

SPECIAL TOWN COUNCIL MINUTES

Town Hall Council Chambers August 1, 2011 - Monday

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

Also Present: Susan M. Kay, Mayor
William McKinney, Chief Financial Officer
Richard Swanson, Town Auditor
George Lane, Town Solicitor
Franklin Fryer, Town Clerk
Kathy Deree, Asst. Town Clerk
Sean Guilfoyle, Chair, Weymouth School Committee
Tom Slattery, Weymouth School Department

Recording Secretary: Mary Barker

President Mathews called the Town Council meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Franklin Fryer called the roll with all members present.

ANNOUNCEMENTS

Councilor McDonald announced that the Environmental Committee meeting held earlier this evening, went into recess and will reconvene at the conclusion of the Town Council meeting.

MINUTES

Budget/Management Committee Meeting Minutes of May 9, 2011

A MOTION was made by Vice President O'Connor to APPROVE the minutes from the Budget/Management meeting of May 9, 2011 and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

Budget/Management Committee Meeting Minutes of June 14, 2011

A MOTION was made by Vice President O'Connor to APPROVE the minutes from the Budget/Management meeting of June 14, 2011 and was seconded by Councilor Smart.

UNANIMOUSLY VOTED.

Special Town Council Meeting Minutes of July 18, 2011

A MOTION was made by Vice President O'Connor to APPROVE the minutes from the Town Council meeting of July 18, 2011 and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

PUBLIC HEARINGS

11 101-Abigail Adams Roof Replacement Bond

A MOTION was made by Vice President O'Connor to OPEN the PUBLIC HEARING on item 11 101 and was seconded by Councilor Smart. This item was published on July 22, 2011. UNANIMOUSLY VOTED.

William McKinney and Tom Slattery, Director of Buildings and Grounds for the School Department, reported on this item. Mr. Slattery noted that the funding was appropriated in the fall of 2001 for the roof repair of five roofs at the Abigail Adams School. In spring of 2008 while this project was out to bid, asbestos was found in the paint on the outside surface of the Maria Weston Chapman School while a masonry project was in progress. Funds were diverted from the Adams project to remediate the asbestos at the Chapman School. Funds were appropriated to repair the auditorium roof at the Adams and subsequently the main roof was completed. The funding requested now is for the three remaining roof sections, for a total of 35,000 square feet. There is a "Green Repair" project currently underway at the school which will qualify for MSBA reimbursement. The roof needs to be stripped and several inches of insulation and flashing installed. The contractor, Greenwood Industries, indicates the roofing materials will be sent on August 12, 2011 with work to commence on August 15th. Fifteen days work are needed to complete the repairs. If the weather holds out, Mr. Slattery hopes the work will be completed by the end of August. The work is being phased in; the classroom section will be done first, cafeteria section next and the gymnasium section last, so that least disruptive work extends into the school year.

Mr. McKinney reported that 54.1% of the total cost is reimbursable by MSBA; however the town is required to request the authority to raise and appropriate the entire cost of the project before it is allowed to go forward. The town is requesting the authority to borrow the whole cost of the project although about half of it has been set aside.

There was no comments from the public. A MOTION was made by Vice Chairman O'Connor to CLOSE the PUBLIC HEARING and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

OLD BUSINESS

11 105-Fort Point Road Seawall Repair- carried over from Special Town Council Meeting of July 18, 2011- action being requested under 2-9 (b), same night action

President Mathews reported that he spoke with Solicitor Lane after the last meeting, and

Solicitor Lane indicated that the measure can come before the Council one more time under 2-9 (b) same night action and would require a unanimous vote to take the matter up.

Mayor Kay provided some detail on the matter for the Council. She related the urgency with this matter. The seawall project on Fore River Ave. and Fort Point Rd. has been ongoing for a few years, and there are some serious issues. Serious seawall issues from storms of last winter have compromised the road. Because the ocean hits the seawall on the beach side, flooding under the roadway with the severe storms resulted in sinkholes. She provided a letter to the Council from state agencies indicating that there are safety issues with the compromised road and the situation must be attended to immediately. She noted there is an existing report on long term repair of the seawall in both of those areas with costs ranging from \$700,000 to \$10,000,000. Ten options were provided, and a hearing was held with the neighbors. She has been told by various agencies that it will not be possible to get safety vehicles down this road if the next winter is bad. A small patch has been done, but it is not sufficient. She thinks the town should consider the stage 2 repairs, at a cost of \$250,000. The town has tried for years to shore up this funding through grants, loans, federal and state agencies. There are crumbling seawalls and deficient dams. These infrastructure repairs will need to be looked at but in the meantime, the roadways must be passable for public safety vehicles for the residents of the perimeter. She implored the Council to act on same night action.

Councilor Pap commended the Mayor for her action in inspecting the seawalls when it first came to the attention of the administration and area residents. He also noted that Jeff Bina indicates the \$250,000 would essentially be a down payment to whatever action is taken down the road on a permanent basis. This will not be lost money but a crucial step to resolution. Mayor Kay noted that the stones will be reused in the project. Sections of the area had to be cordoned off for the July 4th festivities, and the area has become more tenuous since that time.

Vice President O'Connor noted that he inspected the area also with state agencies, and commended the residents of the Fort Point area for being proactive. He will support this measure.

Councilor Conlon asked for clarification of the area involved and to consider the costs for permanent solution through a long term bond rather than a \$250,000 band aid approach. Mayor Kay responded that the long term solution will probably cost around \$7,000,000 and doesn't include the entire area. She is concerned with the compromised roadway now and fear of the effect of another severe winter.

Councilor Molisse notes it needs to be addressed as a public safety issue now and he also supports the measure.

A MOTION was made by Vice President O'Connor for favorable action on 11 105 under 2-9 (b), same night action and was seconded by Councilor Smart. Vice President O'Connor withdrew his MOTION.

A MOTION was made by Vice President O'Connor to CONSIDER item 11 105 under 2-9 (b), same night action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

A MOTION was made by Vice President O'Connor for favorable action on item 11 105 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

REPORT OF COMMITTEES

Budget/Management Committee-Chairman Ken DiFazio

11 101-Abigail Adams Roof Replacement

Councilor DiFazio reported that this matter was referred to the committee on July 18, 2011. The committee met on August 1, 2011 and unanimously voted to forward to the full Town Council with a recommendation for favorable action.

A MOTION was made by Councilor DiFazio that the Town of Weymouth appropriate the sum of \$849,896 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 is otherwise capable of supporting the 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 MGL Ch. 44, Sect. 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 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 and received by 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% of the eligible approved project costs as determined by the MSBA, or
- (2) Total maximum grant amount determined by the MSBA

And that the total of the 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. The motion was seconded by Vice President O'Connor. President Mathews reminded the Council that as this is a bond measure, a two-thirds vote is required for it to carry. UNANIMOUSLY VOTED.

11 104-CDBG and Home Funding for 2011-2012

Councilor DiFazio reported that this matter was referred to the committee on July 18, 2011. The committee met on August 1, 2011 and unanimously voted to forward the item to the full Town Council with a recommendation for favorable action.

A MOTION was made by Councilor DiFazio that the Town of Weymouth ACCEPTS the Fiscal Year 2011-2012 HUD Grants in the amount 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. This motion was seconded by Vice President O'Connor. Councilor Pap reported that he will abstain from a vote involving funds that may go to the Weymouth Housing Authority, on the advice of the Town Solicitor. UNANIMOUSLY VOTED 10/0, with one abstention.

ADJOURNMENT

At 8:45 PM, there being no further business, Councilor O'Connor made a MOTION to ADJOURN the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Arthur Mathews/ President of the Town Council