

TOWN COUNCIL MINUTES
TOWN COUNCIL MEETING – EXECUTIVE SESSION
Town Hall Council Chambers
July 5, 2005

Present: Thomas J. Lacey, President
Michael Smart, Vice-President
Joseph Connolly
Gregory Hargadon
Paul J. Leary
Colin McPherson
Kenneth DiFazio
Susan Kay
Michael Molisse
Arthur Mathews

Also Present: George Lane, Town Solicitor
James Wilson, Chief Financial Officer
Kathy Deree , Assistant Town Clerk
Richard Swanson, Town Auditor

Recording Secretary: Susan DeChristoforo

MOTIONS, ORDERS, AND RESOLUTIONS

EXECUTIVE SESSION

DISCUSSION RE. REDEVELOPMENT OF THE SOUTH WEYMOUTH NAVAL AIR BASE

At 9:12 PM a MOTION was made by Councilor Smart to go into EXECUTIVE SESSION for the purpose of considering the value of the real property involved in the transfer and development of the South Weymouth Naval Air Station and to reconvene in open session for the purpose of adjournment - in that such discussion may have a detrimental effect on the negotiating position of the Town Council relating thereto. This motion was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

The roll call vote was as follows:

Councilor Connolly - Yes	Councilor McPherson - Yes
Councilor DiFazio - Yes	Councilor Molisse - Yes
Councilor Hargadon - Yes	Councilor Shanahan - Yes
Councilor Kay - Yes	Councilor Smart - Yes
Councilor - Yes	Councilor Lacey - Yes
Councilor Mathews - Yes	

REDEVELOPMENT OF THE SO. WEYMOUTH NAVAL AIR STATION-DISCUSSION

File Note: Members were given a handout that listed items to be mitigated re. the So. Weymouth Naval Air Base, with a revision date of 7/5/05. The handout included four columns entitled: Item, Town (indicating the amount requested by the Town for mitigation), LNR (amount offered by LNR for mitigation) and Status, which included 3 categories; i. e., Prop. Agreed; Pending (with one item was left blank; i.e., Bus Service to Villages) - along with these designations, were additional handwritten notations made by Councilor Smart and Pres. Lacey.

President Lacey updated members on the recent meeting he and Councilor Smart attended with the LNR representatives. He said at their first meeting they submitted the list drawn up by the Town Council. A 10-15 minute dialogue took place and documents were submitted and reviewed line item by line item - during that time the only discussion between the parties was for clarification purposes only. Today they held their second meeting.

In addition to Town Council prepared documents, they also submitted the letter drafted by Councilor Connolly, although it was clearly noted that this letter was separate from the full Council's list.

At this point, Councilor Smart wanted to make sure that everyone had a copy of Councilor Connolly's letter. He stated that before they met with Mr. Morrell and Ryan, they were not sure the letter should be included as the full Council had not seen it, but was eventually given to them, as it was not viewed as objectionable.

Councilor Kay commented that she liked Councilor Connolly's list as she felt it included some good items, but felt it important to note that she never saw any associated values to the items. She wanted to know where it fit into the financial picture and with what they were negotiating; again stating she had no feeling for the amount of money.

President Lacey stated that it was understood that the existing list was submitted on behalf of the full Council, and it was explained that Mr. Connolly's list came in after the Council had met - to which she commented "okay".

President Lacey stated that before they begin reviewing Town Councils' 2-page list before them, he wanted to clarify the inclusion of Councilor Connolly's letter at the meeting.

Councilor Smart added that they didn't have all of the exact number to go along with Councilor Connolly's list and that was what was needed.

Councilor Kay said to them if she recalled a lot of numbers were missing and you were going to come back to the members with them.

President Lacey noted that they now have a complete list.

Councilor DiFazio addressed President Lacey, stating that he questioned his authority in going forward with the negotiations without the full Council's approval and President Lacey responded stating that they did so because it was viewed purely as a negotiating meeting.

Councilor Smart also commented, that they kept Councilor Connolly's list separate, realizing that the full Town Council had not seen it.

President Lacey added, that he understood there might be some concerns, but he felt he handled it appropriately.

Councilor Mathews said it was his recollection that Councilor Kay requested the Town Council get to see and vote the full list before it was given out.

President Lacey said he didn't recall a request for a vote on the document as it was only used to begin mitigation.

Councilor Kay said it was indicated to her that the President would get clarification with regard to the amount for each item. She went on to say that she thought the members would get the list back, but because they didn't she didn't think they had reached that point yet.

President Lacey response was "well we met twice the next day".

Councilor McPherson asked what they settled on and President Lacey told him that they met again today and LNR presented to him and Councilor Smart the status of each item, referring to the handout and LNR's response. He added that some items are now off the table.

Councilor Smart confirmed that LNR considers them 'off the table'.

President Lacey told members that they went down the list and they gave their position and their response was 'thank you, talk to you tomorrow'. He went on to say that the purpose of the meeting now is to get the Councilor's comments. At this point they have a meeting scheduled at 4 PM tomorrow with the Mayor and then another following at 5 PM with LNR to continue with the mitigation.

Councilor Mathews asked where Mayor Madden was this evening and President Lacey said he told the Mayor that his attendance wasn't necessary, but he would be at the next Executive Session.

Councilor Smart wanted to point out that some of the items are not on the original list and some are combined.

Councilor Shanahan asked who made the notations on the list and the President said they were his and Councilor Smart's.

Councilor Mathews emphasized that it was an important and confidential document that should not be shared.

Councilor Smart commented that he felt the Town Council did a good job in keeping it confidential.

Members then began reviewing the list, line by line, which contained 56 items.

1. Library - Agreed

2. Construction Protocol (w/SSTTDC) - Agreed.

President Lacey noted that the hours of construction will be limited for purposes of noise, pollution - and more could be added to it.

Councilor McPherson asked whom the citizens would call with complaints - Tri-Town or Weymouth and Councilor Smart thought it would be Tri-Town, but welcomed the members input.

3. Traffic Study - (SSTTDC/LNR) - Pending.

President Lacey said this was discussed and there was no agreement on money and at this point it remains unresolved.

4. Traffic Escrow - Pending

President Lacey said that this falls under MEPA and dialogue is continuing, with Councilor Smart adding LNR will probably end up paying Tri-Town.

5. Bus Service to Village - (no resolution at this time)

Councilor Smart told members that Tri-Town is working with the legislative body on the Transportation Bill and they took this list with them tonight, with no debate. Re. bus service from the Landing to the Base, Tri-Town and LNR said it would be coming out of the Transportation Bill.

Councilor Mathews reported that the MBTA is having their Open Comment Period now and he recommended that the Town Council send a letter to them regarding the NAS and the need for public transportation.

President Lacey asked if there was a time limit and it was agreed that Councilor Mathews and Diane Hachey would research this.

6. Elder Service Van - \$35,000 - Agreed

7. Columbian Square Restoration - Weymouth is requesting \$5 M and LNR is offering \$2 million - LNR has Agreed to \$2 million so far, but anything with a different dollar value and not included in the Agreement and has dollar value attached is considered pending.

Councilor Smart pointed out that the roadway improvements come under MEPA, adding they tried to separate what belongs to MEPA and what would be attributed to Weymouth

Councilor Leary commented that he had met with these gentlemen in the past and wasn't duly impressed.

8. Fogg Library Improvements - \$500,000 - Agreed

9. Sidewalks - \$400,000 - Agreed

Councilor Kay asked which sidewalks they were referring to and asked where the figure came from.

The sidewalks proposed included Union Street, Central St., Pond St. and Thicket St.

Councilor Kay suggested including Ralph Talbot and Derby Street.

Councilor Smart told her that the figure came from Mayor Madden.

Councilor Kay felt the number was inadequate.

President Lacey responded that they agreed that the administration would work with them on pricing.
Councilor Kay asked that they confirm the number/names of the sidewalks that were included and their associated costs.

10. Legion Field Restoration - \$4 million vs. (Not Project Related) - Agreed

President Lacey reported that LNR said that this item had no project relevance.
Councilor DiFazio asked 'how irrelevant were they if they agreed to fund the Parks?'
Councilor Kay noted the comment on the list for LNR was "O", yet pending, with Councilor Molisse explaining that there is a plan for Legion Field, Walking Trails, Baseball, etc.
President Lacey classified the list as incomplete as this denoted their first response only.
Councilor Smart added that they have brought the draft list to the Council before any commentary, as they did with us.
President Lacey pointed out that tomorrow will be the beginning of the grind.
Councilor Leary stated that Mayor Madden has said publicly that he is in favor of the project.
Councilor Hargadon commented that anyone who is going to vote against it should not be involved in mitigation.
President Lacey emphasized that this was an important process and he felt they all expected that the Mayor is mitigating on behalf of the entire Town.
Councilor McPherson stated that the Town of Abington got \$2 million and Rockland \$6 million, but Weymouth is getting 2/3 of the impact and most of the traffic - 100% Commercial and 75% Residential. He added that the number looks like it was based on 46%. He went on to say that Weymouth is the most impacted and we expect to be appropriately compensated.
President Lacey said it was stated that we are negotiating in good faith.
Councilor McPherson told the President, that they could tell LNR that he was on the fence and if they want his vote they would have to pay for it, adding he wasn't impressed with MEPA or the Mass. Highway Department's recent presentations. He felt the Council needed to negotiate hard right off the bat.

Councilor Leary asked what the status of mitigation was for Libbey and Pleasant Streets. Councilor Mathews told him it was part of Arbor Hill. He then commented that he thought the mitigation deal was the traffic light at each end.
President Lacey asked if he was tracking this and Councilor Mathews said he has been having a hard time getting a copy of the Planning Board minutes.

11. Libbey Parkway Road Repair - \$400,000 - Pending

12. Libbey and Middle - \$150,000 - Pending

13. Weymouth Landing Greenbush - \$1 million (state) vs. Not Project Related - Agreed

14. Jackson Square Improvements - \$2 million vs. Not Project Related - Agreed

15. Swamp River SNUP - \$60,000 - Agreed

Councilor Mathews asked about Swamp River and SNUP and Councilor Smart said this information was provided in the original documents.
Councilor Kay asked that they check the funding.
Councilor McPherson said if they have questions, they can use voice mail.

16. Communications Public Safety- \$300,000 - Agreed

17. Defibrillators - \$16,000 - Agreed

18. Infrared Goggles - \$15,000 - Agreed

19. Civil Defense Renovation - Unknown vs. Pending - Agreed (to be relocated to Fulton School)

20. Civil Defense Vehicle- \$28,000 - Agreed

21. Parks - 10 Year - \$5 million vs. \$2.5 million over 5 yrs. - Agreed

22. Connell Rink - \$1,650,000 vs. 'O' State Facility - Agreed

23. Pond Meadow Park Equipment - \$30,000 - Agreed**24. Whitman Pond's Harvester- \$20,000 - Agreed (pending equipment)**

Councilor Mathews told members that they couldn't even get a trailer for that amount of money, with Councilor Smart interjecting this item is still pending.

Councilor Mathews said a more realistic dollar value would be \$150,000-\$300,000, but he'd guess \$200,000 would work if the equipment came with a warranty.

25. Wessagusset Beach Rehab/Reg Rd. - \$110,000 - Agreed**26. Great Hill Repave- \$30,000 - Agreed****27. Great Esker Improvements - \$30,000 - Agreed**

Councilor Shanahan stated that Mayor Madden discussed paving the entire parking lot.

28. Herring Run - \$50,000 vs. "0" - Pending

When asked about the status of this item, Councilor Smart responded that LNR said that the Herring Run is not project related.

Councilor Mathews then commented "and Great Esker is"? He felt that the Herring Run would be more affected if storm water enters it.

It was pointed out that this item is Pending.

29. Field Signage - \$30,000 - Agreed**30. Fulton School Playground - \$30,000 - Agreed**

Councilor Kay asked if \$30,000 was enough and the response was 'yes'.

Councilor McPherson pointed out that they don't have money to run the school - and then asked if they get \$6 million for Fulton and only use \$3 million, would they lose \$3 million.

31. Gym Improvements at SWNAS - Unknown vs. SDTTDC - Agreed

Members were told this was pending.

32. McCulloch A/C- \$125,000 - Agreed**33. Stormwater Management Pl. - \$110,000 - Agreed**

Councilor Kay asked if the money was enough and Councilor Smart said the figure came from Mayor Madden.

Councilor Mathews felt it should be substantially more, with Councilor Kay commenting it costs millions.

Councilor Mathews wanted to point out that the state is clamping down, but reiterated that the amount was inadequate, adding that the Town paid Beta a lot of money for the study that demonstrated this.

President Lacey responded 'point noted'.

34. Great Pond Treatment Plant Study - \$100,000 - Agreed**35. I/I reduction - \$50,000 - Agreed**

Councilor Mathews commented that this amount was totally inadequate with Councilor Kay stating that the price should be \$1 million at a minimum.

Councilor Smart responded that LNR is not going to take care of every issue in Town - only those items that affect the Base. He said the \$50,000 would go toward the I/I reduction, adding that the number came from DPW Dir. Bob O'Connor. Councilor Kay stated they need clarity on this.

Members continued to go down the list.

36. DPW Catch Basin Cleaner - \$110,000 - Agreed**37. Street Sweeper - \$140,000 - Agreed**

38. **Street Sweeper 2** - \$125,000 - **Agreed**

39. **Utility Vans (3)** - - \$48,000 - **Agreed**

40. **DPW Dump Truck** - \$285,000 - **Agreed**

41. **One Ton Dump Truck (2)** - \$84,000 - **Agreed**

42. **General Paving** - \$750,000 - **Pending ??**

43. **Town Cemeteries** - \$20,000 - **Agreed**

44. **Tufts Improvement** - \$60,000 - **Agreed**

45. **Fulton Restoration** - \$6 million vs. *Not in Use* - **Agreed**

Councilor Smart said that that had a price for this. He said they also requested they upgrade Fulton School, but did not have a dollar amount, adding he didn't want to lose the school and they are working on it.

President Lacey told members that this item is not on the original list - it's an 'add-on', commenting it allows them to say they have a plan.

Councilor Hargadon asked where the \$6,000,000 figure came from - and then asked if there was a set dollar amount. President Lacey said if there was he didn't know it. He told members that Rockland tried that approach and now they are watching Weymouth, adding that Rockland asked LNR to sign an agreement and if Weymouth did better, they would have another opportunity to increase their request - and LNR said "no".

46. **Chapman Boiler** - \$1,250,000 vs. ?\$ amount - **Pending, (need info)**

47. **Pingree Boiler** - \$210,000 - **Agreed**

48. **Abigail Adams Roof** - \$800,000 vs. ? \$ Amount - **Pending**

49. **School Carpeting** - \$150,000 - **Agreed**

50. **Duct Cleaning** - \$.12 million vs. \$500,000 - **Agreed**

51. **Band Uniforms** - \$75,000 - **Agreed**

52. **Pond Plain Improvements** - Unknown - **Pending (need info)**

Members were told the figure is unknown because they need a study and the money to fund the outcome of the study/Handicapped Bathroom.

53. **Senior Cookouts ? - '0'** - **Agreed**

54. **Neighborhood Assoc. Grants ? - '0'** - **Agreed**

55. **Pond Street H2O Line Replacement** - Unknown vs. Not Project Related - **Agreed/Pending**

Councilor Kay referred to Pond Street and asked why?

Councilor Smart told her it was because it was not project related, but the decision is pending.

56. **Summer Employment** - 50 Positions vs. Program w/SSTDC/AFL - **Agreed**

Councilor Hargadon said this would give jobs to kids; i. e., DPW - to sweep the streets.

President Lacey stated that Tri-Town and the AFL-CIO would support this type of employment.

(Other notations on the handout included Teen Center Floor, Gifford Park - West Street)

President Lacey took a moment to recap the members comments and concerns, adding that he would be reviewing them with Mayor Madden tomorrow at their 4 PM meeting, which would be followed by a 5 PM meeting with LNR for continued negotiations. He wanted to emphasize that there would be no agreement made until the full Town Council reviews the final list.

Councilor McPherson asked if Mayor Madden had indicated what amount he would settle for - \$31 million? - then asked, do we know which items will be cut?

Councilor DiFazio asked if the full Town Council will get to see the final list and President Lacey stated that there would be another Executive Session with the full Board prior to July 25th.

President Lacey commented that he felt his expectations were higher than the Mayor's with Councilor McPherson commenting 'in order for this to be so you need a number'.

Councilor DiFazio said from his perspective \$34 million is his bottom line.

Councilor Kay pointed out that they never discussed a final number and the members were told 'no numbers'. She said she felt all of the numbers were low-balled and that her figures were in the millions. She went on to say that she never knew any of the numbers were final. She said that at no time did she ever have a true figure of what they were looking for.

President Lacey commented that they did have a list with numbers.

At this point Councilor Kay and the Councilors discussed the numbers and Councilor Kay noted that there was a definite difference between Mayor Madden's numbers and the Council's numbers.

Councilor Smart wanted to point out that the Town Council votes the numbers and then the Mayor signs it and that is why he was in on it.

Councilor Mathews wanted to note for the record that there were two projects he was interested in which were two intersections; i. e., Middle and Washington Streets - and Middle & Winter Streets. He said that he asked Mayor Madden to provide him with information on them, their status and the funding. He wanted to note that he has information on what is on the TIP. He went on to say that he spoke with Mr. Daley/Traffic Planner and he told him that the projects were not on the TIP. He told members that Mayor Madden didn't know anything about the projects. He stated that he has been involved with these projects since 2001 and has been trying to get them on TIP, but he has since discovered that there is not anything on TIP now. Additionally, he has been told they would never be funded; yet they will definitely be impacted. He told members they are still working on the Fore River Bridge now and the widening of Route 18, and have \$7,000,000 assigned for the East/West Parkway. Now they say no money for this intersection and he is very upset with Mayor Madden as he told him it was on the list when he knew it wasn't - adding he misrepresented it to him. Additionally he noted there is \$816,000 for the state highway. He told members that he has been sending letters following up on this. He explained that he only wanted left-hand turn/arrows at these intersections, which would cost less than \$100,000. He noted that MEPA plans show that anything north of Ralph Talbot Street is not covered. He said these two intersections that were on his list were very important to his district. He told members that they too had to go back and face their constituents.

President Lacey told the Council that they want to stay clear of state projects, but he assured Councilor Mathews that he would address both intersections with LNR and Mayor Madden.

Councilor Mathews commented that they were funding the East/West Parkway and he believed this expenditure would come out of other projects set for Weymouth.

Councilor Leary wanted to note that according to Diane Madden's handout, the Route 18 work wouldn't start till 2010 and the completion date was 2013.

Councilor Kay said that she attended a meeting where the Mass. Highway Dept. said it's a direct link to NAS.

Councilor McPherson told members that in the state of California they assess impact fees. He said if you figure 1% of \$1 billion that equals close to \$12 million and 2% = \$24 million, etc. He said based on their meeting with MEPA it could be \$10-\$20 million, he didn't know. He wanted to emphasize this was their only bite of the apple and they should be made aware of the Councilors' feelings, so he didn't think that \$20-\$30 million was unrealistic. He said that he expected there probably could be \$300 million.

Members then stated what they felt was an appropriate amount for the mitigation costs.

Councilor DiFazio said that \$34 million was his bottom line.

Councilor Shanahan said \$40 million was his - 3 times what Rockland is getting.

President Lacey then asked the other members what they were looking for.

Councilor Connolly - \$20 million

Councilor Hargadon commented that in Florida, the number is cut and dry, adding members also need to think of unforeseen items.

President Lacey said his number was \$20-\$30 million, adding they have an opportunity to do well here.

Councilor Smart - \$20 - \$30 million

Councilor Leary - the high side of \$20-\$30 million

Councilor Molisse - high side of \$20-\$30 million

Councilor Kay - not less than \$35 million

Councilor Mathews asked 'how can I give a number when I'm trying to add two little intersections, and you want to drop to \$20 million.

President Lacey said the list totals \$30 million

Councilor Mathews asked President Lacey and Councilor Smart who would ultimately decide which projects stay and go, adding that Mayor Madden has already misrepresented this to him and you two are my representatives.

Councilor Hargadon asked Councilor Mathews if he had spoken to Mayor Madden about it and Councilor Mathews responded that he was following procedure and going through the Council.

President Lacey assured Councilor Mathews that he would speak to Mayor Madden again tomorrow on it, adding he felt LNR would give the same response as they have to other similar items on the list 'they are not interested in state projects'.

Councilor Kay wanted to clarify that Mayor Madden signs the Agreement - and she asked how each item would be handled and President Lacey said they would go 'line item by line item specifically documenting how much money would be expended'.

Councilor Shanahan wanted to know what parks would be done and when.

Councilor McPherson wanted to point out that at a 25% rate of return, the figure would double in four years.

Councilor Kay stated that they could go for \$40 million over a period of time. She asked how the Town Council would be updated with regard to the outcome of tomorrow's meetings and President Lacey told members to feel free to give either of them a call.

Councilor Hargadon wanted to thank the President and Vice President for their hard work in a difficult situation.

A MOTION was made by Councilor Smart to return to OPEN SESSION for the purpose of Adjourning and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

The roll call vote was as follows:

Councilor Connolly - Yes
Councilor DiFazio - Yes
Councilor Hargadon - Absent
Councilor Kay - Yes
Councilor - Yes
Councilor Mathews - Yes

Councilor McPherson - Yes
Councilor Molisse - Yes
Councilor Shanahan - Yes
Councilor Smart - Yes
Councilor Lacey - Yes

ADJOURNMENT

At 11:10 PM a MOTION was made by Councilor Hargadon to ADJOURN and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Respectfully Submitted: _____
Susan DeChristoforo, Recording Secretary

Approved By: _____
Thomas J. Lacey, President