

**TOWN COUNCIL MINUTES  
BUDGET/MANAGEMENT COMMITTEE  
Town Hall Council Chambers  
September 20, 2010 - Monday**

Present: Kenneth DiFazio, Chairperson  
Patrick O'Connor, Vice Chairperson  
Arthur Mathews, Council President  
Michael Smart, Councilor

Also Present: Susan Kay, Mayor  
Richard Swanson, Town Auditor

Recording Secretary: Mary Briggs

Chairman Kenneth DiFazio called the Budget/Management Committee meeting to order at 6:30 PM.

**10 095-Acceptance of G.L. C32S 101 Contributory Retirement Board**

Chairman DiFazio noted that this is a request that the town accept a local option under G.L. Ch. 32, §101 presented by the Weymouth Contributory Retirement Board. Mayor Kay introduced Joanne Anti of the Retirement Board. There was a legislative change recently. Ms. Anti reviewed and noted there are eighteen members in town who are eligible to receive this benefit. The total payroll is \$1.2M and this is simply an increase of \$1700. The Retirement Board voted to approve this on August 22, 2010.

Acceptance of this option would increase the benefits paid to surviving spouses of accidentally disabled retirees who don't die from a cause not related to the disability for which they were retired. Upon acceptance, this allowance would be increased from \$6,000 to \$9,000 annually, beginning January 1, 2011.

A MOTION was made by Councilor O'Connor to forward item 10 095 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**10 096-Appointment of Health Director – Daniel McCormack**

Chairman DiFazio noted that the Mayor has submitted Mr. McCormack's name for consideration for appointment as Health Director for the Town of Weymouth. Mr. McCormack introduced himself to the committee. He has worked for the Health Department for nearly ten years. He reviewed his tenure and his plans for the department for the future. He confirmed that he will plan 20-30% of his workday conducting inspections and particularly those that are problematic. Councilor Smart voiced his support for the appointment.

A MOTION was made by Councilor O'Connor to forward item 10 096 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**10 097-Reappointment to the Redevelopment Authority – Thomas Vincent**

Chairman DiFazio reported that the Mayor, in accordance with Section 2-10 of the Town Charter, submitted the name of Thomas Vincent of 105 Trefton Avenue for consideration for reappointment to the Redevelopment Authority. His term will expire June 30, 2013.

A MOTION was made by Councilor O'Connor to forward item 10 097 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**10 098-Appointment to the Redevelopment Authority – George Berg**

Chairman DiFazio reported that the Mayor, in accordance with Section 2-10 of the Town Charter, submitted the name of George Berg of 74 Summer Street for consideration for appointment to the Redevelopment Authority. His term will expire June 30, 2011. This is to fill the vacancy of Michael Mulvaney. The committee reviewed the request and letter of interest. Mr. Berg noted that he has an office in Weymouth Landing. Councilor O'Connor noted that Mr. Berg's expertise will add considerably to the Redevelopment Authority.

A MOTION was made by Councilor O'Connor to forward item 10 098 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**10 099-Appointment to the Board of Zoning Appeals – Kemal Denizkurt**

Chairman DiFazio reported that the Mayor, in accordance with Section 2-10 of the Town Charter, submitted the name of Kemal Denizkurt of 33 Circuit Road, for consideration for appointment to the Board of Zoning Appeals. This is to fill the vacancy of Mary McElroy; Mr. Denizkurt currently holds the position of Alternate Member on the Zoning Board of Appeals. His term will expire June 30, 2011. Mr. Denizkurt was not present, but is well known to a few of the members.

A MOTION was made by Councilor O'Connor to forward item 10 099 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**10 100-Appointment to the Historical Commission – Cathy Torrey**

Chairman DiFazio reported that the Mayor, in accordance with Section 2-10 of the Town Charter, submitted the name of Cathy Torrey of 14 Riverbank Road for consideration for appointment to the Historical Commission. This is to fill the vacancy of Joan Rotondo. Her term will expire June 30, 2013. Cathy addressed the committee and she noted she has just completed her tenure as President of the Abigail Adams Historical Society. She looks forward to continued historical interest in the town with Weymouth as a destination of historical significance.

A MOTION was made by Councilor O'Connor to forward item 10 100 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**10 101-Appointment to the Memorial Committee – Keith Spain**

Chairman DiFazio reported that the Mayor, in accordance with Section 2-10 of the Town Charter, submitted the name of Keith Spain of 15 Georgia Road for consideration for appointment to the Historical Commission. This is to fill the vacancy of Joan Rotondo. Her term will expire June 30, 2013. Mr. Spain introduced himself to the committee; he is a lifelong resident of the town and is a member of the Weymouth Historical Society, the Sons of American Legion and Masons. Councilor O'Connor noted that Mr. Spain he has a vested interest in the town and he looks forward to working with him on the Memorial Committee.

A MOTION was made by Councilor O'Connor to forward item 10 101 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

**Issue-Tax Incremental Financing between the Town of Weymouth and Sithe Energy**

Chairman DiFazio reported that this was originally referred to the committee before the summer break by Irving Murstein, a resident of the town. Mr. Murstein was invited to address the committee.

Mr. Murstein noted that the agreement between Sithe and the town was based on an estimated cost of the project, which was \$392,000,000 when in actuality it ended up being doubled, and that this flaw in the agreement leaves it open to renegotiation. He also provided a copy of an article from the Patriot Ledger in which Constellation Energy was looking to acquire the Mystic plant in Everett, and the U.S. Power Generating Company, which is what the Weymouth plant is called under a bankruptcy proceeding. Mr. Murstein believes the Council needs to appoint legal counsel to represent the town in such proceedings. He believes the town should also receive lower rates for their electricity.

Chairman DiFazio asked if there is concern that a new owner (as a result of bankruptcy proceedings) may not honor the agreement. There is a possibility that it can be renegotiated. Chairman DiFazio noted the first step will be to request the Solicitor review the agreement to determine what action should be taken. Councilor Smart noted he has discussed this with Mr. Murstein and discussed possible mitigation, renegotiation of the contract and less expensive electricity to the town of Weymouth. He agrees with having the Solicitor review, but also noted that residents are not required to purchase electricity but are free to purchase from any power grid.

Councilor O'Connor asked if administration has reviewed this. Mayor Kay responded that she was around when the agreement was voted by Town Meeting. The value has certainly increased, but the environmental additions, which were probably the majority of

the additional costs, could not be considered. They still give \$25,000 to the town for July 4<sup>th</sup> celebrations. There was a TIF with Libby Park that hadn't been compliant and the town successfully renegotiated the contract. The Mayor supports the Solicitor reviewing the contract and the security of the town's payments in light of a bankruptcy proceeding.

Councilor O'Connor noted that if there is a way to open the agreement, every avenue should be explored. Chairman DiFazio noted there should be a cautious internal review. Councilor Mathews suggested the Solicitor review and then present before the committee with any options. Councilor Smart asked for clarification; Mr. Bois responded that Sithe is in year 9 of a 20 year agreement. Sithe pays \$3 million a year via an adjusted tax bill, which was agreed to in the original Host Community Agreement. They also provide \$25,000 a year for fireworks and now \$25,000 a year for the cove where the park is. There is still \$10 million due to the town on the original agreement, and the town does need to tread cautiously. Mr. Clarke and the Planning Department will review the history of the project and the negotiations.

A MOTION was made by Councilor O'Connor that the committee, via the Chair, send a letter to Solicitor Lane and Jim Clarke inviting them to a future meeting to address the TIF and the impact of a bankruptcy proceeding-- motion was seconded by Councilor Smart. UNANIMOUSLY VOTED.

#### Adjournment

At 7:32 PM, there being no further business, Councilor O'Connor made a MOTION to ADJOURN the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Briggs as Recording Secretary

Approved by-

Kenneth DiFazio  
Chair of Budget/Management