

**Special Town Council Meeting
November 9, 2011
Town Council Chambers**

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

Also Present: George Lane, Town Solicitor
Richard Swanson, Town Auditor
William McKinney, Chief Financial Officer
Kathy Deree, Assistant Town Clerk
James Clarke, Director of Planning and Community Development

Not Present: Frank Fryer, Town Clerk

Recording Secretary: Ann Flynn Dickinson

President Mathews called the Town Council Meeting to order at 7:35 PM

Following the Pledge of Allegiance, Madam Assistant Clerk conducted roll call with all present and accounted for.

ANNOUNCEMENTS:

Councilor Pap announced there was a meeting at the Post Office in North Weymouth advocating to keep the post office open. All residents should submit comments to the U.S. Postal Service to advocate to keep this post office open.

Councilor Harrington announced government cut backs on Food Pantries per the bulletin at his Church, the Old South Union. The Church will be holding a Food Donation Drive on Friday, Veterans Day, November 11, 2011. On 11/11/11 the goal is for 111 food items. Councilor Harrington also announced under the lights on 11/11/11 is the game for Weymouth vs. Framingham at 7:00. Please get out and support your team.

Councilor Conlon added to Councilor Harrington's announcement about the Weymouth Food Pantry. Councilor Conlon was at Stop & Shop the other day and was asked to donate a \$1.00. Stop & Shop is also running its own drive called "Donate A Dollar" to which contributions are donated to the Weymouth Food Pantry.

Minutes:

Environmental Committee Meeting Minutes of October 17, 2011

Vice President O'Connor motioned to approve the minutes, motion seconded by Councilor Smart.
UNANIMOUSLY VOTED.

Ordinance Committee Meeting Minutes of October 17, 2011

Vice President O'Connor motioned to approve the minutes, motion seconded by Councilor Smart.
UNANIMOUSLY VOTED.

Communications and Reports from the Mayor, Town Officers and Town Boards
11-120 CPC-Emery Estate Marketing Study

President Mathews invited Mr. Clark to the table to present. Mr. Clark requested to submit by administration to the CPC to find a good use for the Emery Property. After proposals are received they will be looking at all uses of the property including public and private. This will be about a four (4) month process. We can expect the analysis to be completed by March.

Councilor Pap questioned the origination of the figures. Mr. Clarke answered that In May Good Clancy supplied the town with a study/quick analysis. They suggested we do a Market Analysis and it would cost around \$30,000, but we put in for \$35,000.

Councilor Molisse asked if anyone is currently utilizing the property.

Mr. Clark stated that no one is using the property and a process is in place to make sure it is secure. The public is allowed to drive up to the property.

Councilor Molisse asked who is maintaining the grounds?

Mr. Clarke noted that it is the same landscaper who took care of it for the Emery's and the Weymouth Garden Club.

Councilor DiFazio asked who is responsible for security. Mr. Clark stated that the Town has different people, some shifts are covered by Police and other measures are in place that should not be disclosed to the public.

Councilor DiFazio asked where the funds are derived from for the landscaping. Mr. Clark noted that the funds to pay the landscaper come from Maintenance. We are good to cover at least 8 -10 months.

The following are comments from the public:

Ann Hilbert of 45 Doris Drive, Weymouth, MA addressed the council with a question on landscaping at \$450 per cut, and security costs.

Mr. Clark said he would anticipate around \$15,000 for upkeep through this fiscal year.

Ms. Hilbert asked if the power plant is under the TIF Agreement.

Councilor Harrington would like to keep this meeting on point.

Mr. Clark reiterated to Ann Hilbert that the Power Plant has an annual payment for maintenance for Lovell's Playground. We have not used all of that every year and have identified the use of that if needed.

Linda McDonald, 58 Laurel Street, Weymouth, MA addressed the council stating that proposals were for September 21 and asked if they are already done?

Mr. Clark noted that they have already gone out and this is a meeting on the funding.

Councilor Molisse questioned the maintenance charge at \$450 a cut-- seems excessive with no bids.

Councilor Lacy asked who the landscaping company is.

Mr. Clark does not know the name but they are from Weymouth.

Vice President O'Connor motioned to close the public hearing, seconded by Councilor Smart. Voted unanimously.

A MOTION was made by Vice President O'Connor to take "Reports of Committee" out of order and was seconded by Councilor Smart. Voted unanimously.

Councilor DiFazio/ Accounting for Southfield Mitigation Funds. The Budget /Management Committee voted this evening to request our auditor to issue monthly Host Community Agreement Mitigation spreadsheets . The first one dated 11/2/ 2011.

A MOTION was made by President Mathews and seconded by Councilor Smart to adopt list from Richard Swanson and distribute to Town Council. VOTED UNANIMOUSLY.

11 120-CPC-- Emery Estate

This matter was referred to the Budget/ Management Committee on October 3rd, the Committee met on October 11 and voted unanimous favorable action. On behalf of the Budget/ Management Committee Councilor DiFazio motioned that the following measure is submitted for consideration by Town Council= that the Town of Weymouth transfer \$35,000 from line item open space reserve to Community Preservation Committee 002 for a Marketing Study for the potential uses for the buildings on the estate the balance in the FY12 Open Space Reserve at the time of this request is 68,644.

Motion seconded by Councilor Smart.

Councilor Molisse will be voting in favor of this, but as a Council feels we will have to look into spending up there. \$450 is extreme, put out to bid for landscaping.

Councilor Harrington states the Emery Estate is a diamond in the rough and will be voting in favor of this action.

Councilor Lacy agrees with Councilor Harrington. Previously there was a sense of urgency when this council was asked to act. They heard concern from his district with the ability to keep property up. He will support the measure, but is concerned with the dates with a 30 day time frame to get back with a plan. This document was written on 26th of Sept. We heard there were bids out for this project, assuming it was going to be approved. Money should be approved before moving forward. He urges the administration to keep to timelines to commitments and to put us in a better position to support them consistently.

Councilor McDonald understands Councilor Lacey, but noted that one doesn't know what you are asking for until it goes out for bid.

President Mathews noted that this issue was previously scheduled for a public hearing, but there was an oversight by the paper in running the ad. The ledger has changed their protocol on how they receive publications from us.

Vice President O'Connor echoes Councilor Molisse's sentiments of transparency. Previously Legion Field money came from places throughout the Town's budget that we did not know was being spent until we pursued an audit.

Motion passes unanimously.

11 122 General Government Supplemental FY12 Appropriation Reaffirmation

Chairman DiFazio stated that this matter was referred on October 27, 2011. The Committee met and voted unanimous favorable action. To reaffirm the action taken by the Council on measure 11-115, he motioned as follows:

"That the Town of Weymouth raise and appropriate the sum of \$130,791,319 which is \$518,246 greater than the amount of the Annual Appropriation of \$130,273,073 voted by Council on June 20, 2011 in measure 11-025 to provide for all the expenses for the maintenance and operation of the Town's several departments and activities for fiscal year 2012 by re-appropriating the following line items in the following amounts of an increase of \$518,246 to be appropriated to the School Department. Also, the sum of \$40,000 from water ways fund to Harbor Master.

Motion seconded by Councilor Molisse and passes unanimously.

11 123 Creation of Special Purpose Stabilization Fund

Chairman DiFazio noted that the committee deliberated and passed the measure with unanimous favorable action. He motioned as follows:

"That the Town of Weymouth transfer \$86,240.84 from Fund 5233 (LNR Settlement) into a newly created Special Purpose Stabilization Fund in accord with M.G.L. Chapter 40 Section 5B for the purpose of funding capital projects"

It was noted that this measure requires a 2/3 vote for approval. Motion seconded by Councilor Smart and passes unanimously.

Communications and Reports from the Mayor Town Officers and Town Boards

11-124 General Government Supplemented Supplemental Fiscal Year 2012 Appropriation

Bill McKinney presented on behalf of the Mayor's Office.

"That the Town of Weymouth raise and appropriate the sum of \$132,122,860 which is \$1,331,541 greater than the amount of the Annual Appropriation of \$130,791,319 voted by Council on November 9, 2011 in measure 11-122 (a reaffirmation of action taken on measure 11-116) to provide for all the expenses for the maintenance and operation of the Town's several departments and activities for fiscal year 2012 by re-appropriating the following line items in the following amount of \$1,331,541 and also the amount of \$40,000 from the Water Ways Fund to meet the cost of Harbor Master Funding.

Motion was made by Vice President O'Connor and seconded by President Mathews to refer to the Budget/ Management Committee.

11-125 Classification of Tax Rate Shift for FY12

Bill McKinney presented on behalf of the Mayor's Office. The measure is for approval of a classification tax rate shift of 1.50 for commercial, industrial, and personal property taxes with no residential exemption for fiscal year 2012.

Motion was made by Vice President O'Connor and seconded by Councilor Smart to refer to the Budget/ Management Committee.

President Mathews made an announcement that there will be public hearings on the following measures of 11-124 and 11-125 on November 21st.

11-126 Establishment of an OPEB Liability Trust Fund

Bill McKinney presented on behalf of the Mayor's Office.

That the Town of Weymouth accept the provisions of MGL Section 20 of Chapter 32B to establish an Other Post Employment Benefits Liability Trust Fund to be known as the OPEB Trust Fund.

MOTION was made by Vice President O'Connor and seconded by Councilor Smart to refer to the Budget/ Management Committee. Passes Unanimously

11-127 Appointment to the conservation Commission David Ericson, Jr.

Bill McKinney on behalf of the Mayor submits the appointment of David Ericson of 10 Seawitch Lane Weymouth MA to the Conservation Commission. His term will expire 6/30/2012.

MOTION was made by Vice President O'Connor and seconded by Councilor Smart to refer to the Budget/ Management Committee. Passes Unanimously .

11-128 Appointment to the Housing Authority, Helen Maloney

Bill McKinney on behalf of the Mayor submits for consideration by Town Council to appoint Helen M. Maloney of 48 Westminister Road, Weymouth, MA for appointment to the Housing Authority. Her term will expire 6/30/2013.

MOTION was made by Vice President O'Connor and seconded by Councilor Smart to refer to the Budget/ Management Committee-motion passes unanimously.

With no further business to attend to, Vice President O'Connor motioned to adjourn at 8:15 PM noting that the Council will meet next Monday November 14, 2011 at 7:30pm.

Respectfully submitted by Ann Flynn Dickinson as Recording Secretary

Approved by Council President Arthur Mathews