

*Special Town Council Meeting  
18 July 2011 at 7:30 PM  
Town Council Chambers*

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

Absent: Thomas J. Lacey

Also Present: Richard Swanson, Town Auditor  
George Lane, Town Solicitor  
Frank Fryer, Town Clerk  
Kathy Deree, Assistant Town Clerk  
William McKinney, Chief Financial Officer  
Jeff Bina, Director of Department of Public Works  
Chip Fontaine, Town Engineer  
Tom Slattery, Director of Maintenance  
Sean Guilfoyle, Chair of School Committee

Recording Secretary: Diane T. Hachey

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

Following the Pledge of Allegiance, Frank Fryer conducted roll call with Councilor Lacey not present.

**Announcements:**

Councilor Pap announced that the Weymouth Housing Authority is hosting a series of Community Picnics to be held on 26 July from 12-3 at Calnan Harrington, 27 July at Pope Towers and 29 July at Cadman Towers. Interested parties may call 781-331-2323.

Councilor McDonald announced that the Environmental Committee will meet before the next Town Council Meeting to discuss the cleanup of Southfield, in keeping with the Navy transfer.

President Mathews noted that WETC is having technical difficulties with the live feed this evening and confirmed that this meeting will be rebroadcast on the website.

**Minutes:**

Councilor O'Connor motioned to approve the Ordinance Review Committee Meeting Minutes of April 27, 2011, seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the Budget/Management Committee Meeting Minutes of April 27, 2011, seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the Budget/Management Committee Meeting Minutes of May 4, 2011, seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the Budget/Management Committee Meeting Minutes of June 2, 2011, seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the Town Council Meeting Minutes of June 6, 2011, seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the Budget/Management Committee Meeting Minutes of June 16 2011, seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to approve the Town Council Meeting Minutes of June 20, 2011, seconded by Councilor Smart and voted unanimously.

**Communications and Reports from the Mayor, Town Officers and Town Boards**  
**11 042-Ordinance Review Committee Recommendations**

**11 100-Abigail Adams School Roof Replacement –action requested under 2-9(b) same night action**

Bill McKinney presented to Council and read into the record as follows:

“That the Town of Weymouth based on the recommendation of the project OPM, KBA, and school administration approves the study/schematic design report, produced by Gale Associates, Inc., for Green Repairs-Roof Replacement at the Abigail Adams School including its proposed scope of repairs and total project budget equaling eight hundred forty nine thousand eight hundred ninety six (\$849,896)dollars.”

Mr. Guilfoyle and Mr. Slattery explained that in September three projects were submitted under “Green Repair”, two of the three were approved, and funding was secured through administration. Gale Associates and KBA were contracted to replace the roofs on the

gym, cafeteria and old technology departments. Work is required to be done in a specific order of sequence so as to least disrupt the start of school in September.

Work is scheduled to commence on the classroom roof around August 15th, the cafeteria about five days later and the gym roof last—with completion of all three phases by September 23.

Councilor Smart asked about details regarding composition and square footage. The roofs are to be comprised of tar and gravel and are 35k square feet. 100 feet of masonry restoration is involved and it was also noted that five inches of insulation must be added.

Councilor Whitaker asked for the study, which is noted in the measure, from Gale Associates and noted that we are being asked to vote under 2-9 (b) for this project of which a study/schematic design report is referenced but not attached.

It was confirmed by Mr. Slattery that we are under time constraints for this project.

Councilor Whitaker asked if administration has any concerns which the Council should be aware of.

Mr. Slattery mentioned that ten meetings have transpired and the report and project were reviewed in thorough detail.

Councilor Whitaker entrusts administration has successfully performed its review and does not have the intention of holding up the project.

Mr. Lane confirmed that he has reviewed as well and is satisfied.

Mr. Guilfoyle assured the Council that he will arrange for copies of the study to be delivered to the Council Office.

Councilor O'Connor motioned for consideration of measure number 11-100 under 2-9(b) same night action, seconded by Councilor Smart and voted unanimously 10-0.

Councilor O'Connor motioned for favorable action on measure number 11-100, motion seconded by Councilor Smart and voted unanimously 10-0.

### **11-101-Abigail Adams Roof Replacement Bonding**

Mr. McKinney read the measure into the record as follows:

“That the Town of Weymouth appropriate the sum of eight hundred forty nine thousand eight hundred ninety six (\$849,896) dollars for Green Repairs-Roof Replacement at the Abigail Adams School, 89 Middle Street, Weymouth, MA 02189, which proposed green repair project would materially extend the useful life of the school and preserve an asset that otherwise of capable of supporting the required educational program, said sum to be

expended under the direction of the School Department, and to meet said appropriation the Town of Weymouth is authorized to borrow \$414,593 under M.G.L.Chapter 44, Section 7 or any other enabling authority, and \$435,303 to be appropriated from the Weymouth School Capital Project Residual Account which was unanimously voted by Town Council on January 18, 2011 and that the Town of Weymouth acknowledges that the Massachusetts School Building Authority (“MSBA”) grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Weymouth incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Weymouth; provided further that any grant that the Town of Weymouth may receive from the MSBA for the Project shall not exceed the lesser of (1) 54.16 percent (%) of eligible, approved project costs, as determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Weymouth and the MSBA.”

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

**11 102-Bond Authorization for Various Projects**

Mr. McKinney read the measure into the record as follows:

“That the sum of \$2,200,000 is appropriated for the costs of the following projects:

1. Teen Center Roof and Masonry Repairs	250,000
2. Wessagussett School Roof	600,000
3. Police Station Re-roof	950,000
4. Pratt Library HVAC	100,000
5. Fire and DPW Vehicles	300,000
<b>Total</b>	<b>2,200,000</b>

and that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to Chapter 44, Section 7, of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.”

Councilor O’Connor motioned for referral of measure number 11 102 to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

## **11 103-Debt Refinancing**

Mr. McKinney read the measure into the record as follows:

“That, in order to reduce interest costs, the Treasurer with the approval of the Mayor is authorized to issue refunding bonds pursuant to G.L. c.44, 21A to refund all or a portion of the remaining amounts of the Town’s Municipal Purpose Loan of 2001 Bonds dated October 15, 2001; that the refunding bonds shall be issued in an amount not to exceed \$4,400,000, in order to pay the principal, redemption premium, and interest on the bonds to be refunded, and costs of issuance of the refunding bonds; and that the Treasurer is authorized to execute such documents as may be necessary or desirable to carry out this transaction, including a refunding trust or escrow agreement with a bank or trust company.”

Councilor O’Connor motioned for referral of measure number 11 103 to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

## **11 104-CDBG and Home Funding 2011-2012**

Mr. McKinney read the measure into the record as follows:

“That the Town of Weymouth accepts the Fiscal year 2011-2012 HUD grants in the amounts of \$743,638 for CDBG. Weymouth’s share of the HOME investment Partnership Grant is \$192,888.58.

Furthermore, that the Director of Planning and Community Development, with the approval of the Mayor, be permitted to expend said grants in their entirety as described on the attached funding allocation list.”

Councilor O’Connor motioned for referral of measure number 11 104 to the Budget/Management Committee, motion seconded by Councilor Smart. Councilor Pap announced his abstention from the vote as he is a member of the Weymouth Housing Authority, motion passes 9-0-1 (Councilor Pap abstaining).

## **11 105-Fort Point Road Seawall Repair-action requested under 2-9(b) same night action**

Mr. McKinney read the measure into the record as follows:

“That the Town of Weymouth transfer \$250,000 from the Reserve Fund (Program 132) to Fund 0002 to cover needed repairs at the Fort Point Road Seawall.”

Chip Fontaine and Jeff Bina presented to Council and explained that the walls are more than 70 years old and it has recently been brought to light that due to not only the age, but the impact of recent storms, the wall has been compromised and as a result poses severe public safety threats. Emergency repairs have been done but both consultants and DCR suggest placing boulders (armour stone) below the sand surface to build partway up the wall in order to reinforce and stabilize. The wall runs 800 linear feet and is located ½ way between River Street to Harlem Road to Bacon Road.

The importance of this being done prior to hurricane season and winter was stressed. It was also noted that these stones are reusable for the final design phase.

Councilor Pap noted that the stairs have been dissolved from the December storm and questioned if new stairs have been erected. It was confirmed by Jeff Bina that they have been repaired.

Councilor Harrington asked if we have completed a study on the seawalls. Chip Fontaine confirmed that the state has conducted a study of the shorelines, rating conditions and defining deficiencies in seawalls. Councilor Harrington asked for the report in addition to suggesting that a comprehensive detailed plan is completed in segments.

Councilor Mc Donald noted that Representative Cantwell and Senator Hedlund are exploring going out to bond for restoration of coastal walls, and have submitted legislation for dam and seawall restorative projects.

Councilor DiFazio questioned why 2-9(b) action is being requested as there have been no storms lately. It is a result of this past winters storms and the freezing and thawing which has resulted in large sink holes.

Councilor DiFazio aired his concerns regarding replenishing of the reserve fund, to which Mr. McKinney is hopeful that free cash will come in higher than anticipated.

Councilor Pap stressed the impending necessity as this is a safety hazard—the area has been staked off with a fence.

Councilor McDonald mentioned that we should investigate what was done on Wollaston Beach—large boulders randomly placed where waves have the ability to crash and would not compromise a straight seawall.

Councilor Harrington noted that South Weymouth doesn't benefit from the waterfront and questioned how they can be expected to pay for this project. He suggests a levy to the people surrounding the water.

Councilor Pap stated that the homes surrounding the water have experienced a 40% increase in property taxes and all residents of the town enjoy waterfront activities-namely fireworks, beach, and Wey Rec programs.

Councilor McDonald agrees with Councilor Pap in that all Weymouth residents enjoy the waterfront and this is the wrong path to take, a public safety issue is at hand and the Division of Waterways has pointed out deficiencies in the seawall which must be immediately rectified.

Councilor Whitaker asked about the impact of waiting a few weeks (until our next meeting) so we can obtain further information.

Administration noted that many permits need to be secured and time if of the essence, the impact of a few weeks was unknown, but the goal is to have the work completed by hurricane season which is quickly approaching.

Councilor O'Connor motioned to consider this measure under 2-9(b), motion seconded by Councilor Smart

Councilor DiFazio feels we shouldn't make any hasty decisions. He questions the funding source, and if funding for this project should come out of the reserve fund. He asked administration in the future to have more foresight and be more prudent.

The vote on the motion for consideration for same night action is 9-1 (with Councilor Whitaker voting no).

President Mathews read from the Charter under section 2-9(b):

“The Town Council may pass a measure through all of its stages at any one meeting, except proposed ordinances, appropriation orders and loan authorizations, provided that no member of the Town Council shall object, but, if any single member objects, a vote on the measure shall be postponed to the next meeting of the town council.”

Councilor Pap motioned for reconsideration of the vote to which Mr. Lane and President Mathews explained that this is not allowable.

Councilor Whitaker motioned to refer the measure to the Budget/Management Committee, to which Mr. Lane and President Mathews explained that this is not allowable, the measure must be deferred to the next Council Meeting under “Old Business”.

Councilor DiFazio requested that administration supply the Auditor with project designs, financials. Council President Mathew asked all Councilors to gather their questions and requests for submittal to administration.

Councilor Whitaker withdraws his motion for referral.

With no further business to attend to, Councilor O'Connor motioned to adjourn at 9:10 PM , motion seconded by Councilor Smart and voted 10-1 (Councilor Pap voting nay).

Respectfully Submitted by:

Diane T. Hachey  
Recording Secretary

Approved by:

Council President Arthur Mathews