

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
March 21, 2005

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

Also Present: David Madden, Mayor
James Wilson, Chief Financial Officer
George Lane, Town Solicitor
Kathy Deree, Assistant Town Clerk
Richard Swanson, Town Auditor

Recording Secretary: Janet Murray

President Lacey called the Town Councilor Meeting to order at 7:30pm.

ANNOUNCEMENTS

Councilor Molisse stated that registration forms for the summer recreation program is now available at Town Hall or the Youth Center. Registration begins on 4/2/05. He noted that registration can be done on-line at the Town Website.

Councilor Molisse also stated that there will be a 50th anniversary celebration for all those who have worked in the recreation programs over the years. This event will be held on 5/14/05 from 6pm – midnight at the Sons of Italy Hall in East Weymouth.

Councilor DiFazio stated that the East Weymouth Neighborhood Association will be holding its annual Pizza Fest on 4/7/05. An Association meeting will follow with discussion focused on the proposed re-use of the South Weymouth Naval Air Station. Weymouth's Mayor, David Madden, State Representative James Murphy, and State Senator Robert Hedlund will be present at this event.

Councilor Leary stated that the South Weymouth Neighborhood Association will hold a meeting on 3/22/05 at 7:30pm at the Church of the Nazarene in South Weymouth. The topic will be the proposed re-use of the South Weymouth Naval Air Station.

Councilor Smart stated that he and Councilor Lacey have set up weekly a meeting with the Mayor and his Administration to discuss mitigation of impacts for the proposed re-use plan for the South Weymouth Naval Air Station.

Councilor Hargadon stated that Sulio Soni, former Tax Collector, passed away recently. Councilor Hargadon also stated that the viewing of the World Series Trophy at the High School was highly successful. Almost 1900 people waited in line to view this trophy.

Councilor Lacey stated that Councilor Molisse will represent the Town Council on the School Steering Committee to develop a strategic plan for school administration. He thanked School Superintendent Joseph Rull for the timely installation of the scoreboard at Abigail Adams Intermediate School.

Councilor Lacey also stated that there will be a Special Town Council Meeting regarding the Naval Air Station on 3/28/05. There will also be a Zoning Plan Public Hearing Meeting on 3/23/05 at 7:00pm at the South Shore Tri-Town Development Corporation (SSTTDC) Conference Center. This meeting was originally scheduled for 3/24/05.

Councilor Lacey noted the presence of Boy Scout Troop #73 and Troop #9 in the audience tonight. Troop #73 was represented by Brian Weiss, Jason Donahue, Dan Haley, and Peter Norton. Troop #9 was represented by Chris Bennett and Zachary Hachey.

National Community Development Week – commencing March 28 – Proclamation reading by Jody Lehrer – Town of Weymouth Community Development Coordinator.

MINUTES

Budget/Management – 12/1/04

A MOTION was made by Councilor Smart to APPROVE the minutes from the Budget/Management Meeting on 12/1/04 and was seconded by Councilor Molisse and UNANIMOUSLY VOTED.

Economic Development and Budget/Management – 12/9/04

A MOTION was made by Councilor Kaye to TABLE the minutes from the Economic Development and Budget/Management Meeting on 12/9/04 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Budget/Management – 12/28/04

A MOTION was made by Councilor Smart to APPROVE the minutes from the Budget/Management Meeting on 12/28/04 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Education – 1/5/05

A MOTION was made by Councilor Smart to APPROVE the minutes from the Education Meeting on 1/5/05 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

Ordinance Committee – 2/7/05

A MOTION was made by Councilor Smart to APPROVE the minutes from the Ordinance Committee Meeting on 2/7/05 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Budget/Management 2/15/05

Councilor Kay noted that on page 1, the number of firefighters should read six (6).

A MOTION was made by Councilor Smart to APPROVE AS AMENDED the minutes from the Budget/Management Meeting on 2/15/05 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Budget/Management – 3/8/05

A MOTION was made by Councilor Smart to APPROVE the minutes from the Budget/Management Meeting on 3/8/05 and was seconded by Councilor Leary and UNANIMOUSLY VOTED.

PUBLIC HEARINGS

05 014 – Appropriation Request – Health Insurance - \$156,000

A MOTION was made by Councilor Smart to CONTINUE the Public Hearing from 2/22/05 on Item #05 014 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

This Item was published on 2/12/05.

James Wilson stated that this is a 2% increase of the Town's share of employee health insurance. This amount would be taken from free cash. Free cash is at \$1.2 million. After this expenditure, free cash will be at approximately \$1.1 million.

Councilor Connolly stated that a 2% increase is very insubstantial. Mr. Wilson stated that the Town has done well in keeping this under control. This is not part of the MMA. It is the Town's plan.

Councilor Kay asked how often an increase may occur. Mr. Wilson stated that an increase can occur as often as necessary to keep the account solvent. He noted that over the past few years, the Town has strived to keep this increase to once per year.

Councilor Lacey asked for public comment. There was no response.

A MOTION was made by Councilor Smart to CLOSE the Public Hearing on Item #05 014 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Connolly to TAKE OUT OF ORDER two items, “Relay for Life” and resolution regarding “Gilbert Newton Lewis” and was seconded by Councilor Hargadon and UNANIMOUSLY VOTED.

“Relay for Life” – Cancer Awareness – Jane Foley

Jane Foley appeared before the Council to detail the work being done by the American Cancer Society. She noted that her phone number is 781-849-7197. In describing the Relay for Life, Ms. Foley stated that the relay is a cluster event to be hosted at Braintree High School. Quincy, Milton, and Weymouth residents are invited to participate. She noted that the event is held all night and has the atmosphere of a block party. The event will held on June 10th and 11th.

Harold Paretchan/resolution regarding Gilbert Newton Lewis – Councilor McPherson

Councilor McPherson noted that Mr. Harold Paretchan has been working diligently to have the United States Postal Service create a stamp in honor of Weymouth resident Gilbert Newton Lewis. Dr. Lewis was a great chemist/scientist. This item was previously supported by the Council.

Councilor McPherson read a resolution regarding Dr. Lewis.

“Whereas, Gilbert Newton Lewis was born on October 23, 1875 in Weymouth, Massachusetts, and Whereas, Dr. Lewis was awarded his PhD in 1899 at the age of 24, and Whereas, Dr. Lewis was one of the first scientists in the entire world to understand Albert Einstein’s theory of special relativity. And Whereas, Dr. Lewis was appointed Chairman of the Department of Chemistry and Dean of the College of Chemistry at UC Berkeley in 1912 where he served for 34 years until 1946, and Whereas, Dr. Lewis built a remarkably strong department that ultimately trained a large number of scientists who went on to become Nobel Prize Laureates, members of the National Academy of Science and division or department chairs at other universities, and Whereas, Dr. Lewis, in addition to his contributions to education, also contributed to four areas of science including thermodynamics and its relationship to chemical equilibrium, the electron-pair bonding theory of atoms and molecules, isotopes and the interaction of light with matter, and Whereas, Dr. Lewis’s research efforts organized the scattered laws of thermodynamics and brought about the evolution of physical chemistry into the science as it is known today with many of the research tables that he produced still in use today, and Whereas, Mr. Harold Paretchan, a citizen of Weymouth, has dedicated himself to enlightening citizens from Weymouth and from across America about Dr. Lewis’s phenomenal accomplishments in the field of chemistry, and Whereas, it is entirely fitting to honor a man such as Gilbert Newton Lewis, who so profoundly influenced the world of science and the world we now live in,

Now, therefore, we, the Town Council of the Town of Weymouth, Massachusetts, do hereby, by this resolution, enthusiastically express our overwhelming support for Mr. Paretchan’s effort to have the United States Post Service’s Citizens Stamp Advisory Committee honor Dr. Gilbert Newton Lewis’s scientific achievements by creating a postage stamp in Dr. Lewis’s honor.”

A MOTION was made by Councilor Kay to vote FAVORABLE ACTION ON this resolution and was seconded by Councilor Smart and was UNANIMOUSLY VOTED.

Mr. Parechan spoke to the process of attempting to have a postage stamp named in Dr. Lewis's honor.

04 240 – Compensation Increase – Town Council

A MOTION was made by Councilor Smart to OPEN the Public Hearing on Item #04 240 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

This item was published on 3/11/05.

Councilor Leary stated that the studies used to determine these increases are available from the Council Office.

Councilor Lacey noted that currently Councilors receive \$5000. The Council President receives \$7500. The increase would result in the following changes; Councilors would receive \$7500; the Chairperson of the Budget/Management Committee would receive \$8500; and the Council President would receive \$9500. It was noted that there has been no increase since 2000. The increase would go into effect on 01/01/06.

Councilor Lacey asked for public comment to which he received the following response.

Paul Horrigan of 31 Harlem Road stated that he was in favor of the increase and that it was long overdue.

Ann Hilbert of Doris Drive stated that she is not opposed to an increase. However, she noted that town employees do not receive 50% pay raises. She also noted that the Council tends to rubber-stamp everything.

Elizabeth Foster-Nolan of House Rock Road expressed concern regarding the dramatic increase. She stated that she was not opposed to an increase, but suggested less than the 50% proposed.

Dominic Galluzzo of 86 Candia Street noted that the increases proposed are 11% for the Mayor, 33% for the School Committee, and 50% for the Council. He also noted that most people see a 1-3% increase in pay. He stated that the structure proposed is inconsistent.

Jim Haley of 1273 Pleasant Street stated that the Council's job is a seven day per week job. He is in favor of the increases.

A MOTION was made by Councilor Smart to CLOSE the Public Hearing on Item #04 240 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

04 241 – Compensation Increase – Office of the Mayor

A MOTION was made by Councilor Smart to OPEN the Public Hearing on Item #04 241 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

This item was published on 3/11/05.

The Mayor's current salary is \$94,065 and would be increased to \$110,000 on 1/1/06.

Paul Horrigan of 31 Harlem Road spoke in favor of this increase.

A MOTION was made by Councilor Smart to CLOSE the Public Hearing on Item #04 241 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

04 242 – Compensation Increase – School Committee

A MOTION was made by Councilor Smart to OPEN the Public Hearing on Item #04 242 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

This item was published on 3/11/05.

Elizabeth Foster-Nolan of House Rock Road stated that the school's budget is 50% of the Town's budget. She questioned the parity of the pay increases. She noted that the Budget/Management Chairperson is receiving a larger increase for the Council. She stated that the same type increase should occur for the School Committee.

A MOTION was made by Councilor Smart to CLOSE the Public Hearing on Item #04 242 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

05 025 – Appointment – Commission on Disabilities – Beverly DeMorat

This is a vacancy that resulted from a resignation. The term would expire on 6/30/08.

A MOTION was made REFER Item #05 025 to Budget/Management and seconded by Councilor Mathews and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Leary to ADD a late agenda item and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

Robert Casimiro asked to have a revision to the Responsible Employee Ordinance referred to the Town's Ordinance Committee. This revision pertains to documentation to be provided by employees to their employer.

A MOTION was made by Councilor Leary to REFER to the Ordinance Committee an amendment to the REO and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Ordinance Committee – Chairman Leary

04 240 – Compensation Increase – Town Council

Councilor Lacey stated that he had received a letter from Mickey Cronin pertaining to the three items for compensation increases. The letter was included in all Councilors packets.

Councilor Leary stated that the Ordinance Committee voted 2-3 for Unfavorable Action on Item #04 240.

Councilor Leary made a MOTION to RECOMMEND FAVORABLE ACTION on Item #04 240 and was seconded by Councilor Mathews. The following discussion ensued.

Councilor DiFazio stated that he was concerned with where the funding of this appropriation would be found. He noted that the town currently has a \$1 million deficit in the snow removal line item and that the Fire Department has almost doubled their line item for overtime. He questioned why this item was not referred to Budget/Management. He also noted that this item was not considered by the Administration.

Councilor Kay recommended that the item be referred to Budget/Management.

Councilor Leary stated that this is a calendar year increase. The 50% of \$5000 is not a substantial amount of money.

Councilor Mathews stated the Town Council increase would amount to \$13,750, the Mayor's increase would amount to \$6218, and the School Committee would amount to approximately \$10,000. The total would amount to approximately \$30,000.

Councilor McPherson stated that the increase is too much and he is against it.

Councilor Kay stated that other reclassifications have been sent from Ordinance to Budget/Management.

Councilor Kay made a substitute MOTION to REFER to Budget/Management Item #04 240 and was seconded by Councilor DiFazio. The following discussion ensued.

Councilor McPherson questioned what sending this item to Budget/Management would accomplish.

Councilor Leary stated that the Council has the say, not the Mayor or Budget/Management- as per the Charter.

Councilor Lacey noted that the Charter clearly states that the salary is set by ordinance.

Councilor DiFazio stated that the funding ramifications were never brought up.

Councilor Mathews asked if Councilor DiFazio is waiting for the budget to be released on 4/1/05. Councilor DiFazio responded that either waiting until the budget is submitted or just getting a response from Administration as to the availability of funds would be acceptable.

Councilor Kay stated that we do not know what the budget looks like for FY 06. She also stated that she is concerned with the source of the increase.

The substitute MOTION FAILED on a 9-2 vote.

Councilor Connolly – No	Councilor McPherson – No
Councilor DiFazio – Yes	Councilor Molisse – No
Councilor Hargadon – No	Councilor Shanahan – No
Councilor Kay – Yes	Councilor Smart – No
Councilor Leary – No	Councilor Lacey – No
Councilor Mathews – No	

Councilor Molisse noted that the increase is fair and amounts to approximately \$155 per month.

The MOTION to RECOMMEND FAVORABLE ACTION on Item #04 240 PASSED on a 7-4 vote.

Councilor Connolly – Yes	Councilor McPherson – No
Councilor DiFazio – No	Councilor Molisse – Yes
Councilor Hargadon – Yes	Councilor Shanahan – Yes
Councilor Kay – No	Councilor Smart – No
Councilor Leary – Yes	Councilor Lacey – Yes
Councilor Mathews – Yes	

04 241 – Compensation Increase – Office of the Mayor

Councilor Leary Councilor Leary stated that the Ordinance Committee voted UNANIMOUSLY to recommend Favorable Action on Item #04 241.

Councilor Leary made a MOTION to RECOMMEND FAVORABLE ACTION on Item #04 241 and was seconded by Councilor Mathews. The following discussion ensued.

Councilor Kay stated that she still has concerns regarding the revenues as she did on the previous measure #04 240.

The MOTION to RECOMMEND FAVORABLE ACTION on Item #04 241 PASSED on a 9-2 vote.

Councilor Connolly – Yes	Councilor McPherson – Yes
Councilor DiFazio – No	Councilor Molisse – Yes
Councilor Hargadon – Yes	Councilor Shanahan – Yes
Councilor Kay – No	Councilor Smart – Yes
Councilor Leary – Yes	Councilor Lacey – Yes
Councilor Mathews – Yes	

04 242 – Compensation Increase – School Committee

Councilor Leary stated that Ordinance Committee voted 1-4 to recommend Unfavorable Action on Item #04 242.

Councilor Leary made a MOTION to RECOMMEND FAVORABLE ACTION on Item #04 242 and was seconded by Councilor Mathews. The following discussion ensued.

Councilor Kay stated that she still has concerns regarding the revenues as she did on the previous measures #04 240 and #04 241.

Councilor McPherson stated that the increase is too substantial.

The MOTION to RECOMMEND FAVORABLE ACTION on Item #04 242 PASSED on a 7-4 vote.

Councilor Connolly – Yes	Councilor McPherson – No
Councilor DiFazio – No	Councilor Molisse – Yes
Councilor Hargadon – Yes	Councilor Shanahan – Yes
Councilor Kay – No	Councilor Smart – No
Councilor Leary – Yes	Councilor Lacey – Yes
Councilor Mathews – Yes	

Budget/Management Committee – Chairman DiFazio

05 014 – Appropriation Request – Health Insurance - \$156,000

This item was referred to Budget/Management on 2/17/05. On 2/15/05 the item was continued until 3/21/05. It was published on 3/12/05. The Public Hearing on 2/22/05 was continued until 3/21/05. This item has not been voted out of the Committee therefore, Councilor DiFazio stated that he would report back after the item is heard again at the next Budget/Management Meeting.

05 015 – Re-appointment – Construction Steering Committee – Shawn Malloy

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/8/05. The Committee recommended UNANIMOUSLY to recommend Favorable action.

This term will expire on 6/30/07.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 015 and was seconded by Councilor Smart and was UNANIMOUSLY VOTED.

05 017 – Re-appointment – Board of zoning Appeals (alternate) – Sandra Carle

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/15/05. The Committee recommended UNANIMOUSLY to recommend Favorable Action.

This term will expire on 6/30/06.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 017 and was seconded by Councilor Smart and UNANIMOUSLY VOTED.

05 018 – Re-appointment – Board of Zoning Appeals (alternate) – Kemal Denizkurt

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/15/05. The Committee recommended UNANIMOUSLY for FAVORABLE ACTION.

This term will expire on 6/30/06.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 018 and was seconded by Councilor Connolly and was UNANIMOUSLY VOTED.

05 019 – Appointment – Historical Commission – Thomas H. Curtis

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/15/05. The Committee recommended UNANIMOUSLY for FAVORABLE ACTION.

This term will expire on 6/30/07.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 019 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Mr. Curtis spoke to the Council, thanking them and the Mayor for the appointment.

05 020 – Appointment – Board of Library Trustees – William Westland

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/15/05. The Committee recommended UNANIMOUSLY to recommend Favorable Action.

This term will expire on 6/30/08.

Mr. Westland spoke to the Council and stated that he is concerned that libraries are disappearing all across the country. He would work towards maintaining the town's library system.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 020 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

05 021 – Appointment – Commission on Disabilities – Paula Damigella

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/15/05. The Committee recommended UNANIMOUSLY for FAVORABLE ACTION.

This term will expire on 6/30/07.

Ms. Damigella was present but did not speak before the Council.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 021 and was seconded by Councilor Smart and was UNANIMOUSLY VOTED.

05 022 – Appointment – Commission on Disabilities – Deb Deveau

This item was referred to Budget/Management on 2/22/05 and a meeting was held on 3/15/05. The Committee recommended UNANIMOUSLY for FAVORABLE ACTION.

This term will expire on 6/30/06.

Ms. Deveau spoke to the Council, thanking them for considering her appointment.

Councilor McPherson stated that he has known Ms. Deveau for many years and is certain that she will do a great job.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 022 and was seconded by Councilor Smart and was UNANIMOUSLY VOTED.

04 216 – TIF Review and Analysis

This item was referred on 11/19/04. The Committee met on 11/23/04 and heard from Town Auditor, Richard Swanson. On 11/29/04 the Committee voted to have Mr. Swanson contact the director of Economic Assistance to obtain information from them regarding de-certification. On 12/28/04 the Committee voted 2-1 to require all the representatives from the benefactors of the TIF (Sager Electric, Sovereign Bank, Sampson Insurance, and Campanelli) to appear before the Town Council. On 2/22/05 Sager Electric, Sovereign Bank, and Sampson Insurance appeared before the Town Council. On 3/8/05 the Budget/Management Committee met and deliberated on this issue. Three separate votes were taken regarding decertification. The votes were 5-0 for Sovereign Bank, 4-1 for Sampson Insurance, and 4-1 for Sager Electric, to de-certify. On 3/15/05, President Lacey wrote to the director of Economic Assistance informing them of the Budget/Management vote because of a deadline of 3/15/05 to be placed on the next agenda to de-

certify the TIF agreement. Pending the vote tonight, President Lacey will confirm this with Economic Assistance.

A MOTION was made by Councilor DiFazio to APPROVE the recommendation to DE-CERTIFY Sager Electric, Sovereign Bank, and Sampson Insurance.

A MOTION was made by Councilor McPherson to SPLIT the question into three (3) parts and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

SOVEREIGN BANK

A MOTION was made by Councilor DiFazio to APPROVE the de-certification of Sovereign Bank's TIF agreement and was seconded by Councilor Smart. The following discussion ensued.

Councilor Kay asked for a point of information. She questioned whether the name Abington Bank needs to be used. It was noted that the wording should be Abington Bank and any successors.

A SUBSTITUTE MOTION was made to decertify Abington Bank and any successors of the TIF agreement and was seconded by Councilor Smart.

Councilor McPherson had asked for a review of the TIF agreement when Abington Bank/Sovereign Bank moved out. This in turn became a motion.

Councilor Smart stated that he had not been in favor of the TIF agreements from the beginning. He noted that the companies barely made an effort to comply with the agreement.

The SUBSTITUTE MOTION to de-certify Abington Bank and any successors of the TIF agreement was UNANIMOUSLY VOTED.

SAMSPON INSURANCE

A MOTION was made by Councilor DiFazio to APPROVE the de-certification of Sampson Insurance Company TIF agreement and was seconded by Councilor Smart. The following discussion ensued.

Councilor Leary stated that no employees had been added; the company actually had two less, and had not hired anyone from Weymouth. The original TIF agreement was Item #02 139. He stated that the building was already in existence when the TIF was implemented.

Councilor Molisse noted that times are tough for everyone but local businesses are hurting too, so he is in support of this de-certification.

Councilor McPherson noted that the building was not in existence when the TIF was being negotiated. He did note that he would not vote for de-certification because he believes it is still unclear if the numbers in the agreements are targets or requirements.

Councilor Kay stated that she did not get the sense that this company had any intention to hire in the future so she will vote to de-certify.

Councilor Shanahan stated that he would vote in favor of de-certification.

Councilor Lacey stated that this company has no intention to comply with the TIF agreement.

The MOTION to RECOMMEND de-certification of Sampson Insurance Company's TIF agreement and was UNANIMOUSLY VOTED.

SAGER ELECTRIC

A MOTION was made by Councilor DiFazio to APPROVE the de-certification of Sager Electric's TIF agreement and was seconded by Councilor Kay. The following discussion ensued.

Councilor Leary stated that this came before the Council as Item #02 137 for a TIF agreement.

Councilor Kay stated that Sager seemed to have an intention to try to comply with the TIF agreement, however she noted that they had plenty of time to comply and did not.

The MOTION to RECOMMEND de-certification of Sager Electric's TIF agreement PASSED on a 10-1 vote.

Councilor Connolly – Yes
Councilor DiFazio – Yes
Councilor Hargadon – Yes
Councilor Kay – Yes
Councilor Leary – Yes
Councilor Mathews – Yes

Councilor McPherson – No
Councilor Molisse – Yes
Councilor Shanahan – Yes
Councilor Smart – Yes
Councilor Lacey – Yes

Councilor Lacey stated that he has sent a letter to the director of Economic Assistance to bookmark a place on the agenda for the de-certification proceedings. This will also be communicated to the Mayor's Office.

05 023 – Re-appropriation request – Fire Department Overtime - \$75,000

Councilor DiFazio stated that Item #05 023 was referred to Budget/Management on 2/22/05 and a meeting was held on 3/8/05. The Committee voted UNANIMOUSLY to recommend Favorable Action.

Councilor DiFazio made a MOTION to APPROVE Item #05 203 and was seconded by Councilor Mathews. The following discussion ensued.

The balance in the contributory line item fund is \$178,813 as of 2/22/05. The balance at week 34 (2/18/05) of the fire overtime fund is negative (-\$8550). Councilor DiFazio noted that a 2/3 vote is required.

On 3/8/05 the Chief of the Fire Department presented a verbal plan to minimize overtime and to fund overtime. One of the parameters of this plan is to utilize a 3/2 mode of operation. In 2003, a lengthy discussion was held regarding the public safety concerns of using a 3/2 mode of operation, which is having three engines and two ladders in service at the town's four fire stations.

Councilor DiFazio stated that there have been four measures regarding Fire Department overtime. Those measures are 04 199, 04 194, 05 012, and 05 023. Town Auditor ,Dick Swanson completed a detailed review.

A letter was received on 3/14/05 from the Fire Department Administration stating that effective immediately the department will operate in a 3/2 mode with only a ladder truck at Station 2.

Councilor DiFazio issued a letter to all Councilors dated 3/15/05 stating that public safety would be best served with a 4/1 operation. In response to facts heard in 2003 spelled out in Councilor DiFazio's letter, the Council voted on 5/5/03 (via a resolution) that it is in the best interest of the Town of Weymouth to hereby resolve that an engine company be manned and operable at all times at each of our four fire stations.

Councilor DiFazio stated that this request for \$75,000 and it only maintains a 3/2 mode of operation.

Councilor Hargadon stated that the fund is in a deficit. He believes that it is a priority to address this deficit now and address the 3/2 situation with the Chief and the Mayor. Fire Chief Leary is not available tonight.

Mayor Madden spoke before the Council. He stated that the current overtime amount for FY 05 is \$566,000 with ¼ of the year to go. He noted that in FY 04, the overtime amount for the entire year was \$535,000. He also noted that lost salaries for FY 04 was \$182,000. In FY 05 lost salaries were \$310,000. These losses were due to injuries and are made up with overtime. He stated that salary and overtime figures need to be budgeted together, not separately.

The Fire Department has been increased by four people. Recently, six firefighters graduated from the Academy. Of these six, four are new hires and two are filling vacant positions. Mayor Madden also stated that in regards to manpower, five people are budgeted for every four spots. This is a 25% surplus to help cover losses due to vacations, sick time, injuries, personal days, etc. At this time, to maintain 4/1 would require a 30% surplus.

The Mayor noted that there is a \$1 million deficit in the snow removal budget. He also noted that utility costs have increased dramatically.

The overtime account deficit has increased from \$8000 to \$31,000.

Councilor Connolly questioned what it would take to get to 4/1. It requires 20 people to support four engines and one ladder in service. There needs to be six extra men for each shift. With 3/2, 18 men are needed. With the new hires, overtime will be reduced.

There are currently eleven people out for a variety of reasons. There are three men set to retire and will be replaced as soon as the retirement papers are filed.

Councilor Smart questioned if \$75,000 would be enough. Mayor Madden noted that he did not believe that this amount would be enough.

Councilor Mathews asked how much would be needed to stay at 4/1. Mayor Madden was not certain as to the exact amount which would be required. The Mayor stated that potentially an additional \$100,000 could be needed. Councilor Mathews asked if the Town has applied for federal disaster funding. The Town has applied for \$200,000 in disaster relief.

Councilor Kay stated that although overtime dollars are from the salary line item, the money is being taken from other funds. She finds this very concerning. She asked where this additional money would come from. Mayor Madden stated that it was not clear. He noted that there is some money in free cash and a small amount in reserves. He stated that this has been a difficult fiscal year with significant increases in fire department overtime, snow removal, and utilities.

He noted that in the past the money has come from salary and overtime funds. He stated that he is not concerned with the overall fire department budget, but is concerned with the fact that the money has had to come from other line items.

Councilor Kay asked for a clearer picture on paper of what it would take to satisfy overtime and make sure we have enough funding within the salary line item, and possibly go to a 4/1 in the next fiscal year. Mayor Madden agreed to provide this information.

Councilor Shanahan stated that the funds are needed; people need to be paid and the Councilors need to support this.

Councilor Molisse stated his support for this item- as the money is owed.

Councilor DiFazio stated that this matter has been before the Council since 2/22/05 and there is a meeting next week on 3/28/05. If the measure were not passed tonight, it would be brought up next week. He also reminded the Councilors that earlier in the evening three measures regarding raises for Councilors, School Committee Members, and the Mayor, were passed without any regard as to the source of funding. Nor were those measures referred to Budget/Management.

Councilor Lacey stated that the next Council meeting on 3/28/05 is a Special Town Council Meeting and regular business will not be conducted. The proposed re-use of the former South Weymouth Naval Air Station will be the only agenda item.

Town Council – March 21, 2005

The MOTION to APPROVE Item #05 023 PASSED on a 9-2 vote.

Councilor Connolly – Yes
Councilor DiFazio – No
Councilor Hargadon – Yes
Councilor Kay – No
Councilor Leary – Yes
Councilor Mathews – Yes

Councilor McPherson – Yes
Councilor Molisse – Yes
Councilor Shanahan – Yes
Councilor Smart – Yes
Councilor Lacey – Yes

ADJOURNMENT

At 9:35pm there being no further business, Councilor Leary MOTIONED to adjourn and Councilor Molisse seconded and was UNANIMOUSLY VOTED.

Approved by: _____
T.J. Lacey, President