

**TOWN COUNCIL MINUTES
BUDGET/MANAGEMENT COMMITTEE
Town Hall Council Chambers
September 14, 2006**

Present: Kenneth J. DiFazio, Chairperson
Sue Kay, Vice-Chairman
Paul J. Leary
Michael Molisse

Not Present: Patrick O'Connor

Also Present: Jane Hackett, Chief of Staff
Michael Smart, Councilor
Kevin Whitaker, Councilor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

Chairman DiFazio called the Budget/Management Committee Meeting to order at 6:30pm.

06 137-Accidental Death Benefit for Surviving Children

Mr. Wilson stated that the Mayor requests action in the following manner, that the Town adopt the provisions of Massachusetts General Law, Chapter 32, section 9d, subsection 2 as amended by Chapter 55 and Chapter 64 section 3 of the Acts of 2006. This provides, for firefighters, that in the event of accidental disability, they are permitted an allowance for dependents. If they die while out on accidental disability, the allowance for the dependent is cut in half.

This measure will maintain the dependent allowance at the current rate. Because of the Town's actuarial studies, which are done every three years, these are done utilizing the numbers as if the dependents continue until they reach the age of 22. The reduction has never factored into the equation of the actuarial study. Based upon this, Mr. Wilson stated that he did not believe that this will have any economic impact either directly or indirectly through the actuarial study.

Councilor Kay made a MOTION to forward item number 06 137 to the Town Council with a favorable report and was seconded by Councilor Leary.

Councilor DiFazio asked if this only applies to firefighters. Mr. Wilson stated that it does in fact include all Town employees. He stated that Chapter 32 covers all Town employees.

The MOTION was UNANIMOUSLY VOTED.

06 141-Raise and Appropriate for an Opinion of Value-Fulton School

Mr. Wilson stated that he has combined both measures (06 141 and 06 142) in a unified presentation to show how they relate to each other.

This is a request for \$1500 to be raised and appropriated from a restricted fund (4903) which has a balance of \$6879; as well as authority for the sale of town owned property known as the Fulton

School.

On 6/29/06 the School Committee deemed this property as surplus and returned it to the control of the Town. The Planning Department sent out a memo to see if any department had a need that could be met by keeping this property. There was no indication from department heads that this property could be used.

The Council will need to approve this measure by a 2/3 vote to sell the property (item number 06 142).

Councilor Leary asked if this service needs to go out to bid. Mr. Wilson stated that for services under \$5000, it is not needed. It is a matter of finding an available professional to complete this.

Mr. Wilson gave a presentation and handed out a copy of the slide presentation.

Councilor DiFazio asked if the Weymouth Housing Authority (WHA) was approached. Mr. Wilson stated that the WHA is a separate body politic.

Mr. Wilson spoke to the site information. He stated that the land is zoned Public Open Space (POS) which requires a special permit to use as anything other than a school. The building has 36,410 square feet. It is a colonial revival style school building and any additions must be compatible with this style.

Access and egress easements from Pond Street will be kept for access to the new water treatment plant, access and parking for Negus Park, and utility, water, and sewer easements. About 1/3 of the site will be retained for some type of easement.

The Request for Proposal (RFP) will have a restricted deed for low income senior housing. There will be a reverter clause, that if there is a change of use, the property reverts back to the Town.

Councilor Leary asked for clarification on low income. Mr. Wilson stated that low income will be 50% of the median income. Affordable housing is 80% of the median income.

The Fulton School was built in 1920.

Councilor DiFazio asked about the possibility of a developer coming in and razing the building and replacing it with appropriately styled building. Mr. Wilson stated that there is an option within the RFP to be able to do this.

Councilor DiFazio asked why the Weymouth Housing Authority (WHA) is not involved. Mr. Wilson stated that the WHA is a non-profit organization. By doing an RFP, the property will go back onto the tax rolls. Although it won't be at 100%, it will be back on the rolls.

Mr. Wilson stated that Federal Law prohibits the Town from mandating who goes in but the Town can give preference to Weymouth residents. The Town can not bar residents from other

communities from living there.

Councilor Whitaker asked if this property would qualify as part of Weymouth's 40B stock. Mr. Wilson stated that it will not count.

Councilor Whitaker asked if this property would count under the local initiative program standards. Mr. Wilson stated that he did not know the answer to this.

Councilor DiFazio asked if the developer would have to go before the Board of Zoning Appeals. Mr. Wilson stated that this is true.

Mr. Swanson asked if selling the property outright had been considered. Mr. Wilson stated that the Mayor looked at many issues and determined that this was the best solution; especially considering that 1/3 of the property will have easements associated with it.

Ms. Hackett stated that there are companies that can qualify for tax credits to rehab older properties.

Mr. Wilson stated that the map before them is only a sketch and will have to be memorialized in accord with the meets and bound measurements and a plan filed that is satisfactory to the Town which contains all of the easements. The accepted RFP will accept all easements as recorded; comply with Massachusetts Environmental Protection Agency (MEPA) requirements if applicable; access only through Pond Street; and develop property as low income senior housing.

There would be approximately sixty (60) 500-600 square foot units in the building. A submitted RFP must provide a detailed example of proposed development. How this proposal fits into the Town's Master Plan will also be required.

Development requirements are as follows/implementation guidelines:

- Construction will begin no later than 2 years from the date of conveyance
- All financing must be secured
- Successful respondent is required to execute Land Disposition Agreement (LDA) or Conditional Sales Agreement
- Permit approval per Code of Ordinances Chapter 120 for Public Facility/Open Space

Submission Requirements are as follows;

- Narrative description of proposed development
- Budget sources and uses
- Analysis of affordability and absorption schedule
- Preliminary site plan, floor plan and elevations
- Project schedule
- Letter(s) of interest from lenders
- Development team including resumes
- Financial information
- Description of real estate owned
- Disclosure of beneficial interest (MGL c.7, 40J)

- Certification of tax compliance (MGL c. 62C, 49A)
- Information regarding any legal or administrative actions past, pending or threatened that could relate to the conduct of the responder's business
- How the proposal conforms to the Town's Master Plan

Evaluation criteria are as follows:

- Compliance with RFP requirements
- Cost-effective use of state-funded grants or loans
- Feasibility of proposed project
- Financial feasibility of submitted proposal
- Experience in developing low income senior housing
- Quality and compatibility of design
- Project timetable
- Overall impact on the Town of Weymouth (i.e. traffic impacts)

Selection Criteria; rating system based on some of the following:

- Information provided with respondent's proposal
- Interviews
- References
- Past experience with Town
- Corresponding price proposal will be opened

Once the best qualified proposal is determined, the corresponding price proposal will be opened. If the price is acceptable, but less than fair market value, the Town must provide explanation for acceptance placed in Central Register in accord with Chapter 30b, Section 16.

The town retains the right to reject any and all bids.

Councilor DiFazio asked for clarification that the initial proposal does not include the price. Mr. Wilson responded that it is an evaluative process first and then remuneration is considered.

Councilor DiFazio asked for clarification on the possibility of leasing the property. Mr. Wilson stated that this could happen. This could be a result of the number of easements on the property.

Councilor DiFazio asked if this would be the only time this issue was before the Council. Mr. Wilson stated that this was true. Once the Council gives approval to sell, the Mayor then has the authority to dispose of the property as he sees fit.

Ms. Hackett noted that this process is similar to the one used in the sale of the old fire stations.

Councilor Leary asked if there has been any interest. Mr. Wilson stated that he has received five (5) inquiries from local and national companies.

Councilor Leary asked for clarification on low income. Mr. Wilson stated that it is based on the IRS form 1040 income. \$20,000 to \$22,000 is considered 50% of the median income.

Councilor Kay asked for clarification on Attachment D, MEPA agreement. Mr. Wilson stated that he is unwilling to put in the RFP that a MEPA review is not required. The property is being sold as is.

Councilor DiFazio asked for clarification on what would happen if the Mayor changed his mind; would he be able to authorize another use? Mr. Wilson stated that goes to the measure, as it is very specific that the use is for senior housing with a reversion clause in the deed. The measure itself restricts the use.

Councilor Whitaker questioned if the Administration would be willing to have a Councilor sit in on the interview process. Mr. Wilson stated that it is an Administrative issue and should be handled as such.

Councilor Smart asked for clarification on the possibility of leasing the property. Mr. Wilson stated that any lease greater than three (3) years requires Council approval. The Town would be the lease holder.

Parcel A usage requires a special permit.

There are 101 parking spots allotted for building, and 43 for recreational use. Councilor Smart noted that this does not seem to be enough for the current use. It was noted that all recreational facilities have parking issues.

Councilor Smart suggested that any newly created street be named for Alice B. Fulton. He also recommended that a scholarship be arranged from the proceeds of the sale. Mr. Wilson stated that this is not possible. All proceeds from town owned land must go into a restricted fund for capital improvements or capital debt.

Ms. Hackett agreed that it is certainly appropriate to consider doing something in honor of Ms. Fulton in other ways.

Councilor Whitaker asked about the reversion clause. Mr. Wilson stated that it would be lifetime. The Federal law requires not less than forty (40) years.

Councilor Kay made a MOTION to forward item number 06 141 to the Town Council with a favorable report and was seconded by Councilor Molisse and UNANIMOUSLY VOTED.

06 142-Sale of Town Owned Land-Fulton School

Councilor Kay made a MOTION to forward item number 06 142 to the Town Council with a favorable report and was seconded by Councilor Molisse and UNANIMOUSLY VOTED.

Mr. Wilson asked Council President Smart, through the Chair, if he would like to have a full presentation before the Council. Councilor Smart stated that he would like to see this done so that it can be broadcast over the Cable Channel.

At 7:35 pm, there being no further business, A MOTION was made by Councilor Kay to ADJOURN and was seconded by Councilor Molisse and UNANIMOUSLY VOTED.

Approved by: _____
Kenneth J. DiFazio, Chairperson