

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
February 20, 2007

Present: Michael Smart, President
Paul J. Leary, Vice-President
Jack Carey
Kenneth J. DiFazio
Sue Kay
Thomas J. Lacey
Arthur E. Mathews
Michael Molisse
Patrick O'Connor
Gregory Shanahan
Kevin Whitaker

Not Present: Sue Kay
Richard Swanson, Town Auditor

Also Present: Franklin Fryer, Town Clerk
George Lane, Town Solicitor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

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

President Smart stated that Councilor Kay had called and informed him that she would not be present this evening. He noted that Councilor Mathews had called and informed him that he would be late.

ANNOUNCEMENTS

Councilor Molisse stated that the Mayor will hold a second public hearing on the design plans for Legion Field on Thursday, 2/22/07, at Town Hall.

Councilor O'Connor stated that there will be a Public Safety Committee Meeting on Monday, February 26, 2007.

Councilor Leary stated that there will be a benefit for Wendy Bezanson who is a single mother with breast cancer. The benefit will be held 3/10/07 from 6pm to 11pm at the Sons of Italy Lodge on Chief Justice Cushing Highway in Hingham.

President Smart stated that the Pond Plain Civic Association will host the Mayor on Wednesday 2/28/07 to discuss the new Great Pond Water Treatment Plant and the plans for senior citizen housing at the Fulton School.

President Smart stated that Quincy Community Action Programs will again provide tax preparation for low income individuals. For more information call 617-479-8181.

MINUTES

Rules Committee Meeting-2/5/07

A MOTION was made by Councilor Leary to ACCEPT the minutes from 2/5/07 and was seconded by Councilor O'Connor.

Councilor Whitaker noted that the first line of the Rules Committee Meeting should read "Councilor Lacey".

The Motion to ACCEPT as amended was UNANIMOUSLY VOTED.

Senior Citizens Committee Meeting-2/5/07

A MOTION was made by Councilor Leary to ACCEPT the minutes from 2/5/07 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Town Council Meeting-2/5/07

A MOTION was made by Councilor Leary to TABLE the minutes from 2/5/07 and was seconded by Councilor Leary and UNANIMOUSLY VOTED.

OLD BUSINESS

South Shore Tri-Town Development Corporation Update--James Young/Project Manager

Mr. Young gave an update on recent activity. He noted that on 1/15/07 the definitive subdivision plan was submitted for two (2) commercial and 7 residential parcels, access road and the road to the residential area. LNR has hired a consultant to review the plan. Mr. Young stated that the following meetings have taken place:

- Board of Health - technical review done by Town of Weymouth – meet again on 2/26/07 to consider rendering a decision on the final plan.
- Conservation Commission will meet on 2/2/607.
- Special permit granting authority (Planning Board) will meet on 3/12/07 and 4/13/07
 - Public hearing 2/26/07 and 3/12/07
 - Vertical development plans are also being developed.

President Smart asked who the members of the committees are. Mr. Young stated that the Board of Directors are acting as all three committees.

Councilor Leary asked if there has been any interest in the commercial space. Mr. Young stated that LNR is actively seeking potential tenants.

Councilor Whitaker asked if there has been discussion on easements. Mr. Young stated that there have been discussions regarding easements; specifically two storm water ponds, other utilities, and roadways.

Councilor Lacey asked about the timing regarding the appointment of actual members of the Boards rather than having the Board of Directors serving in all positions. Mr. Young stated that they have not looked at it yet but they are looking to do this in the near future.

Councilor Carey suggested that LNR submit information regarding progress of the commercial property.

Councilor Leary asked about a potential permanent water source. Mr. Young stated that they are evaluating the alignment as it exists in the Draft Environmental Impact Report (DEIR). Mr. Young stated that the connection would be in Quincy- just north-west of the South Shore Plaza, thru Braintree (Route 37) connecting to Route 18 along Pine Street in Holbrook, then coming out near the Colonial Bowling Alley- then running down Route 18 to Southfield. The information is available on the internet at www.SSTTDC.com. He noted that this is the preferred alignment.

Councilor Leary clarified that the preferred route of the water pipes would be from Route 37 to Columbian Street, to Forest Street, to Randolph Street, to Hollis Street, to Derby Street, to Route 18-down to the Base.

Councilor Mathews stated that the Citizen's Advisory Committee will meet next Wednesday, February 28, 2007 at the former bowling alley on Shea Memorial Blvd.

Councilor Mathews noted that the proponent will be responsible for mitigation in regards to the construction period.

Status of Town Auditor Position--President Michael Smart

President Smart stated that there has been a meeting regarding the procedure to hire a Town Auditor. Applications will be accepted from 2/12/07 thru 3/12/07. Other means of advertisement to be used are:

- Internal advertisement
- On the Town's website
- Mass Municipal Association website
- Mass Municipal Beacon
- Massachusetts Society for Certified Public Accountants
- Boston works

President Smart stated that several applications have been submitted. He noted that he has formed a sub- committee to review applications and decide on who will be interviewed. A list of candidates to be interviewed by the full Town Council will be submitted. The sub- committee will then meet again to discuss who the final choice will be. The sub- committee consists of Paul J. Leary as chairperson, Greg Shanahan as vice-chairperson, Kenneth J. DiFazio, Sue Kay and Michael J. Smart.

Councilor Leary stated that the first step is to have a job description developed as there are several versions.

President Smart stated that the goal is to have the position filled by May 1, 2007.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

07 006-Snow Removal Authorization

In accord with Massachusetts General Laws Chapter 44 section 31D, that the Town Council authorizes the Department of Public Works, with the approval of the Mayor, to over expend any and all line items (program 0620) associated with snow removal.

This measure does not require either a legal notice or a public hearing.

A MOTION was made by Councilor Leary to consider item number 07 006 UNDER 2(9) (b) action and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

A MOTION was made by Councilor Leary to APPROVE item number 07 006 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 007-Re-appropriation to DPW Overtime

A MOTION was made By Councilor Leary to REFER item number 07 007 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 008-Weymouth/Braintree Regional Recreation Conservation District Emergency Action Plan

A MOTION was made By Councilor Leary to REFER item number 07 008 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 009-Sewer Enterprise Retained Earnings Appropriation

A MOTION was made By Councilor Leary to REFER item number 07 009 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 010-Water Mains/Route 18 From Water Capital Projects Residuals Account

A MOTION was made By Councilor Leary to REFER item number 07 010 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 011-Raise and Appropriate for an Opinion of Value-1389 Main Street

This is a request for an appraisal for the Old Mohawk property. A new appraisal which is less than one year old is required. This property was put up for auction but the minimum bid was not reached.

A MOTION was made By Councilor Leary to REFER item number 07 011 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 012-Fiscal Year 2007 Free Cash Appropriation

A MOTION was made By Councilor Leary to REFER item number 07 012 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 013-State Mandated GASB-45 Post Retirement Health Insurance Actuarial Study

A MOTION was made By Councilor Leary to REFER item number 07 013 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 014-Unpaid Bills

A MOTION was made By Councilor Leary to REFER item number 07 014 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

07 005-Appointment to the Recreation Commission-Rachel Bickford

This Item was referred on 2/5/07. The Committee met on 2/20/07. The committee voted unanimously to recommend favorable action.

Ms. Bickford spoke briefly stating her interest in youth programs in town.

A MOTION was made by Councilor DiFazio to APPROVE item number 07 005 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

Rules Committee-Chairman Whitaker

07 003-Proposed Rule-Hat Removal in Chambers

This item was referred on 1/16/07 and the Committee met on 2/5/07 and earlier this evening. The committee voted 3-1 to recommend favorable action.

Councilor Whitaker stated that this rule requests that individuals doff hats while in the Council Chambers. Exceptions for uniform, religious affiliation and medical reasons are allowed.

Councilor Lacey stated that there are formal rules for the public within the Chambers. These formal rules include the Pledge of Allegiance, and speaking rules.

Councilor Leary asked if the rule would be placed between rules six (6) and (7) and if so this would require a renumbering of the rules.

Councilor Lacey stated that this was a suggested placement. He stated that the rule could be numbered as a subsection.

Councilor DiFazio asked if there was an event which precipitated the need for this rule.

Councilor Whitaker stated that he did not see any particular individual or incident that precipitated this.

Councilor Carey noted that at a previous meeting an individual testifying before the Committee and Council wore headgear.

President Smart stated that he did not support this measure. He did not think he was elected to enforce manners and etiquette.

A MOTION was made by Councilor Whitaker to APPROVE item number 07 003 and was seconded by Councilor O'Connor and PASSED on a 7-3 vote as follows.

Councilor Carey – Y	Councilor Mathews – N
Councilor DiFazio – N	Councilor Molisse – Y
Councilor Kay – absent	Councilor O'Connor – Y
Councilor Lacey – Y	Councilor Shanahan – Y
Councilor Leary – Y	Councilor Whitaker – Y
	President Smart – N

Discussion of Council Rules and Regulations Approved in March of 2006

Town Council – February 20, 2007

Councilor Whitaker reported that he had asked the Committee to briefly discuss any concerns regarding the Council Rules and Regulations since their adoption in March of last year.

ADJOURNMENT

At 8:15pm there being no further business, Councilor Leary MOTIONED to adjourn and Councilor O'Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael J. Smart, President