

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
March 15, 2010 - Monday

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

Not Present: Arthur Mathews, President

Also Present: Franklin Fryer, Town Clerk
George Lane, Town Solicitor
James Wilson, Chief Financial Officer
Maureen Duffy, Town Auditor
Susan Kay, Mayor
Robert Leary, Chief, WFD

Recording Secretary: Mary Briggs

Vice President O'Connor called the Town Council Meeting to order at 7:35 PM. Town Clerk Franklin Fryer called roll, with one member absent. Due to emergency conditions at his home following the rain, President Mathews is unable to be at this evening's meeting.

ANNOUNCEMENTS

Mayor Susan Kay announced that in accordance with a decision made by the Governor of the Commonwealth, that due to the significant number of Weymouth residents who have been affected by the inordinate amount of rain, and flooding, she has declared a state of emergency locally at 5:45 PM today, March 15, 2010. The town, through its emergency management department and in cooperation with the school department, has opened a shelter at the high school. Residents without power and/or heat and who have no other place to stay should contact Emergency Management at 781 340-5048. The Red Cross, through Emergency Management, has been contacted and is cooperating with town emergency personnel to assist residents in need. Fallon Ambulance Service will be at the shelter at the high school to assist. The Mayor asked council members if they receive

calls to refer constituents accordingly. The shelter is expected to be up and running at 7PM this evening.

ANNOUNCEMENTS

Councilor Pap reported that tickets are still available for the Skills USA. Weymouth High School culinary staff and students will prepare and serve a corned beef and cabbage dinner on Wednesday, March 17th from 5:30-7:30 PM. Tickets are available at the front desks at WHS and both middle schools.

He reported that there will be a neighborhood meeting on the Great Esker Salt Marsh Restoration Project on Tuesday, March 16th at the Whipple Senior Center at McCulloch School.

Councilor Pap also reported that the North Weymouth Civic Association held an informal meeting on Sunday March 14th. There has been a surge in new membership and the meeting was very productive. He encourages anyone who might be interested to contact the association directly or through the Facebook page.

He finished his announcements noting the town traffic engineer has conducted a preliminary study of the intersection of Bridge and Neck Streets. The traffic situation merits further study. There are a number of concerns, including the amount of time for the traffic signals and a current study is being conducted by Mass Highway.

Councilor Harrington reported on behalf of the Public Works Committee that yard waste is collected every other week on the established rubbish pickup day, beginning the week of April 5, 2010 and continuing weekly. The Hollis Street drop off also opens on April 5th and is open daily 8AM to 3 PM and Saturdays 9AM to 1PM. Yard waste is defined as leaves, grass clippings, weeds, hedge clippings, yard materials and brush measuring 1" or less in diameter, exclusive of diseased vegetation.

Councilor Conlon reported that the Town of Weymouth Commission on Disabilities will be accepting nominations to honor local individuals who make a difference in the lives of people with disabilities. Nomination forms are available at the Mayor's office, or can be obtained from the town website www.weymouth.ma.us. All nomination forms will be reviewed and awards will be presented to those deserving individuals at a ceremony in the spring. All nomination forms must be completed and returned to Jeanne Savoy by April 14, 2010. For more information, please contact her at the Mayor's office 781 682-3620.

Vice President O'Connor acknowledged Boy Scout Troop 2 in attendance at the meeting fulfilling a civic duty.

Citation Issuance For Public Safety Efforts – Lieutenant Jack Burke and Officer Michael Symes

Vice President O'Connor, Chair of the Safety Committee, Chief Grimes and Mayor Kay

presented a citation to Lt. Burke and Officer Symes. Vice President O'Connor reported that there are several citations being issued; by the town, the Council, and State Senator Hedlund's office. Councilor O'Connor read a Town Council citation which recognized Lieutenant Burke and Officer Symes who while on duty on February 10, 2010 apprehended two armed and dangerous individuals actively engaged in the unlawful sale and distribution of narcotics in the Town of Weymouth. He congratulated both policemen and they received an ovation from the Council and audience. Vice President O'Connor then read the second citation, from the office of State Senator Hedlund and the State Senate.

Mayor Kay read a citation from the Town of Weymouth. She noted that she was extremely proud of their efforts and the message being sent to the rest of the surrounding South Shore. Street value of the drugs seized was in excess of \$200,000 (6,700 oxycodones) and the arrests put a dent on the drug trade in the town.

Chief Grimes also commended his officers. He read a quote from their Watch Commander, Lt. Abadessa. "This case is a clear example of how a seemingly routine call can turn into a major arrest through attention to detail. I have no doubt that Lt. Burke and Officer Symes were able to uncover this serious crime through good basic investigative skills, proper attention to duty and sound police tactics. I believe that both Lt. Burke and Officer Symes acted in a manner that reflects most favorably upon themselves, and the Weymouth Police Department and that this case came to fruition as a result of their excellent work."

Chief Grimes concurred with Lt. Abadessa's assessment, and noted his personal observations and review of the case-- he is honored to recognize Lt. Burke and Officer Symes for an outstanding job. He also commended the entire police force for the work they do daily.

MINUTES

Ordinance Committee Meeting Minutes of March 1, 2010

A MOTION was made by Councilor Smart to accept the minutes of the March 1, 2010 Ordinance Committee meeting and was seconded by Councilor Whitaker.
UNANIMOUSLY VOTED.

Budget Management Committee Meeting Minutes of March 1, 2010

A MOTION was made by Councilor Smart to accept the minutes of the March 1, 2010 Budget Management Committee meeting and was seconded by Councilor Whitaker.
UNANIMOUSLY VOTED.

Town Council Minutes of March 1, 2010

A MOTION was made by Councilor Smart to accept the minutes of the March 1, 2010 Town Council meeting and was seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

COMMUNICATION AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS

10 017 – Snow Removal-Free Cash Appropriation

Mr. Wilson requested, on behalf of the administration, a free cash appropriation for snow removal in the amount of \$200,000. This appropriation and the next measure came as a result of the threatened snowstorm the beginning of March. This amount may be reduced as it goes forward. The balance in free cash at the time of this submittal is \$1,257,942.

A MOTION was made by Councilor Smart to refer item 10 017 to the Budget/Management Committee and was seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

10 018 – Authorization to Over Expend for Snow Removal –Action under 29-B (same night action) is requested

Mr. Wilson requested ,on behalf of the administration, authorization to over expend on the snow removal budget. The Mayor is also requesting same night action on this particular item. In accord with general law, as the town comes closer to exceeding the budget appropriated by the Council, state law requires authorization in order to expend beyond that appropriation. This is the first time that the authorization request has come this late in the process. The town is within approximately \$1800 of over expending. One additional snow or ice event requiring overtime will require authorization.

A MOTION was made by Councilor Smart to consider item 10 018 under 2-9B, same night action, and was seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Smart for favorable action on item 10 018 and was seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

10 019 – Fire Department Overtime Re-appropriation

Mr. Wilson requested a re-appropriation of salary line items to the Fire Department overtime line item in the amount of \$150,000.

A MOTION was made by Councilor Smart to refer item 10 017 to the Budget/Management Committee and was seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget/Management Committee- Chairman DiFazio

10 009 – Fiscal year 2009 Financial Statements and Management Letter

This measure was referred on February 9, 2010. The committee met on February 16,

2010 and again on March 15, 2010, and recommended favorable action. Councilor DiFazio requested that Kevin Carnes, Senior Partner and Town Auditor Maureen Duffy give a brief overview for the Council. Mr. Carnes reminded the Council that last year there were findings in the audit as a result of personnel staffing changes the prior year. There were no such findings in the current audit. Timely closing of the books and cash reporting to the state have been done. There are a few comments within the management letter recommended. The recommended annual audit of the town's policies and procedures is not being done within the capacity of a part-time auditor; either the role of the auditor or the policies and procedures manual need to be revised. Also noted during testing were items missing from some of the personnel files. The files need to be reviewed. The final comment is that interest needs to be booked regularly on the performance bonds.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth accept the 2009 Financial Statement and Management Letter, with the proviso that the Town Council President address the Management Letter, Comment Number One- the need to reassess the internal auditor function within the Town's Policies and Procedures Manual. This was seconded by Councilor Smart. Councilor Lacey acknowledged the administration's response in 2009 and he appreciates the work done to rectify the findings from the prior audit. UNANIMOUSLY VOTED.

10 010 – Reserve Fund Transfer-Special Election Costs

This measure was referred on March 1, 2010. The committee met on March 15, 2010, and recommended favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth transfer the sum of \$13,319.07 from the Reserve Fund Program 132 to Town Clerk Election salary line for the purpose of funding the cost of two special elections. This was seconded by Councilor Smart. UNANIMOUSLY VOTED.

10 010A – Reserve Fund Transfer – Part-Time Personnel Costs

This measure was referred on March 1, 2010. The committee met on March 15, 2010, and recommended favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth transfer the sum of \$2,000 from the Reserve Fund Program 132 to Town Clerk Salary for the purpose of funding the cost of a part-time position for eight weeks. This was seconded by Councilor Smart. UNANIMOUSLY VOTED.

10 011 – Deed in Lieu of Foreclosure-Thicket Street

This measure was referred on March 1, 2010. The committee met on March 15, 2010, and recommended favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Mayor of Weymouth is authorized, In accord with Section 77C of Chapter 60 of the General Laws of the Commonwealth of Massachusetts, and the Massachusetts Department of Revenue, IRG-2002 to accept a deed in lieu of tax foreclosure for the following property: Liberty Realty Trust, Albert Schofield, 63-647-003; assessed value \$174,300; taxes due \$118.365.04. This was

seconded by Councilor Smart. UNANIMOUSLY VOTED.

10 012 – Appointment to the Board of Elder Services-Dorothy Canniff

Dorothy Canniff was invited to introduce herself and her interest in serving the town.

This measure was referred on March 1, 2010. The committee met on March 15, 2010, and recommended favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth appoint Dorothy Canniff, 84 Madison Street, Weymouth, MA 02189 to the Board of Elder Services. Her term will expire June 30, 2012. This motion was seconded by Councilor Smart. Councilor Molisse thanked Ms. Canniff for her dedication to the town and noted she will be welcomed by the Board of Elder Services. UNANIMOUSLY VOTED.

NEW BUSINESS

10 016 – Charter Review Committee Proposed Amendments-Council President Arthur Mathews

Vice President O'Connor noted that this item was initially to be addressed by President Mathews and in his absence, he would ask Councilor Smart, the other appointee to the committee to address. Councilor Smart noted that this item is a result of the work of the Charter Review Committee, which has, pursuant to section 8-5 of the Town Charter, reviewed the Charter over the last five months. Proposed changes have been highlighted. Councilor Smart requested that the full Council review the recommendations. The proposal will be referred to the Ordinance Committee, then to the full Council and then signed off by the Mayor before it can be put on the ballot. A MOTION was made by Councilor Smart to refer item 10 016 to the Ordinance Committee and was seconded by Councilor and was seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

ADJOURNMENT

The next Town Council meeting will be held on Monday, April 5, 2010 at 7:30 PM.

At 8:00 PM, there being no further business, a MOTION to adjourn was made by Councilor Smart and seconded by Councilor Whitaker. UNANIMOUSLY VOTED.

Respectfully Submitted by: Mary Briggs, Recording Secretary

Approved by: Patrick O'Connor-Vice President