

**MINUTES OF THE  
TOWN COUNCIL MEETING  
MAY 3, 2004**

**PRESENT:** T.J. Lacey (President), Michael Smart (Vice President), Joe Connolly, Kenneth DiFazio, Gregory Hargadon, Sue Kay, Paul Leary, Arthur Mathews, Colin McPherson, Michael Molisse and Greg Shanahan

**OTHERS:** Franklin Fryer-Town Clerk, Richard Swanson-Internal Auditor, Jane Hackett-Chief of Staff, Jim Wilson-CFO and Solicitor George Lane

President Lacey called the Town Council Meeting to order on May 3, 2004 at 7:30 p.m. in the Council Chambers at Town Hall, 75 Middle Street, Weymouth.

**ANNOUNCEMENTS**

Councilor Smart: Stated that the Town Clerk is looking for residents to work at the polls on Election Day. If anyone is interested please contact him.

On Saturday the South Shore Tri-Town had their 1st Annual Walking Tour. The next one will be on May 15<sup>th</sup>. They are also having a smart growth meeting on May 19<sup>th</sup> at the Conference Center for residents input to help develop and shape the base. He urges residents to attend.

Councilor Leary: Apologized to the tax payers and the citizen's of Weymouth for the decision of the voting board of appeals decision regarding Arbor Hill. Six times the town of Weymouth rejected this project and approved it on the 7<sup>th</sup>. If you have enough money and resources you can get anything approved in this town. This 242 apartment units will have a devastating effect on our sewers, traffic and school enrollment. There will still only be one road (Tall Oaks Drive) with an additional 242 apartment units. This deal is just as bad as it was 5 years ago.

Councilor Molisse: The Planning Department will be holding a meeting regarding open space in Weymouth on May 4 at 7:45 at Tufts Library and May 13 at 7:45 at McCulloch Building. The town needs to have a plan in place to qualify for grants.

On May 28<sup>th</sup> the Post Prom Committee is putting together a time at the High School for the kids after the prom and is looking for volunteer to help decorate the hall starting at 2:15.

Councilor Kay: Stated the Weymouth's cable provider Comcast is in the process of renewal process with the town. The comment period is 4-19 through 5-10. The amendments will become effective May 14, 2004 until April 23, 2006. The license is to become effective April 23, 2006 through April 23, 2016. The amendments are

significant. Copies are available at the Town Clerk's Office, Town Hall. There will be a rate adjustment.

Councilor Hargadon: Mr. Labadie from the Veteran's Council invites everyone to participate in the Annual Memorial Day Parade on Monday, May 31, 2004 at 9:45 p.m. There will be a brief ceremony in Jackson Square prior to the parade. Exercises will be afterwards at the Civic Center, Town Hall.

Councilor Leary: Agreed that the smart growth meetings at the base are very important and also urged people to attend.

Councilor Lacey: Thanked all who participated in the clean up day on May 1, 2004. It shows civic pride and volunteerism.

### **APPROVAL OF PRIOR MINUTES**

Councilor Smart MOTIONED to approve the Town Council Minutes of April 20, 2004. Councilor Kay seconded. VOTED UNANIMOUSLY

### **CITIZEN'S CONCERN/COUNCIL RESPONSE**

Councilor DiFazio reminded all residents that the Annual Town Meeting is May 10, 2004 at 7:30 p.m. at Abigail Adams Auditorium.

Councilor Smart MOTIONED to measure # 04 101 and measure #04 102 out of order. Councilor Hargadon seconded. VOTED UNANIMOUSLY

### **04 101 – Appointment to the Board of Library Trustees, Eileen Dumont**

Budget Chairman DiFazio reported that the budget/management committee recommends favorable action on # 04 101 Appointment to Board of Library Trustees, Eileen Dumont. The measure was referred to committee on 4-20-04 and the committee met on 4-27-04.

Councilor DiFazio MOTIONED to approve measure # 04 101 the appointment to the Board of Library Trustees, Eileen Dumont of 50 Front Street, Weymouth, Ma 02191. Her term will expire June 30, 2007. Councilor Leary seconded. VOTED UNANIMOUSLY

Eileen Dumont was present at this meeting and stated that she was honored to have this opportunity.

Councilor McPherson stated that there were a number of outstanding candidates. The administration was thrilled with all the people who applied.

Councilor Leary commented on the same thing and stated that her resume was very impressive.

Councilor Kay said she will be a great contribution to the board and wished her luck.

President Lacey agreed with all and said her talents will be well served on this committee.

**04 101 – Re-appointment to the Weymouth Housing Authority, Jim Cunningham**

Budget Chairman DiFazio reported that the budget/management committee recommends favorable action on # 04 102 re-appointment to the Weymouth Housing Authority, James Cunningham. The measure was referred to committee on 4-20-04 and the committee met on 4-27-04.

Councilor DiFazio MOTIONED to approve measure # 04 102 the re-appointment to the Weymouth Housing Authority, James Cunningham of 58 Lake Shore Drive, Weymouth, Ma 02189. His term will expire June 30, 2009. Councilor Kay seconded. VOTED UNANIMOUSLY

Councilor Smart stated he was worked with him on a number of boards and will be supporting his reappointment.

Councilor Kay is pleased he is interested in a re-appointment and she is glad to have him back.

Councilor McPherson asked him what they are doing down there.

Mr. Cunningham said they have been moving forward in the right direction especially with South Shore affordable housing which creates more elderly house and housing for low income people. Housing for people who are under employed is the most pressing issue before them. They are signing roofing contracts for Kelner Elderly housing and a new facelift at the Lake View Manor Housing.

Councilor Mathews said he has worked with him prior and he does a great job. President Lacey echoes all comments.

**PUBLIC HEARINGS**

**7:35 p.m. 04 092 – Capital #1 Appropriate \$6,000 from Free Cash for new voting booths**

Councilor Smart MOTIONED to open the public hearing at 7:51 p.m. on measure # 04 092 to appropriate \$6,000 from free cash for new voting booth. This was advertised on April 21, 2004. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Mrs. Hackett said there are 18 precincts and they have done 6 with 12 left to do. The free cash balance is \$652,000. This for precinct 12 & 13 at the Nash School. This was originally submitted in the operating budget and the Mayor took it out of the budget and funded it through free cash.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 092 at 7:53 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

**7:36 p.m. 04 093 – Capital #2 Appropriate \$11,000 from Free Cash for new recording system at the fire department**

Councilor Smart MOTIONED to open the public hearing at 7:54 p.m. on measure # 04 093 to appropriate \$11,000 from free cash for new recording system. This was advertised on April 21, 2004. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Mrs. Hackett stated that the Mayor and Chief Leary wish to withdraw this measure as there is an additional cost and they will resubmit later.

All persons were given the opportunity to speak.

Councilor Hargadon MOTIONED to accept the withdrawal. Councilor Leary seconded. VOTED UNANIMOUSLY

Councilor Kay MOTIONED to close the public hearing on measure # 04 093 at 7:54 p.m. Councilor Smart seconded. VOTED UNANIMOUSLY

President Lacey stated that the next five public hearings deal with Capital expenditure regarding Water and Sewer. These were submitted in early April. A thorough detailed explanation was presented to the council.

**7:37 p.m. 04 094 – Capital #3 Appropriate \$150,000 from Water Retained Earnings for Water Treatment Plant**

Councilor Smart MOTIONED to open the public hearing at 7:55 p.m. on measure # 04 094 that the town of Weymouth appropriate the sum of \$150,000 from Water Retained Earnings for the purpose of funding the DEP mandate study for a new Water Treatment Plant at Great Pond. This was advertised on April 21, 2004. Councilor Kay seconded. VOTED UNANIMOUSLY

Mr. Wilson stated that this appropriation is to begin a study of a new water treatment plant. The balance in the Water Retained Earnings is \$670,000. The time has come to seriously look into a new plant. Over the past 12 months we have expended just under \$1

million dollars in repairs and this could go a long way to a new plant with updated technology. There is no point in continuing to band aid this one.

Mr. Brad Hayes said that the pilot study is a DEP mandated process we must first go through in order to build a new treatment plant. It requires a summer and winter testing. Water is different in every town.

Councilor Connolly asked what the time frame is from this study to a new plant and Mr. Hayes states 5 years.

Councilor Smart stated he thought this was a great idea.

If anyone would like a tour of the facility they should contact Jane Hackett.

Frank Forest, 34 Massapog Street and also representing the Patriot Ledger. He asked what needed to be done in the study.

Mr. Hayes said there are numerous treatment processes out there. The manufacturers bring their processes in to the treatment plant via trailers and run it, test it, sample it for 45-60 days to see what works.

Councilor McPherson asked for a point of order: If he is asking questions as a resident that his one thing if it is for an article in the patriot Ledger perhaps he could speak with him after the meeting.

Robert Casimiro, 617 Broad Street stated that it is a crumbling building with a sophisticated computer system. He asked if they were putting in a new building and Mr. Hayes states yes. He asked what the estimated cost of this building would be. Mr. Hayes said he already stated that it would take 5 years and it is hard to give the cost estimate at this time.

Mr. Wilson said the Mayor is aware of the cost a new plant might have on the rates. We have spent \$1 million on repairs and if the same money could be transferred for bond money to pay for the plant. There is a mechanism in place to pay for at least a portion of the bond payment for a new plant.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 094 Capital #3 to appropriate \$150,000 from Water Retained Earnings for Water Treatment Plant at 8:09 p.m. Councilor Leary seconded. VOTED UNANIMOUSLY

**7:38 p.m. 04 095 – Capital #4 Appropriate \$80,000 from Sewer Retained Earnings for design at Central/Old Swamp River I/I**

Councilor Smart MOTIONED to open the public hearing at 8:10 p.m. on measure # 04 095 that the town of Weymouth raise and appropriate the sum of \$80,000 from Sewer Retained Earnings for the purpose of designing the lower Central/Old Swamp River I/I project. This was advertised on April 21, 2004. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Mr. Wilson said the current balance if retained earnings if \$385,000 if this measure passes the balance will be \$305,000.

Mr. Hayes said the spring of 2003 the final phase of the planning stages for these two sub basins was completed with the TV-ing of approximately 74,000 linear feet of sewer pipe. It identified an estimate of 438,000 gpd of infiltration that can be removed from the system through rehabilitation. The estimated cost for the overall project is \$1.567 million. This is for only the design portion of that money which is \$80,000.

Councilor McPherson said this is part of the ongoing efforts to reduce I/I which has been successful over the last few years. This is more of tightening up the system.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 095 Capital #4 to appropriate \$80,000 from Sewer Retained Earnings for design at Central/Old Swamp River I/I at 8:11 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

**7:39 p.m. 04 096 – Capital #5 Appropriate \$2.2 Million for Contract #1 MWRA Winter Street & Essex Street Sewer Main**

Councilor Smart MOTIONED to open the public hearing at 8:12 p.m. on measure # 04 096 that the town of Weymouth appropriate the sum of \$2.2 Million for the purpose of planning, construction, reconstruction of sewer, sewer system and sewerage disposal facilities. This was advertised on April 21, 2004. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Mr. Hayes introduced Tony Pratta from Weston and Sampson who provided a presentation to the council on contract #1. It is to reduce waste water systems overflows and increase the town's waste water collections systems capacity. The program has been ongoing since 1998. It is one of five contracts. It will replace 2700 feet of the towns existing sewers. They are 18", 21" and 30". The new sewers are 42". It begins on Winter Street in front of DPW and goes behind the fire station, through the trailer park and out to Washington Street. The second half of #1 is 1300 feet and starts on the other side of the Avalon Bay segment that was replaced a few years ago and starts on Essex

Street. This will help reduce overflows on Rugiano Circle and West Lake Drive area. This is also increase the systems hydraulic capacity.

Councilor Leary asked if this depends on other contracts. It was stated yes. Contract #2 is about 70% complete.

Councilor Kay asked if the goal is to get it all to 42" sewers and asked if it would be a problem on Broad Street going into a 36". It was stated no because Broad Street is at a deeper slope.

Councilor Connolly said before we see the major impact all 5 of these projects will have to be on line.

Councilor McPherson asked when we will experience problems once we finish this and it was stated anything over a 5 year storm which is 4 inches over 24 hours.

Councilor DiFazio asked Mr. Wilson what the yearly expected cost of this contract would be. Mr. Wilson said at a 5% interest rate it will cost approximately \$225,000 a year in bond payments (principal and interest). Currently the Mayor is reviewing the rate structure on Sewer rates. He is looking at a 3 year study and during each of those years a small increase to accommodate all three projects which total \$1.1 million on an annual basis.

The long range goal is to reduce the amount of water going to the MWRA. In 1998 the town entered a consent decree with the DEP that began the process of evaluating our sewer system. One issue is the I/I and replacing of old pipes. That is what we see here. The town and the DEP has agreed upon a timeline where we begin

Mr. Wilson said the Mayor has been meeting with the DEP to see if we can negotiate a time frame that would not make all three of these come on the books at once. To be able to expend over a few year period in order to minimize the impact on the rates over the next three years.

Councilor McPherson said through the budget/management committees it was stated that as we pay off other bonds that money will go toward this new bond for the new bonds and we will try to reduce our MWRA payments by reducing I/I and there is some room in retained earnings or in the budget right now that we are going to consume and if we need additional monies that is what the rate increase will do.

Councilor Leary asked how long will the bond payments for \$225,000 be and Mr. Wilson said 20 years.

Ann Hilbert, 45 Doris Drive asked if there will be hearings on the water and sewer rates and when? President Lacey stated that there is a 30 day notification prior to the rate adjustment.

Mr. Wilson said if all these measure pass council they will begin a rate study immediately and go into a public hearing in June with the rate effective thereafter.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 096 Capital #5 Appropriate \$2.2 Million for Contract #1 MWRA Winter Street & Essex Street Sewer Main at 8:29 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

**7:40 p.m. 04 097 – Capital #6 Appropriate \$6.7 Million for Contract #3 MWRA Libbey Pump Station to Route 3 Main Street**

Councilor Smart MOTIONED to open the public hearing at 8:30 p.m. on measure # 04 097 That the town of Weymouth appropriate \$6.7 Million for the purpose of planning construction and reconstruction of sewers for I/I improvements. This was advertised on April 21, 2004. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Mr. Pradda gave a brief overview of contract #3. It is for a new pump station and gravity sewer. There are two major overflows. One is at the cloverleaf and the second is at the Pine Street area. The purpose is to divert the flow into a larger 42” pipe.

Mr. Wilson stated the current interest rates are at 5% for 20 years will be about \$650-670,000 per year.

Councilor Kay said these will be a very big impact on the town with all this construction going on.

Councilor McPherson reiterated that we need to do these things even though it's a lot of money as we need to meet DEP mandates.

It was stated that Libbey Parkway will not be closed during this construction period.

Mickie Cronin, 65 Hinston Rd – Asked if this \$6.7 million reflects the mitigation on the Alexan Project. Mrs. Hackett stated it was not this project that Alexan was involved in it was the I/I project which was measure 04 095. The mayor is not want to wait to initiate funding in the beginning of the design work of that project to the outcome of the Alexan hearings. He is intending on proceeding with the design of the project if the measure 04 095 is passed by council. If Alexan goes forward then part of the mitigation process is reimbursement for part of that project.

Councilor McPherson clarified that measure for #04 095 to appropriate \$80,000 for design of the Central/Old Swamp River I/I project is what Alexan will ultimately pay for. Mrs. Hackett said correct and it would include reimbursement for design and the ultimate cost of construction estimated at \$1,567,000.



Councilor DiFazio asked if mitigation is ultimately received what will happen to the appropriation. Mrs. Hackett said it will depend on whether construction has begun or not as to whether they would reimburse the town or perform the construction themselves.

Mr. Wilson explained that if we are reimbursed there is a specific mitigation fund 6501 for reimbursements and money becomes available for other I/I projects. It would not go back to retained earnings. The same goes for the \$1.1 million if we raise and appropriate that.

Councilor Leary asked where this figure of \$1.1 million came from that the administration has indicated Trammel Crow will pay in mitigation. Mrs. Hackett said the figure she is familiar with is the measure before the council for \$80,000. Mr. Hayes gave a construction estimate for the costs associated with that project.

Councilor Leary said what does that have to do with Trammel Crow, they have never indicated that they were going to pay for that \$1.5 million to his knowledge.

President Lacey reminded councilors that we are on a public hearing on measure 04 097.

Councilor Mathews asked if there has been a signed water and sewer agreement with Trammel Crow. Mr. Hayes said he has not seen an executed copy of the MOU with Alexan.

Mrs. Hackett said it is the DEP that must grant authorization for any mitigation on projects in the town.

Mr. Wilson said there are two funds the sewer mitigation fund 6501 and the water mitigation fund 6502. Each of those have fees put into them as a result of the impact a new project will have on the water and sewer system. Any expenditure from that account the council must authorize.

President Lacey requested a copy of the mitigation agreement between the town and Alexan projects. This will be provided if one becomes available.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 097 Capital #6 Appropriate \$6.7 Million for Contract #3 MWRA Libbey Pump Station to Route 3 Main Street at 8:42 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

**7:41 p.m. 04 098 – Capital #7 Appropriate \$2.2 Million for Contract #4 MWRA Force Main from Libbey Street to Winter Street**

Councilor Smart MOTIONED to open the public hearing at 8:30 p.m. on measure # 04 098 That the town of Weymouth appropriate \$2.2 Million for the purpose of planning

construction and reconstruction of sewers for I/I improvements. This was advertised on April 21, 2004. Councilor Hargadon seconded. VOTED UNANIMOUSLY

Mr. Hayes said this contract #4 is for the force main which will be installed from the new proposed Libbey industrial pump station to the gravity sewer system in front of the DPW.

Mr. Pratta said this is for 3700 feet of 16" force main and 1200 feet of 30 inch sewer. The force main will be begin at the pump station and go onto Libbey Parkway a few hundred feet and then take a right turn onto Performance Drive then go behind the Seach School and come out on the opposite side on Hanover Street out onto Middle Street and then on to Winter Street and connect to the new 42" sewer proposed under contract #1.

All the permits for all these contracts have been obtained.

Councilor Connolly said the residents that will be impacted by these projects will be meeting with the town frequently so they can have input on timeframes.

Once we have done all these 5 projects we will have address most of the overflows but there is still the possibility of Mont Com.

Councilor Mathews asked if this will remove the consent order for the town once all 5 are completed. Mr. Hayes could not answer that question. There are other paragraphs that are outstanding that we are not addressing here tonight.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure # 04 098 Capital #7 Appropriate \$2.2 Million for Contract #4 MWRA Force Main from Libbey Street to Main Street at 8:56 p.m. Councilor Hargadon seconded. VOTED UNANIMOUSLY

#### **OLD BUSINESS - NONE**

#### **COMMUNICATIONS FROM THE MAYOR/TOWN OFFICERS/BOARDS**

##### **04 103 – Appropriate \$120,000 from Free Cash for the school Department**

The break down is \$51,000 for moving furniture and equipment from Abigail Adams School to 1051 Commercial Street. \$51,800 for the purchase of custodial supplies and \$17,200 for purchasing a student database software package.

Councilor Smart MOTIONED to refer measure # 04 103 to the Budget/Management Committee. Councilor Kay seconded.  
VOTED UNANIMOUSLY

Councilor Leary questioned why this was outside of the budget and it was stated because it is an FY04 and pre-purchasing custodial supplies.

**04 104 – Acceptance of a gift of \$10,000 from Abington Savings Bank**

Mrs. Hackett said this is for financial assistance for the Town of Weymouth's community day coming this fall in October.

Councilor Smart MOTIONED to refer measure # 04 104 to the Budget/Management Committee. Councilor Hargadon seconded.  
VOTED UNANIMOUSLY

Councilor Leary asked if this was in addition to the \$10,000 for the schools and it was stated yes.

**04 105 – RFT of \$15,000 for Fire Department Utilities**

This is to fund some utilities bills in FY04.

Councilor Smart MOTIONED to refer measure # 04 105 to the Budget/Management Committee. Councilor Kay seconded.  
VOTED UNANIMOUSLY

**04 106 – RFT of \$4,500 for Harbormaster-timber float piles Mayor requests action under 2-9 (b)**

Mr. Paul Malone, Harbormaster said the launch ramp snapped off another piling over the winter which totals 3 and attempt to straighten out another one. The man who does this work will be in the area soon.

Mrs. Hackett said the balance in the reserve fund if this is approved will be \$240,281.00.

Councilor Kay asked where the floats are and it was stated at the Thomas E. Smith launch ramp facility.

Councilor Connolly questioned reimbursement. Mr. Malone said that Mr. Jack Shepard from the public access board said there is a good chance we will be fully reimbursed in FY05.

Councilor Smart MOTIONED to consider measure # 04 106 under section 2-9 (b) of the Charter. Councilor Kay seconded. VOTED UNANIMOUSLY

Councilor Smart MOTIONED to approve measure # 04 106 that the Town of Weymouth transfer the sum of \$4,500 from the reserve fund to a new line item in Fund 0002 for the

purpose of funding the installation of timber float piles at the Town Landing boat ramp in Weymouth, Ma. Councilor Molisse seconded. VOTED UNANIMOUSLY

**04 107 – Re-appointment to the Planning Board, Paul Dillon**

Councilor Smart MOTIONED to refer measure # 04 107 to the Budget/Management Committee. Councilor Kay seconded.  
VOTED UNANIMOUSLY

**04 108 – Re-appointment to Waterfront Committee, Nancy Blazo**

Councilor Smart MOTIONED to refer measure # 04 108 to the Budget/Management Committee. Councilor Kay seconded.  
VOTED UNANIMOUSLY

**04 109 – Re-appointment to Board of Zoning Appeals, Richard McLeod**

Councilor Smart MOTIONED to refer measure # 04 109 to the Budget/Management Committee. Councilor Kay seconded.  
VOTED UNANIMOUSLY

Councilor Mathews requested that both appointments for 04 109 and 04 110 to the Board of Zoning Appeals appear before the budget/management.

**04 110 – Re-appointment to Board of Zoning Appeals, Martin Joyce**

Councilor Smart MOTIONED to refer measure # 04 110 to the Budget/Management Committee. Councilor Mathews seconded.  
VOTED UNANIMOUSLY

**04 111 – Re-appointment to Cemetery Commission, Donald Mathewson**

Councilor Smart MOTIONED to refer measure # 04 111 to the Budget/Management Committee. Councilor Hargadon seconded.  
VOTED UNANIMOUSLY

**04 112 – Re-appointment to Memorial Committee, Joan Anderson**

Councilor Smart MOTIONED to refer measure # 04 112 to the Budget/Management Committee. Councilor Leary seconded.  
VOTED UNANIMOUSLY

**04 113 – Re-appointment to Board of Health, Maureen Del Prete**

Councilor Smart MOTIONED to refer measure # 04 113 to the Budget/Management Committee. Councilor Leary seconded.  
VOTED UNANIMOUSLY

**04 114 – Re-appointment to Scholarship Fund Committee, Elaine DeCosta**

Councilor Smart MOTIONED to refer measure # 04 114 to the Budget/Management Committee. Councilor Mathews seconded.  
VOTED UNANIMOUSLY

**04 115 – Re-appointment to Conservation Commission, John Thompson**

Councilor Smart MOTIONED to refer measure # 04 115 to the Budget/Management Committee. Councilor Mathews seconded.  
VOTED UNANIMOUSLY

**04 116 – Re-appointment to Recreation Committee, Richard Waite**

Councilor Smart MOTIONED to refer measure # 04 116 to the Budget/Management Committee. Councilor Mathews seconded.  
VOTED UNANIMOUSLY

**04 117 – Re-appointment to Board of Elder Services, Bill Begley**

Councilor Smart MOTIONED to refer measure # 04 117 to the Budget/Management Committee. Councilor Mathews seconded.  
VOTED UNANIMOUSLY

**04 118 – Re-appointment to Board of Elder Services, Lawrence Cassese**

Councilor Smart MOTIONED to refer measure # 04 118 to the Budget/Management Committee. Councilor Mathews seconded.  
VOTED UNANIMOUSLY

Councilor Kay requested that someone from the school department be available when reviewing measure # 04 103.

## REPORTS OF COMMITTEES

*Budget/Management: Chairman DiFazio*

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

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/5/04 and the committee met on 4/22/04 and recommends favorable action. This was published on April 21, 2004 for a public hearing on 5/3/04.

Councilor McPherson MOTIONED to approve measure # 04 092 that the town of Weymouth raise and appropriate the sum of \$6,000 from free cash for the purpose of purchasing new voting booths for one precinct. Councilor Smart seconded. VOTED UNANIMOUSLY

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

This measure was withdrawn by the Mayor this evening.

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

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/5/04 and the committee met on 4/22/04 and recommends favorable action unanimously. This measure was published on 4/21/04 for a public hearing on 5/3/04.

Councilor DiFazio MOTIONED to approve measure # 04 093 that the town of Weymouth appropriate the sum of \$150,000 from Water Retained Earnings for the purpose of funding the DEP mandated study for a new water treatment plant at Great Pond. (Number 30 on the March 2004 CIP). Councilor Smart seconded. VOTED UNANIMOUSLY

Councilor Kay asked for point of order on #04 093 as it was withdrawn should we vote.

Councilor DiFazio MOTIONED to take no action on measure # 04 093. Councilor Leary seconded. VOTED UNANIMOUSLY

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

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/5/04 and the committee met on 4/22/04 and recommends favorable action. This measure was published on 4/21/04 for a public hearing on 5/3/04.

Councilor DiFazio MOTIONED to approve measure # 04 095 that the town of Weymouth appropriate the sum of \$80,000 from Sewer Enterprise Fund Retained Earnings for the purpose of designing the lower Central/Old Swamp River Inflow/Infiltration Project. Number 4 on the March 2004 CIP. Councilor Smart seconded. VOTED UNANIMOUSLY

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

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/5/04 and the committee met on 4/22/04 and recommends favorable action. This measure was published on 4/21/04 for a public hearing on 5/3/04.

Councilor DiFazio MOTIONED to approve measure # 04 096 that the town of Weymouth appropriate the sum of \$2,200,000 for the purpose of planning, construction and reconstruction of sewers, sewer systems and sewerage disposal facilities, consisting of infiltration/inflow improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$2,200,000 and issue bonds or notes therefore under Chapter 44 and/or Chapter 29C of the General Laws: that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for and federal or state aid available for the project or for the financing thereof and the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (MWRA) and in connection therewith to enter into a loan agreement and/or a financial assistance agreement with the MWRA and otherwise to contract for and to expend any federal or state aid available for the project including any grant related to the project from the MWRA; and that the Mayor is authorized to expend all funds available for the project and to take any other action necessary to carry out the project. (Contract #1 – Winter Street to Essex Street Sewer Main Number 21 on the CIP). Councilor Smart seconded. VOTED UNANIMOUSLY

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

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/5/04 and the committee met on 4/22/04 and recommends favorable action. This measure was published on 4/21/04 for a public hearing on 5/3/04.

Councilor DiFazio MOTIONED to approve measure # 04 097 that the town of Weymouth appropriate the sum of \$6,700,000 for the purpose of planning, construction and reconstruction of sewers, sewer systems and sewerage disposal facilities, consisting of infiltration/inflow improvements, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; and to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$6,700,000 and issue bonds or notes therefore under Chapter 44 and/or Chapter 29C of the General Laws: that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for and federal or state aid available for the project or for the financing thereof and the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (MWRA) and in connection therewith to enter into a loan agreement and/or a financial assistance agreement with the MWRA and otherwise to contract for and to expend any federal or state aid available for the project including any grant related to the project from the MWRA; and that the Mayor is authorized to expend all funds available for the project and to take any other action necessary to carry out the project. (Contract #3 – Libbey Pump Station to Rt. 3 Main Street, Number 22 on the CIP). Councilor Smart seconded. VOTED UNANIMOUSLY

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

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/5/04 and the committee met on 4/22/04 and recommends favorable action. This measure was published on 4/21/04 for a public hearing on 5/3/04.

Councilor DiFazio MOTIONED to approve measure # 04 098 that the town of Weymouth appropriate the sum of \$2,200,000 for the purpose of planning, construction and reconstruction of sewers, sewer systems and sewerage disposal facilities, consisting of infiltration/inflow improvements, including without limitation all costs thereof as



defined in Section 1 of Chapter 29C of the General Laws; and to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow \$2,200,000 and issue bonds or notes therefore under Chapter 44 and/or Chapter 29C of the General Laws: that such bonds or notes shall be general obligations of the Town unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for and federal or state aid available for the project or for the financing thereof and the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Resources Authority (MWRA) and in connection therewith to enter into a loan agreement and/or a financial assistance agreement with the MWRA and otherwise to contract for and to expend any federal or state aid available for the project including any grant related to the project from the MWRA; and that the Mayor is authorized to expend all funds available for the project and to take any other action necessary to carry out the project. (Contract #4 – Force Main from Libbey Street to Winter Street, Number 23 on the CIP). Councilor Smart seconded. VOTED UNANIMOUSLY

Councilor Mathews feels that 5 Capital Improvement Projects will have great impact on the town's infrastructure on the sewer side in the future and is pleased with the proactive approach. We are fixing problems that are 30 years old.

Councilor Connolly thanked Bob O'Connor and Brad Hayes and staff for all their help.

Councilor McPherson requested from the administration what paragraphs remain in the DEP consent order.

Councilor Kay requested an update on all the ACO's and a chronology as to how they have been changed.

President Lacey stated that he would like this coordinated through Councilor Connolly. He also said the town is under a lot of construction and it is challenged with managing it.

#### **04 100 – Re-appropriate \$2100 from TC Audit to TC Salary**

Chairman DiFazio reported that this measure was referred to the budget/management committee on 4/20/04 and the committee met on 4/27/04 and recommends favorable action unanimously.

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Councilor DiFazio MOTIONED to approve measure # 04 100 that the town of Weymouth re-appropriate the sum of \$2100.00 from line item 11114111 530217 (Town council Audit Expense) to 11114111 510001 (Town Council Salaries) to accommodate the FY04 financial impact of the Financial Assistant working full time from April 26, 2004 through June 30, 2004. Councilor Smart seconded. VOTED UNANIMOUSLY

**NEW BUSINESS – NONE**

Councilor Connolly said that Fallon Ambulance is offering free CPR classes on May 10 and 12<sup>th</sup> from 6-10. You must attend both nights to get certified.

Councilor DiFazio reminded all that the Budget/Management Committee is meeting tomorrow at 6:30 p.m. at the whipple center to discuss the School Dept. budget.

**MOTIONS, ORDERS AND RESOLUTIONS - NONE**

**ADJOURNMENT**

Councilor Kay MOTIONED to adjourn at 9:32 p.m. Councilor Leary seconded. VOTED UNANIMOUSLY

Respectfully submitted by

Lee Hultin, Recording Secretary

Approved by:\_\_\_\_\_