

**TOWN COUNCIL MEETING
TOWN HALL-COUNCIL CHAMBERS
JANUARY 18, 2011**

Present: Arthur Mathews, President
Robert Conlon
Kenneth DiFazio
Ed Harrington
Thomas Lacey
Michael Molisse
Brian McDonald
Victor Pap III
Michael Smart
Kevin Whitaker

Not Present: Franklin Fryer, Town Clerk

Also Present: Kathy Deree, Assistant Town Clerk
Richard Swanson, Internal Auditor
George Lane, Town Solicitor
Barbara Deacon, Chair of Charter Review Committee
Mary Jo Livingstone, Superintendent of Schools
Scott Bois, Coordinator of Financial Services
Mayor Susan Kay

Recording Secretary: Diane T. Hachey

Council President Mathews called the January 18, 2011 Town Council meeting to order at 7:43 P.M. and apologized for the delay citing earlier committee meetings which went over the allotted time. Mrs. Deree conducted a roll call with all Councilors present.

ANNOUNCEMENTS

Councilor Conlon announced that the “Advocates For Weymouth, Abington, Rockland and Hingham” have scheduled a meeting for Thursday, 3 February 2011 at 7:00 PM, to be held at the Tufts Library. Discussion will be concerning the clean-up of the base, all interested residents are encouraged to attend.

MINUTES

Councilor O’Connor motioned to accept the minutes from the Town Council Meeting of January 3, 2011, motion seconded by Councilor Smart, and voted unanimously.

RESIDENT AND COMMUNITY COMMENT

December 27, 2010 storm and flooding
-Kevin Harris of 119 Fort Point Road

Mr. Harris extended his gratitude to the Town for their response to his neighborhood on December 27, at which time high tides resulted in substantial flooding. He cited 30 cars

were lost and significant damage was experienced to numerous homes. He suggests implementation of a manner of contact to residents who are in imminent danger and asked that if Police and Fire Departments close streets-- to ensure that cleanup is conducted following the closing.

Mr. Harris noted that the seawall and sidewalks are in deplorable condition, and the water is able to flow through the bottom of the seawall due to erosion. He requests immediate inspection of the seawall in an effort to confirm safety for the surrounding residents.

Mr. Harris, in closing, extended his gratitude to both the Administration and Town Council for contacting and working in conjunction with both FEMA and MEMA as related to initiating the claims process.

Councilor Pap confirmed the deplorable condition of the seawall and the damaging effects on the neighborhood during the storm.

Councilor Pap motioned for referral of this issue to the Public Safety Committee for discussion, motion seconded by Councilor Smart and voted unanimously.

Mayor Kay noted that she forwarded a memorandum to the Council informing them of the detailed events which transpired during the storm. She is investigating possible funding for restoration of the seawall.

OLD BUSINESS

10 016-Charter Review Committee Proposed Amendments **-Barbara Deacon-Chair of the Charter Review Committee**

Barbara Deacon, Chair of the Charter Review Committee, along with Claire Cunningham (committee member), presented to the Council and noted that in the spring Mrs. Deacon presented the revised document of suggested changes to the Council. The document was later referred back to the CRC for reformatting reasons. The document before the Council tonight has been finalized, reformatted, and is reflective of the Charter Review Committees' recommendations. It was further noted that the format has been changed to comply with ballot inclusion. Attorneys Lane and Curran have both approved the recommendations of the CRC and Mrs. Deacon stated that the committee is available to answer any questions and appear at meetings as needed.

Councilor Smart encouraged his colleagues, who are not members of the Ordinance Committee, to review these recommendations and attend the committee meetings if possible.

President Mathews reviewed the approval process of the Charter Review Committees' recommendations. This evening, referral to the Ordinance Committee for deliberation and recommendation to the full Town Council, followed by a public hearing by the Council, subsequent deliberation and a vote, then presented to the Mayor for approval. If the Mayor approves the proposed recommendations, these will appear on the November ballot. If the Mayor does not approve, she refers the recommendations back to

Council—the Town Council and Mayor need to come to a consensus-prior to inclusion on the ballot.

Councilor Smart motioned for referral of the “Overview of the Recommendations for Changes to the Weymouth Home Rule Charter” to the Ordinance Committee, motion seconded by Councilor O’Connor and unanimously voted.

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

11 002-Statement of Interest, Chapman -Action requested under 2-9(b)

Mary Jo Livingstone, Superintendent of Schools, presented to the Council and stated that this is the third year the schools are submitting the SOI for abatement on the Chapman Middle School. Both the School Committee and Town Council’s approval is needed and the language is required to be read into the record.

Councilor Whitaker asked what updates Ms. Livingstone could give regarding awarding of the grant. She confirmed that she has been in touch with the SBA (School Building Authority) and noted that the circumstances at the Chapman are not typical of grant awarding. Councilor Whitaker stated that he has issues with language included in the measure, and Ms. Livingstone agreed.

Councilor O’Connor motioned for action under 2-9(b), motion seconded by Councilor Smart and voted unanimously.

Councilor O’Connor motioned for approval of the following measure which was read into the record:

“Resolved: Having convened in an open meeting on Tuesday, January 18, 2011, the Town Council of Weymouth, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest dated January 23, 2011, for the Maria Weston Chapman Middle School located at 1051 Commercial Street, which describes and explains the following deficiencies and the priority category(s) for which Weymouth may be invited to apply to the Massachusetts School Building Authority in the future:

In April 2007, the exterior paint covering of the building was found to contain asbestos during routine testing prior to a scheduled waterproofing project. At the recommendation of the Department of Environmental Protection, temporary measures were taken to remove flaking paint and seal the exterior surfaces; however, the DEP has indicated that it is necessary to remove all exterior paint product from the building using an approved high-pressure water process under containment. Once the product is removed, any necessary masonry/concrete repairs can be conducted and the building can be re-coated with a suitable latex product. The project is identified as Priority One as the renovation is being done to correct a condition that is seriously jeopardizing the

health and safety of school children, where no alternative exists and hereby further specifically acknowledges that by submitting this Statement of Interest, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Weymouth to filing an application for funding with the Massachusetts School Building Authority.”

Motion was seconded by Councilor Smart and voted unanimously (11-0) by a roll call vote, taken by the Assistant Town Clerk.

11 003- Reappropriation Fiscal Year 2010 SPED Tuition

Mr. Bois presented on behalf of the Mayor’s Office and is requesting reappropriation of \$550k for the general use and purpose of the school department. Originally, in November of 2009 this funding was allocated for the purpose of supplementing the Fiscal Year 2010 Special Education out-of-district tuition costs. It was noted that to date the school department has not expended from this account.

Councilor O’Connor motioned for referral to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

11 004- Community Preservation Committee-Abigail Adams House

Mr. Bois presented on behalf of the Mayor’s Office and is requesting reappropriation of \$90k from the CPC fiscal year 2011 budget in order to execute repairs to the Abigail Adams House.

Councilor O’Connor motioned for referral to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

11 005- Reappropriation Capital Projects

Mr. Bois presented on behalf of the Mayor’s Office and requests reappropriation of \$435,303.14 to the School Capital Project Residual Account from the Academy Ave. School Construction and Weymouth High School Construction Accounts.

Councilor O’Connor motioned for referral to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

11 006- Appointment to the Cemetery Commission-Michael Crowley

Mr. Bois presented on behalf of the Mayor, in accordance with section 2-10 of the charter, the Mayor recommends Michael Crowley for appointment to the Cemetery Commission.

Councilor O’Connor motioned for referral to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

REPORTS OF COMMITTEES
ENVIRONMENTAL COMMITTEE-CHAIRMAN MCDONALD
Fore River Bridge Replacement Project Resolution

Chairman McDonald announced that the committee met earlier this evening and voted favorably on a resolution. Councilor Pap read the resolution into the record for the viewing audience. Councilor Pap motioned for favorable action, motion seconded by Councilor McDonald, voted unanimously.

Chairman McDonald noted that Mayor Koch and Dan Raymondi) both support the bascule design.

Chairman McDonald motioned that Council request the FHA to file an environmental impact statement for the replacement project and support rejection of the vertical lift bridge option in favor of a bascule style bridge design. Additionally he is requesting that these concerns are relayed to the USCG and MHD for inclusion in the record as part of the public comment process. He offered to formulate the letter on behalf of the Council, motion seconded by Councilor Harrington and voted unanimously.

Chairman McDonald further noted that the two options available to the FHA are a finding of no significant impacts or filing of an environmental impact statement.

Chairman McDonald ended his appreciation to all parties involved in the process. Namely, the citizens groups, city of Quincy, fellow Councilors and the Mayor.

Adjournment

At 8:25 PM, there being no further business to attend to, Councilor O'Connor motioned to adjourn, motion seconded by Councilor Smart and voted unanimously.

Respectfully Submitted by:

Approved by:

Diane T. Hachey

Arthur Mathews
President of Weymouth Town Council