked the site representative on site, Greg Ballon of Environmental Group, LLC to provide the information. He noted at this time 99% of the cleanup of the blasting materials is complete. There is still a small coating of dust on the tarp. Clean- up was 95-99% complete and 98-99% of the spent sand had been cleaned up by December 27th when the major breach occurred. By December 15th all of the dust and debris had blown off of the scaffolding; anything that was left on site was on the ground and protected from the wind. Mr. Bina added that while blasting was being done, a vacuum system was in place drawing the air from the encapsulated area.

REPORTS OF COMMITTEES

Budget/Management Committee-Chairman Kenneth DiFazio

Town Auditor update on:LNR/Southfield Emery Estate

Councilor DiFazio reported that in early 2011 the committee began to investigate the receipt and expenditure of funds from LNR. The committee has met several times over the last year, and the Town Auditor has put together a powerpoint presentation as a culmination of that study. The investigation started with the tracking of mitigation funds, both receipts and expenditures, and expanded to include natural resources and services provided to Southfield and their respective costs. Mr. Swanson will provide an accounting of those costs, which he will update quarterly going forward, or as needed.

Auditor Swanson provided an update on four Excel spreadsheet, and an additional for the analysis of the Emery Estate. The first spreadsheet, Schedule 1, outlines the receipts from the Host Community Agreement, revenue totaling \$3,030,419 (2006-2011) the receipts were recorded in two funds 5233 \$1.3M and expenditures which went to General Parks & Improvements and the Stabilization Fund. This fund has a zero balance today. The General Fund shows \$1,730,419 received and \$81,820 appropriated to Legion Field improvements; the balance was transferred to the Stabilization Fund. The balance today in the General Fund is zero. The total payments to be made from the Host Community Agreement is \$13,260,000 over the next several years. Of that, \$1,300,000 million was paid in 2006 and \$1,730,419 will be paid in 2010 and 2011. Balance due under the agreement is \$10,229,581, which will be paid over the course of a number of years. The town received \$3,030,419 and expended \$1,295,579 leaving a balance of \$1,734,840, which is the balance in the Stabilization fund. \$10,000,000 of the expected mitigation funds will be put into the Stabilization fund.

Councilor Harrington asked if the initial review of the funds showed they were spent on what they were originally intended. Councilor Harrington objected to the term "investigation" and that it causes unnecessary conflict. Councilor Pap thanked the auditor and chairman of the Budget/Management Committee for the format and ease in understanding. Councilor Hackett asked if any of these funds were booked under the Mayor's Revenue line item. Auditor Swanson responded that some of it was. All of it has been transferred to the Stabilization fund. Councilor Hackett asked specifically in regard to FY11. Auditor Swanson responded that the funds received in 2011 went into Free Cash and were later transferred into the Stabilization fund. Councilor DiFazio noted that in response to Councilor Harrington's comments, that the inquiry was initially made within the Budget/Management Committee regarding whether the funds were being adequately tracked. The committee didn't feel it was. The initial response from the administration was that an accounting was being made through MUNIS. The committee was not comfortable with this response, which is why the committee began to track and then moved to have the auditor track it for the committee and the Council. When the investigation was done, it was found that incoming funds were booked to several

accounts. In trying to track the expenditures, over \$1M was spent on Parks and Improvements and trying to further quantify this, sheets of itemized line items was provided. Most were association with the parks. The committee was not aware of how much was spent on general park repairs or items on the Mitigation list before undertaking the review and there is a line in the Mitigation List for that purpose.

Auditor Swanson reviewed Schedule 2, which outlines the LNR payments for Water/Sewer Service-Other and Banned Interest Payments. The MOA for provision of water and sewer services dated 3/7/2008 stipulates that the town be paid for usage of water. The water fund received \$1,235,000 in fund 6201 and the sewer fund received \$960,000 in fund 6101 in May 2011. Those monies have not been expended and are in the Enterprise Fund. A one-time payment of \$1,380,000 was received 6/27/06 and has been expended. The balance is zero. Three payments of \$52,000 each were made on banned interest for the Chapman Boilers in 2007, 2008 and 2009 totaling \$156,000. Councilor Hackett requested confirmation that \$3.7 million was booked into Free Cash, with approximately \$900,000 from mitigation. Auditor Swanson confirmed. Councilor Hackett requested the Auditor provide a breakdown of the origin of the composition of the balance of \$2.8 million (unexpended funds, line items, revenues in excess of budgeted, etc.) and for the balances in Water & Sewer Retained Earnings.

Auditor Swanson then reviewed Schedule 3; Summary of Services to Southfield; a three-year analysis. The invoices were compiled from the invoices from the various departments and all invoices have been paid. The town received almost \$68,000 for water usage so far in FY2012, and \$104,734 in FY11. Usage and revenue is trending upwards. Hours of service time times an hourly rate is the basis for billing services by department. Each of the departments was reviewed; this is nominal compared to usage.

Vice President O'Connor noted the Police Department has not billed Southfield as yet, but is it a glaring reminder of why service contracts are needed, especially with the residences going online shortly. Councilor Hackett concurred with Council Vice President O'Connor and noted that that the land has transferred, the town is not obligated any longer to provide free police and fire service, and she agrees with going forward now to secure service contracts. She also asked if these billings go to the Mayor's revenue line item and not the individual departments. In the FY12 budget, this has been historically used for the mitigation payments and last year's services. There is no projected revenue under that line item although it appears money has been received. Mr. Swanson will review.

Councilor DiFazio asked where the hourly rates were obtained. Mr. Swanson responded that all of the information on hourly rates for each department are maintained in the Mayor's office. Each department submits their calculation for hours and rates based on existing salaries. Administration determined the hourly rates to be charged for each department. Service contracts were deliberated in Budget/Management Committee and he noted now is not the time to be negotiating; they should have been negotiated and in place immediately upon transfer of the land. The rates probably don't accurately reflect the long term negative impact to the town by providing these services. The actual costs

for water usage fees and hook ups will continue to escalate as construction continues.

Councilor Smart followed up and asked if the next time he inquires on rates to determine whether all employment benefits are included in consideration of the hourly rates.

Councilor Lacey noted that the Mayor addressed short- and long-term bidding for services to Southfield in the last meeting of the Budget/Management Committee. It is now time to accelerate negotiations and aggressively pursue service contracts. He asked for clarification. There is currently \$10million in Weymouth's coffers; \$4 million in Free Cash and the balance in the Enterprise funds. Not all of the total in the Enterprise funds is mitigation. Auditor Swanson confirmed.

Councilor Conlon asked if any of the approximately 20-30 families currently residing on Southfield has children attending the Weymouth Public Schools. Auditor Swanson responded that he has no personal knowledge, but will check. Vice President O'Connor interjected that he and Councilor Smart researched this about a month ago. There are approximately 20 residents; there were no children in that number.

Councilor DiFazio asked for clarity on the \$10 million. Auditor Swanson responded that the \$10 million includes the totals in Retained Earnings, not just the mitigation money in these funds.

Auditor Swanson reviewed Schedule 4- LNR Mitigation/Stabilization Fund. This fund was established recently through the efforts of the Budget/Management Committee in order to better track mitigation monies on an ongoing basis. It has a balance of \$1,734,840 that can be appropriated for capital improvement projects. Both expenditures and appropriations to this fund must be with Council approval. It will build up over time. The \$10 million anticipated mitigation will be booked to this account. President Mathews noted that the measure noted on the spreadsheet as "in committee" has in fact been voted.

Auditor Swanson reviewed the Schedule 5-Emery Estate Purchase. This fund tracks the expenditures for the Emery Estate or King Oak Hill property. Measures have been voted; \$1,900,000 for the purchase of the property, \$35,000 for a marketing study and \$16,885 for the maintenance and insurance of the property.

Auditor Swanson concluded his presentation. He will update the analyses quarterly.

NEW BUSINESS

Letter in opposition of check cashing business at 288 Washington Street-action requested under 2-9 (b) – Councilor Lacey

Councilor Lacey thanked the Council for the opportunity to be heard on this matter. He asked for support. A group of businessmen have approached the community prior to applying for an application to open a check cashing business on Washington Street. These three have held other local meetings and attended a meeting of the Homestead Landing Civic Association where they presented a case hoping for support. During this

well-attended meeting some healthy concerns were brought out in the dialogue. There is concern around this application being pursued. The HCLA has voted to send a letter in opposition of the business to the Mass Commissioner of Banks to send a strong message that this type of business is not welcome. There is also support from several other neighborhood associations in town.

A MOTION was made by Councilor Lacey to consider this item under 2-9(b) same night action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Councilor Lacey read the letter into the record to the Office of the Commissioner of Banks, 1000 Washington St., 10th Floor, Boston, MA 02127 to the attention of David J. Cotney, Commissioner of Banks:

“We, the undersigned elected officials for the town of Weymouth do hereby express our opposition to the establishment of a check cashing service business, with an intended location of 288 Washington Street, Weymouth, Massachusetts. This business is being proposed by the South Boston Check Cashing Services, which is currently located in South Boston, Massachusetts.

Weymouth has established a Master Plan for the town that seeks to enhance the diverse nature of the neighborhoods and village concept by encompassing an all inclusive vision for the town. In our continuing efforts to preserve the quality of life that Weymouth Landing residents and all town residents are entitled, we fully support this master Plan. On behalf of our constituents, who have strongly opposed establishment of a check cashing service, this business is not within the vision we have for our town.

We request that any application submitted to your organization to open a check cashing business in Weymouth is rejected.

“Thank you for your attention to this matter, feel free to contact our office with any questions or concerns.

“Sincerely,

*Robert Conlon, Councilor at Large
Kenneth DiFazio, District 3 Councilor
Jane Hackett, Councilor at Large
Ed Harrington, District 5 Councilor
Thomas J. Lacey, District 2 Councilor
Arthur Mathews, District 4 Councilor
Brian McDonald, Councilor at Large
Michael Molisse, Councilor at Large
Patrick O’Connor, Councilor at Large
Victor Pap, District 1 Councilor
Michael Smart, District 6 Councilor*

“Unanimously voted on January 9, 2012”

A MOTION was made by Vice President O’Connor to APPROVE this correspondence; that the Council sends a letter to the Office of Commissioner of Banks in opposition of a check cashing establishment at 288 Washington Street and was seconded by Councilor Pap.

Councilor Smart asked if Councilor Lacey could explain where the vote is. Councilor Lacey explained that an application has not been submitted yet. An application to the Commissioner of Banks is submitted. The commission then comes to the community for zoning and building requirements. A public hearing is a part of this process to determine if there is community support for the application. Councilor Lacey recommends taking action before the application is submitted, to send a strong message for them not to waste their time and not to consider Weymouth as an appropriate place to do business. If in fact they proceed, the process will follow, and Councilor Lacey will be active in opposition. This is a proactive approach.

Councilor Pap noted the matter was brought up at the NWCA meeting and they are also in opposition. They will offer support as needed in formal communication. This type of business negatively affects all Weymouth residents and could quickly become a haven for illicit activity.

Vice President O’Connor commended Councilor Lacey for his efforts. This type of business does not belong in a Weymouth neighborhood. Check cashing services exploit those in financial hardship. They offer little short-term benefit and zero long-term benefit to their consumers. There are many existing establishments in close proximity that offer the same benefits.

Councilor Molisse voiced his support of the letter and thanked Councilor Lacey for bringing it before the Council.

Councilor Conlon thanked Councilor Lacey. He attended the meeting and noted that public support in opposition will be important if this goes forward.

Councilor Harrington is concerned that there are people out there who will need these services, and recommended an appeal to existing banks in town to offer low or no cost services which will eliminate the need for this type of business.

Councilor DiFazio noted that there are two check cashing establishments in Quincy already providing this service and locations can be provided to any resident who is in need of the service. UNANIMOUSLY VOTED.

Councilor Lacey noted he received a call from Representative Murphy. He will also be sending a similar letter to the Commissioner of Banks in support of the opposition. A MOTION was made by Councilor Lacey to request that the Mayor and the administration also submit a letter to the Commissioner of Banks supporting the opposition to the

application and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

ADJOURNMENT

The next meeting of the Town Council will be held on Tuesday, January 17, 2012, due to Martin Luther King, Jr. Day. At 9:10 PM, there being no further business, a MOTION was made by Vice Chairman O'Connor to ADJOURN the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Town Council President Arthur Mathews