

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
February 21, 2006 - Tuesday

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

Absent: Thomas J. Lacey

Also Present: Franklin Fryer, Town Clerk
Jane Hackett, Chief of Staff
George Lane, Town Solicitor
Richard Swanson, Town Auditor
James Wilson, Chief Financial Officer

Recording Secretary: Mary Briggs

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

ANNOUNCEMENTS

Councilor Kay attended a Legislative Caucus for Older Citizens meeting on 2/16 dealing with options for energy assistance. She will report out more detail at the next meeting.

MINUTES

Budget/Management Committee – 12/13/05 – tabled from 1/17/06

Councilor Leary made a MOTION to take the minutes from 12/13/05 off the table and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Councilor Leary made a MOTION to ACCEPT the minutes from 12/13/05 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Town Council – 1/17/06

Councilor Leary made a MOTION to ACCEPT the minutes from 1/17/06 and was seconded by Councilor Kay. Councilor Mathews noted a typo on the date- it says 2005 and should be 2006. Councilor Mathews made MOTION to APPROVE the minutes AS AMENDED and was seconded by Councilor Leary and UNANIMOUSLY VOTED.

Budget/Management in Conjunction with School Committee Budget Sub-Committee – 2/8/06

Councilor Leary made a MOTION to ACCEPT the minutes from 2/8/06 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Senior Citizens Committee – 1/26/06

Councilor Leary made a MOTION to ACCEPT the minutes from 1/26/06 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Special Town Council – 1/26/06

Councilor Leary made a MOTION to ACCEPT the minutes from 1/26/06 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Rules Committee – 1/26/06

Councilor Leary made a MOTION to ACCEPT the minutes from 1/26/06 and was seconded by Councilor Kay. Councilor Leary noted that the minutes should be amended to indicate that he was also present at the meeting but not listed in attendance. Councilor Kay made a MOTION to APPROVE the minutes AS AMENDED to indicate Councilor Leary in attendance, and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

CITIZEN’S CONCERN/COUNCIL RESPONSE

There was none.

OLD BUSINESS

James Young – Environmentalist with South Shore Tri-Town Development Corporation

James Young appeared with Colin McPherson before the Council to provide an update on the status of environmental concerns at the air base. Mr. Fancher was unable to attend. The Council previously forwarded a list of questions to Tri-Town to be addressed.

Mr. Young provided the Council with a handout including a map referencing sites and to update the Council on the cleanup status of the 10 superfund sites in the Navy's Installation Restoration (IR) program. At present, there are 41 active cleanup sites, at various stages of closure. The ten larger projects are listed as superfund sites, which tend to take longer to clean, are costlier, and potentially may impact the development schedule. The ten superfund sites and updates:

1. Westgate Landfill – in Weymouth, on the western portion of the airbase, next to Trotter Road and in a difficult position with regards to the development plan. It is currently zoned for residential use, near a transit village. The Navy has a proposed plan in to the regulators for a capping scenario, which is not consistent with a residential re-use. The EPA has recently suggested that the Navy hold off activities on this site so there can be discussion on the cleanup of the site, in accordance with the re-use plan and zoning by-laws. Discussion with Navy and regulators expected shortly. It will need to meet residential standards in order to go forward with the plan.
2. Rubble Disposal Area (RDA) – in Rockland; abuts Swamp River which flows towards Whitmans Pond. Will require removal of PCB contamination and then soil capping, with final reseeded in the spring; then long term monitoring of the capping.
3. Small Landfill – Rockland; not requiring remediation as superfund site, but will need to comply with state's Solid Waste Regulations. Capping proposed, and zoned for residential re-use. A hold has been requested on this site by the corporation, while discussions with Navy, DEP and EPA are ongoing.
4. Firefighting Training Area – Rockland; southeast corner; Closed out through superfund process and now being addressed by the Massachusetts Contingency Program (MCP) to address petroleum contaminants. Removal action is scheduled for this summer-MCP projects tend to move along quickly- to closure within 18 months. Currently zoned for Open Space.
5. Tile Leach Field – Abington; zoned for open space and adjacent to the golf course. No remediation required, and closure this summer.
6. Sewage Treatment Plant – Weymouth; the Navy is still investigating this site, taking soil and groundwater samples with the next step being a feasibility study to look at alternatives for cleaning up the site. Potential soil/sediment removal action to remove metals and pesticide contamination. Zoned for Open Space and Commercial.
7. Fuel Tank Storage Area – north of Building 82; closed out; no remediation required.
8. Building 81 Vehicle Maintenance Facility – Navy has conducted pilot studies, involving in-place chemical oxidation injections to remove solvents impacting soil and groundwater which entered through the floor drain system. There is still a lot of investigation that needs to be done at this site. Importantly, located in the center of phase I of the plan, on the edge of recreational zoned space.
9. Building 82, Hangar #2 – Navy is investigating possible cleaning solvent contamination entered through floor drain system. Navy will be out this summer

investigating both buildings 81 and 82, under superfund process and collecting data that can be used to determine ultimate cleanup. Zoned as residential and is south of the Phase I-A area for development, so it will require close scrutiny with regard to this site's closure.

10. Solvent Release Area (SRA) – Weymouth, in the northeast portion; zoned Open Space and a newer superfund designation. Navy will continue investigative work to determine extent of a shallow groundwater area and possible solvent contamination.

Mr. Young reported that Buildings 81, 82 and the SRA are years away from completion based on current schedules received from the Navy. They are currently in discussion with the Navy to determine a prioritization schedule of the sites. They will need to look at the sites which are more critical as the phasing program gets closer.

There were questions from the Council:

Councilor Kay asked about the waiver which was approved to begin in the summer and where that building is in relation to the superfund sites.

Mr. Young responded that the housing component of that part of Phase I development is at the northern end of the runway area, closest to the N-NW of Building 82.

Councilor Kay asked if it was near the Sewer Treatment Plant.

Mr. Young responded that it is S-SW of the Sewer Treatment Plant. He did not have wetland areas shown on the map, but noted there is a significant area of wetlands southwest of the STP. Using the north end of the runway as a marker, it starts from Trotter Road and goes northward including some of the field areas, but a good distance away from the STP.

Councilor Kay asked if there was a concern regarding whether this clears the parameters of all of the superfund sites.

Mr. Young responded that is has cleared all parameters as is known now; however, in relation to the southern portion of the residential area, and closer to Bldg. 82, the concern is volatile organic compounds (VOC), which over time can tend to move up into the air from the soil. They will need to look the deed from the Navy to determine if there are any implications, for instance, building slab on grade. Depending where housing is constructed, they may have to adhere to construction protocols, and there may be a need for continual monitoring along the perimeter of the site.

Councilor Kay asked if there is still investigative work, in particular with Building 82, there may still be additional unknown impact, and will that continue as waivers go on.

Mr. Young responded that it will and that the Navy had a pretty good handle from the

perimeter standpoint, and were looking at particular areas within the building such as floor drains, and looking at the soils surrounding the building a little closer. The status of that site will be tracked as it gets closer to construction.

Councilor Kay asked if DEP and EPA will be working in conjunction with the Navy on this site, and did they have any say in the process.

Mr. Young explained that although the NAVY is the lead regulator for the superfund sites, DEP and EPA work closely on remedy selection and review plans. They will scrutinize the level of effort required to make sure the perimeter area is sufficiently investigated this summer, and moving forward.

President Smart asked Mr. Young to briefly explain the floor drains significance to the clean-up problems. He reported from his attendance at meetings that almost every building located on the former base that had a floor drain had issues. Most involved excavation and removal of the soil below to determine contamination.

Mr. Young explained that many of the floor drains emptied into the storm water system if there wasn't an underground storage system. Many were 50-60 years old and developed cracks and leaks over time. This triggered the Navy into looking at each of their buildings and conducting tightness testing, which most failed. With Building 82, the entire system was not evaluated due to not wanting to impact load-bearing walls while investigating. The DEP and EPA are now requiring those systems be evaluated further, and removed if necessary.

Councilor O'Connor asked if the RDA impact is PCB contamination, and if this is dangerous to humans.

Mr. Young responded that it is PCB's and it is a known cancer-causing agent. The Navy was able to remove various hot spots from areas which contained larger concentrations of PCB's at RDA, and after doing a risk evaluation of the entire site, have developed a cleanup standard with the regulators- a barrier membrane over a clay layer that will be left in place beneath the soil cap and monitored. There will need to be a robust monitoring program of the surface water and sediment to ensure that anything under the cap doesn't pass to surrounding groundwater.

Councilor O'Connor asked Mr. Young's opinion on the success of capping soil.

Mr. Young responded that it depends on the site, geology and surface waters. His opinion is that removal is the solution in a perfect world, and long term monitoring isn't a worry. Capping has been very successful in some locations and structures have been built on some of those landfills without contamination; however, in others it has not been successful.

Councilor Whitaker asked for those areas zoned both Open Space and Residential, to

which threshold must cleanup be brought.

Mr. Young responded that if a site is on both residential and open space, it must meet a residential cleanup level. In some cases, cleaning to a recreational standard will also meet the residential level depending on the type of contaminant; some will require digging down 3 feet and providing a protective barrier, but with VOC's, capping may not prevent volatilization, and additional measures will be necessary.

Councilor Whitaker asked if it was reasonable to expect that the STP could be cleaned up to the residential standard.

Mr. Young responded that the STP in the current plans sits in the commercial and open space zoned area, and would need to meet the open space, recreational use standard. There currently is no residential zoning for the STP.

Councilor Whitaker asked if there were no other clean-up issues to discuss, he would like to address the insurance questions which he had presented in letter form.

At this point, President Smart suggested that Mr. Young was invited to attend to address the environmental questions and insurance issues may not be a part of his area of expertise. Mr. Young responded that he could answer some questions, but for any detailed information, he would need to confer with Mr. Fancher and the Corporation's Comptroller.

Councilor Whitaker stated that he understood there is insurance in place, either through Tri-Town or the developer, but that liability at some point for both will cease to exist, and he is not convinced that the Town of Weymouth is adequately insured. Can Tri-Town and LNR investigate to see if Weymouth can be named as an insured? He is concerned that the insurance for environmental concerns is going to cease to exist at some point.

Mr. Young responded that he will bring those questions back to the Corporation to see if it can be brought to the DDA in negotiations. Currently, the Corporation has a 5-year insurance policy, for \$20 million to address any environmental issues on property that the Corporation currently owns; property which has already been transferred from the Navy. As Lennar picks up property on the base, they will be responsible to have environmental policies in place as well. He will bring the discussion back to the Corporation with regard to going forward, once the Town has potentially more of a role on the site.

Councilor Mathews asked if there were any lead paint issues from the Coast Guard buoy depot station that would require corrective action.

Mr. Young responded that the Coast Guard has been pro-active with their particular facility, both with internal systems and a recent removal action occurring in the drainage swale. Metallic paints used on the buoys did impact sediment around the facility, which is on Navy property. Removal action has been completed to the drainage swale; however,

the yard itself contains residual lead in the soil, and would require additional remedial action to get it to a residential cleanup standard. It does not meet residential standards today.

President Smart asked Mr. Young whether he recalled and could review from a lengthy prior public comment/discussion on the Coast Guard site, in almost all of the buildings, the VOC's from the cleaning solvents. These were used to clean up the petroleum products such as the oil or JP5 fuel for the F-4's, and were a bigger problem than the petroleum products. He also asked if Mr. Young could briefly explain the process at Building 81, where a compound similar to hydrogen peroxide was injected in a number of test pits around the building in an effort to evaporate the contaminants in the ground.

Mr. Young responded that by nature, solvents tend to sink in groundwater, are denser than petroleum products, and therefore harder to remove. At Building 81 it's impacting the fractured bedrock; once it enters the fractures it's difficult to treat or flush it out. It's a dynamic system and difficult to target all zones. The Navy had a very good handle on the underground storage tanks; they were catalogued and tracked very closely, and the cleanup moved along fairly smoothly. With regard to Building 81, the Navy has installed approximately 50 wells around it to conduct the in-place chemical oxidation. What they have not completely resolved is the boundary of that area with the groundwater issue. The regulators are requiring the Navy to now look to the west across Shea Memorial Drive, and to the south as well, but because of the utilities in the roadway, up to now it's been difficult to place wells for monitoring. It is something the Navy will work on over the next couple of years. The pilot study on chemical injections has worked well, it's fairly new technology in the environmental remediation world, and it can work very well, particularly with petroleum compounds, but it's newer to the solvent issues. The levels have gone down, but they aren't there yet.

Councilor Leary noted that this was to address the superfund sites, but asked if there weren't a lot of other contaminated sites there that were not superfund sites, and were any of those in the waiver area.

Mr. Young responded that they were not in the waiver area, but were towards the center of the southern portion of the base. The waiver area was targeted because it was land already transferred to the Corporation and essentially in their control and sites that border on the periphery of that, such as Building 82. Many of the other sites are in a state program, or still in the Navy's program and not designated for oversight through DEP or EPA at this time. He also noted that in their favor, the groundwater flow is north to south in that part of the base, and many of those sites are south of the waiver area. They wouldn't anticipate any impacts moving northward if it was a groundwater issue.

Councilor Leary asked what is the number and status of those contaminated areas.

Mr. Young responded there are 41 sites total; (10) are superfund sites, there are 31 being investigated by the Navy; there is (1) additional in an MCP program- the Jet Fuel

Pipeline Site, between Westgate Landfill and the Coast Guard Buoy Depot, and is involved in a pilot study, with the same chemical work being done, and close to closure at this point. The Navy is in a monitoring phase. Many of the other sites are in the Navy's Environmental Baseline Survey (EBS) program, where they initially screen sites and determine what action needs to be taken either in superfund process or state MCP. There are a couple of larger sites which involve the storm water system and will take a little longer to close out. The final program, which is also under the superfund but not the priority attention as the IR sites, are called "areas of concern" (AOC) and are under the EPA's primary jurisdiction. Those are sites which have transitioned from EBS to EPA's jurisdiction and tend to be not as costly to clean up as the EBS but the schedules can take longer. Many of these have been in three or four of these programs at different times and has made for tracking and timing difficulties. Building 82, which is now IR superfund was under the MCP state jurisdiction for several years and took 2 years just to transition from one program to another. Many sites are still moving around in various programs, and the bottom line is there are 41 locations still on the radar screen.

Councilor Leary asked how many of those are AOC's.

Mr. Young responded that are (14) AOC's, (17) EBS sites, (10) IR sites, and (1) MCP site.

President Smart asked if there weren't about 136 sites that needed attention, and that many have been closed out, in addition to the ones just reported.

Mr. Young responded that approximately 100 sites have been closed out since the clean-up began, and this year expect 6-10 coming off the list of 41.

President Smart reported that Councilor Leary would be providing a reporting out later in the agenda for the Naval Air Station Advisory Committee, and has brought a handout, with sample sites of over 273,000 sample locations where soil, groundwater or air samples have been taken. He thought it important to bring up at this point to indicate that the Navy has been working out there, and the RAB has been in existence for ten years, making sure that the Navy, which is the lead agency does the right thing with the clean-up.

Mr. Young explained that they were fortunate in having additional tools because of the work the Navy's done over the years including an electronic GIS system, which makes it easy to track particular chemical of concern; all of the samples points are in the system, and the Navy will also build in some of their samples from closing out sites (confirmatory samples).

The Navy's has done a basewide assessment, an all-encompassing study of interaction with surface waters and groundwaters. The Navy's contractor was out to the site last fall and started looking at streams on the site; tributaries, groundwaters, and how they all interact, looking for trends, potential trends, and at the quality of some of the surface

waters. French's stream, as an example, which is not pleasant to look at; the Navy needs to get to the bottom of that. All of the data is beginning to be pooled to gather into the GIS, and use it as a tool for studying the basewide system as a whole, and understanding ecological risks better. It will be a very important study for the community.

Councilor Kay noted that if capping of sites does happen, it generally involves long term monitoring. Who would be responsible for that?

Mr. Young responded that the Navy would be responsible for it. As far as the time frame for monitoring, the general consensus is thirty years; however, depending on the data that comes in during the review process every five years, the regulators can shorten or lengthen the time frame. Each site may be different, depending on when it's transferred to the Corporation or Lennar. Long term responsibility will need to be addressed at some point; if it becomes the town's responsibility to handle monitoring, then the Town will need to be adequately compensated.

Mr. Young provided a couple of further updates to conclude his report. He noted that for several years, they have been attempting to conduct a pump test of the on-site well, and is reporting that he is very close to being able to conduct the testing; if all goes well it should start on Friday, and involves a 5-day pump test of the well. It is part of the EIR to evaluate the condition of the aquifer on site, which the DEP is very concerned about. The Westgate landfill is sitting directly up gradient (2000 ft.) of the well site, and there are some environmental issues such as wetlands and vernal pools. It has to be evaluated at least for its potential, and may prove viable to support some of the irrigation needs, particularly before the water treatment plant is operational, or at a larger build out phase. He will provide the Council with further information on the pump testing over the next few months.

Councilor Leary asked what water treatment plant Mr. Young was referring to and Mr. Young corrected himself; he meant to say sewage treatment plant.

President Smart thanked Mr. Young and Mr. McPherson for coming before the Council.

Mr. Young added a final point in closing, regarding regulatory framework. In the coming months Tri-town hopes to have some briefings to the towns on regulatory framework for the five sections they are working on now- subdivision, architectural and urban design standards, wetlands, and affordable housing. All are coming up and will have some public hearings on those before bringing them to the forefront. They will have briefings before bringing them to public hearing. They are still in draft form, and are working with the Planning Departments. It's been a very good process so far and he hopes to have an update for the Council shortly.

President Smart thanked Mr. Young and Mr. McPherson for coming before the Council.

06 020 - Ratification of vote on measure number 05-146 – Bond Request for Design

of New Water Treatment Plant at Great Pond

James Wilson reported that the Mayor requests same night action on a measure to ratify a prior measure approved by the Council, measure 05-146 which sought to authorize the Town Treasurer with the consent of the Mayor to raise \$2.6M for the Design and Owner's Project Manager of a water treatment plant at Great Pond. As the measure has indicated, there was a procedural flaw, and in order to make Bond Counsel very comfortable with the Council's prior vote, they wish it to be reaffirmed, without any further action by the Council.

Councilor Leary made a MOTION to consider item 06-020 under 2-9B of the Charter and was seconded by Councilor Kay. UNANIMOUSLY VOTED.

Councilor Leary made a MOTION to approve item 06-020 and was seconded by Councilor Kay. Councilor Leary asked if an architect has been selected. Mr. Wilson responded that an Owner's Project Manager has been selected- Environmental Partners. An administrative team has been formed to work in conjunction with them, and most notably on the architectural piece, CH2M Hill. Councilor Mathews asked if the entire measure was required to be read since it is a bond measure. President Smart responded that it was not. UNANIMOUSLY VOTED.

Approval of Letter to Department of Revenue - CP-4 Application Process

President Smart asked if Councilor Kay would read the letter and explained to the Council that it was drafted by the President, and to be co-signed by him and the Mayor at the request of the Senior Committee, to the Massachusetts Department of Revenue in regard to the Community Preservation Act exemption filing requirements. Councilor Kay read the letter aloud for the record and for the Council's consideration. Councilor O'Connor commended Councilor Kay for her work on this. Councilor Leary made a MOTION to approve and send the letter to the Department of Revenue, as is, and was seconded by Councilor Kay. UNANIMOUSLY VOTED.

Councilor Kay publicly thanked the Administration and the Mayor's office for their support and cooperative effort and that the letter holds more weight with the Mayor's signature also on it.

COMMUNICATION FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS

06-021 - Reappropriation Request - Fire Department Overtime \$60,900

Chief of Staff Jane Hackett reported on the Mayor's request to reappropriate \$60,900 for Fire Department Overtime, broken down to two categories: Fire Suppression and Rescue Overtime for \$50,000 and Fire Suppression and Rescue Clothing Allowance for \$10,900. Of the \$50,000 going into the overtime account, \$25,000 is retroactive, and \$25,000 for

going forward. This was agreed to in a previous measure in the Collective Bargaining Agreement, and monies were appropriated into the salary account as opposed to being separated out into the overtime accounts. This will replenish the account for retroactive payments that have been made, and prospectively, for going forward.

Councilor Leary made a MOTION to refer item 06-021 to the Budget Management Committee and was seconded by Councilor Kay. UNANIMOUSLY VOTED.

06-022 - Appointment to the Planning Board - Francis Hawkins

Chief of Staff Jane Hackett reported on the Mayor's request to appoint Francis Hawkins to the Planning Board for a term to expire on June 30, 2009. This is to fill a vacancy created by the resignation of Mr. Dillon and is for the balance of what his term of office would have been.

Councilor Leary made a MOTION to refer item 06-022 to the Budget Management Committee and was seconded by Councilor Kay. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Rules Committee - Chairman Whitaker

The Rules Committee continues a comprehensive review of the rules, having met prior to the Town Council meeting and reconvening at the close of the Council meeting. He invited any Councilors who would like to have input in the review to stay when the committee resumes its meeting. The plan is to present the changes as a whole for vote by the Council, so it can be accomplished in a timely fashion.

Naval Air Station Advisory Committee - Chairman Leary

Chairman Leary reported that having received the new information from the Tri-Town group earlier, there is some confusion. He provided the Council with a map. There were three meetings in recent weeks:

- On 2/7 with the South Weymouth Neighborhood Association and with Mr. Fancher and Mr. McPherson. In attendance were President Smart, Councilor Whitaker and Councilor Leary. The meeting was held at the Nazarene Church and was well attended. Several issues were brought up, but many of them should have been brought up several years ago. There was a lot of legitimate concern about the traffic; particularly the effect development of the air base will have on Pine Street. Councilor McPherson took notes and sent a list of 47 items he noted from the meeting. A copy of the list will be made for the Councilors.
- The next meeting was the South Shore Tri-Town Board of Directors Meeting-held at their office, and attended by Councilor Mathews. It was requested that Councilor Mathews attend because 40R (Overlay Zoning for Smart Growth) was

supposed to have been discussed, but it was tabled.

Councilor Mathews noted that Mr. Fancher had an initial meeting with the state regarding 40R, but did not have any information to provide. They expect to have something at the next few Tri-Town Board of Directors meetings.

Councilor Leary noted that from his association with Mass. Municipal Association, and from attending these meetings that 40R is a concern to a lot of people, and it is still in a transitional phase. Although several communities are interested, no community yet has adopted it. It goes in conjunction with 40S, which is a funding mechanism for schools, and that again will require more attention. Mr. Fancher reported to Councilor Leary that the next meeting of the Board of Directors will be held sometime between March 21st and 23rd and the issue of 40R will be discussed.

- The next meeting to report on is the RAB meeting attended by President Smart. He provided a map and handout to the Council and there was a Power Point presentation that went along with it. RAB, which is involved in the clean-up and restoration on the base, has been in existence for ten years, and President Smart has been on it for five years. One of the latest developments provided by the Navy is the Environmental Geographic Information System (EGIS), to manage data and assist in the cleanup. The map President Smart handed out shows the rather extensive areas that were sampled (273,000 samples taken).

Councilor Leary concluded his report noting that there is still a long way to go on the clean-up. It is currently being addressed.

President Smart added that there have been over a hundred meetings over the last ten years. During the winter months, a majority of the work being done is field work and planning for spring, summer and fall. There are a number of sites, such as Buildings 82 and 81 and the SRA are due to come out for a public comment period in the spring and summer, regarding various clean-up methods. What typically occurs is a public comment hearing to provide options to clean-up. For example, the Navy put forward seven alternatives for the public to comment on for the RDA located in the eastern end of the base in Rockland. In this case, the options ranged from no action to complete removal and disposal to an out of state site. He did send a number of letters requesting full removal.

Right now it appears the Navy will remain as the lead agency for the clean-up, and that the EPA will not be taking over anytime, and they will expect the similar public comment hearings to continue as the project goes forward. Right now it's just slow because it's into the winter months.

Councilor Leary noted that Secretary Pritchard provided a 27-page certificate for the

Notice of Project Change (NPC) for the waiver, a comprehensive report. There are many requirements in the NPC and waiver that must be met. Many of these will come out in the draft EIR, but there are many concerns in the report, for example, water supply. The two most viable options for water supply, identified in the NPC are the MWRA and the Aquaria Desalinization Plant. Councilor Leary would like more information.

He also noted that several citizens have contacted the committee, and have received somewhat nebulous answers from Mr. Fancher, the Board of Directors, and LNR. Councilor O'Connor sent a letter on January 18, 2006, and just received an e-mail response partially answering some of his questions concerning fire protection, limits of contracts for fire and police, and financial responsibilities. While contracts with the developers are ongoing, it is a matter of living with the answers given, but all were urged to continue asking questions. LNR has stated at a prior Council meeting it would put an anemometer to measure wind speed on the base but hasn't done this to date. No answers on whether that will be done have been forthcoming. As a committee, they will keep track of these things, and questions can be addressed through Councilors Leary, Mathews and Smart.

(During this report, Councilor Shanahan briefly left at 8:30 pm, and returned at 8:40 pm.)

President Smart reported that any questions that are not answered will be referred back until they are.

Councilor Mathews thanked every resident who took the time to e-mail or write to Secretary Pritchard. Many of the residents', Councilors' and the Mayor's concerns were put into this report, and the proponent will have to address the concerns, such as water, traffic, sewage etc. during the EIR.

Councilor Kay noted that in reviewing minutes from meetings with LNR and South Shore Tri-Town, both had said they would back up some of their offerings in writing, and asked if the Council had received anything of that nature, and if not, use the Committee's resources to push that issue.

Council Whitaker noted that a letter signed by LNR and Tri-Town was sent to Mr. Smart and to Mayor Madden with those representations made. He will find a copy for the Council. The letter also contained information about the substantial completion of the three intersections being done before occupancy permits issued was contained in the certificate prior to the MEPA certificate coming out, and which was a concern raised. For anyone interested, the MEPA certificate is available on their website, in the environmental monitor, South Weymouth NAS project.

Councilor DiFazio asked if the Committee had formally met at this point and Councilor Leary responded they had not. Councilor DiFazio reminded that he was one of the proponents of this Committee, and the first measure of business should be to formulate the Committee and determine its' make-up; would it include citizens, and is the

Committee planning to set a meeting schedule?

Councilor Leary responded that the President appointed himself, and Councilor Leary as Chair, and Councilor Mathews to the Committee, but they were willing to take suggestions from anyone including citizens. He will call a meeting to discuss it, and invite Councilor DiFazio.

Councilor Mathews noted that it is of importance that one of the three appointees is at every meeting involving the air base.

NEW BUSINESS

Resolution in Support of Legislation Regarding National Sex Offender Registration

Councilor O'Connor read for the record (and to refer to the Public Safety Committee) a letter in favor of support of national legislation to strengthen and increase tracking of sex offenders, and to provide standards for notifying the community about these predators. It also indirectly affects the town's law enforcement budget- the congressional budget office authorizes and predicts \$75,000 each year up until 2008, will be given to the Department of Justice to make grant money available to cities and towns with more than 50,000 residents in its jurisdiction, which includes Weymouth. This money would be used to combat sexual abuses of children. There are 1,500 cities and counties exceeding the resident requirement so the grants should be plentiful, and in talking with the Chief of Police, Weymouth could apply for these grants. The resolution, entitled Weymouth Town Council Resolution in Support of Legislation that Improves the National Program to Register and Monitor Individuals Who Commit Sex Offences Against Children was read by Councilor O'Connor.

Councilor O'Connor made a MOTION to refer the Resolution to the Public Safety Committee and was seconded by Councilor Kay. Councilor Leary noted that the Committee needs to meet before the March 6, 2006 date of the Resolution.
UNANIMOUSLY VOTED.

At 9:50 pm, there being no further business, Councilor Leary made a MOTION to adjourn the meeting, and was seconded by Councilor Kay. UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President

