

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
May 1, 2006

Present: Michael Smart, President
Jack Carey
Kenneth DiFazio
Thomas J. Lacey
Arthur Mathews
Michael Molisse
Patrick O'Connor
Gregory Shanahan
Kevin Whitaker

Not Present: Paul J. Leary
Sue Kay

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: Janet Murray

President Smart called the Town Council Meeting to order at 7:52pm.

President Smart stated that both Councilors Leary and Kay had called to inform him that they would not be present this evening.

MINUTES

Budget/Management Committee-4/6/06

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 4/6/06 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee-4/13/06

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 4/13/06 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee-4/18/06

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 4/18/06 and was seconded by Councilor O'Connor.

Councilor Whitaker stated that the names of those present as Committee members and those also present but not on the Committee were listed incorrectly.

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The MOTION as amended was UNANIMOUSLY VOTED.

Joint Meeting-Public Works and Budget/Management-4/20/06

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 4/20/06 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee-4/20/06

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 4/20/06 and was seconded by Councilor O'Connor.

Councilor Whitaker stated that he was present at this meeting.

The MOTION as amended was UNANIMOUSLY VOTED.

CITIZEN'S CONCERN/COUNCIL RESPONSE

Rent-A-Center/KidCare Identification Program – John LaChance

John LaChance and Graham Baird appeared before the Council. Mr. LaChance stated that they are present this evening to announce that on 5/13/06 the Rent-A-Center at 628 Middle Street will host the KidCare Identification Program from 10am – 4pm. Parents and children will receive free KidCare ID kits.

Naval Air Station/Re-Use Plan – Peter Scannell

Mr. Scannell stated that he thought that if several developers to whom he had spoken were present this evening they would have encouraged the Council which met earlier regarding the wind testing.

Mr. Scannell informed the Council that it has finally been made public that a wind farm proposal was brought to the attention of LNR in 2003.

Mr. Scannell stated that he had been contacted by two members of the Citizen's Advisory Committee at the meeting he just spoke of, with three witnesses present. He was told that the proponents of the scheme that wish to lure families with children to the base will attempt to educate them on the toxic site formerly known as building 81. Building 81 had to be destroyed because the air inside of it was deadly. A toxic solvent plume built up beneath the soil after decades of being used to drain military cleaning solvents directly into the earth. This is one of the many superfund sites which exist there.

These members also stated that all of the access points to the base will be opened even though it has been represented that they will not.

When discussing the viability of sustainable winds at the SWNAS, a senior vice president of Southern California Wind Farm, who grew up in Pembroke, stated that he thought the South Weymouth location would be an excellent location.

As for all of the charts bandied about by the proponent in an attempt to discredit the viability of a wind farm, it was pointed out that none of them consider a particular site's elevation. Mr. Scannell stated that the Blue Hills Observatory, which is 360 feet above sea level, the average annual wind speed is 15.4 mph. Big Blue is further away from the coast than South Weymouth. The base is at 187 feet above sea level and when you add the 180 foot anemometer, you reach the same elevation.

He stated that there will be a meeting on 5/8/06 at Tufts library at 7pm for those in opposition to the reuse plan.

PUBLIC HEARINGS

06 051 – National Grid Petition – Echo Avenue, Joan Terrace, Paris Street

A MOTION was made by Councilor Mathews to OPEN the Public Hearing on Item #06 051 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

The abutters were notified on 4/24/06.

Dale Hermison of National Grid appeared before the Council. He stated that this is a request for relocation of utility poles due to a new street being installed.

Councilor Mathews stated that this is a project that has been worked on through the Redevelopment Authority. Mr. Hermison stated that the work could begin within 2 weeks to a month from the date of the approval of this petition.

There was the following public comment.

Howard Maskell of 35 Joan Terrace stated that some of these poles are leaning badly or are poorly placed. He stated that this situation needs to be resolved as quickly as possible as it is a safety hazard.

Mr. Hermison stated the poles have been painted a fluorescent orange.

President Smart questioned if National Grid could make this situation safer by placing barrels with flashing lights around the poles that are now in the middle of the street. Mr. Hermison stated that they will come up with something and come back to the Planning Department.

Councilor Mathews stated that expediting this process is crucial.

A MOTION was made by Councilor Mathews to CLOSE the Public Hearing on Item #06 051 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to consider this Item under 2-9B, same night action, and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to APPROVE Item #06 051 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

Ms. Hackett stated that the following measures are appointments of people who are currently serving.

06 077-Appointment to the Cultural Council-Gertrude Gillen

A MOTION was made By Councilor Mathews to REFER Item #06 077 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 078-Appointment to the Cultural Council-William Westland

A MOTION was made By Councilor Mathews to REFER Item #06 078 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 079-Appointment to the Cultural Council-Cathy Torrey

A MOTION was made By Councilor Mathews to REFER Item #06 079 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 080-Appointment to the Cultural Council-Jeraldine Hollander

A MOTION was made By Councilor Mathews to REFER Item #06 080 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 081-Appointment to the Commission on Disabilities-Susan Kelly-Luscombe

A MOTION was made By Councilor Mathews to REFER Item #06 081 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 082-Appointment to the Commission on Disabilities-Deb Deveau

A MOTION was made By Councilor Mathews to REFER Item #06 082 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 083-Appointment to the Fourth of July Committee-Peter Webb Jr.

A MOTION was made By Councilor Mathews to REFER Item #06 083 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 084-Appointment to the Board of Elder Services-Mildred Johnson

A MOTION was made By Councilor Mathews to REFER Item #06 084 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

Ms. Hackett stated that the following measures are financial in nature. She stated that if all of the following measures are approved along with measures already before the Council, the amount in free cash will be under \$1000 for the rest of the fiscal year. The current amount in free cash is \$761,712.

06 085-Free Cash Appropriation for Non-Union Employees

A MOTION was made By Councilor Mathews to REFER Item #06 085 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 086-Retained Earning Appropriation for Water Non-Union Employees

A MOTION was made By Councilor Mathews to REFER Item #06 086 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 087-Retained Earning Appropriation for Sewer Non-Union Employees

A MOTION was made By Councilor Mathews to REFER Item #06 087 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 088-Free Cash Appropriation for Non-Union Employee Tuition Reimbursement Program

A MOTION was made By Councilor Mathews to REFER Item #06 088 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 089-Free Cash Appropriation for SEIU Local 888 Van Drivers and Monitors Collective Bargaining Agreement

Ms. Hackett stated that the amount to be spent on this measure needs to be amended to read \$42,469.

A MOTION was made By Councilor Mathews to REFER Item #06 089 as amended to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 090-Free Cash Appropriation for Collective Bargaining Agreement-Superior Officers

A MOTION was made By Councilor Mathews to REFER Item #06 090 to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 091-Reappropriation-Collective Bargaining Agreement-Superior Officers

A MOTION was made By Councilor Mathews to REFER Item #06 091to Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

06 055-Appointment to the Planning Board-Mary Akoury

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 055 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 056-Appointment to the Board of Health-Richard Wetterberg

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 056 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 057-Appointment to the Board of Health-Karen DeTellis

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 057 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 058-Appointment to the Scholarship Fund Committee-Linda Sforza Berg

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 058 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 059-Appointment to the Scholarship Fund Committee-Claire Cunningham

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 059 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 060-Appointment to the Fourth of July Committee- Ronald Rizzo

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 060 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 061-Appointment to the Zoning Board of Appeals as an Associate Member-Sandra Carle

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 061 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 062-Appointment to the Zoning Board of Appeals as an Associate Member-Kemal Denizkurt

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 062 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 063-Appointment to the Zoning Board of Appeals- Donald Holzworth

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 063 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 064-Appointment to the Zoning Board of Appeals- Richard McLeod

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 064 and was seconded by Councilor Molisse.

Councilor O'Connor stated that he would not be supporting this appointment. He stated that he believes that development in Weymouth is a big problem and traffic is a disaster. Also that there has not been enough controls to scale back projects put in place. This development has led to a strain on the Town's public safety and education resources.

The MOTION PASSED on an 8-1 vote.

06 065-Appointment to the Weymouth Housing Authority- Joyce Jung

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 065 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 066-Appointment to the Recreation Commission- John Killeen

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 066 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 067-Appointment to the Memorial Committee- Thomas H.L. Curtis

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 067 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 068-Appointment to the Board of Library Trustees-Donna Shea

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 068 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 069-Appointment to the Board of Library Trustees- Dorothy Coveney

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 069 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 070-Appointment to the Historical Commission-Steve Puleo

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 070 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 071-Appointment to the Construction Steering Committee-Richard McKinnon

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 071 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 072-Appointment to the Conservation Commission-Adrienne Gowen

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 072 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 073-Appointment to the Community Events Committee-Anne-Marie McCarthy

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 073 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 074-Appointment to the Cemetery Commission-Deborah Sullivan

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 074 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 075-Appointment to the Board of Assessors-Paul Haley

This Item was referred on 4/18/06. The Committee met on 4/25/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE Item #06 075 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

Public Works Committee – Chairman Mathews

Joint Meeting with Budget/Management Committee on 4/20/06

Councilor Mathews stated that at this meeting there was discussion of the proposed water treatment plant. Present at the meeting were Steve Olsen of Environmental Partners, Administration, and Bob O'Connor, DPW Director. A number of things were discussed including the type of filtration system. Many technical questions were asked by the Committee. The financial impacts were also discussed. There will be a public hearing eventually as well as a presentation to the full Council.

Environmental Committee – Chairman Lacey

Councilor Lacey stated that at this meeting, held this evening, there was discussion of the motion initiated by Councilor DiFazio requesting the installation of a wind anemometer at the South Weymouth Naval Air Station. He noted that Colin McPherson, a Director of Tri-Town Development Corporation, and William Ryan of LNR Corporation were present.

Councilor Lacey stated that the committee voted, 3-1, to continue the discussion to another meeting next week.

NEW BUSINESS

06 076 – Review of Ordinance – Claire Cunningham/Chair of Ordinance Review Committee

President Smart stated that Ms. Cunningham is the Chair of the Ordinance Review Committee which is the committee set up by Administration to review the order, punctuation, and placement of items within the current ordinances.

Ms. Cunningham stated that committee began its work on 7/12/05. She stated that no substantive changes were made. The final copy was reviewed and approved on 4/11/06 and filed with the Town Clerk on 4/18/06.

Ms. Cunningham stated that the committee suggests that the ordinances be recoded and printed at the end of the year so that any new ordinances can be included in the printing.

Solicitor Lane stated that he had been asked if a Public Hearing is necessary. He stated that the Council could hold a Public Hearing. He stated that there is no requirement for a Public Hearing in the Charter.

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President Smart asked if Councilors think it is necessary to hold a Public Hearing. Councilors did not think one was necessary.

A MOTION was made by Councilor Mathews to REFER Item #06 076 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

ADJOURNMENT

At 8:50 there being no further business, Councilor Mathews MOTIONED to adjourn and Councilor O'Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President