

**TOWN COUNCIL MINUTES  
Town Hall Council Chambers  
November 21, 2011 - Monday**

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

Also Present: William McKinney, Chief Financial Officer  
George Lane, Town Solicitor  
Richard Swanson, Town Auditor  
Kathy Deree, Assistant Town Clerk  
Michael Gallagher, Director of Administrative Services

Not Present: Frank Fryer, Town Clerk

Recording Secretary: Mary Barker

President Mathews called the Town Council Meeting to order at 7:30 PM. Following the Pledge of Allegiance, Assistant Town Clerk Kathy Deree called the roll with all members present.

**ANNOUNCEMENTS**

Vice President O'Connor announced that the Weymouth Fire Department is the recipient of a \$10,000 Be Fire Smart Safety Grant, and with the assistance of Weymouth residents, WHS is the recipient of a \$5000 Responsible Sports Grant, both from Liberty Mutual. Vice President O'Connor urged the public continue to access the website; [WWW.responsiblesports.com](http://WWW.responsiblesports.com) to participate in the quiz and choose WHS to help qualify the school for further grant fund eligibility.

Councilor Molisse welcomed resident Brian Donnelly, attending UMASS Amherst and present as part of his City Planning Course.

Councilor Conlon made three announcements:

The 4<sup>th</sup> annual Holiday Door Decorating contest, sponsored by the Mayor and the Weymouth Garden Club; to register, call the Mayor's Office at 340-5012. Judging will take place during daylight hours on November 27<sup>th</sup>. All participant's doors will be aired

on WETC Channel 11 as part of the Mayor's annual fundraiser. Prizes will be awarded and presented on the show, filming Tuesday, November 29<sup>th</sup>, 4-6PM.

Second; on Sunday, December 4th, 2011 the annual tree-lighting will take place from 5-7 at the Town Hall. There will be hot cocoa and caroling at 5 PM. Following the tree lighting, children are invited with their parents to the Mayor's office to write letters to Santa at the North Pole.

Third; a gingerbread house decorating contest; houses must be delivered by November 28, 2011 to the Mayor's office. Winners will be awarded \$25 gift certificates to a local bakery.

**MINUTES**

**Special Town Council Meeting, October 27, 2011**

A MOTION was made by Vice President O'Connor to APPROVE the minutes of the October 27, 2011 Special Town Council Meeting and was seconded by Councilor Smart. Auditor Swanson noted a correction on page two, item 11 123; replace "\$86,20.86" with "\$86,240.86". Vice President O'Connor withdrew his motion.

A MOTION was made by Vice President O'Connor to ACCEPT the minutes from the October 27, 2011 Special Town Council meeting, AS AMENDED, and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**Budget/Management Committee Meeting, October 27, 2011**

A MOTION was made by Vice President O'Connor to APPROVE the minutes of the October 27, 2011 Budget/Management Committee Meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**PUBLIC HEARINGS**

**11 124-General Government Supplemented Supplemental Fiscal Year 2012 Appropriation**

A MOTION was made by Vice President O'Connor to OPEN the public hearing on item 11 124 Supplemental FY12, which was published on November 10, 2011 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

CFO McKinney was invited to the table. He reported that the measure affects three revenue line items; the Mayor's budget is increasing by \$843,101; local aid is increased by \$533,265 and the Quinn Bill police incentive is decreased, from \$44,825 to 0 as there is no funding from the state. On the expense side, the following are increased:

Noncontributory Retirement:		\$1800
Library:	Books and Materials:	\$56000
	Custodial Overtime	\$6900
	Reference Overtime	\$3000
	Building Maintenance	\$1500

Licensing:	Wiring Salary	\$1780
	Administration Salary	\$10417
	Building Inspection Salary	\$18677
Town Clerk:	Clerk Salary	\$19250
Mayor:	Plaques and Awards	\$2000
Planning:	Salary	\$30000
Legal:	Salary	\$100
Building Maintenance:	Salary	\$2500
Public Works	Salary	\$90000
	Overtime	\$15000
	Mechanical Parts	\$52000
Reserve Fund		\$177516
Special Purpose Stabilization Fund:		\$843101

Linda McDonald of 58 Laurel Street asked the impact to the town budget with the shift of salary and maintenance expenses for various positions from town to school side to meet Net School Spending requirements. CFO McKinney responded that the question relates to NSS and the end of year reporting and does not have anything to do with the supplemental budget. No salaries were shifted, but were costs incurred that count towards Net School Spending.

A MOTION was made by Vice President O'Connor to CLOSE the public hearing on 11 124 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**11 125-FY12 Tax Classification**

A MOTION was made by Vice President O'Connor to OPEN the public hearing on item 11 125-FY12 Tax Classification which was published on November 10, 2011, and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Paul Haley, Board of Assessors and Principal Assessor Pamela Pantermoller, were invited to the table. Mr. Haley recognized the other board and staff members in attendance. Mr. Haley reported that the information is based on the assumption that the town will raise to the full levy limit of \$80,601,000. There is \$650,000 in new growth from various classes of property and generated from the utilities. It's been the practice of the town over the last ten years to ease the burden on residents and shift the responsibility for collecting the revenue to the commercial and industrial property owners; by 50% the last few years. He provided a report for the Council. He reviewed the classification split endured over the last couple of years. Appraised value in town has been fairly flat. He reviewed the effect to residential/commercial owners with and without a shift and recommended the town continue the trend by shifting 50% again in 2012. He provided an analysis of several other South Shore towns, as requested at the last Budget/Management meeting.

Councilor Pap commended Mr. Haley and Ms. Pantermoller for the information provided. He requested further information based on an article in the Boston Globe. Mr.

Haley reported that revaluation process has changed statewide. DOR based its evaluation on spot checks of properties which changed hands last year. There was a brief discussion of the decline in values. Councilor Conlon asked for clarification of the formula used to determine what shift can be accommodated. Councilor Harrington noted the handout indicates that Weymouth has one of the lowest tax rates on the south shore and asked for its origin. Mr. Haley responded that it has been a long time, and is due to good management. Weymouth offers many services to its taxpayers that other towns/cities do not. Councilor Harrington then read a prepared statement addressing a statement made by a School Committee member that the town may not be doing enough for its schools.

Councilor Smart asked how many residential properties are in town; Ms. Pantermoller responded that there are 13,089 single family and 3,009 condominium units. Vice President O'Connor thanked Mr. Haley for providing the information he requested on commercial properties and will support the recommendation. He noted the town needs to develop a long term plan to increase its commercial tax base as the economy recovers.

Ann Hilbert of 45 Doris Drive asked what effect the sale of homes on Southfield will have on new growth. Ms. Pantermoller responded that there will be no effect. Southfield is a separate entity with its own tax base and tax rate. Vice President O'Connor reported that the enabling legislation passed by the state legislature gave South Shore Tritown Development Corp. the authority to set a tax rate and collect taxes. Tritown Development pays the town of Weymouth for its police, fire and school services. Ms. Hilbert responded that the enabling legislation does not authorize the creation of a separate city/town. Vice President O'Connor responded that it does give oversight to the development.

A MOTION was made by Vice President O'Connor to CLOSE the public hearing on 11 125 and was seconded by Councilor Smart. Councilor Conlon noted that until the South Shore Hospital pays its fair share of taxes to the town, the burden remains on the town's residents and commercial property owners. He recommended the town address the PILOT with South Shore Hospital. UNANIMOUSLY VOTED.

## **COMMUNICATION AND REPORTS FROM THE MAYOR, TOWN OFFICERS, AND TOWN BOARDS**

### **Federal Drug-Free Communities Support Program Grant**

Lynn Frano, Substance Abuse Prevention Coordinator, and Michael Gallagher were invited to the table. Ms. Frano reported that the Drug Free Support Grant which Weymouth was awarded in December 2006 ended on September 30, 2011; however, Weymouth was one of 87 communities chosen to receive a 5-year extension of the grant; an additional \$625000; \$125000 over each of the next five years. She thanked the members of the Weymouth Youth Coalition Substance Abuse Prevention Team, Health Dept. Director Dan McCormack, Health Dept. Administrative Assistant Jackie Perriello, and Community Program Development Coordinator Val Sullivan for their support and assistance. She provided a report to the committee based on surveys conducted in the schools that point to some improvements from 2007-2009. Updated data is available,

which she will share after the results of the most recent student survey have been formally presented to the School Committee. She then discussed some of the basic findings, and what Weymouth is doing. Parents are urged to lock their medicine cabinets and monitor their child's prescription drug use. She provided the Council with a list of resources for help. There is a link to information and resources from the town website homepage. Mr. Gallagher reported to the Council that Ms. Frano should be commended for the hours she put into grant writing and the work she has done. There was a brief discussion on the progression and links from opiate use to heroin addiction. Vice President O'Connor noted that the statistics are alarming and he would be interested in more information. He commended the administration and the coalition. Ms. Frano also reported that the town now has added prescription drugs to its Household Hazardous Waste drop-off program. Under a partnership with Quincy, there is a drug kiosk for drop-off 24 hours a day at the police station, and with Manet Community Health there is a needle drop off at the DPW Monday-Friday from 9-4. Hazardous waste containers are available and are at no cost to the town.

**11 129- CPC – Whitmans Pond Vegetation Management Plan**

Mr. Gallagher requested on behalf of the Mayor that the Town of Weymouth transfer the sum of \$24,800 from line item 49060005 573100, the General Reserve of the Community Preservation Committee to fund 4908 for a Vegetation Management Action Plan for Whitman's Pond. The balance in the General Reserve at the time of this request is \$377,869. The measure requires legal notice and a public hearing.

A MOTION was made by Vice President O'Connor to refer item 11 129 to the Budget/Management Committee and was seconded by Councilor Smart. UNIMOUSLY VOTED.

**Budget/Management Committee- Kenneth DiFazio**

**11 124-General Government Supplemented Supplemental Fiscal Year 2012 Appropriation**

Councilor DiFazio reported that this item was referred to the Budget/Management Committee on November 9, 2011. The committee met on November 9, 2011 and recommended unanimous favorable action to the full Town Council. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth raise and appropriate the sum of \$132,122,860, which is \$1,331,541 greater than the annual appropriation of \$130,791,319 voted by the Council on November 9, 2011 in measure 11 122. This measure was a reaffirmation of action taken on measure 11 116; to provide for all of 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, as listed in the measure. Furthermore, that the sum of \$40,000 is Appropriated from the waterways fund to meet some of the costs of the Harbormaster's Program, a restatement of measures 11 025, 11 116, 11 122. Because one of the appropriations is to a stabilization fund, a two-thirds vote will be required for approval. This was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

**11 125- Tax Classification for Fiscal Year 2012**

Councilor DiFazio reported that this item was referred to the Budget/Management Committee on November 9,2011. The committee met on November 9, 2011 and recommended unanimous favorable action to the full Town Council. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth approve a classification tax rate shift of 1.50 for commercial, industrial and personal property taxes, with no residential exemption for Fiscal Year 2012, and was seconded by Vice President O’Connor. Councilor Pap noted his opposition to setting the FY12 tax classification at this level. He stated that in trying economic times, the town should strive to maintain a constant rate for at least one year. There are alternate means to find sources of revenue; this measure inequitably hits areas of town that are already economically challenged. Vote CARRIED 10/1 (Pap- NO).

**11 126-Establishment of Other Post-Employment Benefits Liability Trust Fund**

Councilor DiFazio reported that this item was referred to the Budget/Management Committee on November 9, 2011. The committee met on November 9, 2011 and voted unanimous favorable action to the full Town Council. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth accept the provisions of MGL, Ch. 20, §32(b), to establish an Other Post-Employment Benefits Liability Trust Fund, to be known as the OPEB Trust Fund and was seconded by Vice President O’Connor. UNANIMOUSLY VOTED.

**11 128-Appointment to the Housing Authority – Helen Maloney**

Councilor DiFazio reported that this measure was referred to the Budget/Management Committee on November 9, 2011. The committee met on November 9, 2011, and voted unanimous favorable action to the full Town Council. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth, in accordance with 2-9(c) of the Town Charter, APPOINT Helen M. Maloney of 48 Westminster Road, Weymouth, MA to the Weymouth Housing Authority. Her term will expire on June 30, 2013. This motion was seconded by Vice President O’Connor. Councilor Molisse supports this measure. Councilor Pap publicly thanked Ernie Remondini for the many years of service he provided advocating for the Weymouth Housing Authority and also supports this appointment. UNANIMOUSLY VOTED.

**Economic Development Committee- Chairman Victor Pap**

Councilor Pap reported that the committee met on November 21, 2011 in response to the MassDOT’s release of the 25% Design Phase on the Fore River Bridge Replacement Project. This will have significant short and long term economic impact due to construction and a host of other issues. The committee unanimously voted to forward to the full Town Council a recommendation to draft a letter to MassDOT, with copies to state legislators. In consultation with the Mayor’s Office, the committee was provided with a memo of the principles that they intend to communicate to MassDOT. The Mayor felt it important that the Council express its views as well, in continuing the watchdog role that the council has played and in educating the public. Councilor Pap reviewed the principles that the committee requests be communicated to MassDOT via the Council, which are as follows:

- Although the Council is disappointed with the 25% Design Plan and the currently proposed architectural design of the Fore River Bridge, this communication specifically responds to the construction impact as well as short and long term concerns of all of Weymouth residents.
- An alert system must be synchronized with the current message boards and initiated, not through MassDOT, but through the Boston Harbor Pilots, the party responsible for actually raising the bridge, using all electronic means, including facebook, email, text and twitter. Anything less is unacceptable because of the ease and low cost (free) of the existing technology.
- MBTA ridership must be factored in as a constituency that is majorly impacted.
- Uniform sidewalks from the Back River Bridge through Bicknell Square and up to the Fore River Bridge are critical for public safety and long-term economic growth.
- With previous projects, there has been significant infrastructure improvement and investment, which in turn creates jobs and improves quality of life. The same should apply here.
- To the extent possible, the environment should be considered as part of quality of life issues in determining construction impacts.
- Our state delegation should be notified of any communications to ensure the most collaborative approach in the construction of the new Fore River Bridge.
- Memorandum of Understanding should be pursued so that abutters understand what will be happening.
- A single point of contact at MassDOT should be provided for the town of Weymouth.

A MOTION was made by Councilor Pap to forward these principles in letter form on behalf of the Weymouth Town Council to MassDOT espousing these principles as they continue with the design phase and move towards the Fore River Bridge Replacement Project, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

## NEW BUSINESS

### **Memorandum of Agreement for Provision of Water and Wastewater Services between the Town of Weymouth and South Shore Tritown Development Corp.**

Councilor Lacey reported that the Council has received a copy of the existing agreement, and that as he has reviewed it, a lot of questions have come up concerning water, sewer and connection rates and the tracking of revenue and expenditures, expending of current and future water, sewer, usage and connection fees and he would like to further deliberate it in committee and discuss with the administration. He also acknowledged that the town auditor has provided the Budget/Management Committee with a spreadsheet detailing figures.

A MOTION was made by Councilor Lacey that this matter be referred to the Budget/Management Committee for review and analysis and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

### **Service Contracts with South Weymouth Naval Air Station**

Councilor DiFazio reported that the Mayor has been before the Council and indicated that soon the subject of service contracts with South Shore Tritown Development Corp. may be contemplated, ongoing or in draft stage. Although he understands the Council does not procedurally have the authority to approve or disapprove of these contracts, he reports it does warrant a referral to the Budget/Management Committee because he believes it is something the Council would want to be involved in and communicate with the administration as the process develops. A MOTION was made by Councilor DiFazio that the matter be referred to the Budget/Management Committee so that the Town Council can be kept apprised as the Mayor develops service contracts with Tritown, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

### **Maintenance of Emery Estate**

Councilor Molisse reported that with the purchase of the Emery Estate last summer, there are concerns with the maintenance of the property, and it's time to address this as a council. A MOTION was made to REFER the matter to the Budget/Management and Parks & Recreation Committees for a joint meeting and was seconded by Vice President O'Connor. Solicitor Lane noted that there is a significant policy matter involved in this; the Council has every right to question certain matters as far as maintenance of Emery Estate is concerned, however, as far as policy decisions, he asked that the Council respect the executive power of the Mayor to make those decisions. Councilor Molisse responded that the referral is requested for informational purposes. UNANIMOUSLY VOTED.

### **Adjournment**

Vice President O'Connor, on behalf of the Town Council, wished a happy and safe Thanksgiving to the residents of Weymouth and announced The Town Council will next meet on December 5, 2011.

At 8:50PM; there being no further business, a MOTION was made by Vice President O'Connor to ADJOURN the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Council President Arthur Mathews