

MINUTES OF THE
TOWN COUNCIL MEETING
APRIL 5, 2004

PRESENT: TJ Lacey (President), Michael Smart (Vice President), Joe Connolly
Ken DiFazio, Greg Hargadon, Sue Kay, Paul Leary, Arthur Mathews
Colin McPherson, Michael Molisse and Greg Shanahan

OTHERS: Franklin Fryer, Richard Swanson, Jane Hackett, Jim Wilson and Solicitor
George Lane

President Lacey called the Special Town Council Meeting to order on Monday, April 5, 2004 at 7:30 p.m. in the Council Chambers.

ANNOUNCEMENTS

President Lacey – read a proclamation on behalf of Mayor Madden and TJ Lacey proclaiming April 12-16, 2004 as Community Development Week.

Councilor Smart – stated that the article in last Friday's Patriot Ledger about South Shore Tri-Town Developments dead line for the DDA being 5-6-04 and that they were going to transfer the land to Lennar before the 3 towns had an opportunity to vote on the project was not true. He also stated that the Post Office in Columbian Square's handicap access had been closed for about 6 weeks and he requested Jeff Richards investigate it after many complaints. The post office has agreed to reopen it as soon as possible.

Councilor Molisse – stated that the summer recreation booklet is out. Walk in registration will begin Saturday, April 10th. The Mayor is also working on the parking problem at Stella Park in So. Weymouth and he would like to thank him.

Councilor Connolly – stated that the yard waste program will resume again on April 12, 2004 until November on the biweekly schedule.

Councilor Shanahan – On May 1, 2004 the town is sponsoring a town wide clean up day. Any civic groups who wish to participate can contact the Mayor's office and the DPW will be around to pick up the trash. Also, Great Esker Park clean up will be that day from 8-12:00 p.m. Any questions, call him at 781-331-6175. This Thursday the NWCA will be meeting at 7:30 at the Hennley building and Jodi Lehr will be making a presentation on the CDBG.

APPROVAL OF PRIOR MINUTES

Councilor Smart MOTIONED to approve the Town Council minutes of 3/5/04.
Councilor Kay seconded. VOTED UNANIMOUSLY

Councilor Smart MOTIONED to approve the Ordinance Committee minutes of 3/1/04. Councilor Mathews seconded. VOTED UNANIMOUSLY

CITIZEN'S CONCERN/COUNCIL RESPONSE

PUBLIC HEARING

7:35 p.m. 04 068 – Appropriation request of \$485,500 from Water Retained Earnings for Water Treatment Plant

Councilor Smart MOTIONED to open the public hearing on measure # 04 068 Appropriation request of \$485,500 at 7:36 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Councilor Smart stated that this public hearing was advertised on March 23, 2004 for a public hearing on April 5, 2004 at 7:35 p.m. in the Council Chambers.

Mr. Wilson stated that one year ago the council had raised and appropriated \$500,000 for extraordinary and necessary repairs to the great pond water treatment plant. That money was fully expended on electronics. The Mayor is now seeking further funding for more repairs that need to be made over the next few months. The first item is the control valves for \$96,500. This is a bid item and came back at \$96,349. The second request is for \$50,000 for contingencies on the SCADA system and control valves. The third and fourth is an evaluation of the filtration system at \$23,000 and the estimate to replace them is \$275,000. Finally a panel truck for the service call crew at \$25,000 and a compressor for \$10,000, the additional \$560.00 will come from the operational budget of the Water Enterprise Fund totaling \$10,560. Lastly is \$6,000 for a copier. The bid came in yesterday at \$5,600.00

Mr. Wilson also stated that the retained earnings balance is \$1.2 million; if this measure is approved there will be \$700,000 left.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 068 at 7:47 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

OLD BUSINESS - NONE

COMMUNICATION FROM MAYOR, TOWN OFFICERS AND BOARDS

Mayor David Madden, overview of the FY05 Operating Budget

Mayor Madden stated that on Thursday he filed the FY05 budget with the Council. He spoke regarding his rationale and the development of the budget. His main concerns were

the organization itself and the needs of the schools over the next coming year. The organization has gone through tremendous changes over the past few years and wanted to provide some stability this year to get a good hand on what we were doing and how. Secondly is the issue with the schools. In the fall there will be a new high school and the creation of two middle schools grades 5-8.

Our revenues for this year are \$108,556,000.00. They used the cherry sheets based on Governor Romney's budget issued earlier this year. This showed an increase in school assistance of approximately \$116,000, state assessments and some decline on regular local aid with a net impact of \$200,000 reduction in state assistance.

New growth was estimated at \$550,000 which is down from \$1.4 million in this fiscal year. We are not seeing the same type of growth for fiscal year 2005. The other key component is a request of \$1.25 million from the stabilization account. As stated many times previously, it was their intention if necessary to use the stabilization account to help fund the first year of the cost of the high school. FY05 will be the first year that we pay on the full cost of our borrowing (interest payment) for the entire project. There has been some proposals at the state level that show reimbursement for us in FY05 and others in FY06, however they are not banking on reimbursements in FY05.

Our overall fixed cost is good news. Our health insurance is level funded this year. We have undergone an active claims management program and are able to bring our reserves up to an acceptable level in the health trust fund as a result we are able to level fund that account. Unemployment is down 2/3rds (67%) and pensions have increased 60%. Although a large increase this year, it should stabilize over the next few years. Worker's Compensation continues to be a problematic area. They are very aggressive on this and have appropriated close to \$1million to that over the past year. They hope to bring some stability to the account for FY06.

The school department is budgeted at \$49,432,000. This is an increase of 3.8%. This will allow the schools to meet their program goals for the opening of the new schools. In the general government budget there are no reductions in any programs or positions in FY05. The down side is there is not a lot of growth either to implement new programs. Last year they scaled back on the yard waste program and it was not successful. This year's budget will increase the pick up from 12 weeks to 29 weeks. From April – October pick up will be every two weeks and every week in November.

Capital Project requests have been limited to Water and Sewer. In 2000 it was apparent there were three critical needs in water and sewer. In water it was the availability of water, the quality of water and how we handled our waste water and sewer. This evening there are \$11 million dollars in requests for sewer improvements. They have been very aggressive in their programs. These are the final 3 contracts as mandated by the Department of Environment Protection for infrastructure and improvements in terms of increasing our capacity. Within 2-3 years these projects will be completed. There are 2 sewer projects currently ongoing and hopefully this will restrict the amount of sewer

overflows in the town. There is also an appropriation request to continue the I/I program which will help considerably. Finally there is a measure for \$150,000 for a study of the Water Treatment Plant. A quick walk through the building makes you are it is at the end of its life. Building a Water Treatment Plant is closely monitored by the DEP. The first step required is to do a study to determine the proper treatment process for the type of water you have within your community. That is what this study will do. This building was built in the 1920's.

Mayor Madden believes his budget meets the needs of the community.

Mrs. Hackett gave a brief overview of the budget book and their sections to the full town council. The first section the Mayor reviewed with you. The second section is the appropriation request. This contains all of the measures that the Mayor is requesting action on in conjunction with the budget. The remainder of the book is the detail for each department or category. She reviewed the Mayor's Dept. with the Council. The first page is a copy of the appropriation request. The second page is by program and the last page is salary detail by name and position. All positions are listed even if they are vacant. Jane and Jim Wilson are available to review with any councilors that would like to.

Councilor DiFazio asked when the administration anticipates the school budget. Mrs. Hackett said that the council received them today.

Mrs. Jane Hackett presented the following measures to the Council.

04 069 – Appointment to Board of Elder Services, Terrance Winter

Mr. Winter said he has lived in Weymouth forever. He is a retired high school teacher and has 4 college degrees (associates, bachelors, masters and a certificate in advanced graduate study); he works with eagle scouting in Hingham and is on the review board. As a high school teacher he worked with students against drunk driving, the governor's alliance on drugs and the ski club. Weymouth has a great council on aging and would really like to work with them.

Councilor Smart MOTIONED to refer measure # 04 069 Appointment to Board of Elder Services to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 070 – Re-appropriation to Fund 3416 CP Residual Account

Mrs. Hackett stated that this is a re-appropriation request from 12 identified accounts into the Capital Projects Residual account. Each of the accounts has less then \$1,000 in them. They will be provided the balances to the budget/management committee.

Councilor Smart MOTIONED to refer measure # 04 070 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 071 – Appropriate \$2,901.54 from Free Cash for FY04 Unpaid Bills

Mrs. Hackett stated these are unpaid bills for FY03. It's called FY04 unpaid bills because it is FY04 related. This requires a public hearing.

Councilor Smart MOTIONED to refer measure # 04 071 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 072 – RFT of \$18,294.92 for FY04 Unpaid Bills

Mrs. Hackett said this is for FY03 unpaid bills. The funding source requested is the reserve fund so this would not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 072 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 073 – Appropriate \$200,000 from Sewer Retained Earnings for projected shortfall in Sewer Enterprise Fund.

Mrs. Hackett said this request would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 073 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 074 – Appropriate \$252,918.40 from Sewer Retained Earnings to worker's comp. claims fund 8101

Mrs. Hackett said this request is to appropriate \$252,918 from Sewer Retained Earnings for the purpose of funding a Sewer Enterprise's liability for Workers Comp. the Mayor was speaking about this evening. This would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 074 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 075 – Appropriate \$32,833.36 from Water Retained Earnings to worker's comp. claims fund 8101

Mrs. Hackett said this request is to appropriate \$32,833.36 from Water Retained Earnings for the purpose of funding a Water Enterprise's liability for Workers Comp. the Mayor was speaking about this evening. This would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 075 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 076 – Re-appropriation request of \$55,000 from Water Dept. Distribution Salary to Overtime.

Mrs. Hackett stated this is a re-appropriation request for \$55,000 for Water overtime. This would not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 076 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 077 – Re-appropriation request of \$10,000 from Water Dept. Treatment Salary line to Overtime line

Mrs. Hackett said this is an additional appropriation request for \$10,000. This does not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 077 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 078 - Acceptance of 2004-2005 HUD grants CDBG \$940,000 & HOME \$225,030

Mrs. Hackett said this for an authorization to accept and to expand the CDBG and HOME funding. Detail is attached and no public hearing is required.

Councilor Smart MOTIONED to refer measure # 04 078 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 079 – Re-appropriation request of \$4,000 from HR salary to HR advertising

Mrs. Hackett said to fund some additional advertising expenses they will incur through the remainder of the year. It does not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 079 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 080 – Re-appropriation request of \$2,000 from Town Council Audit expense to Town Council recording secretary

Mrs. Hackett said this does not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 080 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 081 – Operating #1 Appropriate \$1.25 Million from the stabilization fund for FY05 Budget

Mrs. Hackett said this is an appropriation request of \$1,250,000 from the stabilization account to fund a portion of the FY05 budget. This requires a public hearing.

Councilor Smart MOTIONED to refer measure # 04 081 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 082 – Operating #2 Appropriate \$710,000 from Sale of Town Owned Land for FY05 Budget

Councilor Smart MOTIONED to refer measure # 04 082 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 083 – Operating #3 Appropriate \$250,000 from free cash for FY05 Worker's Comp. Claims Fund

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 083 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 084 – Operating #4 Appropriate \$250,000 from free cash for FY05 revaluation costs

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 084 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 085 – Operating #5 Appropriate \$210,000 from free cash for FY05 Fuel Depot

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 085 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 086 – Operating #6 Re-appropriate \$96,044 for FY05 Lease Payment

Mr. Hackett said this is from the CIP account and would not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 086 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 087 – Operating #7 Appropriate \$108,556,047 for FY05 Operating Budget

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 087 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 088 – Operating #8 Appropriate \$6,665,841 for FY05 Operating Budget-Water

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 088 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 089 – Operating #9 Appropriate \$11,049,518 for FY05 Operating Budget-Sewer

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 089 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 090 – Operating #10 Donation Authorization

Mr. Hackett said this is their annual request for authorization to create an authority to expend the donation account. This is a requirement of the Municipal Code. This does not require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 090 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 091 – Operating #11 Revolver Authorization

Mr. Hackett said this is another annual request to create and request for authorization to expend several revolver accounts that are identified in the measure. This is required by state statute. No public hearing is required.

Councilor Smart MOTIONED to refer measure # 04 091 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 092 – Capital #1 Appropriate \$6,000 from free cash to purchase new voting booths

Mr. Hackett said this is to purchase voting booths for one precinct. This would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 092 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 093 – Capital #2 Appropriate \$11,000 from free cash to purchase new recording system for the Fire Dept.

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 093 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 094 – Capital #3 Appropriate \$150,000 from Water Retained Earnings for Water Treatment Plant

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 094 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 095 – Capital #4 Appropriate \$80,000 from Sewer Enterprise Fund for design at Central/Old Swamp River I/I Projects

Mr. Hackett said this would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 095 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 096 – Capital #5 Appropriate \$2.2M for Contract #1 MWRA Winter Street & Essex Street Sewer Main

Mr. Hackett said this is a bonding request and would require a public hearing. This is to appropriate the sum of \$2,200,000.00 for the purpose of funding contract #1 the Winter Street to Essex Street sewer infrastructure project.

Councilor Smart MOTIONED to refer measure # 04 096 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 097 – Capital #6 Appropriate \$6.7M for Contract #3 MWRA Libbey Pump station to Rt 3 Main Street

Mr. Hackett said this is a bonding request and would require a public hearing. This is to appropriate \$6.7 million for Contract #3 MWRA Libbey Pumping Station to Rt 3 Main Street.

Councilor Smart MOTIONED to refer measure # 04 097 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

04 098 – Capital #7 Appropriate \$2.2M for Contract #4 MWRA Force Main from Libbey St to Winter St

Mr. Hackett said this is a bonding request to appropriate \$2.2 million for the purpose of funding contract #4 Force Main from Libbey Street to Winter Street and is #23 on the CIP. This would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 098 to the Budget/Management Committee. Councilor Kay seconded. VOTED UNANIMOUSLY

Councilor McPherson asked if measure # 04 081 and 04 082 were appropriations or showing source of funds. Mrs. Hackett said they are measure requests that relate to the operating budget. In the \$108,566,047 he utilizes \$1.2 from the stabilization, \$710,000 from sale of town owned land and \$250,000 for pre-funding. They will be transferring from two established accounts into the general fund.

REPORTS OF COMMITTEES

Education Committee: Chairman Molisse

Update on Weymouth Middle Schools grade 5-8

Councilor Molisse said on Wednesday, March 3rd the Education Committee had a presentation from Sean Guilfoyle and Elizabeth Foster-Nolan from the grade 5-8 steering committee. This committee oversees the creation of the new middle schools. They will be located at 1051 Commercial Street and the Old Abigail Adams School. They will have different houses with the schools for a small environment for the students.

Budget/Management: Chairman DiFazio

Councilor DiFazio said there were three matters discussed in the budget/management committee. First they approved the 3/8/04 minutes. Second is the following measure.

04 068 – Appropriation \$485,500 from Water Retained Earnings for Treatment Plant

Councilor DiFazio reported that the budget/management committee recommended favorable action. They had Bob O'Connor and Brad Hayes before them. There was a public hearing earlier this evening that was published on March 23, 2004.

Mr. O'Connor, Mr. Hayes and Mr. Wilson outlines the rational for all the costs associated. The administration is being both reactive and proactive. They have an old

building on their hands that they need to keep up and running and at the same time are looking into replacing it.

Councilor Smart MOTIONED to approve measure #04 068 that the Town of Weymouth raise and appropriate the sum of \$485,500 from the Water Enterprise Fund Retained Earnings. Councilor Leary seconded. VOTED UNANIMOUSLY

Councilor DiFazio also said the committee discussed the FY05 budget schedule. Councilor Kay and he had met over the week to work on a schedule and with the assistance of Jane Hackett, Jim Wilson and Lee Hultin we were able to formulate a schedule for this town council and it was distributed this evening. This will also be posted on the web site as well.

Public Works Committee: *Chairman Connolly*

Update on Old Country Way Project

Councilor Connolly said earlier this evening they had Bob O'Connor, Brad Hayes and Dan Anacone, Project Manager before them. This project began back in the fall of last year. This project abuts many residents in that area. All the residents are very pleased with the work that is being done. This is ahead of schedule and on budget. Mr. Anacone has done fine job.

Councilor Smart asked if the administration would forward a list of street paving and sidewalk repairs to the Council through Chairman Connolly. Chairman Connolly stated that would speak with Mr. O'Connor and get to Councilor Smart.

NEW BUSINESS – NONE

MOTIONS, ORDERS AND RESOLUTIONS – NONE

ADJOURNMENT

Councilor Hargadon MOTIONED to adjourn at 8:35 p.m. Councilor Smart seconded. VOTED UNANIMOUSLY

Respectfully submitted by,

Lee Hultin, Recording Secretary

Approved by _____