

***Town Council Meeting
May 6, 2013 at 7:30 PM
Town Council Chambers***

Present: Arthur Mathews, President
Francis Burke
Robert Conlon
Kenneth DiFazio
Jane Hackett
Ed Harrington
Thomas J. Lacey
Brian McDonald
Patrick O'Connor
Michael Molisse
Michael Smart

Also Present: Richard Swanson, Town Auditor
Kathy Deree, Town Clerk
George Lane, Town Solicitor
William McKinney, Chief Financial Officer
Chief Grimes, Weymouth Police Department
Captain Comperchio, Weymouth Police Department
Michael Gallagher, Director of Administrative Services
Jeff Bina, DPW Director
David Tower, Business Manager
Chief Davis, WFD

Recording Secretary: Diane T. Hachey

President Mathews called the Town Council Meeting to order at 7:39 PM.

Following the Pledge of Allegiance, Kathy Deree conducted roll call with all Councilors present.

Announcements:

Councilor Conlon announced office hours tomorrow, Tuesday from 10-11 am in Council Chambers.

President Mathews announced the Annual Town Meeting will be held on May 13th at 7:00 PM at Abigail Adams.

He further noted the Whitman's Pond Fishing Festival will be held on Sunday, May 19th from 10-2. Fishing rods and bait are complimentary, with a nominal fee for food items.

Minutes:

Ordinance Committee Meeting Minutes of April 1, 2013

Councilor O'Connor made a motion to approve, seconded by Councilor Smart and voted unanimously.

Budget/Management Committee Meeting Minutes of April 1, 2013

Councilor O'Connor made a motion to approve, seconded by Councilor Smart and voted unanimously.

Town Council Meeting Minutes of April 1, 2013

Councilor O'Connor made a motion to approve, seconded by Councilor Smart and voted unanimously.

Budget/Management Committee Meeting Minutes of April 9, 2013

Councilor O'Connor made a motion to approve, seconded by Councilor Smart and voted unanimously.

Town Council Meeting Minutes of April 16, 2013

Councilor O'Connor made a motion to approve, seconded by Councilor Smart and voted unanimously.

Public Hearings

7:35 PM-13 055-Special Purpose Stabilization Fund-Department of Public Works Vehicles

Councilor O'Connor motioned to open the public hearing, motion seconded by Councilor Smart and voted unanimously.

Mr. McKinney and Mr. Bina presented in request of \$510,000 for capital projects in order to purchase equipment and vehicles (dump truck, street sweeper and a sidewalk plow). The dump truck and sweeper were named in the host community agreement list from 2005, but the sidewalk plow wasn't included, and the need for one has since arisen. Additionally, Mr. Bina noted that current prices are reflected in this request, as prices have increased since 2005. It was noted that \$160k will be allocated for the dump truck, \$220k for the sweeper and \$130k for a catch basin truck-it was discussed and agreed upon to substitute the catch basin truck for the plow; in light of the host community agreement listing. Mr. Bina pointed out that the vehicles he is requesting replacement for are parked outside of town hall, as he wanted to display their aging and poor condition.

Councilor O'Connor was asked by a constituent on Babcock Avenue to read into the record her request to defer funding until the budget process is complete.

Councilor Mathews asked for comments from the public:

Gus Perez of 16 Hewett Road requests that the Town Council defer approval of this measure until the budget review process is complete. He isn't advocating for not replacing the DPW vehicles but suggests that waiting a few weeks would be wise. This would allow priorities to be named and subsequently funded.

Councilor O'Connor motioned to close the public hearing, motion seconded by Councilor Smart and voted unanimously.

Old Business

13 036-Free Cash-Special Purpose Stabilization Fund (voted to lay on table at April 16, 2013 Town Council Meeting)

Councilor O'Connor motioned to take off the table, seconded by Councilor Smart and voted unanimously.

Councilor DiFazio noted that this measure was referred on April 1st, the Budget/Management Committee met on April 9th and voted unanimous favorable action. On April 16th he reported such to Council who voted at that time, to lay the measure on the table, and the measure was taken off the table this evening. On behalf of the Budget/Management Committee, Councilor DiFazio motioned for favorable action on measure number 13 036, motion seconded by Councilor Smart and voted unanimously. Roll call vote taken as follows:

Francis Burke-YES
Robert Conlon-YES
Kenneth DiFazio-YES
Jane Hackett-NO
Ed Harrington-YES
Thomas J. Lacey-YES
Brian McDonald-YES
Michael Molisse-YES
Michael Smart-YES
Patrick O'Connor-NO
Arthur Mathews-YES

Vote passes 9-2 (Councilors Hackett and O'Connor voting NO).

Communications and Reports from the Mayor, Town Officers and Town Boards

13 087-Fire Department Vehicle

Mr. McKinney requests, on behalf of the Mayor, reappropriation of \$613k from unexpended funds for the purchase of costs associated with purchase of a new engine for the Fire Department.

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

13 088-Reserve Fund Transfer-Police Department Overtime

Mr. McKinney requests on behalf of the Mayor to transfer \$45,000 from the reserve fund to the police department line item for overtime, for funding additional overtime.

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

13 089-Sewer Department-MWRA I/I Phase 7 Allocation

Mr. McKinney requests on behalf of the Mayor "That the Town of Weymouth appropriate the sum of \$944k for the purpose of planning, construction and reconstruction of sewers, sewer systems and sewerage disposal facilities, consisting of infiltration/inflow improvements, and to meet this appropriation the treasurer with the approval of the Mayor is authorized to borrow \$944k and issue bonds or notes therefore under chapter 44 of the general laws; that such bonds or notes shall be general obligations of the town; that the treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (hereinafter called "the authority"); and in connection therewith to enter into a loan agreement and/or security agreement with the authority and otherwise to contract with the authority; and that the treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the MWRA and in connection therewith to enter into a loan agreement and/or financial assistance agreement with the MWRA and otherwise to contract for and to expend any federal or state aid available for the project included any grants related to the project from the MWRA; and that the Mayor is authorized to expend all funds available for the project and to take any other action necessary to carry out the project. This measure requires a legal notice and public hearing."

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

President Mathews stated that the following measures (numbers 13 090 through 13 098) are all reappointments to committees, and requested that Mr. McKinney read the name and committee for referral purposes:

13 090-Reappointment to the Commission on Disabilities-Gerry Begonis

13091-Reappointment to the Scholarship Fund Committee-Nancy Brennan

13 092-Reappointment to the Community Preservation Committee-Daniel Condon

13 093-Reappointment to the Conservation Commission-Steve DeGabriele

13 094-Reappointment to the Recreation Commission-Arthur DelRosso

13 095-Reappointment to the Scholarship Fund Committee-Hank Goldman

13 096-Reappointment to the Board of Library Trustees-Charles Hickey

13 097-Reappointment to the Scholarship Fund Committee-Karen McCaffery

13 098-Reappointment to the Fourth of July Committee-William Robinson

Councilor O'Connor motioned for referral of measures 13 090 through 13 098 to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

Reports of Committees

Budget/Management Committee-Chair Kenneth DiFazio

Councilor DiFazio motioned to take measure number 13 057 out of order, motion seconded by Councilor Molisse and voted unanimously.

13 057-Appointment to the Conservation Commission-Anthony Merlino

Mr. Merlino was present- he announced that he has been a resident in the town for 49 years and since 1963 has been a contractor and feels his experience will help the town. Councilor Molisse noted his acquaintance with Mr. Merlin through the Rotary and noted his dedication.

Chairman DiFazio stated that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee, he motions for favorable action, seconded by Councilor Smart and voted unanimously.

13 054-Department of Public Works Line Item Transfer

Councilor DiFazio noted that this measure was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 054 , motion seconded by Councilor O'Connor and voted unanimously.

13 055-Special Purpose Stabilization Fund-Department of Public Works Vehicles

Councilor DiFazio noted that this measure was referred on April 16, the committee met on April 23 and voted unanimous favorable action.

Councilor O'Connor wishes to clarify that this funding has previously been deposited to the SPSF, and the DPW is in dire need of replacement vehicles.

Councilor Conlon noted that many constituents, from the storms last winter, could not be plowed due to aging equipment.

Councilor Smart stated that all Councilors receive numerous calls from constituents regarding DPW—the need is there for replacement equipment.

On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 055 , motion seconded by Councilor O'Connor and voted unanimously.

13 056-Police Department Line Item Transfer –Vehicles

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. He noted that the measure was amended from \$210k to \$175k and is for the purchase of 5 (five) police vehicles. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 056, motion seconded by Councilor O'Connor and voted unanimously.

13 058-Reappointment to the Zoning Board of Appeals-Edward Foley

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 058 , motion seconded by Councilor Smart and voted unanimously.

13 059-Reappointment to the Zoning Board of Appeals-Charles Golden

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 059 , motion seconded by Councilor Smart and voted unanimously.

13 060-Reappointment to the Veterans Council-Robert Haley

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action.

Councilor Burke spoke in favor of the appointment and noted Mr. Haley's connection to World War II, and he further stated that Mr. Haley is a vital asset to Veterans Affairs.

On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 060, motion seconded by Councilor Smart and voted unanimously.

13 061-Reappointment to the Historical Commission-Rodney Lundin

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 061 , motion seconded by Councilor Smart and voted unanimously.

13 062-Reappointment to the Zoning Board of Appeals-Robin Moroz

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 062 , motion seconded by Councilor Smart and voted unanimously.

13 063-Reappointment to the Board of Elder Services-Diane Oliverio

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 063, motion seconded by Councilor Smart and voted unanimously.

13 064-Reappointment to the Board of Elder Services-Laureen Pizzi

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 064, motion seconded by Councilor Smart and voted unanimously.

13 065-Reappointment to the Board of Assessors-John Sheehan

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 065, motion seconded by Councilor Smart and voted unanimously.

13 066-Reappointment to the Board of Assessors-Kevin Spellman

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee

Councilor DiFazio motions for favorable action on measure number 13 066, motion seconded by Councilor Smart and voted unanimously.

13 067-Reappointment to the Construction Steering Committee-Gilbert Starkey

Councilor DiFazio noted that this was referred on April 16, the committee met on April 23 and voted unanimous favorable action. On behalf of the Budget/Management Committee Councilor DiFazio motions for favorable action on measure number 13 067, motion seconded by Councilor Smart and voted unanimously.

New Business

Support Change in Legislation Regarding Chapter 70 Formula/Correspondence Received from the Town of Dudley Board of Selectmen
-Councilor Brian McDonald

Councilor McDonald noted correspondence received from the Board of Selectmen from Dudley requesting the town's support in changes to Chapter 70 funding.

It was noted that the Mayor has reached out to our delegates in support of this effort. Councilor McDonald motions for referral to the Education Committee, motion seconded by Councilor Smart.

Councilor Lacey asked if this is time sensitive to which Councilor McDonald responded that it was time sensitive in meeting budget deadlines but we can hope to effect a rewrite of the legislation going forward.

Councilor Lacey questions if this issue should be referred to the Budget/Management Committee. Councilor McDonald noted the Education Committee's prior meeting with DESE on this subject and felt it is appropriate.

Motion passes unanimously.

With no further business to attend to, Councilor O'Connor motioned to adjourn at 8:24 PM, motion seconded by Councilor Smart and voted unanimously.

Respectfully Submitted by: Diane T. Hachey

Approved by:

Council President Arthur Mathews