

**MINUTES OF THE  
TOWN COUNCIL MEETING**

**May 17, 2004**

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

ABSENT: Joe Connolly and Greg Hargadon

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

President Lacey called the Town Council Meeting to order on May 17, 2004 at 7:30 p.m. in the Council Chambers.

**ANNOUNCEMENTS**

Councilor Smart congratulated the Pond Plain Improvement Association for their event Savor the Flavor. It was well attended and was a great event. South Shore Tri-Town Development Corp is having another smart growth meeting at the air base on Wednesday at 7:00 p.m. at the Conference Center.

Councilor Molisse reminded everyone that the Planning Department will be having a meeting on open space at the McCulloch Building on May 18, 2004 at 7:30 p.m.

Councilor Leary reminded everyone the Mayor increased the yard pick up to twice a month. It is every other week and people are putting their ward waste out 10 days early and it looks terrible.

**APPROVAL OF PRIOR MINUTES**

Councilor Smart MOTIONED to approve the Town Council Meeting minutes of May 3, 2004. Councilor Kay seconded.  
VOTED 8-0

**CITIZEN'S CONCERN/COUNCIL RESPONSE**

## **PUBLIC HEARINGS**

### **7:35 p.m. 04 103 – Appropriate \$120,000 from Free Cash for School Department**

Councilor Smart MOTIONED to open the public hearing on measure #04 103 at 7:35 p.m. Councilor Kay seconded. VOTED 8-0

The published date on the public hearing was May 7, 2004.

Jane Hackett stated that this measure was submitted on April 29, 2004 for \$120,000 from Free Cash for the school department for the purpose of: \$51,000 for moving furniture and equipment from Abigail Adams to 1051 Commercial Street, \$51,800 is for the purchase of custodial supplies and \$17,200 to purchase a student database software package.

Since then, the projected FY05 circuit breaker funding has changed. They believe they can accommodate these items in their FY05 budget and therefore the matter was voted negatively in the budget/management committee.

All persons were given the opportunity to speak.

Councilor Smart MOTIONED to close the public hearing on measure #04 103 at 7:37 p.m. Councilor Kay seconded. VOTED 8-0

### **Sharon Morgan, Board of Library Trustees**

As Chairman of the Board of Trustees, announced a public hearing for the Weymouth Public Libraries long range plan is being held on Saturday, June 5, 2004 from 9-11 am at Tufts Library, 46 Broad Street. A comment survey form is available at all library branches for those who can not attend.

### **OLD BUSINESS – NONE**

### **COMMUNICATIONS FROM THE MAYOR**

#### **04 121 – Yr end – re-appropriation for Special Education**

The circuit breaker program was budgeted at 50% and is coming in at 35%. This is necessary to fund the balance that they can not accommodate in their FY04 budget.

Councilor Smart MOTIONED to refer measure # 04 121 to the budget/management committee. Councilor Leary seconded. VOTED 8-0

**04 122 – Appropriate \$224,594.71 from Free Cash for Snow Removal**

These are the final numbers accommodating the FEMA reimbursement and it would require a public hearing.

Councilor Smart MOTIONED to refer measure # 04 122 to the budget/management committee. Councilor Leary seconded. VOTED 8-0

**04 123 – Appropriate \$25,000 from Free Cash for Snow Removal**

For Weymouth Day scheduled in October

Councilor Smart MOTIONED to refer measure # 04 123 to the budget/management committee. Councilor Leary seconded. VOTED 8-0

This requires a public hearing.

**04 124 – Re-appropriate \$14,051.25 for Fire Department recording device**

This replaces the measure previously withdrawn.

Councilor Smart MOTIONED to refer measure # 04 124 to the budget/management committee. Councilor Leary seconded. VOTED 8-0

**04 125 – RFT \$4,000.00 for the Health Department**

Councilor Smart MOTIONED to refer measure # 04 125 to the budget/management committee. Councilor Kay seconded. VOTED 8-0

**04 126 – RFT of \$12,607.00 to remove the oil tank on Broad Street**

Councilor Smart MOTIONED to refer measure # 04 126 to the budget/management committee. Councilor Leary seconded. VOTED 8-0

**04 127 – Re-appropriate \$6,300 for funding equipment for the Life Savers Program**

The Mayor is requesting action under section 2-9 (b) of the Charter.

Donna Callahan said that Project Lifesavers is a tracking device used for people with Alzheimer Disease. These people sometimes wander away from their homes. She found about this program in 2002 and passed the information on to the police department. These devices are put on the patients. The system is based at the fire and police stations. When relatives are aware the person is missing, they can contact the police department who will activate this bracelet. The average rescue is 16 minutes. This can also be used for children who have autism or downs syndrome.

*Councilor Mathews arrived.*

The initial set up cost is \$300.00 for the bracelet plus the cost of batteries once a month. She started this fund once her father passed away for people who can't afford it.

Councilor Kay MOTIONED to approve measure # 04 127 that the Town of Weymouth re-appropriate the sum of \$6300 from the Reserve Fund to Fund 0002 for the purpose of funding the equipment purchase for the Lifesavers Program under section 2-9 (b) of the Charter. Councilor Leary seconded.

Discussion:

Councilor DiFazio asked what the basis for the \$6300 was and it was stated this is for the initial start up of the program and also a portion of this program will be funded through some police grants that are available.

Chief Thomas will be responsible for running this program. This also provides training. The bracelet charge is \$300 and the town will be purchased the first 10 bracelets. One a patient no longer needs it, the bracelet is turn back over to the town and is used again. This will be in a revolving account.

Councilor McPherson asked if there are any other costs going forward associated with this? Reply was no there shouldn't be.  
VOTED 9-0

**04 128 – Yr End re-appropriate \$6,000 for the MMA Chief's Exam**

Councilor Smart MOTIONED to refer measure # 04 128 to the budget/management committee. Councilor Kay seconded. VOTED 9-0

**04 129 – Yr End - RFT of \$12,000 for Fire Department Expense Vehicle Maintenance**

Councilor Smart MOTIONED to refer measure # 04 129 to the budget/management committee. Councilor Mathews seconded. VOTED 9-0

**04 130 – Yr End - RFT of 38,500 for the Maintenance of Town Hall Expenses**

Councilor Smart MOTIONED to refer measure # 04 130 to the budget/management committee. Councilor Mathews seconded. VOTED 9-0

**REPORTS OF COMMITTEES**

Budget/Management Committee: *Chairman DiFazio*

**04 081 – Operating Budget #1 Appropriate \$1.25 M from the Stabilization Fund**

Chairman DiFazio reported that the measure reads to expend the sum of \$1.25 million from the stabilization account to fund a portion of the FY05 operating budget. This measure was refer to committee on 4/5 and met on 5/3 with a public hearing held on 5/10. The current balance is \$3.1 million and if this measure passes it will be \$1.9 million. The reason is for lack of confident from the SBA to fund the high school during FY05. The budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve measure # 04 081 that the Town of Weymouth expend the sum of \$1,250,000 from the Stabilization Account (Fund 8372) to fund a portion of the FY05 Operating Budget. Councilor Smart seconded.

Discussions: Councilor McPherson they had always anticipated using this money as the debt service on the high school needs to be paid before we receive reimbursement from the state and there is a 2 year lag.

VOTED 9-0

**04 082 – Operating Budget #2 Appropriate 710,000 from the sale of town owned land.**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 with a public hearing held on 5/10. The budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve measure # 04 082 that the Town of Weymouth appropriate the sum of \$710,000 from the Sale of Town Owned Property (Fund 4903) for the purpose of funding a portion of the FY05 operating budget. Councilor Smart seconded.

Discussion: Councilor McPherson said all they are really doing is taking it out of one account and putting it into another.

VOTED 9-0

**04 083 – Operating Budget #3 Appropriate \$250,000 for Worker's Compensation**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 with a public hearing held on 5/10. The budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve measure # 04 083 that the Town of Weymouth appropriate the sum of \$250,000 from free cash for the purpose of pre-funding the Town's FY05 contribution to the Worker's Compensation Claims Fund (Fund 8101). Councilor Smart seconded.

Discussion: Councilor McPherson said out of the \$1.8 million that the town raised in taxes this year, roughly \$900,000 is going towards pension costs, \$250,000 to increased worker's compensation costs.

VOTED 9-0

#### **04 084 – Operating Budget #4 Revaluation Costs**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 with a public hearing held on 5/10. The budget/management committee recommends favorable action. DOR is now mandating that evaluations take place every year at a cost of close to \$300,000.

Councilor DiFazio MOTIONED to approve measure # 04 084 that the Town of Weymouth raise and appropriate the sum of \$250,000 from free cash for the purpose of funding the Town of Weymouth's FY05 revaluation costs. Councilor Smart seconded.

Discussions: Councilor McPherson said the state is mandating that we revalue every year instead of every 3 years with no benefit to the town. Instead of spending \$350,000 in 3 years we will be spending \$800,000. This does not generate any more revenue. He thinks the town council should consider a resolution stating our displeasure with this unfunded mandate.

Councilor Kay agrees. This is outrageous and it only provides a convenience for the state at a time that we can ill afford it and would support a resolution.

President Lacey said there is a motion made and seconded on the table. If there is a desire to take this item up separately afterwards he would entertain a motion then.

Councilor Leary also would support a resolution. It should be at least partially funded by the state. Unfunded mandates are suppose to be illegal.

VOTED 9-0

#### **04 085 – Operating Budget #5 Fuel Depot**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 with a public hearing held on 5/10. The budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve measure # 04 085 that the Town of Weymouth appropriate the sum of \$210,000 from free cash for the purpose of pre-funding the Town's FY05 expenses related to the Town's Fuel Depot. Councilor Smart seconded. VOTED 9-0

**04 086 – Operating Budget #6 Lease Payment**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 with a public hearing held on 5/10. The budget/management committee recommends favorable action. The balance in the CP Fund is \$106,000 and after this appropriation there will be \$10,000.

Councilor DiFazio MOTIONED to approve measure # 04 086 that the Town of Weymouth re-appropriate the sum of \$96,044 from the CP Residual Fund 3416 for the FY05 payment for the 2<sup>nd</sup> year for the two fire engines/lease financed under order 04-048. Councilor Smart seconded. VOTED 9-0

**04 090 – Operating #10 Revolving Account**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 and the budget/management committee recommends favorable action. This measure has been amended by title in the budget/management committee.

Councilor DiFazio MOTIONED to approve measure # 04 090 that the Town of Weymouth authorize the creation of the following revolving accounts in accord with MGL Chapter 44 section 53E ½ for Fiscal Year 2005. Furthermore that each of these revolving accounts be permitted to accept funds in the aggregate to the limit set forth below and expend those funds in the aggregate to the limit herein expressed with the consent of the Mayor.

Account	Fund Name	Limit to Accept	Limit to Expend
5201	Conservation	\$10,000	\$10,000
5202	Law Enforcement	25,000	10,000
5216	Community Services	60,000	60,000
5210	Law Enforcement	10,000	10,000
5209	Parks & Recreation	250,000	250,000

Note: Account 5209 for Parks & Recreation is established pursuant to General Laws Chapter 44 section 53D.

Councilor Smart seconded. VOTED 9-0

**04 091 – Operating #11 Donation Account**

Chairman DiFazio reported that this measure was refer to committee on 4/5 and met on 5/3 and the budget/management committee recommends favorable action. This measure has been amended by title in the budget/management committee.

Councilor DiFazio MOTIONED to approve measure # 04 091 that the Town of Weymouth authorize the creation of the following revolving accounts in accord with

MGL Chapter 44 section 53A. Furthermore that each of these donation accounts be permitted to accept gifts and/or donations to the limit in the aggregate set forth below and expend with the consent of the Mayor those funds to the limit in the aggregate herein expressed.

Account	Description	Acceptance	Expenditure
5401	Community Policing	\$ 7,500	\$ 7,500
5405	Animal Shelter	5,000	5,000
5406	Fourth of July	50,000	50,000
5408	Library	10,000	25,000
5409	Health	6,000	6,000
5410	Health-Clinics	10,000	10,000
5414	Fire Department	7,500	7,500
5415	Police DARE	15,000	15,000
5416	Fire SAFE	6,000	6,000

Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/13 and the budget/management committee recommends unfavorable action and not approve this measure.

Councilor Leary said this resulted from the circuit breaker budget being set at 35% and it appear this year it will be at least 50%. The school department agreed it could be paid through their budget.

Councilor Kay said the school department also said they would be able to fund the moving of the furniture.

Councilor DiFazio said explained that this is the first financial measure which came out of the budget subcommittee with negative action that is why there is some confusion.

Mr. Wilson said because it involves free cash for record keeping and reporting to the DOR, that the vote be those who wish to affirm the action vote yes and those who wish not to affirm the action vote no. If you wish to pass the measure vote yes if you wish not to pass the measure vote no.

Councilor DiFazio MOTIONED to approve measure # 04 103 that the Town of Weymouth transfer the sum of \$120,000 from free cash to a new line item in fund 002 for the purpose of funding the following items:

\$51,000 for moving furniture and equipment from Abigail Adams to 1051 Commercial Street.

\$51,800 for the purpose of custodial supplies

\$17,200 for the purpose of purchasing a student data base software package.

Councilor Kay seconded.

VOTED 0-9 (MOTION FAILED UNANIMOUSLY)

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/13 and the budget/management committee recommends favorable action. This is scheduled for October 2, 2004.

Councilor DiFazio MOTIONED to approve measure # 04 104 that the Town of Weymouth accept a \$10,000 gift from the Abington Savings Bank for the purpose of providing financial assistance to the Town for Weymouth Day. Councilor Kay seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/13 and the budget/management committee recommends favorable action. There is currently a balance of \$240,000 in the reserve fund.

Councilor DiFazio MOTIONED to approve measure # 04 105 that the Town of Weymouth transfer the sum of \$15,000 from the reserve fund to the following line items and amounts:

- a. \$4500 to line item 13204452.521101
- b. \$1500 to line item 13204453.521101
- c. \$2000 to line item 13204455.521101
- d. \$1000 to line item 13204451.521103
- e. \$3000 to line item 13204452.521103
- f. \$1800 to line item 13204453.521103
- g. \$1200 to line item 13204454.521103

for the purpose of paying electric and gas bills for the various fire stations for the remainder of the year. Councilor Smart seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Paul Dillon of 378 Neck Street, Weymouth for a reappointment to the Planning Board. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Nancy Blazo, 23 Regatta Road, Weymouth for a reappointment to the Waterfront Committee. Her new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was tabled in committee.

Councilor Mathews asked why this was tabled. Councilor DiFazio said because a request was made by you to have Mr. McLeod before the committee prior to a vote being taken we had to table it as Mr. McLeod was unable to attend. They have scheduled this for their next meeting on 5/20/04. Councilor Mathews will not be able to attend this meeting. He also stated that Mr. McLeod has not been able to attend 2 meetings so far and requested his to attend the full town council meeting.

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/13 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Martin Joyce, 135 Academy Avenue, Weymouth for a reappointment to the Board of Zoning Appeals. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Donald Mathewson, 9 Regatta Road, Weymouth for a reappointment to the Cemetery Committee. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Joan Anderson, 61 Webb Street, Weymouth for a reappointment to the Memorial Committee. Her new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Maureen Del Prete, 81 Old Colony Drive, Weymouth for a reappointment to the Board of Health. Her new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Elaine DeCosta, 41 Caldwell Street, Weymouth for a reappointment to the Scholarship Committee. Her new term will expire on June 30, 2007. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of John Thompson, 389 Union Street, Weymouth for a reappointment to the Conservation Commission. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

Councilor Smart and Lacey stated he does a great job managing the meetings.

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Richard Waite, 200 Burkhall Street, Donald Mathewson, 9 Regatta Road, Weymouth for a reappointment to the Recreation Committee. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Bill Begley, 5 Litchfield Road, Weymouth for a reappointment to the Board of Elder Services. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

Councilor Kay is very pleased he is reappointed.

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

Chairman DiFazio reported that this measure was refer to committee on 5/3 and met on 5/17 and the budget/management committee recommends favorable action.

Councilor DiFazio MOTIONED to approve the appointment of Lawrence Cassese, 196 Lake Street, Weymouth for a reappointment to the Board of Elder Services. His new term will expire on June 30, 2006. Councilor Leary seconded. VOTED 9-0

Councilor Leary and Kay are very pleased to see Lawrence Cassese reappointed as he is a very loyal member.

**NEW BUSINESS**

Councilor Smart MOTIONED to take a 5 minutes recess in order for SSTTDC to set up a presentation to the Council.

**South Shore Tri-Town Development Corporation – Update**

**Dan DeSantis, Bob Lundquist, John Burke, Jim and MaryJoe**

The slide show presentation was not working and they handed out a 20 page hard copy to follow. They presented an overview of the most recent agreement. Mr. Lundquist said neither party were totally satisfied with the agreement. This is as good a document as could be negotiated.

Mr. DeSantis said the DDA is a business agreement between the Corporation and Lennar and not a plan. They are leading towards a master plan and reuse plan next year to the Town Council. The Corporation owned FOST 1 & 2 EDC Land and PBC land and will be maintained as open space. FOST 3 and the CDR parcel include EDC and PBC land.

Please see attached power point presentation. There are about 55 acres of Excess Federal Land. Mr. DeSantis gave an overview of this presentation.

Mr. Lundquist said the horizontal development is the responsibility of Lennar. There is an initial phase of development that will be defined in the master plan. There will also be a performance schedule. They can not sell off any land until the horizontal development has gone through.

Councilor Leary asked what horizontal development was. Mr. David Hauffman from Lennar said it is all the infrastructure that is needed to prepare parcels for development. This includes roadways, water and sewer, parks, playgrounds, public amenities and tennis courts. This does not include building any buildings. SSTTDC will finance the sewer and water. The parkway is a main road across the base going east/west.

Councilor Smart asked to explain section D and Paragraph 2 on page 1 and paragraph C of the executive summary under land transfer. Mr. Lundquist said if one or more legislative bodies did not approve the plan then Lennar can walk away or not.

Councilor Smart said in the executive summary it talks about transferring the land. He asked for an explanation of paragraph (b). Mr. Lundquist said if one or more of the towns does not approve the proposed reuse plan then Lennar has the option to walk away. They can either continue under the existing reuse plan or come up with another one.

Councilor Smart asked if any land be transferred 90 days after the DDA was signed (May 5<sup>th</sup>) to Lennar with no reuse plan meaning they use the current reuse plan. Mr. Lundquist replied no. It's either going to be at town approvals or if Lennar decides to go forward with the current reuse plan. (c) will happen after they know what the reuse plan is. That approve is the first thing that will happen. The land will not be transferred unless the town's approve a reuse plan or they use the existing one.

Land transfer should be in Sept/Oct. All the documents go out to public comment within the next 30 days. They don't get executed until the night before transfer in the fall. The public will have a 45 day comment period. All the documents will be online and in the libraries.

Councilor Mathews said out of the 72 page DDA there is only 1 paragraph about water and sewer infrastructure improvements and it says that SSTTDC is in charge of it. He reminded them that the Town Council just approved \$11 million in infrastructure improvements and \$150,000 to study a new treatment plant. He is not sure he likes the idea of the horizontal/vertical development idea. He wants to know what they are going to build there before they put the infrastructure in so it is not too small. He hopes they have no intension of tapping into Weymouth's water system at all.

Mr. Lundquist agrees that water and sewer is a problem. Lennar is looking at a treatment facility on the base. There is no question they will have to work with the surrounding towns if they go off base with any sewerage. They have been looking at grey water reuse ideas for almost 4 years now. They understand that they have to identify a water source and they are aware of the consent orders in Weymouth and the issues associated with it.

It was stated that the golf course is going to be 300+ acres south of the hanger #1 and carved out of that on the eastern side will be a 10 acres to support infrastructure. Of the 300+ about 180 acres will be the golf course and the excess will be part of the 740 acres of open space. Approximately 60% of the development will be open space (740+ acres). They will not be invading any wetland areas or habitats. Mr. DeSantis said this open space can't be used for anything except that purpose.

Councilor Kay also questioned item #13. Bob Lundquist explained this is the requirement to complete the infrastructure associated with their responsibilities at the base. Lennar can't sell off more than 50% of the base until they complete the horizontal development.

She questioned Pge 4 (e &f) and asked if they were looking to set up an enterprise fund outside of the enabling legislation and Mr. Lundquist said yes.

Als0, page 19 she asked what Special Assessment Mechanism was and if it was TIF. Mr. DeSantis said no, it is not a TIF. Under the commonwealths economic development incentive program they have the opportunity to gradually assess the property until 4 years. The 1<sup>st</sup> year there is a zero assessment, 2<sup>nd</sup> yr is 25% up to 100%.

Mr. Lundquist said TIF is not the same. This is not a TIF. This offers up to a certain level of assessment up to 5 years. It's an incentive to have businesses come in.

Councilor McPherson talked about the process of keeping the councilors informed. He suggested he have an Economic Development meeting to discuss process and then discuss it with SSTITDC. We need to think about what we want them to accomplish.

Councilor Leary said a TIF could range anywhere from 1 yrs to 20 years. He asked if they were planning any TIFs on the base. Mr. Lundquist said this information contained in this document is not a TIF. At the moment they have no intentions of using TIF as a financing method at the base, at the moment. It will remain an option but it is not a high priority on our list. Who knows what 2-5 years may bring.

Councilor DiFazio said he doesn't understand how Lennar makes a profit and what the procedure will be. Mr. Hauffman said by the sale of individual parcels of land. This has not been calculated out because they do not have a plan yet. What ever plan is approved they are confident that the initial funds they are spending can be recouped through the leasing and sale of property.

President Lacey is interested in the SSTITDC's risk on this agreement regarding financing. What happens if Lennar who provided \$7.5 million up front, and Tri-Town who spent \$1 million and Lennar walks away. How would Tri-Town pay back the \$1 million. If it gets greater than \$1 million how that would be paid.

Mr. DeSantis said they have several options. They could get another master developer or they could raise a bond to buy them out. Lastly they could sell the land because it has value. He is confident Lennar is in this project to stay.

President Lacey said in #15. The corporation is responsible for customary municipal services. Does that mean there is a mechanism to pay Weymouth for those services Fire, Police that are provided? Mr. Lundquist said they would continue to engage in certain services of all three towns. They will contract Police, Fire and inspectional services. They will need to talk to all three towns about this when the time comes.

Right now they use unarmed security guards during the evening hours to patrol the base. Once construction begins they will probably start utilizing the towns.

Councilor Smart asked if Tri-Town walks would you be responsible to pay back the full amount to them \$6.3 million. Mr. Lundquist said on page 23 under the security agreement it says there is a mortgage securing Lennar's investment in property until the land is transferred to them. There is a \$15 million cap on it. The Tri-Town owns FOST parcel 1 & 2 that have been valued at \$22-25 million.

The intent is go get through the DDA and move forward with the reuse plan to the towns and then move forward with the development. Once the transfer takes place this mortgage security goes away because Lennar then has the land.

Councilor Smart asked if there are any other documents he could view such as draft DDA's. Mr. DeSantis said yes, they have about 25 documents that are public information.

Councilor Leary said anything that Weymouth does for SSTTDC they must pay for. It is very clear in the legislature. Mr. Lundquist said that is correct, they will pay for any services that directly impact the towns.

Councilor Mathews asked if everything goes forward what would be the best case scenario for Weymouth. Mr. Lundquist said it's a difficult question but he said at least 5 years before you see any real revenue. There are 9 months from any change to the reuse plan. All the water & sewer issues need to be resolved. It won't be until 2006 that the first shovel goes into the ground. Two-three years to offset the initial costs. It should peak in 10-12 years where you will get your maximum return on tax revenues.

With the exception of tax revenue, any monies generated by the Corporation for the sale of land or from an agreement similar with Lennar for the first seven years of the development, have to by law be returned to the development. Tax revenues would be available to the towns after paying the corporations expenses.

Mr. DeSantis invited all to attend the 6<sup>th</sup> smart growth workshop on Wednesday, June 26<sup>th</sup> at the Conference Center.

**04 119 – South Shore Tri-Town Development Corp.’s Open Space Recreation Plan, Councilor DiFazio**

Councilor DiFazio said his request is to see if the Open Space Recreation Plan is still in the future reuse plan.

Councilor DiFazio MOTIONED to refer measure # 04 119 to the Economic Development Committee. Councilor Mathews seconded.

Councilor Kay asked why Economic and not Park & Recreation. Councilor Molisse agreed.

Councilor Kay made a substitute motion to refer this to the Park & Recreation Committee to look into it in conjunction with the open space. Councilor Molisse seconded.

Councilor DiFazio said it didn't matter to him. His overall concern is this chipping away of the benefits of the master development and the benefits to the citizens of Weymouth.

Councilor Leary said there has been no change in anything. The original reuse plan still holds. However they should look into this.

Councilor Smart said it is in the DDA that they are considering a 9 hole golf course. He supports the substitute motion.

Councilor McPherson said Councilor Molisse is welcome to it.  
VOTED 9-0

**04 120 – Amendment to Code of Ordinance section 6-101 (d) “Arrest without warrant penalty for Consumption of Alcoholic Beverages in Public”, Councilor DiFazio**

Councilor DiFazio MOTIONED to refer measure # 04 120 to the Ordinance Committee. Councilor Arthur seconded.  
VOTED 9-0

**Councilor DiFazio request for information on Park Improvement Authorization**

He requested in writing information on amount of funds spent to date, work and/or projects completed to date, remaining funds not spent, work and/or projects scheduled to be completed on the \$1.8 Million bond approved 2 years ago.

Councilor DiFazio MOTIONED to request the above information on measure # 01 049 and 01 073. Councilor Kay seconded. VOTED 9-0

**04 131 – Appointment of Town Clerk, Franklin Fryer**

Councilor Leary MOTIONED to refer measure # 04 131 to the Budget/Management Committee. Councilor Smart seconded.  
VOTED UNANIMOUSLY

**MOTIONS, ORDERS AND RESOLUTIONS – None**

Councilor McPherson MOTIONED to ask the budget/management committee to consider drafting a resolution on the SPED unfunded mandate. Councilor Smart seconded.  
VOTED 9-0

Councilor Kay asked if this would go to DOR and it was stated yes.

Councilor McPherson said they need to get their plan of attack ready for the South Weymouth Naval Air Base. He asked all to think about this.

Councilor Leary said on Thursday, May 20<sup>th</sup> the South Weymouth Neighborhood Association may be disbanding.

Councilor Kay agreed with the magnitude at the base and asked all committee to recommend what is important to their area. Councilor Smart agreed.

Councilor DiFazio said the Budget/management committee will be meeting on Thursday, May 20, 2004 at 6:30 p.m. at McCulloch Building and hopefully voting the budget.

**ADJOURNMENT**

Councilor Smart MOTIONED to adjourn at 10:30 p.m. Councilor Leary seconded.  
VOTED 9-0

Respectfully submitted by,

Lee Hultin, Recording Secretary

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