

**TOWN COUNCIL MEETING  
TOWN HALL-COUNCIL CHAMBERS  
FEBRUARY 7, 2005**

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

**Also Present:** Frank Fryer-Town Clerk, Richard Swanson-Town Auditor, George Lane-Solicitor, James Wilson-Chief Financial Officer, Daniel McCormack-Acting Chief of Staff

**Recording Secretary:** Diane T. Hachey

President Lacey called the meeting to order at 7:30 PM.

The Pledge of Allegiance was led by the Boy Scouts and Officials of Troop 9-South Weymouth.

**ANNOUNCEMENTS**

Councilor Smart announced the following:

February 9, 2005@ 7:00 PM-Abington High School-South Shore Tri-Town Development Corporation Public Meeting with officials from Rockland, Abington and Weymouth.

February 10, 2005 @ 7:30 PM-Abigail Adams Auditorium-Public Hearing #3 on the Naval Air Station.

February 17, 2005 @ 7:30 PM-Abigail Adams Auditorium-Public Hearing #1, which was rescheduled from January 24, 2005.

Councilor Hargadon acknowledged the loss of Sargeant Ferrar-who lost his life in Iraq-a moment of silence was offered on his behalf.

Councilor Connolly thanked the Department of Public Works staff for their efficient

handling of the recent snowstorm.

Councilor Leary announced a Tri-Town Development Board of Directors meeting to be held at the base on February 11, 2005 at 5:00 PM.

Councilor Hargadon announced that the World Series Trophy will be on display at the High School Cafeteria on March 12, 2005 at 4:00 PM. A professional photographer will be on hand.

## **MINUTES**

### **Budget/Management 11/29/04**

Councilor Leary noted that a typographical error is on page 8- paragraph 2-“Saccardi” is the correct spelling.

A motion was made by Councilor Smart to approve the Budget/Management minutes of 11/29/04-as amended-seconded by Councilor Kay-unanimously voted.

### **Budget/Management 1/6/05**

Councilor Kay noted that a typographical error on page 3-third paragraph from the bottom-the work should read “ratio” as opposed to “ration”.

A motion was made by Councilor Smart to approve the Budget/Management minutes of 1/6/05, as amended-seconded by Councilor Hargadon-unanimously voted.

### **Town Council 1/3/05**

A motion was made by Councilor Smart to approve the minutes of the Town Council meeting of 1/3/05-seconded by Councilor Hargadon-unanimously voted.

## **CITIZENS’ CONCERNS/COUNCIL RESPONSE**

Robert Thomas was acknowledged and gave an update on the World War II Memorial Registry commenced last year. He noted that Weymouth’s two Medal of Honor recipients were not included in the National Registry Database. He successfully enrolled them along with a few other Medal of Honor recipients from around the country who were missing as well. He contacted Boy Scout Troop 9 in hopes of getting help in registering the Town’s World War II personnel into the database registry. Mr. Thomas introduced Greg Mannke, a Life Scout from Troop 9 who is taking the Registry enrollment project over as part of his goal in becoming an Eagle Scout.

Greg approached the Council and spoke to the fact that he is compiling over 3,500 names for the registry and has gained approval for this to be his Eagle Scout project. The website is [www.troop9weymouth.com/memorial](http://www.troop9weymouth.com/memorial). His project can be segregated into 4 phases:

1-obtain approval for project 2-coordinate project with Washington 3-Data gathering 4-searching for place to store information

Councilor Kay commended Greg on both his presentation to Council and the undertaking

of this project.

President Lacey commented on a job well done and asked that they keep the Council informed as to their progress. President Lacey further offered the Council's support if needed.

### **CITATION ISSUANCE-MATT SHEA AND WEYMOUTH WRESTLING TEAM**

Councilors Molisse and Kay presented a citation to Matt Shea for his accomplishments and tournament titles as a member of the Weymouth Wrestling Team. The entire Weymouth Wrestling Team was also present and received a citation as well for their efforts. Coach Kevin Makin was mentioned as an integral person in the accomplishments of both Matt and the team.

### **PUBLIC HEARINGS**

#### **Measure # 04 244-Appropriation request-\$13,989-Librarian Collective Bargaining Agreement.**

Councilor Smart announced that this was published on January 28, 2005 and made a motion to open the public hearing-seconded by Councilor Mathews. Jim Wilson stated that this is a 3 year agreement with a 2% increase in 2005, a 3% increase in 2006, and a 4% increase in 2007. Twenty three people are impacted by this-with a total expenditure of \$13,989. Councilor Kay thanked the Administration for receiving her request on the impact this had on the FY 06 and FY 07 budgets.

President Lacey announced that this is a public hearing and asked if anyone present wished to speak to this issue. He received no reply. Councilor Smart motioned to close the public hearing, seconded by Councilor Mathews, and unanimously voted.

#### **Measure # 05 001-Appropriation request\_\$102,855-Non Union General Government**

Councilor Smart announced that this was published on January 28, 2005 and made a motion to open the public hearing-seconded by Councilor Hargadon. Councilor McPherson recused himself from the discussion. This cost of living increase involves 2% and 114 members, and would be retroactive to July 1, 2004. President Lacey announced that this is a public hearing and asked if anyone present wished to speak to this issue-to which there was no reply. Councilor Smart motioned to close the public hearing, seconded by Councilor Kay, voted 9-0 (Councilor McPherson previously recused himself).

#### **Measure # 05 002-Appropriation request \$3,555-Water Retained Earnings**

Councilor Smart announced that this was published on January 28, 2005 and made a motion to open the public hearing-seconded by Councilor Mathews. Jim Wilson announced that the Administration is requesting the withdrawal of this measure-we will still hold the public hearing as advertised. A replacement measure will be submitted this

evening. President Lacey announced that this is a public hearing and asked if anyone present wished to speak to this issue-to which he received no reply. Councilor Smart motioned to close the public hearing, seconded by Councilor Mathews, and unanimously voted.

**Measure # 05 003-Appropriation request -\$5,956-Sewer Retained Earnings.**

Councilor Smart announced that this was published on January 28, 2005 and made a motion to open the public hearing-seconded by Councilor Mathews. Jim Wilson announced that administration is requesting the withdrawal of this measure-we will still hold the public hearing as advertised. A replacement measure will be submitted this evening. President Lacey announced that this is a public hearing and asked if anyone present wished to speak to this issue-to which he received no reply. Councilor Smart motioned to close the public hearing, seconded by Councilor Mathews and unanimously voted.

**Measure # 05 004-Appropriation Request -\$48,135.90 -Non union School.**

Councilor Smart announced that this was published on January 28, 2005 and made a motion to open the public hearing-seconded by Councilor Mathews. Jim Wilson stated that this represents a 2% cost of living increase for fiscal year 05 effecting 62 employees. President Lacey announced that this is a public hearing and asked if anyone present wished to speak to this matter-to which he received no reply. Councilor Smart motioned to close the public hearing, seconded by Councilor Mathews and unanimously voted.

Councilor Shanahan arrived at 8:05 PM.

**OLD BUSINESS-Revenue and Expense Projection for Naval Air Station by James Wilson, Chief Financial Officer**

Mr. Wilson referred all to his paperwork distributed in the Councilor packets. He noted that he will present an encapsulated version of his former 2 hour presentation, which was delivered to the Budget/Management Committee. He stated that the thought process used does not include any numbers from the conceptual plan. There are different types of developable units-- apartments, condos, town houses, garden homes and golf homes. These are broken down into three phases. 300 apartments with approximately 900 square feet in Phase 1-the cost for that unit is \$160/square foot. The per unit cost would be \$144,000. This can be projected for a total revenue stream of \$43.2 million. At the end of Phase 1, Lennar has said that there will be 1010 units with an appraised value of about \$308 million. Phase 2, with 1145 units with an appraised value of \$404 million and Phase 3 would see 700 units with an appraisal of \$319 million. Upon completion of the 3 phases, there would be a total of 2,855 units, valued at over \$1 billion.

Mr. Wilson spoke of commercial unit calculations. Lennar said they will develop 100,000 square feet of retail space at \$152/square foot--total value of \$58.2 million. The

commercial and bio-tech-330,000 square feet-calculated at \$140/square foot-total valuation of \$46.2 million.

Office space is classified as 25,000 square feet at a price of \$132.63/square foot-total value of \$3.3 million. Resultant figures are at the completion of Phase 1-455,000 square feet of commercial space with a market valuation of \$64.7 million. At the completion of Phase 2-you would see an additional 480,000 square feet of commercial with a valuation of \$92 million. In Phase 3-365,000 square feet with a valuation of approximately \$51 million. Total calculations at the completion of all three phases would be 1.3 million square feet of commercial space with a total value of approximately \$208 million.

Mr. Wilson stated that one must utilize the DOR's regulations which state that your calculations must show all sources of revenue in addition to the expenses incurred by the developable units and commercial space. Under the conceptual plan, Lennar used fiscal year 04 as its baseline standard. He also utilized FY 04 criteria but noted that since we are currently operating in FY 05-he used this year's criteria in appraising values.

He also investigated our Town's appraisal of similar size units as part of his overall analysis. In FY 04 we used Avalon Ledges-apartments with about 900 square feet-which are valued at \$65.37/square foot. The calculations show a resultant amount of \$58,833/unit of assessed value. Factoring in 300 apartments, this totals \$17.6 million.

Condominium comparisons of current units comprised of 1200 square feet-215 Winter Street is the average assessed valuation. These condo units have about 1200 square feet of space-bringing the total assessed value to \$41.6 million.

Town Home comparisons-utilizing Pine Brook-are appraised at \$204.15 /unit of assessed value. This totaled \$304,000/unit for a total value of \$150 million.

Garden homes were compared to the Weathervane Development. There exist 100 garden homes at about 2250 square feet and were assessed at \$48.9 million. Mr. Wilson emphasized that the total assessed value in Phase 1 is \$258 million.

Mr. Wilson continued and discussed using Weymouth's tax rate for residential units. Calculating \$12.69/thousand valuation times the total assessed value, results in a revenue stream of \$3.2 million. The income seen from Phase 2 would total \$4.4 million and at the completion of Phase 3--\$3.6 million. The total revenue stream potential -assuming all 2,855 units were in place at the end of Phase 3 would be \$11.3 million.

Councilor Leary raised the issue of TIF eligibility and stated that these figures could actually be lower.

Councilor DiFazio cited the differences in revenue projections-namely Jim Wilson's at 5.3 million, Lennar's at 11.1 million and the JDA Peer Review of 3.8 million. He questioned the major reason for differences in revenue projections.

Jim noted that the full sales price calculated as the full accessed value and the FY04 data he used may have differed from that of Lennar and JDA.

Councilor McPherson stated that this is simply a method to look at, Lennar has one method and we have another.

President Lacey raised the issue of Police and Fire Departments, and questioned if benefit allocations were included in Mr. Wilson's analysis. Mr. Wilson reiterated that his analysis was compared to Norfolk-health and overtime were included, but pension benefits were not.

### **Chief Robert Leary-Presentation of commemorative gifts to Senator Hedlund and Representative Murphy**

On behalf of the Fire Chief's Association of Massachusetts, and in recognition of the passing of House Bill 4550, Chief Leary presented Senator Hedlund and Representative Murphy with miniature fire helmet awards. This bill (also known as the "sprinkler bill") was signed into law on August 17, 2004 and took effect on November 17, 2004. This bill allows for additional funding for training for fire protection and resulted from the Station Nightclub fire in Rhode Island.

Chief Leary acknowledged Senator Hedlund, Representative Murphy, and Representative Mariano (receiving an award from his city of Quincy) and their support and aid in passing this most important bill.

Senator Hedlund thanked everyone for this recognition and award. Representative Murphy stated that all legislators worked together in conjunction with the Chief and Fire Department in the action of passing this bill.

### **Presentation of Measures from the Mayor's Office-Dan McCormack presents**

#### **05 008-Appropriation Request-\$5,956-Water Retained Earnings**

Dan McCormack stated that this is a 2% cola for Fiscal year 2005 for non-union employees of the Water Department.

Councilor Smart motioned to refer this item to Budget/Management, seconded by Councilor Mathews, voted unanimously.

#### **05 009-Appropriation Request-\$3,555-Sewer Retained Earnings**

Dan McCormack stated that this measure represents a 2% COLA increase for Fiscal Year 2005 for non-union employees of the Sewer Department.

Councilor Smart motioned to refer this item to Budget/Management, seconded by Councilor Mathews, voted unanimously.

**05 010-Bond and Appropriation Request for Sewer I/I Mill River and North Weymouth- \$2,300,000** Mr. McCormack stated that this measure has been reviewed by bond council and requires a legal notice and publication. This measure represents planning, construction and reconstruction of sewer systems. In order to meet this appropriation request, authorization to borrow in the amount of \$1,800,000 is requested.

Councilor Smart motioned to refer this item to Budget/Management, seconded by Councilor Mathews, voted unanimously.

**05 011-Reserve Fund Transfer-Maintenance/Utilities for Town Buildings -\$32,986** Mr. McCormack stated that this item is requesting the transfer of \$32,986 from the Reserve Fund to line item 11997480 for the purpose of funding utility costs and maintenance repairs associated with several town buildings.

Councilor Smart motioned to refer this measure to Budget/Management, seconded by Councilor Mathews, voted unanimously.

**05 012-Reappropriation Fire Department Overtime-\$65,000** Mr. McCormack stated that this measure is requesting re-appropriation in the sum of \$25,000 (amount was previously amended ) from line item 13204110.510001-Fire Suppression and Rescue, Salary, to line item 13204210.513001-Fire Suppression and Rescue, Overtime.

Councilor Smart motioned to refer this item to Budget/Management, Councilor Leary seconded, voted unanimously.

**05 013-Reserve Fund Transfer-Clerk's Office-\$6,651** Mr. McCormack explained that this item represents an election expense for purpose of funding unexpected costs associated with change of polling places. This would take effect from the Reserve Fund to line item 11614418.578103.

Councilor Smart motioned to refer this item to Budget/Management, Councilor Leary seconded, voted unanimously.

Councilor Leary pointed out that the word "polling" was misspelled and addressed the importance of correct grammar usage and the frequent lack of respect individuals in today's society have for the English language.

Councilor Kay referenced that the Council is awaiting information from the Department of Public Works relative to the polling places, but due to the onslaught of snow, the information gathering has been delayed. Mr. McCormack conferred with Councilor Kay and confirmed that he will follow-up and resolve the situation.

### **Measure 05 014-Appropriation Request-Health Insurance \$156,000**

Mr. McCormack stated that this measure represents funding a portion of the years Health Insurance FY 05 increase. He further stated that this requires legal notice and public hearing.

Councilor Smart motioned to refer this measure to Budget/Management, Councilor Mathews, seconded, and the item was voted unanimously.

### **Reports of Committees**

#### **Ordinance Committee-Chairman Leary**

##### **04 218-Weathervane Rezoning Request**

Councilor Leary supplied the Council with an update and stated that the Planning Board meeting had to be cancelled due to the snowstorm, upon rescheduling, they did not have a quorum, but were meeting again tomorrow night.

#### **Budget/Management-Councilor DiFazio**

Councilor DiFazio made a motion to take item number 05 006 out of order, seconded by Councilor Mathews and voted unanimously.

##### **05 006-Appointment-Director of Health-Richard Marino**

Councilor DiFazio reported that this item was referred to his committee on 1-18-05, they met on 1-31-05 and voted unanimously for favorable action.

Councilor DiFazio motioned to accept this appointment, seconded by Councilor Leary-Mr. Marino was called to approach Council. Mr. Marino thanked the Council and graciously accepted the appointment as Director of Health. Motion passes unanimously.

##### **04 233-Appropriation Request-\$17,008-School Maintenance Collective Bargaining Agreement**

Councilor DiFazio reported that this item was referred to his committee on 12-20-05, they met on 1-18-05, held a public hearing on 1-18-05 and voted unanimously for approval.

Councilor DiFazio motioned to accept this measure, Councilor Kay seconded, and item voted unanimously.

##### **04 244-Appropriation Request-\$13,989-Librarian Collective Bargaining Agreement**

Councilor DiFazio reports that this item was referred to his committee on 1-3-05, a meeting was held on 1-31-05 at which time the item was voted unanimously. Councilor DiFazio motioned to accept this measure, Councilor Hargadon seconded, and item was



voted unanimously.

**04 247-O'Connor and Drew Audited Financial Statements and Management Letter for Fiscal 2004**

Councilor DiFazio reports that this item was referred to his committee on 1-18-05, committee subsequently met on 1-31-05 at which time they voted unanimously. Councilor DiFazio made a motion that Town Council adopt the O'Connor and Drew report -seconded by Councilor Smart, and voted unanimously.

**05 001-Appropriation Request \$102,855-Non-union General Government**

Councilor DiFazio reported that this matter was not previously voted on as additional information was pending. He asked that the matter be continued and reported out at later date. Councilor Kay explained that more information has been requested. Although she is in agreement with the 2% increase the information put forth as to the impact on the fiscal budget was high and she asked that the Auditor perform an investigation- it was discovered that certain salaries were reclassified (10) 5 of which came before Council- Councilor Kay is looking at what the impact will be in FY 06-and reiterated that this is purely a financial issue-not an issue of the 2% increase.

**05004-Appropriation request \$48,135.90-Non union school**

Councilor DiFazio reported that this item was referred to his committee on 1-18-05, they subsequently met on 1-31-05 and voted unanimously. Additionally a Public Hearing was held on 2-7-05. This measure represents a 2% salary increase for FY 05. Councilor DiFazio motioned to accept this measure, seconded by Councilor Hargadon, and unanimously voted.

**05 005-Reserve fund transfer-\$20,262 Special Education Van**

Councilor DiFazio reports that this item was referred on 1-18-05, they met on 1-31-05 and voted unanimously. It represents replacement of a van ,taken out of service, which can't be repaired. Councilor Smart seconded the motion and it was voted unanimously.

**05007-Reappointment –Board of Library Trustees-Robert MacLean**

Councilor DiFazio reports that this was referred to his committee on 1-18-05, they subsequently met on 1-31-5 and voted unanimously. He made a motion for re-appointment of Robert MacLean of 172 West Street for a term to expire 6-30-07. Councilor Smart seconded, and item was voted unanimously.

**New Business**

President Lacey announced that Richard Swanson, Town Auditor, will be retiring via a letter submitted two weeks ago ,requesting consideration on a part-time consultant role. President Lacey suggested that this issue be referred to the Budget/Management Committee for review and subsequent recommendation to full Council. In the meantime an agreement was reached with Mr. Swanson and Human Resources, on a short term, possibly long term basis, for Mr. Swanson's position to go part-time.

Councilor Smart made a motion to refer this item to Budget/Management, Councilor Mathews seconded and it was unanimously voted.

Councilor DiFazio made a motion that the Budget for Fy06 be reviewed by the Budget/Management Committee in addition to the Town Council Budget. Councilor Kay seconded.

Mr. Wilson confirmed that the Budget meeting date has been changed to 2-24-05 so the Council will have adequate time to review. Referral to Budget/Management was voted unanimously.

Councilor Kay motioned for possible reclassification of the Town Clerk position-issue to be submitted to Budget/Management for investigation. Councilor Mathews seconded.

President Lacey announced the importance of adhering to Town Council procedure relative to taking a formal vote in order that new agenda items are added. He entertained a motion to add Councilor Kay's item to this evening's agenda. This motion was seconded by Councilor Mathews, and voted unanimously.

There being no further business to conduct, a motion was made by Councilor Smart to adjourn, seconded by Councilor Mathews, and unanimously voted.

Approved By:

Respectfully Submitted by:

Thomas J. Lacey  
Council President

Diane T. Hachey  
Recording Secretary