

*Town Council Meeting
June 18, 2012
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 Smart

Not Present: Michael Molisse

Also Present: George Lane, Town Solicitor
Richard Swanson, Town Auditor
Kathy Deree, Town Clerk
Mayor Susan Kay
William McKinney, Chief Financial Officer
Michael Gallagher, Director of Administrative and Community Services
Various Department Heads

Recording Secretary: Diane T. Hachey

President Mathews called the Town Council Meeting to order at 7:30 PM.

Following the Pledge of Allegiance, Kathy Deree conducted roll call with Councilors McDonald, Pap and Smart absent. President Mathews noted that he had spoken with Councilor McDonald who is on vacation, Councilor Pap who had a work commitment, and Councilor Smart who had to attend to a family matter.

Announcements:

Commission on Disabilities Award Recipients-Patricia Adams and Sean Maloney

-Mayor Susan M. Kay

-Robert Conlon, Council Designee to the Commission on Disabilities

-Lisa Jennings, Chair of the Commission on Disabilities

The Weymouth Food Pantry has been selected to receive an award of appreciation for its continued commitment to disabled citizens and their families. A donation to an organization of their choice will be made on their behalf.

The Benevolent Organization of the South Shore Network (BOSSNET). Sean Maloney, Ray Jennings and Tom Rizzo were noted as key contributors. This organization provides numerous benefits to the disabled and are associated with such organizations as the Weymouth Elks, Rotary, Moose, Lions, and Kwanis. They are involved in Care Packs which ships packages overseas to those serving in the military. Mr. Maloney presented two dvd's to the Council which explain their mission and accompanying details of the organization. They too, will have a donation made on their behalf to an organization of their choosing.

Lisa Jennings noted the Commission on Disabilities programs: ADA transition plan, Weymouth Special Olympics, SEPAC, TWPC, peer program at WHS, Prom Angels, and establishment of a disability scholarship.

Councilor Burke announced that the George Bean Post will be hosting a barbeque on July 8 from 1-4 pm, tickets may be obtained by calling the post. Additionally, bricks may be purchased for the Veterans' walkway by calling 781-337-1170. Councilor Burke will hold office hours at the McCulloch Building, both in the afternoon and evening, once he has secured space. Details will be posted on the town's website.

Council President Mathews announced that a Special Town Council Meeting will be held on July 16, 2012 at 7:30 pm-at which time a public hearing on the proposed rezoning for the Clapp Memorial Building will be held.

Council President Mathews recognized CFO McKinney who announced that effective July 16, 2012, the tax collector's office hours will change to 9am until 4pm. They have instituted a "Bill Trust" system whereby water/sewer, excise and property taxes can be accessed, paid and subsequently tracked on line.

Minutes:

Councilor O'Connor motioned to approve the **Town Council Meeting minutes of April 17, 2012**, motion seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the **Budget/Management Committee Meeting minutes of May 9, 2012**, motion seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the **Ordinance Committee Meeting minutes of May 30, 2012**, motion seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the **Budget/Management Committee Meeting minutes of June 7, 2012**, motion seconded by Councilor Smart and voted unanimously.

Reports of Committees

Budget/Management Committee-Chair Kenneth DiFazio

Councilor O'Connor motioned to take measure numbers 12 090, 12 092-12 096 and 12 099 out of order, motion seconded by Councilor Smart and voted unanimously.

12 090-Reserve Fund Transfer-Special Pension Payment for Military Service

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action for the transfer of \$3,200 to fund costs for a special pension payment for military service. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 092-Reappointment to the Construction Steering Committee-Richard McKinnon

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 093-Reappointment to the Board of Health-Karen DeTellis

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 094-Appointment to the Waterfront Committee-Patricia O'Leary

Ms. O'Leary was present and expressed her interest in serving, most especially she wants to be involved in interaction of the Waterfront Committee with other town committees.

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 095-Appointment to the Cultural Council-Laura Barreiro

Ms. Barreiro noted her interest in fostering development of international cultural activities.

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 096-Appointment to the Cultural Council-Terri Savoie

Ms. Savoie noted her 60 year town of Weymouth residency and her interest in encouraging an appreciation for the arts.

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 099-Fire Department Transfer Request

Chairman DiFazio noted that this measure was referred on May 21, the committee met on June 7 and voted unanimous favorable action for transferring of \$40,000 from municipal alarm-salaries to fire suppression-overtime. On behalf of the Budget/Management Committee he motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

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Fiscal Year 2013 Budget **General Government Annual Appropriation** **-segregated by department and coded alphabetically**

Chairman DiFazio noted that all measures were referred on April 17, 2012 and the committee met on the following dates to deliberate: April 23, April 30, May 2, May 9, May 10, May 16, May 23, May 24, June 6, June 7, June 11, and June 12 The public hearing was held at the Annual Town Meeting on May 14, 2012. All measures were voted favorably by the Budget/Management Committee.

12 042 A-Town Council

Chairman DiFazio motioned for favorable action in the amount of \$265,777, motion seconded by Councilor O'Connor and voted unanimously.

12 042 B-Mayor's Office

Chairman DiFazio motioned for favorable action in the amount of \$969,891, motion seconded by Councilor O'Connor and voted unanimously.

12 042 C-Reserve Fund

Chairman DiFazio motioned for favorable action in the amount of \$500,000, motion seconded by Councilor O'Connor and voted unanimously.

12 042 D-Municipal Finance

Chairman DiFazio motioned for favorable action in the amount of \$1,709,118, motion seconded by Councilor O'Connor and voted 9-0-1 with Councilor Conlon recusing.

12 042 E-Town Solicitor

Chairman DiFazio motioned for favorable action in the amount of \$317,918, motion seconded by Councilor O'Connor and voted unanimously.

12 042 F-Information Services

Chairman DiFazio motioned for favorable action in the amount of \$745,798, motion seconded by Councilor O'Connor and voted unanimously.

12 042 G-Town Clerk

Chairman DiFazio motioned for favorable action in the amount of \$301,694, motion seconded by Councilor O'Connor and voted unanimously.

12 042 H-Planning and Development

Chairman DiFazio motioned for favorable action in the amount of \$455,348, motion seconded by Councilor O'Connor and voted unanimously.

12 042 I-Town Building Maintenance

Chairman DiFazio motioned for favorable action in the amount of \$458,252, motion seconded by Councilor O'Connor and voted unanimously.

12 042 J-Administrative Services

Chairman DiFazio motioned for favorable action in the amount of \$82,086, motion seconded by Councilor O'Connor and voted unanimously.

12 042 K-Human Resources

Chairman DiFazio motioned for favorable action in the amount of \$209,088, motion seconded by Councilor O'Connor and voted unanimously.

12 042 L-Police Department

Chairman DiFazio motioned for favorable action in the amount of \$9,833,486, motion seconded by Councilor O'Connor .

Councilor Hackett has significant concerns with police and fire support to Southfield, with no revenues experienced. She has met with both the Mayor and CFO and she feels confident that they are working to expedite payment. She will continue to press on this issue to ensure timely payments to the town. Motion voted unanimously.

12 042 M-Fire Department

Chairman DiFazio motioned for favorable action in the amount of \$7,382,252, motion seconded by Councilor O'Connor and voted unanimously.

12 042 N-Licensing and Inspections

Chairman DiFazio motioned for favorable action in the amount of \$537,329, motion seconded by Councilor O'Connor and voted unanimously.

12 042 O-Department of Public Works

Chairman DiFazio motioned for favorable action in the amount of \$9,327,750, motion seconded by Councilor O'Connor and voted unanimously.

12 042 P-Health

Chairman DiFazio motioned for favorable action in the amount of \$451,273, motion seconded by Councilor O'Connor and voted unanimously.

12 042 Q-Library

Chairman DiFazio motioned for favorable action in the amount of \$1,125,834, motion seconded by Councilor O'Connor and voted unanimously.

12 042 R-Veteran's Services

Chairman DiFazio motioned for favorable action in the amount of \$532,637, motion seconded by Councilor O'Connor and voted unanimously.

12 042 S-Parks and Recreation

Chairman DiFazio motioned for favorable action in the amount of \$195,380, motion seconded by Councilor O'Connor and voted unanimously.

12 042 T-Elder Services

Chairman DiFazio motioned for favorable action in the amount of \$198,492, motion seconded by Councilor O'Connor and voted unanimously.

12 042 U-Civil Defense

Chairman DiFazio motioned for favorable action in the amount of \$12,672, motion seconded by Councilor O'Connor and voted unanimously.

12 042 V-Commission on Disabilities

Chairman DiFazio motioned for favorable action in the amount of \$392.00, motion seconded by Councilor O'Connor and voted unanimously.

12 042 W-Youth and Family Services

Chairman DiFazio motioned for favorable action in the amount of \$91,072, motion seconded by Councilor O'Connor and voted unanimously.

12 042 X-Debt

Chairman DiFazio motioned for favorable action in the amount of \$9,757,450 to pay off debt, motion seconded by Councilor O'Connor and voted unanimously.

12 042 Y-Pensions and Benefits

Chairman DiFazio motioned for favorable action in the amount of \$29,649,725 for pensions and benefits, motion seconded by Councilor O'Connor and voted unanimously.

12 042 Z-Schools

Chairman DiFazio motioned for favorable action in the amount of \$56,790,810, motion seconded by Councilor O'Connor.

Councilor Lacey, as chair of the Education Committee, thanked the school committee for advocating for additional school funding and their efforts in support of meeting the net school spending level. The measures for schools included in this budget (math, information technology and SPED) are noteworthy.

Councilor Hackett stated her support and thanked the Mayor and CFO for their efforts, notably the 4.7% school department budget increase, plus the \$1.3 million in additional measures for the schools. The budget reflects preservation of teachers, supporting of athletics, kindergarten through 6 new curriculums for math and language. She feels confident the new superintendent is in place and management and vision are clear. She encourages all to watch a presentation on WETC by Gary Pelletier regarding the new vision of a grade 5-8 restructuring. Motion voted unanimously.

12 042 AA-State and County Assessments

Chairman DiFazio motioned for favorable action in the amount of \$2,517,747 for state and county assessments, motion seconded by Councilor O'Connor and voted unanimously.

12 042 BB-Overlay for Abatements

Chairman DiFazio motioned for favorable action in the amount of \$700,000, motion seconded by Councilor O'Connor and voted unanimously.

12 042-General Government Annual Appropriation

Chairman DiFazio motioned for favorable action in the amount of \$135,119,271 to provide for all expenses for the maintenance and operation of the town's several departments and activities for fiscal year 2013, motion seconded by Councilor O'Connor.

Councilor O'Connor commended the administration for crafting a wonderful budget with solid progress in these tough fiscal times. He feels that this budget brings the town up to where it should be and shows great financial strides. Voted unanimously.

12 043-Revolving Accounts Annual Appropriation

Chairman DiFazio noted that this was referred on April 17, the committee met on June 12, and voted favorably. He motioned for favorable action that the town create several revolving accounts which are permitted to accept funds in the aggregate, motion seconded by Councilor O'Connor and voted unanimously.

12 044-Gift Accounts Annual Appropriation

Chairman DiFazio noted that this was referred on April 17, the committee met on April 23, and voted favorable action. He motioned for favorable action for the creation of several revolving accounts and that donation accounts are permitted to accept gifts and or donations to the limit in the aggregate, motion seconded by Councilor O'Connor and voted unanimously.

12 045-Unpaid Bills

Chairman DiFazio noted that this was referred on April 17, the committee met on April 23 and voted favorably. He motioned for favorable action in the amount of \$552.68 in order to cover unpaid bills, motion seconded by Councilor O'Connor and voted unanimously.

12 046-Free Cash Reading and Math Curriculum Materials

Chairman DiFazio noted that this was referred on April 17, the committee met on June 6 and voted favorably. He motioned for favorable action in the amount of \$850,000 for the purpose of funding the costs associated with purchasing kindergarten through grade 6 reading/math curriculum materials for the schools, motion seconded by Councilor O'Connor and voted unanimously.

12 047-Free Cash-Information Technology for Schools

Chairman DiFazio noted that this was referred on April 17, the committee met on June 6 and voted favorable action. He motioned for favorable action in the amount of \$150,000 for funding costs for information technology for the schools, motion seconded by Councilor O'Connor and voted unanimously.

12 048-Free Cash SPED out of district tuition

Chairman DiFazio noted that this was referred on April 17, the committee met on June 6, and voted favorably. He motioned for favorable action in the amount of \$350,000 for SPED out-of-district school tuition, motion seconded by Councilor O'Connor and voted unanimously.

12 049-Health insurance-unexpended balance

Chairman DiFazio noted that this was referred on April 17, the committee met on April 23 and voted favorable action. He motioned for favorable action, motion seconded by Councilor O'Connor and voted unanimously.

12 052-Sewer Enterprise Fund Annual Appropriation

Chairman DiFazio noted that this was referred on April 17, the committee met on June 12 and voted favorably. He motioned for favorable action in the amount of \$ 14,013,133, motion seconded by Councilor O'Connor and voted unanimously.

12 053-Sewer Retained Earnings-Sewer Department Vehicles

Chairman DiFazio noted that this was referred on April 17, the committee met on April 30 and on June 7 and voted favorably. He motioned for favorable action in the amount of \$85,000, motion seconded by Councilor O'Connor and voted unanimously.

12 054-Sewer Retained Earnings-Wetland Replication

Chair DiFazio noted that this was referred on April 17, the committee met on April 30 and June 7 and voted favorably. He motioned for favorable action in the amount of \$250,000, motion seconded by Councilor O'Connor and voted unanimously.

12 055-Sewer Capital Projects Transfer Unexpended Balances to Capital Projects Residuals

Chairman DiFazio noted that this was referred on April 17, the committee met on April 30 and June 7 and voted favorably. He motioned for favorable action in the amount of \$ 204,084.94 in order to fund capital projects to the sewer capital projects residuals fund, motion seconded by Councilor O'Connor and voted unanimously.

12056-Water Enterprise Fund Annual Appropriation

Chairman DiFazio noted that this measure was referred on April 17, the committee met on April 30 and June 7 and voted favorably. He motioned for favorable action in the amount of \$9,585,876, motion seconded by Councilor O'Connor and voted 9-0-1-with Councilor Burke recusing due a family member.

12 057-Water Retained Earnings-Water Main Improvements

Chairman DiFazio noted that this measure was referred on April 17, the committee met on April 30 and June 7 and voted favorably. He motioned for favorable action in the amount of \$2,000,000 to fund water main improvements to numerous areas in town, motion seconded by Councilor O'Connor and voted 9-0-1-with Councilor Burke recusing due a family member.

12 058-Water Retained Earnings-Water Department Vehicles

Chairman DiFazio noted that this measure was referred on April 17, the committee met on April 30 and June 7 and voted favorably. He motioned for favorable action in the amount of \$115,000 in order to purchase two vehicles—included in the CIP plan #31 and #34, motion seconded by Councilor O'Connor and voted 9-0-1-with Councilor Burke recusing due a family member.

12 062-Community Preservation Committee Annual Appropriation

Chairman DiFazio noted that this measure was referred on April 17, the committee met on June 12 and voted favorably. He motioned for favorable action in the amount of \$676,945 which represents the Community Preservation Committee budget, motion seconded by Councilor O'Connor and voted unanimously.

Chairman DiFazio thanked everyone for their efforts in crafting and reviewing this budget.

Ordinance Committee-Chairman Michael Smart

12 091-Amendments to the Zoning Ordinance Realting to the Floodplain District Maps, Administration and Regulation.

Chairman Smart noted that this measure was referred to the Ordinance Committee on May 21, the committee met on May 30, a joint public hearing was held on June 11, and the Planning Board met and submitted their recommendation-which Chairman Smart read into the record as follows:

“The Weymouth Planning Board hereby submits its report and recommendation on the above referenced zoning amendment. The board reviewed the proposed floodplain zoning amendment at several public meetings of the board in April and May. The measure was submitted to the Town Council and a joint public hearing was held by the Town Council and

Planning Board on June 11, 2012. Testimony was presented and both the Town Council and Planning Board closed their public hearings.

Later that evening, the Planning Board voted to recommend favorable action on the proposed zoning with two technical amendments as follows:

In part F.1. delete the letter “A” from the text and add the word “add” after the word “and”.

These amendments will update the floodplain maps as prepared by FEMA and add several requirements to projects subject to floodplain regulation. The adoption of current maps and regulation will keep the town of Weymouth in the National Flood Insurance Program and allow property owners to renew or secure flood insurance through the NFIP. The town joined the program in 1980 and has successfully administered the program since then.”

On June 18, 2012 the Ordinance Committee met and voted favorable action. Chairman Smart motioned for favorable action on measure number 12 091, motion seconded by Councilor Harrington and voted unanimously.

M.G.L. Chapter 40 section 4A-Inter-municipal Agreements

This issue was referred by Councilor Lacey on June 4, the committee met on June 18 with Solicitor Lane in attendance. Discussion was around clarity of Chapter 40 section 4A as it relates to inter-municipal agreements and approval by the Town Council. The committee voted to continue discussions to a future meeting.

New Business

Environmental Partners Water/Sewer Study for Southfield -Councilor Kenneth DiFazio

Councilor DiFazio distributed the detail of his referral on this issue to all Councilors.

Councilor DiFazio motioned for referral to the Public Works Committee the following questions:

-what level of involvement has our water/sewer department played in developing the feasibility study and are they prepared to review and comment on the report?

-In 2005 the Southfield project was approved by the three host communities. SSTTDC has indicated that they have spent zero dollars over the last year on developing the MWRA as a long term water supply for Southfield. Has SSTTDC ever, with due diligence, attempted to secure the MWRA as a long-term water supply option?

-Has Southfield abandoned the MWRA long –term water supply and on-site wastewater treatment facility concept?

-Is SSTTDC considering requesting from Weymouth more water usage and increases in acceptance of sewer flow than what has been previously agreed to as the maximum under the 2008 MOA?

-The feasibility study indicates that SSTTDC has introduced an “alternative build out scenario” which contemplates lower water and sewer demand at full build out. This lower demand is said to be due to various economic conditions and market forces. This build out scenario is not in line with the re-use plan presented in 2005 nor does it agree with the project description in the FEIR or the February 2008 NPC. Without prior notice to the three host communities, what apparent authority does SSTTDC have to begin infrastructure studies which do not support the build- out criteria designated in the re-use plan and the FEIR? Is SSTTDC changing the re-use plan without actively notifying the three host communities?

Motion for referral of the aforementioned questions to the Public Works Committee was seconded by Councilor O’Connor and voted unanimously. It was noted by Council President Mathews that questions should not be limited to Councilor DiFazio’s questions only, as the Public Works Committee can investigate all questions related to this subject.

Motions, Orders and Resolutions

Councilor O’Connor motions, pursuant to section 3-202 of the code of ordinances and Town Council rule number 24, that regular meetings of the Council shall be suspended during July and August, motion seconded by Councilor Harrington.

Council President Mathews noted that a Special Town Council meeting has been called for July 16, 2012 in order to hold a public hearing on the rezoning of the Clapp Building. Councilors will attend Planning Board, Conservation, and ZBA meetings during the summer. He additionally noted that several committees have items in which to call meetings to discuss.

With no further business to attend to, Councilor O’Connor motioned to adjourn at 9:16, noting that a Special Town Council Meeting will be held on July 16, 2012, motion seconded by Councilor Harrington and voted unanimously.

Respectfully Submitted by: Diane T. Hachey

Approved by: Arthur Mathews as President

