

**Town Council Meeting
Town Hall-Council Chambers
October 3, 2011**

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

Not Present: Kevin Whitaker

Also Present: Frank Fryer-Town Clerk
George Lane-Town Solicitor
Richard Swanson-Town Auditor
Kathy Deree-Assistant Town Clerk
Mayor Susan Kay
William McKinney-CFO
Jim Clarke-Director of Planning and Community Development
Jeff Bina-Director of DPW
Jeff Richards-Director of Building
Rob MacLean-Director of Libraries
Matt Ferron-Interim School Superintendent

Recording Secretary: Ann Flynn Dickinson

Following the Pledge of Allegiance, Council President Mathews called the October 3, 2011 Town Council meeting to order at 7:33 P.M. Town Clerk Franklin Fryer conducted a roll call with Councilor Whitaker absent.

Announcements were as follows: Councilor Conlon wanted to make a comment instead of an announcement recognizing and congratulating the Mayor and her staff for the Great Pumpkin Fest. Councilor Conlon lives right down the street from Town Hall and witnessed hundreds of people attending this event. It was a delight to see so many children enjoying themselves. He also wanted to mention the professionalism of the Police Auxiliary who did a great job on vehicle and pedestrian traffic control.

Vice President O'Connor has two announcements, the first being a Fund Raiser for NKH Crusaders. NKH, which is a devastating incurable metabolic disorder and Christian

Archibald, who is Weymouth Elk's Citizen of the year, is holding this event at the Weymouth Elks on Friday October 14, 7 to midnight. Tickets are \$25 and it includes a buffet. It is a great cause. Please go out and show your support to this Weymouth Family.

Councilor Molisse visited the Tufts Library Teen Room and remarked on what a beautiful addition it is to the library and encourages everyone to stop in for a viewing.

MINUTES:

Budget Management Committee Meeting Minutes of September 19, 2011

Vice President Patrick O'Connor motioned to accept the minutes from the Budget/Management Committee Meeting of September 19, 2011 motion seconded by Councilor Smart and voted unanimously.

Town Council Meeting Minutes of September 19, 2011

Vice President Patrick O'Connor motioned to accept the minutes from the Town Council Meeting of September 19, 2011 motion seconded by Councilor Smart and voted unanimously.

PUBLIC HEARINGS

11-116 General Government Supplemental Fiscal Year 2012 Appropriation

Vice President Patrick O'Connor motioned to open the public hearing on item 11-116 General Government Supplemental Fiscal Year 2012 Appropriation-- published on September 23, 2011, seconded by Councilor Smart and voted unanimously.

Bill McKinney, CFO for the Town of Weymouth, addressed the Council stating there are three (3) line items that are affected:

Mayor's Revenue increasing by \$800,000.00
Chapter 70 Line Item increasing by \$518,246.00
Police Incentive decreasing by \$44,825.00

The \$800,000 are monies that were already received in July which we would like to be able to take advantage of in this fiscal year and not have to wait until it falls to free cash next year. The Chapter 70 and Police Incentive monies are funds that were budgeted back in March when the budget was submitted and since then the Governor signed the budget from the House and the Senate that actually called for a greater number in Chapter 70 than we budgeted, with a lesser number in the Police Incentive. Those are the Revenue Line Items.

On the expense line item there is an increase in the School Department of \$518,246.00. There was an increase in Non Contributory Retirement of \$1,800.00, an increase in Library, books and material \$56,000.00, an increase in Custodial overtime of \$6,900.00.

Reference overtime \$3,000.00, and Building Maintenance \$1,500.00. Under Licensing Wiring Salary \$1,780.00, Administrative Salary \$10,417.00, Building Inspection Salaries \$18,677.00, Town Clerk Salary \$19,250, Mayor Plaques and Awards \$2,000.00 Planning Salary \$30,000.00 Legal Salary \$100.00, Building Maintenance \$2,500.00, Public Works Salary \$90,000.00, Over-time \$15,000.00, Mechanical Parts \$52,000.00. Increase in Reserves of \$444,251.00 for a net increase in both revenue and expenses of \$1,273,421.00.

President Arthur Mathews asked for comments from the public to which the following individuals spoke:

Anne Hilbert of 45 Doris Drive, questioned if the monies belonged to the host community Agreement?

Mr. McKinney confirmed that a portion of the monies were from the host community agreement.

Ms. Hilbert believes that town should not be spending these monies.

Mr. McKinney responded that the Mayor has stated that all the monies would be spent on about \$1.7m capital projects. Ms. Hilbert states that this money comes out of tax revenue and that money should go to the community.

Ms. Hilbert says now there is a proposal about building a new school in South Weymouth for Southfield students.

Mr. McKinney said in the next few weeks he can not speak about that he can only state publicly that the mayor has stated the \$1.7m will be spent on capital projects.

Ms. Hilbert asked who the three salaries increases were for in Planning Department and would like to know why?

Mr. McKinney responded by stating they are not raises but monies due to budget cuts in other grants salaries were shifted over to the general fund.

Linda McDonald of 58 Laurel Street stated that she attended the Budget/Management Committee Meeting and understood that the money was from LNR and the Mayor was seeking an advance on the \$800,000.00, and in six weeks DOR would certify the free cash and reimburse the \$800,000.

Mr. McKinney confirmed that this is why we were able to increase the budget; once free cash is certified—we will expend \$1.7M on capital projects.

Ms. McDonald noted her concern of these funds coming back in 6 weeks.

She was impressed with Councilor Pap on the concept of what was presented on Legion Field that was described by the gentleman who donated his time to developing a plan. She felt this is exactly what the people wanted but is not sure why this proposal is not brought forward to the people who had concerns about this project.

She stated that we still don't have an accurate assessment on athletic fields in town and how to bring to closure to the questions that are still not answered. She suggested that the Mayor might do better to hire and create a position for a Superintendent of Public Grounds to include ground maintenance and use.

Ms. MacDonald goes on to state that Crew Chief and Laborers are requested for the DPW and any additional hiring by this department would be premature. Any problems would not be solved by additional hiring. Job Descriptions are not updated and do not include the requirement of a drivers license and the Laborer job description had not been updated since 1972 and we need higher expectations for these employees and positions.

As far as the Town Clerk's office, the Mayor was premature to open on Wednesdays and needs to take a look at staffing again before it was opened. We spend 5% of DPW and public safety budget on overtime.

The Pumpkin Fest was a success but there were DPW employees prepping the pumpkin patch with at least 4 hours of overtime incurred.

Robert "Bob Monty" Montgomery Thomas of 858 Washington Street questioned the \$518,000 for the School Dept. He asked if the original Chapter 70 amount was \$25,500,000, is it being increased to \$26,000,000 or is that \$518,000 included in the \$25,518 or \$520,000?

Mr. McKinney responded that the \$518,000 is included—the town is under budgeted not knowing where the fiscal climate was going to be with the state. When it actually came through with what the Governor proposed that is where we are increasing.

Mr. Thomas questions if any of this money is going to be used to pay down the alleged net school spending deficit. He uses the term "alleged" because he has stated before if the schools ask for \$5m and the town only gives them \$2m and they do the job why do we owe them \$3m? It does not make sense. He further stated that he asked at one of the school meetings why 40-50 homeless children are taking advantage of the Weymouth School system.

He quoted the following calculations: town gives \$55m state gives \$25m and collect another \$6m in fees and that is about \$86m a year divided by the number of students 6,935 comes to \$12,211 per student multiply by the 40 or 50 non residents alleged to be homeless. This totals \$500,000 a year. What is being done by the School Dept or anyone to figure out why we are spending throughout the state \$500,000 a year? Why aren't the host towns paying this money back to Weymouth? No one wants to deny them education, but why are we providing it and not being reimbursed?

Mr. Thomas stated that the schools have an 82% graduation rate and if you take that percentage rate and calculate it we are taking \$15m out of that school budget and throwing it into the street. Why aren't we advocating for the return of that 18%?

President Mathews acknowledged Mr. Thomas' questions but stated that the School Committee is not present and can not comment.

Ann Hilbert of 45 Doris Drive asked how much of the fence on Legion Field has been worked on?

Mr. Clark Director of Planning and Community Development stated that we are now on phase 2 of the Memorial Wall. The bids have come in and they have awarded the work and it will begin this week.

With no further comments from the public, a motion to close the public hearing was made by Vice President Patrick O'Connor and seconded by Council Smart and voted on unanimously.

Communications and Reports from the Mayor Town Officers and Town Boards

11-120 CPC Emery Estate Marketing Study

Mr. McKinney presented on behalf of the Mayor's Office to submit a request to transfer the sum of \$35,000 from line item 49060006-573100 Open Space Reserve of the Community Preservation Committee to fund 0002 for Marketing Study for the potential uses for the buildings on the estate.

Motion for referral to the Budget/Management Committee was made by Councilor O'Connor and seconded by Councilor Smart and voted unanimously.

11 121 Handicap Parking Zone in Front of 27 Front Street (Elizabeth Catherine Rest Home)

Mr. McKinney presented on behalf of Mayor Kay, Chapter 13 section 13 103 Town of Weymouth Code of Ordinance designated handicap parking zone with drop off and pickup with handicap plates in front of 27 Front Street.

Motion for referral to Budget/Management Committee made by Councilor O'Connor and seconded by Councilor Smart voted unanimously.

Reports of Committees

Budget/Management Committee-Chairman DiFazio

11-116-General Government Supplemental Fiscal Year 2012 Appropriation

This item was referred to Budget/Management Committee on Sept. 19, 2011 and Committee met on September 26, the committee is scheduled to meet next Thursday at 7:00. We expect to deliberate further at that time.

11-117 Appointment to the Board of Elder Services-Diane Oliverio

This matter was referred to the Committee on September 19, the Committee met on September 26 and voted unanimous favorable action. Diane Oliverio is being submitted for appointment to the Board of Elder Services her term will expire June 30, 2013.

Motion for referral to the Budget/Management Committee made by Councilor O'Connor and seconded by Councilor Smart voted unanimously.

11-118 Legion Field Renovation Project

This matter was referred to the Budget/Management Committee on September 19th and met on September 26 and voted unanimous favorable action. The Committee submits the following measure for Town Council to transfer \$81,820.00 from reserve fund 002 to cover needed renovations at Legion Field.

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

Accounting for Southfield Mitigation Funds

Interim Report Only - Referred to Budget/Management Committee on December 20, 2010, the committees met seven times since that date. At the last meeting the committee believes this should be broken down into three sections:

1. Review revenue excel spreadsheet
2. Obtain status of all current projects
3. Prioritize mitigation list

Therefore this is an interim report with hopefully a final to follow.

Process for Review of Internal Audit Reports

This matter was referred on January 18, the committee met on January 31, March 14, March 2, June 16 and September 26, 2011 at which time they voted unanimous favorable action. After deliberations first BMC performed a review of the internal audit procedures as it relates to internal audit reports. The current reports are completed in accordance and compliant with policies. They are intended to identify any weakness in transactions or transaction flow and update any policy and procedures as needed.

Mr. Swanson reported the findings on this matter. He updated the policy on Section 9 to replace the old policy dated 9/24/02. This policy change was discussed and voted favorably on Monday September 26, 2011. The two paragraphs that are new are as

follows: the committee will conduct open meetings to review and discuss town audits, to insure administration action plans have been implemented on a timely basis in an open meeting.

The second paragraph talks to the timeliness of the reports. They must be returned to the Auditor within 30 days, the auditor will follow up with the Mayor on status. If 15 days lapses and auditor still does not have the report, he will refer to the Council President for action.

Ken DiFazio on behalf of the committee made a motion to the full Town Council in request of the following—to be included in correspondence to the Mayor:

- a. Make all future audit reports public record
- b. Require administration to respond to auditor reports in 30 days.
- c. Amend current financial policies and procedures in Section 9
- d. Town Council BM to discuss with town auditor CFO and Department Head to insure that for each audit finding that administrative action plans are implemented in a timely fashion.

Motion was made by Councilor O'Connor and seconded by Councilor Smart, after stating that Councilor DiFazio will forward a letter to the Mayor describing the recommendations for a change in procedure.

Councilor DiFazio stated that once the policies are implemented, they will apply to all audits from that date forward.

Motion voted unanimously.

New Business

11 119 Call of the Town General Election November 8, 2011 (action under 2-96)

Vice President Patrick O'Connor made motion to consider item 11 119 Call of the Town Election stating a call to all that reside and are eligible to vote for the general election on Tuesday November 8th.

Motion seconded by Councilor Smart and voted on unanimously.

ADJOURNMENT

With no further business to attend to, Councilor O'Connor motioned to adjourn at 8:13 pm, noting that the Council will meet next Monday October 17, motion seconded by Councilor Smart and voted unanimously.

Respectfully submitted by: Ann Flynn Dickinson

Approved by Council President Arthur Mathews