

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
June 5, 2006

Present: Michael Smart, President
Paul J. Leary, Vice-President
Jack Carey
Kenneth J. DiFazio
Sue Kay
Arthur E. Mathews
Michael Molisse
Patrick O'Connor
Gregory Shanahan
Kevin Whitaker

Not Present: Thomas J. Lacey

Also Present: Franklin Fryer, Town Clerk
Jane Hackett, Chief of Staff
George Lane, Town Solicitor
Richard E. Swanson, Town Auditor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

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

ANNOUNCEMENTS

Councilor Molisse announced that the Recreation Department is sponsoring movie nights-starting in July, at the amphitheatre. Details can be located on the town website.

Councilor Mathews stated that the South Weymouth Neighborhood Association will hold its annual meeting on Tuesday, 6/13/06 at 7pm at the South Weymouth Church of the Nazarene.

MINUTES

Budget/Management Committee-5/8/06

A MOTION was made by Councilor Leary to ACCEPT the minutes from 5/8/06 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Environmental Committee-5/8/06

A MOTION was made by Councilor Leary to ACCEPT the minutes from 5/8/06 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Town Council-5/8/06

A MOTION was made by Councilor Leary to ACCEPT the minutes from 5/8/06 and was seconded by Councilor Kay.

Councilor Carey stated that he was present at the meeting. President Smart stated that at the time of the vote he was unable to locate Councilor Carey :

A roll call vote was taken.

Councilor Carey – Y	Councilor Mathews – Y
Councilor DiFazio – Y	Councilor Molisse – Y
Councilor Kay – Abstain	Councilor O’Connor – Y
Councilor Lacey – Absent	Councilor Shanahan – Y
Councilor Leary – Y	Councilor Whitaker – Abstain
President Smart – Y	

The MOTION passed on an 8-0 roll call vote.

Joint Meeting-Budget/Management and Education Committees-5/9/06

A MOTION was made by Councilor Leary to ACCEPT the minutes from 5/9/06 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

CITIZEN’S CONCERN/COUNCIL RESPONSE

Citation Issuance to Claire Cunningham-Chair/Ordinance Review Committee-Councilor Shanahan

Councilor Shanahan presented Ms. Cunningham with a citation for her service as the Chair of the Ordinance Review Committee.

PUBLIC HEARINGS

06 026-Ordinance Change to Section 7-301of the Municipal Code-Wetlands Protection Ordinance

A MOTION was made by Councilor Leary to OPEN the Public Hearing on item number 06 026 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

Item number 06 026 was published on 5/26/06.

Mr. James Clarke-Director of Planning, and Ms. Mary Ellen Schloss, Conservation Administrator appeared before the Council. Mr. Clarke stated that the proposed changes were submitted to the Council several months ago.

Mr. Clarke stated that the changes in the regulations used by Conservation Commission are meant to keep them in sync with the ordinance. He noted that there have been changes in the state laws that need to be reflected in the ordinance. Other issues have to do with grammar and syntax.

The first item is under jurisdiction. The riverfront area has been added as a resource area. Under request for determination, there is an allowance for a continuation. The decision will change from being rendered 21 days from the receipt of the request for determination to the close of the public hearing.

Under permits and conditions, the change has been made to the time lines. Instead of one year, three years will be allowed to complete a project, with only a one year extension allowed.

He noted that the definition of a pond was spelled out in the ordinance.

There was the following public comment.

James Cunningham asked if there is a size requirement on the size of the pond.

Ms. Schloss stated that 10,000 square feet is the requirement per state regulation. She noted that the ordinance includes a pond of any size. Mr. Clarke stated that the town's regulations are more stringent than the state's. He also stated that this includes vernal pools.

Dominic Galluzzo asked what authority the Conservation Commission has when wetlands or conservation lands are disturbed. He questioned if the town can penalize these people. Mr. Clarke stated that the Conservation Commission has jurisdiction over lands that are covered under the Wetlands Protection Act. He noted that there are three cases currently in process. Ms. Schloss stated that the Conservation Commission may impose penalties.

A MOTION was made by Councilor Leary to CLOSE the Public Hearing on item number 06 026 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

06 052-Establishment of Scholarship Fund Committee by Ordinance

A MOTION was made by Councilor Leary to OPEN the Public Hearing on item number 06 052 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Item number 06 052 was published on 5/26/06.

Mr. Wilson stated that the Mayor has submitted this measure to establish a Scholarship Fund Committee, which is allowed under Massachusetts General Laws. The membership of the committee is nine-- the Superintendent of Schools or his designee, and eight citizens appointed by the Mayor. The Mayor is seeking authority for the committee to submit an annual budget. He is also looking to make this fund separate from all other town funds. Any interest earned remains in the Scholarship Fund. He stated that this codifies what is already taking place.

Councilor DiFazio questioned who appoints this committee as it is not specifically stated in the ordinance. Mr. Wilson stated that the members are appointed by the Mayor as in accordance with the Charter. Councilor DiFazio asked what department this committee falls under. Mr. Wilson stated that this committee falls under the specific jurisdiction of the Mayor.

There was no public comment.

A MOTION was made by Councilor Leary to CLOSE the Public Hearing on item number 06 052 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

06 089-Free Cash Appropriation-SEIU Local 888 Van Drivers' Collective Bargaining Agreement

A MOTION was made by Councilor Leary to OPEN the Public Hearing on item number 06 089 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Item number 06 089 was published on 5/26/06.

Mary Jo Livingstone appeared before the Council. The agreement was ratified on 4/10/06. The contract runs from 7/1/04 through 6/30/07.

The funding request is for \$42,469. This will fund a retroactive FY 05 \$10,484, which is a 2% salary increase, and also \$31,985 FY 06 increase, which is a 3% increase. There is already money allocated in the FY 07 budget, so no additional funds are requested.

There was no public comment.

A MOTION was made by Councilor Leary to CLOSE the Public Hearing on item number 06 089 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

06 098-Organization Plan – Establishment of the Community Preservation Committee
06 099-Organization Plan – Establishment of the Community Preservation Act Division within the Dept. of Planning and Community Development

A MOTION was made by Councilor Leary to OPEN the Public Hearings on item number 06 098 and 06 099 and was seconded by Councilor Kay.

Councilor Whitaker stated that he was opposed to opening two public hearings at once.

The motion PASSED on a 9-1 vote with Councilor Whitaker opposing.

Item numbers 06 098 and 06 099 were published on 5/26/06.

The committee will study the needs, possibilities, and resources regarding community preservation. There will be seven members on the committee. Five of the members will represent the various town boards as follows; one each from the Historical Commission,

Recreation Commission, Planning Board, Housing Authority, and Planning Committee. One Town Councilor will serve as well as one citizen member.

The Mayor stated that he has submitted an amendment to change the ordinance in three ways.

- In section A to increase citizens from one to three- thus increasing the committee from seven to nine. He noted that citizens appointed are not to currently be holding appointed or elected office. He also noted that the terms are limited to two years to allow for more review of personnel
- Paragraph C-1 - add the word “ annually” to holding one or more public informational hearings.
- Paragraph 4, 2nd page – under 4A open space – that the requirement for open space does not include land for recreational purposes.
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On October 1st of each year the Committee will be required to submit to the Capital Planning Committee, its anticipated capital costs for the current fiscal year as well as the next five years. Then, 21 days before the Mayor’s budget is due to the Council, the Community Preservation Committee will submit their budget to the Mayor.

This budget must include 10% in open space, recreation, historic preservation. The budget can only have up to 5% dedicated to administrative costs.

The Mayor stated that he would place the Community Preservation Division in the Department of Planning and Community Development. He commented that the committee needs to know where it fits in with the organization of the whole government. He noted that most of the issues covered in the Community Preservation Committee are handled through this Department.

The Mayor noted that the Community Preservation Committee (CPC) recommends how to use the funds. The Mayor also noted that he has no authority to submit measures to the Council separately from the committee. The only body with the power to expend money is the Council.

Public comment was as follows.

Robert Casimiro of 617 Broad Street stated that he was upset by the initial proposal presented by the Mayor. He noted that he was pleased to see the increase in number of citizen members. He stated that he believes that it is important for community activists to have an opportunity to serve on this committee.

Mr. Casimiro stated that he is concerned about the committee being under the Department of Planning and Community Development. He noted that the law refers to the legislative body, which in Weymouth is the Town Council. The CPC shall make recommendations to the Legislative Body. He commented that Solicitor Lane had explained that the Town Charter and the Constitution , supplants and overrides this law. He challenged measure 06 099 where the Mayor takes control of this committee.

Anne Hilbert of 45 Doris Drive stated that she does not think the Planning Board should be in charge of this committee. She questioned the balance of the fund. President Smart stated that there is approximately \$636,000 in the fund and the State should match with \$400,000 in October.

Lorraine Larrabie, President of the Whitman's Pond Association, stated that she is concerned about two issues within this ordinance. She stated that she was under the impression that the CPC would research the proposals and then there would be an open town meeting where residents would be able to express their concerns and/or recommendations. She noted that there was no mention of the Mayor in the Massachusetts General Laws (MGL). The Legislative body is mentioned.

She asked if the Mayor is allowed to eliminate or decrease recommendations of the CPC. She stated that this would appear to be a conflict of interest, as the Mayor is so involved in the budget process.

Ms. Larrabie stated that she believes that the CPC should be a stand alone Committee and not be placed under any Committee or Board.

Mayor Madden stated that the public informational meetings are a part of the Ordinance.

Mayor Madden stated that the CPC will not report to the Planning Board. It does not report to anyone. He noted that it is located organizationally in the Department of Planning and Community Development. He noted that this department has many information resources to offer to the CPC. They will report to the Capital Planning Committee as to how they will spend their money but this committee will have not authority over the CPC.

Mayor Madden stated that a measure could be presented to him that he could decrease or eliminate. He stated that this could impact the town's budget in that if the CPC were looking to make a large purchase through bonding, the liability belongs to the town not to the CPC. He stated that he can not utilize any money from the CPC budget. He did note that he can use town funds to supplement the committee's funds.

Robert Thomas of 848 Washington Street stated, for the record, that he did not vote for either the Charter or the CPA. He stated that the CPA appears to be in violation of the Charter. For appointments, the Charter is clear as to the appointing authority. The Mayor is that authority and the Legislative Body approves or denies the appointment. He also questioned if a Town Councilor should be a member of the committee. He asked if the Councilor would have to recuse himself when the Council has to vote on the CPA spending. He suggested that the Councilor be an ex-officio member or removing the Councilor position and replacing it with a fourth citizen.

Irving Murstein 463 Broad Street stated that the Council is the legislative body. He suggested a lottery to decide who the citizen members would be.

Mayor Madden stated that nothing in the ordinance regarding appointments is new. He noted that Councilors have served on many boards. He stated that when you look at the makeup of the committee, there are five boards with representation. Each of these boards has knowledge of specific areas.

Peter Scannell expressed concern about the commitment of members appointed by the Mayor.

James Cunningham 58 Lakeshore Drive stated that he believes that the Council should appoint the members to the CPC. He stated that he had hoped to see the CPC independent of the Town.

Mr. Cunningham asked if members of the committee must be residents of Weymouth. The Mayor responded affirmatively. He noted that there was a reference to a director. He asked if this is a new position.

Mickey Cronin asked about open space, not including land for recreational purposes.

Mayor Madden stated that under the Act, 10% of the funds must go to specific items; open space, historical preservation, and housing needs. He clarified that recreation spending can not be counted towards to the 10% requirement for open space. Open space spending must be in addition to any recreational spending.

Mayor Madden stated that the challenge of drafting this ordinance was attempting to reference and meld the Charter, the CPA, and the DOR regulations. He noted that this was not an easy task.

Ms. Larrabie asked about the qualifications of citizens to be appointed.

Mayor Madden stated that he would approach this process in the same way that he does in appointing to other Town Committees. A desire to serve and their reason for serving can be more important than any particular background.

Ms. Rakers 126 West Street commented that the Mayor is requesting educated people. She stated that Weymouth has many people who are willing to learn and should be allowed to serve.

Mayor Madden stated that the three vacancies can be filled with citizens who don't necessarily have a specific background.

Kathleen Curran, 26 Babcock Avenue asked about the recreation vs. open space. She also asked about the financial aspect of the state funding.

Mayor Madden stated that as he has previously stated- this reference of recreation vs. open space is required by the Department of Revenue. He stated that the administrative cost is the town's cost.

Ms. Hilbert asked how much money is in the fund. Mr. Wilson was recognized by President Smart, and he stated that there is \$636,000 in the fund. The state generally provides for matching funds; however it is anticipated that the town will receive \$400,000 in October.

Mr. Casimiro stated that in his opinion if the Mayor is the appointing officer, it would seem that the Committee would ultimately be the Mayor's Office.

Mr. Casimiro stated that the CPA should state that the committee can not bond or take out funds for long term commitments. He noted that the CPA could not be ended if there are long term debts to be paid off. The residents of the town have the ability, in five years, to review its participation in the CPA and to change the CPA or to vote to withdraw from the CPA.

Mr. Casimiro submitted his application to the Mayor to be a member of the CPC.

Councilor Carey asked if the CPC can go out to bond on its own. The Mayor noted that the CPC cannot go out bond on its own.

Councilor O'Connor asked about senior citizen exemptions. The Mayor did not have the figures as to how many seniors had applied for the exemption. He agreed to provide this information.

Mayor Madden noted that the CPC has the ability to submit a request which was not on the capital plan at anytime during the year.

Mr. Thomas asked if there is a guide or chart on what the CPC can spend the 5% of the annual appropriation.

Mr. Wilson stated that the DOR has extensive regulations regarding this. Any of this 5% not spent would go into a reserve fund of the CPC. The 5% is based on the annual receipts. Any money carried over is not included.

Tricia Pries, 15 Woodbine Road expressed concern about the placement of the committee under the Department of Planning and Community Development. She expressed concern as to what this money is to do. She stated that she does not think that projects which require bonding should be included.

A MOTION was made by Councilor Leary to CLOSE the Public Hearings on item number 06 099 and 098 was seconded by Councilor Kay and PASSED on an 8-2 vote.

OLD BUSINESS

Weymouth Neck Environmental Clean-Up Briefing

-Dianne Seefried/Project Manager-ConocoPhillips

-Russ Wilder-Environmental Services-URS Corporation

Ms. Seefried and Mr. Wilder made a power point presentation on the environmental clean-up at Weymouth Neck. Topics discussed included a brief history, desired outcomes, remedial actions,

and safety. Also the seven clean-up projects were discussed including Weymouthport Condominiums, Webb Memorial State Park, East Bay and Essex Condominiums, undeveloped properties, 285 River Street, 300 River Street Condominiums, and Tern Harbor Marina.

Councilor Shanahan expressed his gratitude to ConocoPhillips for their work on this project. Councilor Carey asked if there would be any effect on water pressure from the water line changes. Mr. Wilder stated that the pipe would be looped. The work would not have any effect on the pressure either negative or positive.

Councilor Whitaker asked for clarification on the permanent deed restrictions. Mr. Wilder stated that the deed would note that a soil management plan would be required if work was to be done beneath the covering. The covering is located three feet under the ground.

Councilor Kay asked what is meant by “treat in place”. Mr. Wilder stated that the soil is treated as per the Massachusetts contingency plan. The soil is tested after treatment to ensure that it is cleaned.

President Smart asked if there would be any interruption in water or sewer service. Mr. Wilder stated that the water pipe is not currently in service. The sewer pipe is in service but there will be no interruption in service as the soil is cleaned up around it.

Design and Construction of New Great Pond Water Treatment Plant

-James Wilson, Chief Financial Officer

-Stephen Olson, Project Manager/Environmental Partners Group

Mr. Wilson stated that the Mayor has submitted measure number 06 050 to fund a new water treatment plant.

Mr. Olson gave an update on the Pilot Study and conceptual design plan. This update included the following:

- the project background: the scope, goals, and objectives of the project
- The Great Pond Pilot Study: the schedule, general results and conclusions and recommendations
- Great Pond Conceptual Design: treatment systems, site layout, building layout, and capital cost estimate.

Councilor Leary commented that the current water treatment plant was built in 1929 and is in dire need of updating.

Mr. Wilson stated that about three years ago the town spent \$1 million to repair damage from a leak. In the years since, the town has spent \$500,000 a year to maintain and repair this structure. He also noted that this plant will not meet future state requirements.

Mr. Wilson stated that the \$500,000 saved each year can be put towards the bond payment.

Councilor O'Connor stated that the town would pay \$28 million in interest over the life of the bond. Mr. Wilson stated that the rate schedule and the SRF funding will assist the town in paying for the bond. Mr. Wilson stated that he believes that now is the best time to take on this project.

Councilor DiFazio asked if the budget cost includes the demolition of the existing building. Mr. Wilson stated that this cost is not part of this measure. The current intake structure is being rehabbed to be compatible with the new facility.

Councilor Carey asked if the town has sought funding on alternative energy and for green projects. Mr. Wilson state that these resource have been sought.

Councilor Kay requested a hard copy of this presentation.

Councilor Whitaker asked what the quality of the water will be after this project is completed. Mr. Olson stated that the new plant will significantly increase the quality of the water. The Technical Advisory Committee took the state and federal standards and made them even more stringent.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

Fiscal Year 2007 Supplemental Budget Presentation-Mayor David Madden

Mayor Madden appeared before the Council. He stated that he has been working to have the budget reflect actual costs with no reliance on pre-funding or non-recurring revenue.

The Mayor noted that the FY 06 budget is not a good reflection of actual costs, as many of FY 06 costs were pre-funded in the FY 05 budget. He stated that he is looking to pay for expenses in the year that expenses occur.

The Mayor stated that there is approximately \$450,000 in additional state aid available. There is also a \$150,000 reduction in assessments from the state-- mostly related to the cost of the retired teachers health cost.

The Mayor stated that he intends to push the cost of the Superior Officer's raises and the non-union raises into FY 07. He will withdraw the measures before the Council requesting that these costs be paid out of FY 06 Free Cash.

He noted that \$200,000 of the additional Chapter 70 money will be put towards supplies and materials for the schools. This cut could only be sustained this year and would have to be put back next year.

The Mayor stated that it is important to him to make the best decisions for the town as a whole. He also stated that he needs to keep future fiscal years in mind when preparing budgets.

President Smart stated that although this is a public meeting, it is only for the referral of this item. He noted that only Councilors would speak this evening. The public will have the opportunity to voice their opinions when the public meeting is held.

Councilor Carey stated that he would like to have a joint meeting of the Education Committee and the Budget/Management Committee.

Councilor DiFazio stated that the Budget/Management Committee is meeting tomorrow evening, 6/06/06. This matter will be on the agenda.

06 120-FY 07 Supplemental Appropriation

A MOTION was made by Councilor Leary to REFER item number 06 120 to the Budget/Management Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

Ms. Hackett stated that measure numbers 06 085, 06 086, 06 087, 06 088, 06 090, 06 091 were withdrawn.

06 101-Julia Road Playground-Reserve Fund Transfer

Ms. Hackett noted that this item is being requested under 2-9B, same night action. Soil samples indicate high levels of contaminants. The cost of the full site inspection provided by Environmental Partners is \$29,810. These services are for testing purposes. This testing has been concluded. A contract for design of capping or removal will be drafted.

A MOTION was made by Councilor Leary to CONSIDER item number 06 101 under 2-9B and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

A MOTION was made by Councilor Leary to APPROVE item number 06 101 and was seconded by Councilor Mathews and was

06 102-Collective Bargaining Agreement for Superior Officers

Ms. Hackett noted that this is not a funding request. This item is funded in the FY 07 budget. However, the economic impact must be approved by the Council.

A MOTION was made by Councilor Leary to REFER item number 06 102 to the Budget/Management Committee and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

06 103-Superior Officers Collective Bargaining Medical Technology Incentive Plan Agreement

Ms. Hackett noted that this is not a funding request. This item is funded in the FY 07 budget. However, the economic impact must be approved by the Council.

A MOTION was made by Councilor Leary to REFER item number 06 103 to the Budget/Management Committee and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

06 104-CDBG Approvals for Fiscal Year 2007

A MOTION was made by Councilor Leary to REFER item number 06 104 to the Budget/Management Committee and was seconded by Councilor Kay

Councilor Whitaker made a SUBSTITUTE MOTION to REFER item number 06 104 to the Economic Development Committee. There was not second.

The original motion PASSED on a 9-1 vote with Councilor Whitaker dissenting.

06 105-Payment of Fire Alarm Lease-Reserve Fund Transfer

A MOTION was made by Councilor Leary to REFER item number 06 105 to the Budget/Management Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

06 106-Reappropriation to Fire Department Overtime

A MOTION was made by Councilor Leary to REFER item number 06 106 to the Budget/Management Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

06 107-Reappropriation-FY 06-07 IT Maintenance Contracts

Ms. Hackett stated that in the first line item \$25,552 should read \$24,552.

A MOTION was made by Councilor Leary to REFER item number 06 107 to the Budget/Management Committee and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

06 108-Legal Services-Reserve Fund Transfer

A MOTION was made by Councilor Leary to REFER item number 06 108 to the Budget/Management Committee and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

06 109-Reappropriation-Legal Services-Special Counsel

A MOTION was made by Councilor Leary to REFER item number 06 109 to the Budget/Management Committee and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

06 110-Legal Services-Reserve Fund Transfer

A MOTION was made by Councilor Leary to REFER item number 06 110 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 111-Appropriation-Stabilization Fund

A MOTION was made by Councilor Leary to REFER item number 06 111 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 112-Weymouth Day-Reserve Fund Transfer

A MOTION was made by Councilor Leary to REFER item number 06 112 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 113-Free Cash Appropriation-Police Cruisers

A MOTION was made by Councilor Leary to REFER item number 06 113 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 114-School SPED Vans-Free Cash Appropriation

A MOTION was made by Councilor Leary to REFER item number 06 114 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 115-Veteran's Bonus-Acceptance of Statute

A MOTION was made by Councilor Leary to REFER item number 06 115 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 116-Back River Study-Reserve Fund

A MOTION was made by Councilor Leary to REFER item number 06 116 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 117-Installation of Sewer Pump in the Landing-Sewer Reserve Fund

A MOTION was made by Councilor Leary to REFER item number 06 117 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 118-Randall Street Cleanup-Water Reserve Fund

A MOTION was made by Councilor Leary to REFER item number 06 118 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 119-FY 06 School Utility Costs-Free Cash Appropriation

A MOTION was made by Councilor Leary to REFER item number 06 119 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 121-Sale of Town Owned Land

A MOTION was made by Councilor Leary to REFER item number 06 121 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

06 122-Sale of Town Owned Land-Reserve Fund Transfer

A MOTION was made by Councilor Leary to REFER item number 06 122 to the Budget/Management Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

Capital Improvement Plan for Fiscal Year 2006-2011

The Capital Improvement Plan for Fiscal Year 2006-2011 was referred on 3/16/06. The Committee met on 3/14/06 and 5/23/06. The Committee voted unanimously to recommend favorable action.

Councilor DiFazio made a MOTION to ACCEPT the Capital Improvement Plan for Fiscal Year 2006-2001 and was seconded by Councilor Kay and UNANIMOUSLY VOTED.

06 040-Snow Removal Deficit-Free Cash Appropriation

Item number 06 040 was referred on 4/3/06. The Committee met on 4/20/06 and 5/23/06. Item number 06 040 was published on 4/28/06. A Public Hearing was held on 5/23/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 040 and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

06 050-Water Enterprise Fund-Bond Authorization for Design and Construction of New Great Pond Water Treatment Plant

Item number 06 050 was referred on 4/3/06. The Committee met on 4/20/06 and 5/23/06. Item number 06 050 was published on 4/28/06. A Public Hearing was held on 5/8/06. The committee voted unanimously to recommend favorable action.

Councilor DiFazio read the measure into the record as follows:

That the Town of Weymouth raise and appropriate the sum of \$30,000,000.00 for the purpose of planning, designing and construction of a new water treatment plant 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 \$30,000,000.00 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 for any 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 Protect; 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.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 050 and was seconded by Councilor KAY and was UNANIMOUSLY VOTED.

06 089-Free Cash Appropriation-SEIU Local 888 Van Drivers' CBA

Item number 06 089 was referred on 5/1/06. The Committee met on 5/23/06. Item number 06 089 was published on 5/26/06. A Public Hearing was held on 6/5/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 089 and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

06 092-Independent Audit Services

Item number 06 092 was referred on 5/15/06. The Committee met on 5/23/06. The committee voted to recommend favorable action.

Councilor Whitaker stated that he believes that there should have been a bid process for these services.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 092 and was seconded by Councilor Molisse and PASSED on a 9-1 vote with Councilor Whitaker opposed.

06 094-Appointment to the Historical Commission-Jodi Purdy-Quinlan

Item number 06 094 was referred on 5/15/06. The Committee met on 5/23/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 094 and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

06 095-Appointment to the Veteran's Council-Paul Shinney

Item number 06 095 was referred on 5/15/06. The Committee met on 5/23/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 095 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 096-Appointment to the Zoning Board of Appeals as an Associate Member-Martin Joyce

Item number 06 096 was referred on 5/15/06. The Committee met on 5/23/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 096 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 097-Appointment to the Board of Elder Services-Vincent O’Keefe

Item number 06 097 was referred on 5/15/06. The Committee met on 5/23/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 097 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

06 100-Appointment to the Historical Commission-Theodore Clarke

Item number 06 100 was referred on 5/15/06. The Committee met on 5/23/06. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to APPROVE item number 06 100 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

Ordinance Committee-Chairperson Kay

06 026-Ordinance Change to Section 7-301of the Municipal Code-Wetlands Protection Ordinance

Item number 06 026 was referred on 3/6/06. The Committee met on 4/4/06 and 5/4/06. The committee voted unanimously to recommend favorable action pending a public hearing. Item 06 026 was published on 5/26/06. A public hearing was held 6/5/06.

A MOTION was made by Councilor Kay to APPROVE item number 06 026 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 052-Establishment of Scholarship Fund Committee by Ordinance

Item number 06 052 was referred on 5/15/06. The Committee met on 5/4/06. The committee voted unanimously to recommend favorable action pending a public hearing. Item number 06 052 was published on 5/26/06. A Public Hearing was held on 6/5/06.

A MOTION was made by Councilor Kay to APPROVE item number 06 052 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

06 098-Organization Plan – Establishment of the Community Preservation Committee

06 099-Organization Plan – Establishment of the Community Preservation Act Division within the Dept. of Planning and Community Development

Councilor Whitaker requested an opinion from Solicitor Lane relative to the timeline for the Town Council to initiative votes on these measures. Since the Mayor has made amendments to the ordinance this evening, he is questioning if the 60-day timeframe is effective as of this evening or from the original referral of these measures.

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Item number 06 098 and 06 099 were referred on 5/15/06. The Committee met on 5/31/06 and voted to continue this item. Item number 06 098 and 06 099 were published on 5/26/06. A Public Hearing was held on 6/5/06.

A MOTION was made by Councilor Kay to CONTINUE item number 06 098 and 06 099 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

Public Works Committee-*Chairperson Mathews*

Water/Sewer Presentation as Related to South Weymouth Naval Air Station-Jack Henderson of Rizzo Associates

The Committee met on 5/25/06 to discuss water supply alternatives at the former South Weymouth Naval Air Station. The presentation was given by Jack Henderson of Rizzo Associates and Terry Fancher, director of South Shore Tri-Town Development Corporation. A preliminary screening analysis looked at eleven different water supply alternatives. After reviewing these eleven alternatives, it was decided to do a detailed analysis on two; the MWRA alternative and the Brockton supply desalination alternative. The MWRA alternative appears to be the preferred alternative.

ADJOURNMENT

At 10:45pm there being no further business, Councilor Leary MOTIONED to adjourn and Councilor O'Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President