

TOWN COUNCIL
BUDGET/MANAGEMENT COMMITTEE
TOWN HALL-COUNCIL CHAMBERS
JUNE 29, 2009

Present: Kenneth DiFazio, Chairman
Patrick O'Connor
Arthur Mathews
Michael Molisse
Ed Harrington

Also Present: Maureen Duffy, Town Auditor
Michael Gallagher, Director of Administrative Services
James Clarke, Director of Planning and Community Development
Walter Flynn, Chairman of Community Preservation Committee
Councilor Robert Conlon

Recording Secretary: Diane T. Hachey

Councilor DiFazio called the Budget/Management Committee Meeting of June 29, 2009 to order at 6:54 PM.

09 088-COMMUNITY PRESERVATION FUND LAND PURCHASE
279 Neck Street

Councilor Harrington stated that as he is a working employee of the court, he has consulted with the State Ethics Commission who recommends that he not participate in the discussion of this measure. He left the meeting.

Chairman DiFazio noted that it had been brought to his attention that there is a newly discovered error contained in the measure. He reminded the committee that a prior amendment had been made regarding correction of \$339M to \$339k. Councilor O'Connor motioned to delete a zero from the line item, as indicated, motion seconded by Councilor Molisse and voted unanimously.

Mr. Clarke presented to the Budget/Management Committee utilizing a projector which indicates the properties under discussion.

Mr. Clarke reviewed the proposed land purchase and noted that the property is known as the Kibby Property, located at 279 Neck Street (sheet 5, block 13, lots 6, 8, and 14) with a total acreage of 1 ½ acres. The DCR has agreed to share in both the purchase and clean-up costs involved in these three lots. The purchase price is \$507,250. The clean-up costs are

estimated at \$50,000 and involve removal of debris, yard waste, cesspool and razing of a house which is currently located on the premises.

The intended use of these properties are for open space and passive recreation, namely to extend the Abigail Adams Park along the waterfront. Mr. Clarke noted that DCR would place a conservation restriction on the parcels which would ensure continued open space and restrict building. The properties would be acquired in two phases, with the initial phase purchasing a lot totaling 975 square feet for a price of \$200,000 by July 8, 2009. Subsequent to this, phase two involves purchasing lot 6 within 30 days. Mr. Clarke noted that Solicitor Lane's assistance will be sought in clearing the record and title.

Clean-up efforts include removal of debris and yard waste, demolition of the house, filling a well and cesspool—all costs to be split between the town and DCR.

Mr. Clarke stated that the total request from the Community Preservation Committee is for \$253,625 for the land (represents ½ of the total price), and \$46,375 for clean-up—for a total of \$300,000.

Mr. Clarke further noted that a public notice was posted in the Patriot Ledger on June 24, in addition to a notation on the town website- with a link to a map indicating the properties at hand.

Councilor DiFazio stated that the Patriot Ledger and Weymouth News ran articles and he feels that Councilor Whitaker's concerns with community notification and input have been addressed.

Councilor Mathews arrives here at 7:02 PM.

Councilor Molisse has serious concerns regarding the commitment by DCR to reimburse 50% to the town. He asked what legal documentation is available in support of this-Mr. Clarke confirmed that he has a verbal commitment in addition to an email from DCR.

Councilor Mathews motioned favorable action on measure number 09 088-Community Preservation Fund Land Purchase-279 Neck Street, sheet 5, block 13, lots 6, 8 and 14, as amended, motion seconded by Councilor DiFazio. Votes were as follows:

Councilor Molisse-N
Councilor O'Connor-N

Councilor Mathews-Y
Councilor DiFazio-Y

Councilor Harrington-recused

2-2-1 motion fails.

Chairman DiFazio announced that at Town Council he would report that the motion for favorable action failed.

At 7:04 PM, there being no further business to conduct, Councilor Mathews motioned to adjourn, seconded by Councilor O'Connor and voted unanimously.

Respectfully submitted by: Diane T. Hachey

Approved by: Councilor Kenneth DiFazio-Chairman