

MINUTES OF THE TOWN COUNCIL

Town Hall Council Chambers

June 2, 2008

Present: Michael Smart, President
Arthur Matthews, Vice-President
Robert Conlon
Kenneth J. DiFazio
Ed Harrington
Thomas J. Lacey
Brian McDonald
Michael Molisse
Patrick O'Connor
Victor Pap, III
Kevin Whitaker

Also Present: Maureen Duffy, Town Auditor
Franklin Fryer, Town Clerk
George Lane, Town Solicitor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

President Smart called the Town Council Meeting to order at 7:30pm.

ANNOUNCEMENTS

Councilor O'Connor announced that Little League Baseball sign up for 9-12 year olds will be held on Saturday June 7, 2008 at 8:30 am and Friday June 13, 2008 at 5:30 pm.

Councilor Pap announced that the St. Jerome's clean up day was successful.

Councilor Pap announced that there is an opportunity in August for young adults to participate in an Appalachian work project. Anyone interested should call Vinny Dignaly at 508-835-9084.

Councilor Molisse announced that the Norfolk County Registry of Deeds will hold office hours on Wednesday June 4, 2008 from 10am – 12pm in the Council Chambers.

MINUTES

Budget/Management Committee Meeting of 4/29/08

A MOTION was made by Councilor Mathews to TABLE the minutes from 4/29/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Ordinance Committee Meeting of 5/5/08

A MOTION was made by Councilor Mathews to TABLE the minutes from 5/5/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Town Council Meeting of 5/5/08

A MOTION was made by Councilor Mathews to TABLE the minutes from 5/5/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee Meeting of 5/6/08

A MOTION was made by Councilor Mathews to TABLE the minutes from 5/6/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee Meeting of 5/8/08

A MOTION was made by Councilor Mathews to TABLE the minutes from 5/8/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Annual Town Meeting of 5/12/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 5/12/08 and was seconded by Councilor O'Connor.

A SUBSTITUTE MOTION was made by Councilor Lacey substitute motion to TABLE the minutes from 5/12/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Committee Meeting of 5/15/08

A MOTION was made by Councilor Mathews to TABLE the minutes from 5/15/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Ordinance Committee Meeting of 5/19/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 5/19/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Town Council Meeting of 5/19/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 5/19/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

RESIDENT AND COMMUNITY COMMENT

Janice Joyce of 39 Homestead Avenue-Investing in Education

Ms. Joyce appeared before the Council. She stated that she believes that education is very important to her as both a graduate of and teacher in the Weymouth public school system.

Ms. Joyce stated that she has spent countless dollars to make her classroom experience a good one for her students. She expressed her concern about potential cuts in the school department budget.

Jennifer Wade Baker of 23 School Street-Quality of Education/Town Budget

Ms. Baker stated that she would like to express the depth of her disappointment in the current financial situation. She stated that education has been a priority and must remain a priority. Every child in Weymouth deserves a quality education.

Ms. Baker expressed her concern at the elimination of the Family and Consumer Science Program at the high school. She stated that this program helped to prepare students by teaching them life skills.

Cheryl Taylor of 472 Pond Street-Education

Ms. Taylor stated that she is a concerned and extremely upset resident. She noted that she is aware of the difficult situation.

Ms. Taylor stated that she purchases supplies for her classroom. She stated that she is concerned about the potential closing of a fire station, police coverage, and public safety in general.

Ms. Taylor stated that she is not attacking anyone personally, but she wanted to know why Legion Field was dug up and an attempt made to spend \$7 million to repair it. She understands that this did not pass, but asked why it was even brought up.

Ms. Taylor stated that she believes that the prior administration did not negotiate in good faith.

Thomas Healy-Town Budget

Mr. Healy stated that he is a Mathematics teacher in the Weymouth public schools, a tutor, and also works an overnight shift at the South Shore Educational Collaborative. He stated that he is concerned about the budget shortfalls facing the town.

Mr. Healy asked what the town was doing to collect unpaid property taxes and excise taxes.

Council President Smart asked Mr. Healy and the other speakers to submit their statements and questions to the Council.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

Great Pond Water Treatment Plant Update-James Wilson, Chief Financial Officer

Mr. Wilson stated that the Council made a formal request to provide a report on the current status of the water treatment plant.

Mr. Wilson gave an overview of the process through which the town has come to this point in the plans for a new water treatment plant.

Councilor Lacey asked if the town knew in February that the cost of the treatment plant had increased. Mr. Wilson stated yes.

Councilor Lacey asked how much the town has already expended on this project. Mr. Wilson stated the town has spent approximately \$3.5 million to date.

Councilor Lacey asked if there is any money available immediately for this project other than the \$250,000. Mr. Wilson stated that the money will be raised through bonding.

Councilor Lacey stated that this is a significant bond issue especially when one considers that the town currently has a \$7 million deficit- yet is considering bonding \$40 million for this project.

Councilor DiFazio asked what has caused the delay. Mr. Wilson stated that the Department of Environmental Protection (DEP) will not allow the project to be awarded until the entire amount of the project is approved.

Councilor Molisse asked about the mechanics of the treatment plant and if there have been any changes. Mr. Wilson stated that the goal of the facility has not changed. He pointed out that DEP would not allow significant changes.

Councilor Molisse commented that he hopes that the landscaping buffer zone and trees will remain the same. Mr. Wilson pointed out that with the decrease in the footprint of the building; there will be more of a buffer.

Councilor Harrington asked if the reservoir resources are finite. He asked if it is possible to develop water as a resource. Mr. Wilson stated that the pond is finite. However, there are procedures which can be used to help the town in how it draws the water. The Council has passed measures to do this- namely one was the decommissioning of lagoons. This does not increase the water supply but increases the surface area. Also, the intake amount has been lowered which allows the town more to draw from.

Councilor Harrington asked about being able to sell water to LNR. Mr. Wilson stated that the town is only permitted to withdraw 5.1 million gallons. The town currently withdraws 4.2 million. To increase the withdrawal amount, the town would require DEP approval.

Mr. Wilson pointed out that SSTITDC is looking for approximately 1 million gallons of water per day. This amount would place the town above the permitted withdrawal amount. This has a potential of \$1.75 million of revenue over time.

Councilor O'Connor asked what is the debt service. Mr. Wilson stated that the initial banding is estimated in the budget at \$400,000.

Councilor Whitaker asked what the savings are to build a new plant rather than spending money trying to maintain a dilapidated plant in operations. Mr. Wilson stated that approximately \$500,000 is budgeted for maintenance and repairs for the 80 year old plant.

Councilor Pap questioned the debt service for the \$40 million bond. Mr. Wilson stated that it is \$2.8 million.

Health Cost Review Update-James Wilson, Chief Financial Officer

Mr. Wilson gave a Power Point presentation titled the Health Insurance Deficit; a detailed analysis and trends.

Councilor Mathews asked if the \$6.5 million deficit included the increase in the retired teachers' health insurance. Mr. Wilson stated that the retired teacher's increase was included in the existing budget.

Councilor Mathews asked what savings could be seen if all town employees were covered under Group Insurance Commission (GIC)

Mr. Wilson stated that in 2010 the potential savings would be \$2 million on the retiree side plus another \$2 million depending on what happens in GIC. This is based on information as recently as this past Friday.

Councilor O'Connor stated that he believes that the GIC is a solution to the health insurance concerns. He stated that he believes that the town is no longer able to sustain being self insured. He stated further that he did not believe the retired teachers should be required to join the GIC.

Councilor Pap stated that \$5 co-payments for office visits and \$25 co-payments for ER visits are no longer a sustainable benefit.

Councilor Molisse asked about the funding of the health insurance contribution. Mr. Wilson stated that the funding is based on a rate analysis which is included in the budget book.

Councilor Molisse asked about the status of the Fulton School sale. Mr. Wilson stated that everyone has been working diligently to have this sale completed prior to the end of the fiscal year. Mr. Wilson stated that Councilor O'Connor has been working through Senator Hedlund's office in an effort to accomplish this.

Councilor Molisse stated that he is opposed to the repeal of Chapter 111 involving retired teachers.

Councilor Harrington asked what is the total budget shortfall. Mr. Wilson stated that it is approximately \$6.5 million based on the current projections.

Councilor Harrington asked what it would cost to cover a \$7 million shortfall with a Proposition 2 ½ override. Mr. Wilson stated that it would essentially cost \$300 per taxpayer. Councilor Harrington stated that the town has to save itself; we need to step up and consider all the possibilities.

Councilor Mathews asked when the co-payments of town employees was last increased. Mr. Wilson stated that he believes that it has not changed since the early 1990's.

Councilor Mathews cautioned that a Proposition 2 ½ override has both pros and cons. He pointed out that there are seniors on fixed incomes. Mr. Wilson stated that seniors are entitled by a matter of law to defer real estate taxes until their death and the house is sold. These deferrals are included in uncollected taxes.

Mr. Wilson stated that for this fiscal year, as of May 1, 2008, the collection rate for taxes is 96 percent. Typically the rate of collection is 98 percent. Two percent of \$70 million amounts to approximately \$1.4 million.

Mr. Wilson stated that for this fiscal year, as of May 1, 2008, the collection rate for motor vehicle excise tax is 66%. Typically the collection rate is over 90%. He pointed out that the town must book 100% of the excise tax commitment which is \$6 million. This amounts to approximately \$2 million. Uncollected taxes amount to a \$3.4 million revenue short fall.

Mr. Wilson stated that the Council acknowledged the difficult financial times of residents when it approved the enactment of a measure which allows the town to waive 50% of the accrued interest on property that is in tax title. This law has a sunset clause and will end on June 30, 2009.

Mr. Wilson stated that the town has an aggressive tax title policy. He stated that the town has foreclosed on \$1 million worth of properties.. He pointed out that the town must adhere to the statute which says that the process cannot begin for two years. Then a petition must be filed in court which can take another two years.

Mr. Wilson stated that in terms of excise taxes, it is generally easier to collect because the town is allowed to "mark" the registration and license of the owner of the car. If the owner is caught in the cycle of renewal, the owner is not allowed to renew. He pointed out that there are also statutes which must be adhered to. These statutes require a number of notifications and can take up to a year to enforce.

Councilor Conlon asked what positions would be lost in public safety. Mr. Wilson stated that the Mayor is still reviewing this issue.

Councilor Conlon agreed with Councilor Harrington regarding a Proposition 2 ½ override. He stated that \$300 is a reasonable amount.

Councilor Lacey stated that he believes that changes need to occur, but they need to happen in an orderly manner. He stated that he thinks that having town employees join the GIC could be a potential money saver. He stated that he is concerned about what would happen to the retired teachers.

Councilor O'Connor believes that a Proposition 2 ½ override is a short term solution to a long term problem. He pointed out that a speaker earlier had commented that people are not able to pay their bills. Now is not the time to place an additional burden on the residents.

Councilor DiFazio summarized that there have been immediate changes such as a 3.4% decrease in the budget and a 16% increase in insurance rates. Long term solutions could be to make changes to the claims, increase co-payments and opt in to the GIC. He pointed out that the long term solutions are subject to collective bargaining.

Mr. Wilson stated that there are no other long term solutions currently on the table.

Councilor Whitaker asked how the town is able to assure that claims are being accurately reported. Mr. Wilson stated that there is a quality assurance review. Mr. Wilson also stated that the insurance administrator also reviews the claims and informs the town of potential cost increases on a given claim.

Councilor Smart stated he believes that a Proposition 2 ½ override would be irresponsible in light of the current increases in other cost of living issues such as heating oil.

Councilor Smart asked about the frequency of audits. Mr. Wilson stated that audits occur at least annually if not more often.

Greenbush Rail Line Update-James Clarke, Director of Planning & Community Development

Mr. Clarke gave an update on the Greenbush rail line operations. He reviewed the Weymouth Landing Station, the East Weymouth Station, traffic lights, fencing, North and Green Streets, Regina Road, and Idlewell Bridge. He pointed out that the next steps are to review the mitigation document and to prepare a punch list of outstanding items.

Councilor O'Connor made a MOTION to SUSPEND Rule 24, time limit for Council meetings and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Councilor Mathews noted that the left hand turn into the connector road from Quincy Avenue is not working well. Mr. Clarke pointed out that Braintree's engineer is present this evening. He also stated that there was a meeting today to discuss Weymouth Landing. The signage indicating that the left lane is for left turn only has yet to be installed.

Councilor Lacey stated that it has been over seven months since the start of the Greenbush rail line and the traffic signaling design work has not been completed. He stated that this business area had difficult traffic issues prior to the start of the rail line and now the addition of the rail line has made the traffic in this area unacceptable. He asked what the MBTA's response has been to this situation.

Mr. Clarke stated that the town's engineering firm held onto the shop plans longer than anticipated.

Councilor Lacey stated that it is his opinion that the train is operating without a permit as the day lighting and traffic signal work has not been completed.

Mr. Clarke stated that this position has been discussed and has been part of the conversations with the MBTA. He also stated that both the Mayor of Weymouth and Mayor of Braintree have spoken with various officials at the state level.

Councilor Lacey stated that he is appalled at the MBTA's lack of respect and responsiveness to two communities regarding these issues which affect pedestrians, motorists, businesses, residents, and others using this area.

08 086-Reappropriation-Clerk's Office

The Mayor submits the following for consideration by Town Council:

“That the Town of Weymouth re-appropriate the sum of \$5000 from line item 11614118.510001 (clerk's salary line item) to the following line item for the purpose of funding the various year end expenses for the clerk's office: \$5,000 to line item 11614418.578103 (clerk's office miscellaneous expenses).

The \$5000 is not needed to fund the salaries for the remainder of the year. The clerk's expenses are for dog tags, zoning books, advertising (legal notices for Council), vital statistics books, bindings, copier leases, etc.

A MOTION was made by Councilor Mathews to REFER item number 08 086 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 087-Appropriation-Workers Compensation

The Mayor submits the following for consideration by Town Council:

That the Town of Weymouth appropriate the sum of \$85,000 from Free Cash to the following line item for the purpose of funding a projected year end deficit in the workers compensation trust fund. \$85,000 to line item 11945840.596500 workers Compensation Appropriation.

At the time of the submittal, the balance in Free Cash was \$174,631. This measure requires a public hearing and a legal notice. Human Resources will provide the backup to Council.

A MOTION was made by Councilor Mathews to REFER item number 08 087 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 088- Appointment to the Commission on Disabilities-Lisa Jennings

A MOTION was made by Councilor Mathews to REFER item number 08 088 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 089- Appointment to the Youth Coalition-Kathleen Godbout

A MOTION was made by Councilor Mathews to REFER item number 08 089 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 090- Appointment to the Board of Zoning Appeals-Francis Kenneally

A MOTION was made by Councilor Mathews to REFER item number 08 090 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 091- Reappointment to the Board of Zoning Appeals as Alternate Member-Kemal Denizkurt

A MOTION was made by Councilor Mathews to REFER item number 08 091 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 092- Reappointment to the Board of Zoning Appeals as Alternate Member-Martin Joyce

A MOTION was made by Councilor Mathews to REFER item number 08 092 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

08 035-Great Pond Water Treatment Plant Design Supplemental Contract Vote postponed from 5/12 Annual Town Meeting

This item was referred on 4/17/08. The Committee met on 5/8/08. This item was published on 5/2/08 and a Public Hearing was held on 5/12/08. The committee voted unanimously to recommend favorable action. A vote on the measure was postponed at the 5/12/08 meeting.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 035 and was seconded by Councilor Mathews.

On June 16, 2008, there will be a public hearing for a \$5 million dollar increase on measure number 08 037.

This measure is for the cost of design changes to the plans in the amount of \$250,000 in engineering costs.

The MOTION was UNANIMOUSLY VOTED.

08 078- Reappointment to the Cemetery Commission-Liz Cicchese

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 078 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 079- Reappointment to the Community Events Committee-Charles McMurray

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 079 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 080- Reappointment to the Commission on Disabilities-Richard Johnson

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 080 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 081- Reappointment to the Scholarship Fund Committee-Donna Shea

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 081 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 082- Reappointment to the Weymouth Housing Authority-Ernest Remondini

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

Councilor Pap pointed out that Mr. Remondini has been a member of the Weymouth Housing Authority for 25 years and has been a valuable asset to the Town of Weymouth.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 082 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 083- Appointment to the Cultural Council-Charlene Terravecchia

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 083 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 084- Appointment to the Cultural Council-Judith Alukonis

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 084 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 085- Appointment to the Cultural Council-Lori Ann Powers

This item was referred on 5/19/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 085 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

ADJOURNMENT

At 11:15pm there being no further business, Councilor Mathews MOTIONED to adjourn and Councilor O'Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President

Respectfully Submitted: Janet Murray-Recording Secretary