

MINUTES OF THE TOWN COUNCIL

Town Hall Council Chambers

January 22, 2008

Present: Michael Smart, President
Arthur Matthews, Vice-President
Kenneth J. DiFazio
Ed Harrington
Thomas J. Lacey
Brian McDonald
Michael Molisse
Patrick O'Connor
Victor Pap III
Kevin Whitaker

Not Present Robert Conlon

Also Present: Susan Kay, Mayor
Maureen Duffy, Town Auditor
Franklin Fryer, Town Clerk
George Lane, Town Solicitor
Jean Savoy, Assistant to the Mayor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

President Smart called the Town Council Meeting to order at 7:30pm.

ANNOUNCEMENTS

Council President Smart stated that Councilor Conlon had called stating that he would not be in attendance this evening due to illness.

Councilor Mathews announced that the KFC/Taco Bell application for a location on Winter Street will be heard by the Board of Zoning Appeals tomorrow evening, 1/23/08, at 7pm, at the McCullough Building, Whipple Center Conference Room, 182 Green Street.

Councilor Mathews announced that the re-evaluation meeting of the Board of Assessors will be held on 1/29/08 at 6:30pm in the Council Chambers and will be televised live.

Councilor Harrington announced that there will be a meeting at the New England Wildlife Center on Columbian Street on 1/27/08 to discuss the proposed Dunkin Donuts. He also announced that the Board of Zoning Appeals will hear this proposal on 2/6/08 at the McCullough Building, Whipple Center Conference Room, 182 Green Street.

Councilor Molisse announced that the Community Events Committee will sponsor the Annual Valentine Party from 2-5pm on 2/10/08 at the Immaculate Conception Parish Hall. He stated that there is no admission charge; however donations to the Weymouth Food pantry are greatly appreciated.

Councilor Pap announced that on 2/2/08 the St. Jerome's School will host a spaghetti dinner at a cost of \$5 (\$20 per family). He also stated that St. Jerome's School has received accreditation by the New England Association of Schools and Colleges.

Councilor O'Connor announced that the next Town Council meeting will be held on 2/11/08 due to the primary to be held on 2/5/08.

Councilor DiFazio announced that the East Weymouth Neighborhood Association will meet on 1/24/08 at 7pm at the Sons of Italy Hall.

Councilor DiFazio announced that a public meeting will be held on 1/29/08 from 7-9pm regarding the 40R re-zoning. The purpose of this meeting is to review public input regarding investments and plans for Central Square.

Councilor DiFazio announced that the Conservation Commission meeting regarding the proposed Meredith Way development will be held on 2/13/08.

Committee Designations-Council President Smart

Council President Smart announced the following committee designations:

Budget/Management Committee will be as follows: Councilor DiFazio, Chairman, Councilor O'Connor, Vice Chairman, and three members, Councilor Mathews, Councilor Molisse, and Councilor Whitaker.

Ordinance Committee will be as follows: Councilor Whitaker, Chairman, Councilor Mathews, Vice Chairman, and three members, Councilor Harrington, Councilor McDonald, and Councilor Smart.

Public Parks and Recreation Committee will be as follows: Councilor Molisse, Chairman, Councilor Pap, Vice Chairman, and three members, Councilor Lacey, Councilor Mathews, and Councilor O'Connor.

Public Works Committee will be as follows: Councilor Mathews, Chairman, Councilor Harrington, Vice Chairman, and three members, Councilor O'Connor, Councilor Pap, and Councilor Smart.

Public Safety Committee will be as follows: Councilor O'Connor, Chairman, Councilor McDonald, Vice Chairman, and three members, Councilor Conlon, Councilor Mathews, and Councilor Smart.

Senior Citizens Committee will be as follows: Councilor Conlon, Chairman, Councilor Molisse, Vice Chairman, and three members, Councilor Lacey, Councilor O'Connor, and Councilor Whitaker.

Economic Development Committee will be as follows: Councilor Pap, Chairman, Councilor DiFazio, Vice-Chairman, and three members, Councilor Conlon, Councilor Lacey, and Councilor Whitaker.

Environmental Committee will be as follows: Councilor McDonald, Chairman, Councilor Lacey, Vice Chairman, and three members, Councilor DiFazio, Councilor Harrington, and Councilor Molisse.

Rules Committee will be as follows: Councilor Harrington, Chairman, Councilor Whitaker, Vice Chairman, and three members, Councilor Mathews, Councilor McDonald, and Councilor Smart.

Education Committee will be as follows: Councilor Lacey, Chairman, Councilor Conlon, Vice Chairman, and three members, Councilor DiFazio, Councilor Molisse, and Councilor Pap.

Three Councilors serve as liaisons to Administrative Committees as follows: Councilor Mathews serves on the Community Preservation Committee, Councilor O'Connor serves on the Memorial Committee, and Councilor Whitaker serves on the Commission on Disabilities.

Citation/Plaque Issuance to McDonald's Funeral Home-Donation to Police Department-
Mayor Susan Kay

McDonald's Funeral Home was recognized for their donation of communication equipment for the Police Department which allows motorcycle police officers to communicate through devices in their helmets.

Weymouth High School Girls' Gymnastics Fundraiser-Katie White

Katie White appeared before the Council to announce that the Weymouth High School Girls' Gymnastics team is selling men's ties for \$18. Order forms are available at the Maroon and Gold offices at the high school.

MINUTES

Public Works Committee Meeting-12/17/07

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 12/17/07 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee Meeting-12/17/07

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 12/17/07 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Town Council Meeting-12/17/07

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 12/17/07 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Town Council Meeting-1/7/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 1/7/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

OLD BUSINESS

South Shore Tri-Town Development Corporation Update-Terry Fancher/Executive Director

Terry Fancher and Colin McPherson appeared before the Council. Mr. Fancher gave an update of the current status of redevelopment at Southfield. He noted that there are proposed changes to the enabling legislation regarding extending the life of the corporation, and setting the tax rate.

Councilor O'Connor asked about the enabling legislation, Section 6, subsection T; and questioned if SSTITDC will pay for any of the project. Mr. Fancher stated that this legislation reaffirms the ability of SSTITDC to bond for such things as water, sewer, special assessments, betterments, and excess costs on the roadway. He noted that the new legislation will replace the existing legislation and will therefore be able to bond for more than 20 years.

Mr. McPherson stated that SSTITDC is responsible for building the golf course and the parkway.

Councilor O'Connor asked about the provision of fire and police services. Mr. Fancher stated that the new legislation allows for these municipal services.

Councilor O'Connor asked if SSTITDC is accountable to Proposition 2 1/2. Mr. Fancher stated that they are.

Councilor Mathews expressed concern regarding the amount of time for bond extensions.

Councilor Mathews commented on section 6, subsection D, page 10. He noted that this states that all children will attend Weymouth Public Schools. Mr. Fancher stated that this is an acknowledgement of the responsibility of SSTITDC to build a school.

Councilor DiFazio asked Mr. Fancher to clarify his position at SSTITDC. Mr. Fancher stated that he was hired as Executive Director by the Board of Directors to represent them as well as the three communities. He noted that he does not represent LNR.

Councilor DiFazio asked why SSTITDC did not inform the towns of the newly proposed legislation. He stated that in his opinion the ability to extend the life of the corporation was always an expected right of the three towns. He stated that this concerns him because he thinks that this impugns the credibility of the corporation.

Mr. Fancher stated that the original legislation was not presented to the towns for approval. Mr. McPherson stated that there was concern regarding disagreements between the towns as to whether the life of the corporation could be extended.

Councilor Lacey asked about day- to- day operations of current construction. He questioned the use of inspectional services and the quality of the work being done.

Mr. Fancher stated that there are meetings every two weeks with the staff and the master developer to discuss required permits, inspections, etc.

Councilor Lacey asked if there are timely inspections required of the infrastructure as it is built. He asked if LNR goes to SSTTDC or to the Town of Weymouth.

Mr. Fancher stated that SSTTDC is responsible for signing off on the quality of the work done.

Councilor Lacey asked for an update on the environmental issues.

Mr. Fancher stated that they continue to go through the finding of suitability to transfer (F.O.S.T.) processes. He noted that the following sites are under a different time table: buildings 81 and 82, solvent release area, industrial area, and the Westgate landfill-- this will factor into the price that LNR will pay for the site.

Councilor Lacey asked if there is active clean up at this time. Mr. Fancher stated that the only active clean up is at building 82.

Councilor Mathews noted that the Town Council will not vote on the changes to the enabling legislation as this is not within their jurisdiction. He noted that this is done at the state level. He encouraged residents to contact Senator Hedlund, Representative Mariano, and/or Representative Murphy with their comments and opinions.

Councilor O'Connor asked what committee this issue is in. Mr. Fancher stated that it is in the Public Safety Committee. Mr. McPherson noted that the tax issues are through the Department of Revenue (DOR).

Council President Smart stated that in 2003 and 2004 Smart Growth workshops, and in subsequent meetings there were indications that at some point there would need to be an extension of the life of SSTTDC. Council President Smart stated that he sees the need for this legislation in that it serves as protection for the town.

Mr. Fancher pointed out that SSTTDC will not be going back to the legislature every few years to change the legislation.

Councilor DiFazio asked for clarification of substantial changes to the plan and the requirement to bring these changes back to the towns; specifically in regards to changes to the east/west parkway.

Mr. Fancher stated that the Final Environmental Impact Report (FEIR) mandates the way the parkway can be built.

Councilor DiFazio noted wording in the new legislation that could allow Massachusetts Highway Department to make changes to the location of the parkway without coming back to the towns.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

Update to Council on Concerns Raised by Councilor DiFazio Relative to Water/Sewer Agreement with Tri-Town Development Corporation-Mayor Susan Kay

Mayor Kay introduced Jean Savoy, one of her assistants who will, on occasion, present measures to the Council.

Mayor Kay noted that South Shore Tri-Town Development Corporation (SSTTDC) is willing to review the commitment of Weymouth to provide water and sewer service to SSTTDC and make necessary amendments. She stated that she is confident that an updated agreement can be reached. She also stated that once an agreement is made she will notify the Council in writing.

Mayor Kay stated that the use of town of Weymouth personnel to assist in bringing development to Southfield will ultimately benefit Weymouth. These services will continue to be offered. She noted that there is an hourly charge in addition to a 25% surcharge for benefits.

Mayor Kay stated that a review of benefits led to a new tiered rate structure. She noted that this matter has been referred to the DPW committee.

Councilor DiFazio thanked Mayor Kay for expeditiously replying to the memo.

Councilor Mathews noted that with the assignment of Committee designations, a meeting for the DPW committee will be scheduled.

08 003-Proposed Ordinance-Tax Title Payment Agreements

A MOTION was made by Councilor Mathews to REFER item number 08 003 to the Budget/Management Committee and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 004-Reserve Fund Transfer-Property Insurance

A MOTION was made by Councilor Mathews to REFER item number 08 004 to the Budget/Management Committee and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 005-Reserve Fund Transfer-Veterans' Benefits

A MOTION was made by Councilor Mathews to REFER item number 08 005 to the Budget/Management Committee and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 006-Reserve Fund Transfer-Poll Workers

A MOTION was made by Councilor Mathews to REFER item number 08 006 to the Budget/Management Committee and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 007-Reserve Fund Transfer-Fire Department Expenses

A MOTION was made by Councilor Mathews to REFER item number 08 007 to the Budget/Management Committee and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 008-Reserve Fund Transfer-Worker's Compensation

A MOTION was made by Councilor Mathews to REFER item number 08 008 to the Budget/Management Committee and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Mr. Wilson stated free cash is certified at \$181,000. Mr. Wilson stated that the funds for these bills will come from the reserve fund. There will be approximately \$200,000 in the reserve fund after these measures pass.

ADJOURNMENT

At 8:55pm there being no further business, Councilor Mathews MOTIONED to adjourn and Councilor O'Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President