

MINUTES OF THE SPECIAL TOWN COUNCIL
Town Hall Council Chambers
February 14, 2011 - Monday

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

Not Present: Kevin Whitaker

Also Present: Kathy Deree, Assistant Town Clerk
Richard Swanson, Town Auditor
Michael Gallagher, Director of Administrative & Comm. Svcs.
Scott Bois, Coordinator of Financial Services
Mary Jo Livingstone, Superintendent of Schools
Sean Guilfoyle, Chair of School Committee

Not Present: Franklin Fryer, Town Clerk

Recording Secretary: Mary Barker

President Mathews called the Special Town Council Meeting to order at 7:30 PM. Assistant Town Clerk Kathy Deree called roll, with one member absent. President Mathews noted that he spoke with Councilor Whitaker, who is unable to be present because of a prior engagement.

ANNOUNCEMENTS

Councilor Harrington announced that the Town Wide Parent Council and SEPAC invite the public to WHS or a screening of "Including Samuel."

He also announced the American Cancer Society's Weymouth Relay for Life will be conducted on the grounds of WHS June 17 and 18, 2011. The kick-off for the event will be February 16, 2011 at 6PM at Hajjars Restaurant on Washington Street. Last year there were over 1,000 participants.

Councilor McDonald noted there will be a karaoke contest on Sunday, February 27, 2011

at the Weymouth Elks Hall with special guest judges and proceeds to benefit the Weymouth Food Pantry and Weymouth Animal Shelter. Tickets will be available at the door.

OLD BUSINESS

11 003-Reappropriation for Fiscal Year 2010 SPED Education-tabled from February 7, 2011 Town Council Meeting

A MOTION was made by Vice President O'Connor to take item 11 003 from the table and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

President Mathews noted that the Council at its last meeting voted to table the item to be discussed further at Budget/Management; however, as it was tabled it could not be discussed. The Councilors were therefore advised to reach out to the school administration for any further questions. Councilor Lacey noted that during the meeting there were statements he wanted to clarify and he has had some conversations since then. He requested clarity on the intent of the measure from Mr. Guilfoyle and Ms. Livingstone. Ms. Livingstone noted that the original measure was explicitly written with the stipulation that it be spent for FY10 SPED tuition. This measure is to change that stipulation and make the monies available to the general fund for the use of the school department. In terms of intent to spend, there is a recommendation to the school committee. There was no need for the funds in FY10; the budget for FY11 is sound at the moment. Federal money is available to cover those costs in the last and current year. The intent is to include the \$550,000 in the FY12 budget to cover SPED tuitions.

Councilor Pap asked about the state reimbursement rate that was discussed previously. It was originally 70% then dropped to 45%. Ms. Livingstone responded that the discussion was correct but that the numbers were not. The state reimbursed at 75% the past two years but dropped it to between 35 and 40% last year. Councilor Pap asked if the department will continue to be reimbursed at 35% and if so, questioned if the funds would be better served in that account. Ms. Livingstone responded that she will not know the current reimbursement rate, but has been advised to budget for a 40% reimbursement rate. There could be additional state reimbursement for Circuit Breaker that could bring the rate as high as 60%. If more tuition could be reimbursed from Circuit Breaker and the \$550,000 the department would not have to put as much tuition money in the actual operating budget and could defer those funds to some other purpose. Councilor Pap asked if a penalty was budgeted for FY11 for the variance of Net School Spending. Mr. Guilfoyle responded that falls within the purview of the town and not the school budget.

Councilor Pap asked why the \$550,000 was not turned back to the town when it went unspent. Ms. Livingstone responded that it was in a restricted 02 account, earmarked for schools. Scott Bois noted that the town has not budgeted for any anticipated penalty and the funds in the restricted 02 account are voted by measure. If they remain unused and not voted for another use, they remain intact until the Council votes a different use. Councilor Pap asked if snow removal funds count towards net school spending. Ms.

Livingstone responded that there are expenses on the town side that count towards Net School Spending and they are listed on the End of Year report, but she does not believe it includes snow plowing. Most of the snowplowing costs for school grounds are included in the school budget. Councilor Pap asked for the number of sped students serviced in-house and outside. Ms. Livingstone noted there are 110 students serviced outside of the system and 1100 serviced in-house. Councilor Pap asked that with a 7% variance, there is a potential \$1.5 million penalty. Ms. Livingstone noted that was a fictitious number. The actual number will not be known yet. There has already been a determination of what Weymouth's net spending is, but that the school budget is still unknown. If the proposed budget is funded, it will provide one scenario. The other unknown factor is what the town will receive in state aid. The school budget will be presented Thursday, and several scenarios will be outlined.

Councilor Conlon noted that this is an opportunity to reduce the Net School Spending figure. Vice President O'Connor concurred and noted it is favorable that it is going to go back to what it was originally intended for; out of district tuition. Should the state come through with reimbursement the money can be used for supplies and smaller classroom sizes. Councilor DiFazio asked if the measure determined what year or what line item it can be used for and whether the funds will help towards meeting Net School Spending. Mr. Bois responded that only the year will change; it provides the school department with some flexibility to its use. Councilor DiFazio noted that there is a disconnect; if the school department already knew what it was being used for, why didn't the measure before the Council read that way. Ms. Livingstone responded that with the crafting of the FY12 budget, it is their intent to use those funds but there are too many unknowns. It is so the department will not have to come before the Council again. President Mathews noted that when the budget is reviewed, the Council will see where and how those funds are allocated.

A MOTION was made by Vice President O'Connor to approve item 11 003 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

ADJOURNMENT

The next Town Council meeting will be held on Tuesday, February 22, 2011 at 7:30 PM, due to the Presidents' Day Holiday.

At 8:53 PM, there being no further business, a MOTION was made by Vice President O'Connor to ADJOURN and seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully Submitted by: Mary E. Barker

Approved by:

Council President Arthur Mathews