

MINUTES OF THE TOWN COUNCIL  
Town Hall Council Chambers  
June 15, 2009 - Tuesday

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

Also Present: Maureen Duffy, Town Auditor  
Frank Fryer, Town Clerk  
Kathy Deree, Assistant Town Clerk  
George Lane, Town Solicitor  
James Wilson, Chief Financial Officer

Recording Secretary: Mary Briggs

President Smart called the Town Council Meeting to order at 7:30 PM. Following the Pledge of Allegiance, Town Clerk Franklin Fryer conducted roll call, with all members present.

**ANNOUNCEMENTS**

Councilor Molisse announced a Farmers Market to be held on Saturdays from 9 AM to 1 PM on the grounds of the Town Hall beginning June 27<sup>th</sup> and running through October 24<sup>th</sup>. Locally harvested produce, herbs, honey, baked goods and other items will be for sale. Residents are also invited to sell home grown produce.

Councilor DiFazio announced that the East Weymouth Civic Association will hold a clean-up day at Herring Run Park located at the rear of the Venetian Restaurant on Sunday, June 21, 2009.

Mayor Susan Kay and President Smart presented citations to the following students who participated and received state-wide rankings in the joint West Point-North American Society of Civil Engineers Bridge Design contest: Conor Finn, Ravid Raab, Jeremy Peterson, Adel Ramadan, Taylor Aiello, Juraj Kulik, Donald Meyer, Siddharth Velu and Michael Moriarty.

Mayor Susan Kay and President Smart presented a Citizen Safety Award to Brian Huynh for his efforts in assisting police in the apprehension of criminals. Heather Hunt, who was the dispatcher in the Police Department who assisted Brian was also presented with a citation.

Mayor Susan Kay and President Smart presented a citation to James McLaurin as a Medal of Honor recipient for his service in Tuskegee during World War II and for sharing his life experiences with the youth of the state through speaking engagements. Mr. McLaurin was named an honorary member of the Town of Weymouth, and received a standing ovation.

Councilor Pap and President Smart presented a citation on behalf of the Town to Orlanda DaLomba, owner and proprietor of Orlanda's International Day Spa in honor of her business' 20<sup>th</sup> anniversary.

### **MINUTES**

A MOTION was made by Councilor Mathews to table the minutes of the Ordinance Committee Meeting of May 18, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to table the minutes of the Town Council Meeting of May 18, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Budget/Management Committee Meeting of May 21, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to accept the minutes of the Budget/Management Meeting of May 26, 2009, and was seconded by Councilor O'Connor. A SUBSTITUTE MOTION was made by Councilor DiFazio to accept the minutes with the following amendments: page 4 -change item "09 070" to read "09 079" and the number of police vehicles to "2" in the explanation of that measure-motion was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to accept the minutes of the Budget/Management Committee Meeting of May 28, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to accept the minutes of the Ordinance Committee Meeting of June 1, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to table the minutes of the Town Council Meeting of June 1, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY

VOTED.

A MOTION was made by Councilor Mathews to take item **09 082-Appointment to the Redevelopment Authority-Thomas Vincent** out of order and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

**09 082-Appointment to the Redevelopment Authority-Thomas Vincent**

Councilor DiFazio invited Mr. Vincent before the Council and reported this item was referred to the Budget/Management Committee on May 18, 2009 and reviewed on May 26, 2009- at which time it was unanimously recommended to forward to the full Town Council with favorable action. A MOTION was made by Councilor DiFazio to appoint Thomas Vincent of 105 Trifton Avenue to the Redevelopment Authority. This is a new appointment; the vacancy was created by the resignation of Robert Hunt and the term will expire on June 30, 2010.

Mr. Vincent introduced himself to the Council and reviewed his qualifications as well as his interest in serving the town. UNANIMOUSLY VOTED.

**PUBLIC HEARINGS**

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on measure number 09 037-Front Street Peak Hour Parking Restrictions—which was published on June 5, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

James Clarke, Director of Planning and Community Development and George Bezkorovainy, Traffic Engineer, presented information. This was previously presented to the Ordinance Committee. Mr. Bezkorovainy noted that in 2007 the Council made a number of parking changes in Weymouth Landing and areas surrounding the East Weymouth station. Front Street and Washington Street were signed for no parking for the first 200 feet. The owner of the restaurant asked that the restrictions be lifted to allow parking in front of the parking lot; the 110 feet not within 90 feet of the traffic signal. The situation was monitored for a few weeks, and the Engineering Department agreed in part. During off peak hours and weekends the restriction should be amended to include no parking Monday –Friday 7-9AM and 4-6PM.

A MOTION was made by Councilor Mathews to close the PUBLIC HEARING on item 09 037 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on item **09 039-Stop Signs on Front Street at Federal Street**—which was published on June 5, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

James Clarke noted that this measure was generated by a request through the Mayor's office from the Town Council. She reviewed and forwarded to the traffic engineer to conduct an in-depth study. George Bezkorovainy spoke specifically to the portion of the study with regard to a request for stop sign at Front and Federal Streets. The engineers

looked at three items: safety, speeding and enforcement. Crash records that the town maintains were reviewed and one of the hot spots was the intersection of Front and Federal St. (Two other hot spots in that same area are the curve near Congress Street, and further up Front Street near the Murphy School.) It was noted that the crash rate at the intersection of Front and Federal is twice the state average and qualifies for a 4-way stop. The state standard indicates that if 5 crashes occur at an intersection, and the crashes are susceptible for correction by a stop sign, then it qualifies. The town engineers concur with the recommendation to install a 4-way stop and also to make additional corrections in the remaining two hot spots.

Speed data collected was also compared to similar streets in town, and one section of Front Street between Winter and Congress Streets where speeds are 1-2 miles higher. It is a good section to introduce slowing mechanisms, but the town does not have as much experience with these measures as other towns. Traffic calming items are scheduled in other areas in town, however, and the recommendation of the engineer is to wait until these projects are implemented, monitor the operations, and see how they can be applied to Front Street. Phase one is to implement the 4-way stop, phase II will be further traffic calming measures.

The Police Department supplied enforcement data for a 3-month period for the town. The data was then arranged by street. Citations issued and revenues collected for the Front Street area were second highest in town. (highest was Main Street--Washington, Pleasant and Middle Street were third, fourth, and fifth respectively)

Councilor O'Connor noted that he will comment during the public hearing, but he thanked Mr. Bezkorovainy and Clarke for the extensive report. Councilor O'Connor noted he initially received a phone call from a resident of Front Street, who was concerned about raising her children on the street, which had become a cut-through while construction was occurring on Route 18. He and Councilor Lacey then met with the resident and began the process. A public hearing was held with the Public Safety Committee. The majority of the complaints were relative to speeding, particularly at Front and Federal Streets. Councilor O'Connor notes that these efforts are the start of making this a safer street, and that he will support the recommendation of implementing stop signs. He thanked the Mayor and Councilor Lacey for their support, and Sergeant Concannon for the increased patrol presence in the area.

Councilor Lacey thanked Jim Clarke and George Bezkorovainy for the detail of work involved in this project.

Comments from the public were as follows:

**Jordan Cray of 327 Front** Street thanked everyone involved in the process.

A MOTION was made by Councilor Mathews to close the PUBLIC HEARING on measure 09 039 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on item **09 079- Use of Funds from Sale of Town Owned Property**—which was published June 5, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

Mr. Wilson noted that this is a request to expend \$60,000 from the sale of the Fulton School in order to purchase two Police patrol vehicles. At the time of the submittal of the measure, there is \$220,000 remaining in the fund.

A MOTION was made by Councilor Mathews to close the PUBLIC HEARING on item 09 079 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on item **09 083- Community Preservation Committee Reed Cemetery Restoration**—which was published on June 5, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

Walter Flynn, Chair of the Community Preservation Committee reported that this request received a thorough review at the committee level and was voted 6/2 to approve and forward a request for funding of \$80, to the Mayor.

Mr. Wilson noted that under statutory requirements, a measure to expend Community Preservation Act funds cannot occur without approval by the Community Preservation Committee, presented to the Mayor and forwarded for vote by Council. This source of funding is the Unreserved Fund—the balance of which is \$1,147,982.

A MOTION was made by Councilor Mathews to close the PUBLIC HEARING on item 09 083 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on measure **09 084-Community Preservation Committee Tammy Brook Apartments**—which was published on June 5, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

Mr. Wilson noted that requesting of \$150,000 would be allocated across two funds to obtain a loan for the purchase of the Tammy Brook Apartments by a new buyer. The fund balance for Community Housing is a restricted account and the current balance is \$119,712 and the Community Housing FY09 Reserve account totals \$87,842. The whole amount is in the nature of a loan, which will be repaid to the town over time including interest.

Mr. Flynn noted this measure was thoroughly reviewed by the Community Preservation Committee, and was voted 7/1 with a recommendation for favorable action.

Councilor Harrington asked what the amount of interest would be repaid on the loan. Mr. Wilson noted the rate is set by DHCD, and is approximately 5.25%.

Councilor Whitaker asked about the loan terms and when the period of repayment would begin.

Mr. Wilson noted that the term is 40 years, and the first payment is due one year after closing. Mr. Clarke noted that this is a deferred payment loan, deferred for the 40 year period. As with other HOME projects, this money is not a grant, but repayment is deferred, and the town will not see income from it anytime soon. Interest will be compounded. There was a brief discussion of another similar measure introduced in Committee recently.

Councilor Lacey asked and received clarification that the entire sum of funding will be paid in full with interest if the sale closes.

Councilor Lacey asked if the potential developer reviewed the plans in light of the public hearing. Jim Clarke introduced Mark Epker from Beacon Communities, L.L.C. The purchase was competitively bid. Affordability restrictions were removed on June 1, 2009; however, Beacon intends to further add to the restrictions. There are three tiers of affordability; 24 units maintained under project based Section 8 and extended for the next 20 years; 41 additional units, which will be available to households within 50-80% of area median income, and 25 unrestricted. \$3 million in capital improvements will commence immediately. Beacon Communities will not be making a direct equity in this project; it is as a developer. DCHD has prepared commitments, and they are based on the support of the town.

President Smart asked about the percentage of units which will be available to Weymouth residents. Mr. Epker noted that 70% of the affordable units will be committed to current Weymouth residents and employees. He also noted that no current families will be displaced. Residents who were there prior to June 1<sup>st</sup> received enhanced vouchers which they can use to remain on-site or take with them. There was a brief discussion on 40B housing and rate setting by Massachusetts Housing and project based subsidies.

Jim Clarke noted that it has been proven it is better to have mixed use models, similar to Tammy Brook, and Beacon intends to continue.

There was a brief discussion of proposed capital improvements, including boiler and roof replacements, parking repaving, upgrading of life safety equipment and appliances and replacement of the current laundry facilities with management and community space and consolidation of the storage sheds.

Councilor McDonald recommended that local businesses be permitted to subcontract on the capital projects.

Scott Coven of Mt. Vernon East noted that as a member of the Community Preservation Committee, he does not support the funding of the project because it does too little to provide affordable housing and offers too few units. It would be a better benefit to the community if there were more units dedicated as affordable.

Mr. Clarke noted that Beacon Properties was the only bidder whose intent was to continue the affordable housing in Tammy Brook.

A MOTION was made by Councilor Mathews to close the PUBLIC HEARING on measure 09 084 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on measure 09 088- Community Preservation Fund Land Purchase—which was published on June 5, 2009, and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

Mr. Clarke recommended that no action be taken as this subject is still in the negotiation phase. The agreement has not been completed and he requested a continuation to the next meeting. President Smart reported that as this measure has been published as a public hearing, he will allow the hearing to continue; however, as there is a special meeting scheduled for next week, he will allow continuation to June 22, 2009. The next regularly scheduled meeting following that is not until September 8, 2009.

Mr. Wilson reported that the subject is in negotiation and until it is complete, it is the subject to executive session and as such, he is not at liberty to discuss any details.

The following comments were from the public:

**Sheila Shea of Neck Street** asked for confirmation of the location of the property under discussion.

Mr. Clarke noted that any comment on status or location has the potential to jeopardize the negotiations and respectfully declined comment at this time. Once negotiations are finalized, he would be at liberty to provide full disclosure.

**Mary Mundy** requested the location of the property and was given the same response from President Smart. Mr. Wilson further explained that the subject of the measure is to raise and appropriate a certain sum. Until such time as the negotiations are completed, the sum is not part of the open session. Any disclosure regarding it would be inappropriate. The public hearing was scheduled with the anticipation that negotiations might have been completed prior to this public hearing.

President Smart, with the agreement of Solicitor Lane, noted that public notice will be given through the two local newspapers- in order that residents receive sufficient notice of any action.

A woman who identified herself only as a member of a local Board of Trustees for condominiums (which may abut the property in question) asked what the state and local notification process requirements might be prior to a deal being made.

Mr. Clarke responded that if an agreement had been in place prior to being included on

the Council's agenda, it clearly would have spelled out the area in question. There is a public process in place, through conservation restrictions, by which any piece of property which is purchased by vote of the Community Preservation Committee, is subjected. Councilor Mathews noted that any public purchase of open space land by the town includes deed restrictions in perpetuity and would be subject to public input in conservation restrictions- which would provide for any allowed future use.

A MOTION was made by Councilor Mathews to CONTINUE the PUBLIC HEARING on measure 09 088 to June 22, 2009, and was seconded by Councilor O'Connor.

Councilor Whitaker asked if the Community Preservation Committee held its own public hearing on the subject. Councilor Mathews noted it has not since the subject is in executive session. Councilor Whitaker noted that because CPA purchases are made with the use of taxpayer funds, the committee should hold a public hearing prior to the measure being forwarded to the Mayor and asked for clarification from Solicitor Lane, which he then deferred to Jim Clarke. Mr. Clarke noted that the committee is not required to hold a public hearing for recommendations that go to the Mayor and then the Town Council. UNANIMOUSLY VOTED.

### **OLD BUSINESS**

#### **09 087-Recording Secretary Funding**

A MOTION was made to consider measure 09 087 under 2-9b (same evening action) by Councilor Mathews and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

Mr. Wilson reported that the Council has submitted to the Mayor a request for a Reserve Fund transfer in the amount of \$1,000 for purposes of funding an anticipated shortfall in the recording secretary line. The reserve fund balance at the time of submittal of the measure is \$1,059.

A MOTION was made by Councilor Mathews for favorable action on measure 09 087 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

### **COMMUNICATIONS AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS**

#### **09 090-Reappointment to Elder Services – Judy MacDonald**

Mr. Wilson submitted the request on behalf of the Mayor to appoint Judy MacDonald to the Board of Elder Services. This is a reappointment with the term to expire on June 30, 2012.

A MOTION was made by Councilor Mathews to refer measure 09 090 to the



Budget/Management Committee and was seconded by Councilor O'Connor.

A SUBSTITUTE MOTION was made by Councilor Lacey to consider item 09 090 under same night action and was seconded by Councilor Molisse.

President Smart asked if the Budget/Management Committee should first be relieved of its duty to consider the item prior to a motion to approve the appointment. Councilor Lacey withdrew the substitute motion.

A MOTION was made by Councilor Mathews to relieve the Budget/Management Committee from their duties to consider item 09 090 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Lacey to consider item 09 090 under same night action and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve item 09 090 and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

## **REPORTS OF COMMITTEES**

### **Ordinance Committee-Chairman Kevin Whitaker**

Councilor Whitaker reported on the following items, only two of which will require Council action.

#### **09 037-Front Street Peak Hour Parking Restrictions**

Based on a unanimous vote by the Ordinance Committee, a MOTION was made by Council Whitaker for favorable action on measure 09 037, to restrict parking along Front Street during peak hours (7-9 AM and 4-6 PM Monday through Friday) and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

#### **09 039-Stop Signs on Front Street at Federal Street**

Councilor Whitaker noted this measure is a culmination of efforts by Councilors, the Public Safety Committee, the administration and the Ordinance Committee in an effort to assist residents of Front Street. A MOTION was made by Councilor Whitaker for favorable action on measure 09 039 and was seconded by Councilor O'Connor. Councilor Whitaker noted all parties agreed a stop sign at this location on Front Street which will make the area safer. He reviewed the origination of the measure and the traffic studies resulting in the recommendation. He recognized Councilors Lacey and O'Connor for their hard work and determination. UNANIMOUSLY VOTED.

#### **09 038-Proposed Ordinance "Neighborhood Property Preservation"**

Councilor Whitaker noted that no action is needed on this measure at this time. He reports that Councilors Harrington and Molisse have been diligently working on this proposal. There has been quality dialogue between the sponsors, in addition to Solicitor Lane and the Health Director. More on this will be reported in the fall.

### **08 095-Proposed Ordinance “Tenant Identification”**

Councilor Whitaker reported that an amended version will be submitted over the summer for further consideration in the fall. This measure could provide a measure of safety in our rental housing units and significant revenue in these tough economic times.

### **Proposed Ordinance “Peer Review Process”**

Councilor Whitaker reported that this measure, introduced by Councilor Mathews has had preliminary discussion. Councilor Mathews has asserted a desire to incorporate a more open and accountable process for the public to participate in peer reviews. His proposal will be reviewed as it develops, in addition to input from other stakeholders.

### **Budget Management Committee-Chairman Kenneth DiFazio**

Councilor DiFazio read a prepared statement prior to addressing the vote on the budget in its many parts.

*On June 9, 2009 the Budget/Management Committee voted Mayor Kay’s \$127,872 budget to the full Town Council. The Budget/Management Committee met on nine separate occasions, which included presentations by all departments. Once again I am glad to report that all departments submitted their budgets in a formidable, understandable format and that all department heads, school superintendent and school committee members provided in depth presentations and answered all of the Budget/Management Committee and auditor questions during the review process.*

*As I prepared the review of the FY10 annual budget and the difficulties which existed I found it helpful to place it in context with previous annual budgets. The FY08 budget was increased 3%, or \$1.3 million from the FY07 budget. The FY09 budget was increased 1.65% or \$2.1 million from the FY08 budget. Conversely, the FY10 proposed budget is decreased by 1% or \$1.3 million from the total appropriations of the FY09 budget. In the last two years our annual budget grew by some \$5.2 million while in 2010 not only did our annual budget not increase, it has been decreased by \$1.3 million.*

*Therefore we move from FY09 to FY10 with a budget which is \$1.3 million less than the previous year. The highlights of the FY10 budget are as follows:*

- 1. the good news is that our fixed costs will remain relatively flat due to our savings experienced through participation in the GIC*
- 2. We will experience continued increasing personnel costs due to contractual commitments and step/lane changes and longevity.*
- 3. We have carried over a shortfall in the FY09 snowfall removal deficit into FY10 of approximately \$820,000 while free cash is estimated at \$1.1 million for FY09.*
- 4. During FY09 we were required to utilize \$1.1 million from a non-recurring revenue source that being the sale of the Fulton School, to pay for FY09 operation costs. This source will not be available in FY10.*
- 5. At the same time, in FY10 we anticipate at least a 10% or \$3.7 million decrease in local aid along with further lowering of state aid reimbursements estimated to total over at least \$500,000 for state mandated programs.*

6. *Our stabilization fund balance remains at \$900,000, down from \$3.2 million in 2004.*
7. *The Mayor has projected a decrease in local receipts of 8% reflecting a decrease of over \$700,000 available revenue for FY10.*
8. *There are not funds available for proceeding with any capital purchases during FY10.*
9. *Now, with respect to the \$52,782,283 school budget, this represents approximately 41% of the entire town FY10 budget. The budget submitted by the school department includes a \$70,000 transportation cost increase, a \$140,000 utility cost decrease as well as personnel costs associated with step increases, longevity changes, salary increases of 3% for Unit A teachers-- totaling \$1.8 million.*

*These are the highlights of the FY10 budget and you might ask, well, how did we maintain services while operating costs escalated and local aid was drastically reduced? Well, on the government side of the budget, the following five points were implemented which enabled the administration to fund every position which is currently filled in town government while not adversely impacting current levels of service:*

1. *There are no new government positions.*
2. *All but 3 positions which existed in general government budget in FY09 are funded in this budget.*
3. *Three departments (Town Council, Mayor's Office and Municipal Finance) are funded below the FY09 level; three departments (Police, Fire and Veterans' Services) are funded above the FY09 level.*
4. *A reduction in health care expenses of approximately \$2 million is realized in the FY10 budget due to the town's decision to participate in the GIC health care program.*
5. *This budget does not include any increases in salaries for government side union or non-union personnel.*

*On the school department side of the budget the following points must be considered regarding maintaining its level of service while being able to cover all costs with available revenue:*

1. *Just last year, in 2009 the school department experienced a reduction in savings by 26 retirements and was required to reduce their budget by the elimination of 29.5 positions, which includes 5 administrators, 3 teachers and 21.5 support staff.*
2. *After having to cut back last year, the school department has submitted a budget that includes no elimination of programs, no increased fees and no elimination of personnel.*
3. *The school budget includes all employee step increases, lane changes, and longevity payments.*
4. *The school budget includes a 3% contractual increase for Unit A teachers, a \$70,000 increase in transportation expenses and a \$200,000 decrease in utility costs.*
5. *\$100,000 has been added to the instructional resource account and \$100,000 has been added to the athletic budget which represents 50% of coaches' stipends.*

*Now one might ask how could the reduction in revenue cover all the costs listed above. Well, there are aspects of the FY10 school department submitted budget which warrant careful consideration. Here are six of them:*

- 1. In order to submit the level funded budget requested by the Mayor, the school department has submitted a budget that closes a very real \$1,978,920 deficit by reducing the Special Education Cost line item by that amount even though the School Department still believes the cost exists. Therefore, the Special Education line item of \$5,167,809 submitted in the budget is approximately \$1.9 million more than that entry. The justification for the reduction is the school department's anticipated receipt of grant revenues which the school department expects to receive during FY10 through the federal stimulus plan. The school department included in their budget submittal a spending plan to close the nearly \$2 million deficit. Clearly the federal stimulus plan revenue, however speculative it may be is a non-recurring revenue source which is being utilized to balance a \$1.9 million shortfall in the school's budget plan.*
- 2. Further, the school budget submitted anticipated a reduction in circuit breaker reimbursement rate from the legislated 75% to 55% this year. Latest information provided to the Budget/Management Committee by the school department was that the reimbursement rate may be lowered to 42% thereby creating an additional school budget deficit of \$396,348.*
- 3. The school department spending plan includes utilizing the entire \$775,000 balance in the circuit breaker revolving account to balance their budget.*
- 4. While this submitted budget includes pay raises to Unit A teachers of 3% it does not cover raises for all other school department employees, both contractual and not. If the same % was given to these employees, it would result in a further deficit of \$387,000.*
- 5. Lastly, it was made quite clear to the BUDGET/MANAGEMENT COMMITTEE that further state aid budget cuts to the school department may take place which are still not known to date.*

*I stated last year that obtaining enough revenue to meet the town's FY09 operating expenses had never been a bigger challenge in previous years as it was last year. Well, this year was an even greater challenge. Both the Mayor and the school department have been diligent and in some cases creative in their efforts to produce the budgets reviewed by the Budget/Management Committee. And to make matters even more difficult, we now know that the state aid numbers utilized in this budget are forever changing; at this time as our state legislature meets to address a monumental decrease in state revenue.*

*In conclusion, meeting the yearly operational costs for the Town of Weymouth has become extremely difficult based upon the non-existence of one-time revenue sources, our continued reliance on state aid which was reduced by 3.7% along with further reductions in state reimbursements for mandated programs. The Town of Weymouth has done all it can to minimize debt, maintain its fixed costs, lower its health costs, and not increase personnel. Yet our balanced budget this year rests on the receipt of speculative federal stimulus money and the use of any one-time revenues sources we can find. It is clear after*

*reviewing the FY10 budget that in order to maintain the expected services to our citizens in FY11 and beyond will require us to make a combination of major efforts to restrain from increasing personnel costs, work to obtain an increase in local aid and reimbursements (which doesn't seem to be a reality given the economic climate at this time), or obtain increased revenue through local receipts.*

*In closing, I would like to acknowledge the hard work of the committee members, Mike Molisse, Arthur Mathews, Edward Harrington, and co-chair Patrick O'Connor. Without their cooperation the committee could never have met tonight's deadline. Lastly, on behalf of all members of the BUDGET/MANAGEMENT COMMITTEE, a thanks to Diane Hachey for her patience and assistance in scheduling, the administration, all the department heads who appeared before us and the CFO James Wilson who assisted Councilors repeatedly during the deliberation process.*

**Fiscal Year 2010 Budget Measures** (Segregated According to Department and Coded A-CC):

Councilor DiFazio noted all items, unless otherwise noted, were referred to the committee on April 6, 2009 and were voted on June 9, 2009.

**09 015 A-Town Council**

This measure was deliberated on May 21, 2009 and recommended for favorable action by committee 4/1. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 A - Town Council - \$275,146 was made by Councilor DiFazio and seconded by Councilor Mathews.

There was a brief discussion regarding the reduction in the Auditor hours reflected in this budget. President Smart noted that as the prior Auditor was part-time, it was his decision to reduce the current position's hours. Should this not work favorably, the Council will make a recommendation to supplement the Town Council budget to the Mayor.

VOTED 9/2, with Councilor Harrington and Councilor Conlon voting NO.

**09 015 B-Mayor's Office**

This measure was deliberated on June 9, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 B- - Mayor's Office - \$971,613 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 C-Reserve Fund**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 C – Reserve Fund - \$555,000 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 D-Municipal Finance**

This measure was deliberated on May 21, 2009 and unanimously recommended by

committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 D – Municipal Finance - \$1,731,593 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 E-Town Solicitor**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 E – Town Solicitor - \$321,880 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 F-Information Services**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 F – Information Services - \$717,855 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 G-Town Clerk**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 G – Town Clerk - \$303,234 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 H-Planning and Development**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 H – Planning and Development - \$400,638 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 I-Town Hall Maintenance**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 I – Town Hall Maintenance - \$433,795 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 J-Administrative Services**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 J – Administrative Services - \$111,033 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 K-Human Resources**

A substitute motion was deliberated on June 9, 2009 reducing the request by \$10,000, which failed in a 3/2 vote. The original motion was then deliberated and voted 4/1. On behalf of the Budget/ Management Committee A MOTION to approve item 09 015 K – Human Resources - \$200,454 was made by Councilor DiFazio and seconded by Councilor Mathews. Councilor Harrington noted that he did not support the inclusion of

dues/memberships, conferences and education line items represented by \$10,000 in this budget. VOTED 10/2-Councilors Harrington and Pap voting no.

**09 015 L-Police Department**

This measure was deliberated on May 21, 2009 and recommended by committee in a 3/1 vote with one abstention. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 L – Police Department - \$9,740,378 was made by Councilor DiFazio and seconded by Councilor Mathews. VOTED 10/0 with one abstention by Councilor Molisse.

**09 015 M-Fire Department**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 M – Fire Department - \$7,783,849 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 N-Licensing and Inspections**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 N – Licensing and Inspection - \$511,926 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 O-Department of Public Works**

This measure was deliberated on May 21, 2009 and recommended by committee in a vote of 4/1. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 O – Department of Public Works - \$8,875,015 was made by Councilor DiFazio and seconded by Councilor Mathews. Councilor Harrington noted that he will not support a budget improperly funded for snow removal or a shared department worker receiving overtime in this budget. There was a brief discussion of the reason the line item is underfunded. VOTED 10/1-with Councilor Harrington voting no.

**09 015 P-Health**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 P – Health - \$440,569 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 Q-Library**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 Q – Library - \$1,062,910 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 R-Veterans' Services**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget /Management Committee A MOTION to approve

measure 09 015 R – Veterans’ Services - \$491,689 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 S-Parks and Recreation**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 S – Parks and Recreation - \$254,872 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 T-Elder Services**

A substitute motion was deliberated on June 9, 2009 reducing this request by \$537, which failed. The original motion was then deliberated and voted 4/0 with one abstention. On behalf of the Budget /Management Committee A MOTION to approve measure 09 015T- Elder Services - \$186,615 was made by Councilor DiFazio and seconded by Councilor Mathews. Councilor Harrington noted that he will not support a budget with the inclusion of conference fees as other departments were required to cut salaries. VOTED 10/1-with Councilor Harrington voting no.

**09 015 U-Civil Defense**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 U – Civil Defense - \$8,000 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 V-Commission on Disabilities**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 V – Commission on Disabilities - \$392 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 W-Youth and Family Services**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 W – Youth and Family Services - \$44,071 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 X-Debt**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 X – Debt - \$9,885,526 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 015 Y-Pensions and Benefits**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 Y – Pensions and Benefits - \$26,516,075 was made by Councilor



DiFazio and seconded by Councilor Mathews. Councilor Whitaker thanked everyone involved with the town's participation in the GIC. UNANIMOUSLY VOTED.

#### **09 015 Z-Schools**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 Z – Schools - \$52,782,283 was made by Councilor DiFazio and seconded by Councilor Mathews. Councilor Pap commended the school committee for their efforts. Councilor Whitaker disclosed that his brother is a teacher, and having sought an opinion, it was determined there is no conflict of interest with regard to his voting this particular segment of the budget. UNANIMOUSLY VOTED.

#### **09 015 AA-State and County Assessments**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 AA – State and County Assessments - \$2,208,217 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **09 015 BB-Snow Removal Deficit**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 BB – Snow Removal Deficit - \$357,457 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **09 015 CC-Overlay for Abatements**

This measure was deliberated on May 21, 2009 and unanimously recommended by committee. On behalf of the Budget/ Management Committee A MOTION to approve measure 09 015 CC – Overlay for Abatements - \$700,000 was made by Councilor DiFazio and seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **09 015-General Government Annual Appropriation**

The committee met to deliberate this measure on April 30<sup>th</sup>, May 7<sup>th</sup>, May 14<sup>th</sup>, May 19<sup>th</sup>, May 21<sup>st</sup>, May 26<sup>th</sup>, May 28<sup>th</sup>, June 2<sup>nd</sup>, and ultimately voted favorable action on June 9, 2009. On behalf of the Budget/ Management Committee a MOTION was made by Councilor DiFazio to raise and appropriate the sum of \$127,872,126 to provide for all the expenses for the maintenance and operation of the town's several departments and activities for the fiscal year 2010, and that the several sums herein set forth are hereby approved for the several purposes and are subject to the conditions specified, and the sources of funding for said expenditures are as outlined in the revenue projections and incorporated herein. This was seconded by Councilor Mathews. Councilor Harrington thanked the committee for allowing him to sit on the Budget/Management Committee.

Councilor DiFazio amended his motion to include the following language:

In addition, the sum of \$357,457 is appropriated to fund the FY09 snow removal deficit. Said sum is to be distributed by the Town Accountant in manner consistent with the

General Laws of Massachusetts and Massachusetts Department of Revenue regulations.

Furthermore, that the sum of \$40,000 is appropriated from the Waterways Fund to meet some of the costs of the Harbormaster's Program. This was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 017-Re-Appropriation for Fuel for Town Owned Vehicles**

Councilor DiFazio reported this measure was referred to the Budget/ Management Committee on June 6, 2009 and was deliberated on June 9, 2009. A MOTION was made by Councilor DiFazio to reappropriate the sum of \$120,000 from line item Rubbish Removal to line item Vehicle Maintenance-Gasoline and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**09 020-Snow Removal-Reserve Fund Transfer**

This matter was referred to the Budget Management Committee on April 6 and the committee unanimously recommended favorable action on May 7, 2009. A motion was made by Councilor DiFazio to transfer \$290,000 from the reserve fund to the following line items for the purpose of funding the FY09 snow removal costs:

Snow Removal Overtime	\$133, 008
Snow Removal Expense	\$156,992
Salt and Sand Expense	\$0

The balance in the reserve fund at the time of this submittal is \$352,139. The motion was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

**09 021-Snow Removal-Free Cash Appropriation**

This matter was referred to the Budget/ Management Committee on April 6 and the committee unanimously recommended favorable action on May 7, 2009. A motion was made by Councilor DiFazio to transfer the sum of \$150,000 from free cash to the following line items for the purpose of funding the FY09 snow removal Costs:

Snow Removal Overtime	\$0
Snow Removal Expense	\$150,000
Salt and Sand Expense	\$0

The balance in free cash at the time of this submittal is \$1,160,605. The motion was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

**09 024-Gift Account Annual Authorization**

This matter was referred to the Budget Management Committee on April 6 and the committee unanimously recommended favorable action on April 30, 2009. A motion was made by Councilor DiFazio to authorize the creation of the following revolving accounts for fiscal year 2010 in accordance with the MGL, Ch. 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, and spent with the consent of the Mayor within the limit of the aggregate herein expressed:

Conservation	Acceptance \$50,000	Expenditure \$50,000
Junior Police Academy	Acceptance \$10,000	Expenditure \$44,000
Fourth of July Committee	Acceptance \$25,000	Expenditure \$25,000

Library	Acceptance \$5,000	Expenditure \$5,000
Health	Acceptance \$2,000	Expenditure \$2,000
Health Clinics	Acceptance \$15,000	Expenditure \$20,000
Fire Department	Acceptance \$5,000	Expenditure \$5,000
Weymouth Day	Acceptance \$50,000	Expenditure \$65,000
K-9	Acceptance \$7,000	Expenditure \$15,000
James Humphrey Bequest	Acceptance-none required	Expenditure \$12,000
Christine Sweetser Bequest	Acceptance-none required	Expenditure \$17,000
Franklin Pratt Bequest	Acceptance-none required	Expenditure \$15,000

The motion was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

#### **09 025-Acceptance of Scholarship Funds-Weymouth High School Athletic Council**

This matter was referred to the Budget Management Committee on April 6 and the committee unanimously recommended favorable action on April 30, 2009. A motion was made by Councilor DiFazio to authorize the creation of the Weymouth High School Athletic Council Scholarship fund and accept \$24,770 from the Weymouth High School Athletic Council. It was noted that funds may be expended in accordance with terms and conditions of the donation. Motion was seconded by Councilor Mathews and voted unanimously.

#### **09 026-Acceptance of Scholarship Funds-Bernard B. and Mary K. Merten Family Scholarship Fund**

This matter was referred to the Budget Management Committee on April 6 and the committee unanimously recommended favorable action on April 30, 2009. A motion was made by Councilor DiFazio to authorize the creation of the Bernard B. and Mary K. Merten Family Scholarship fund and accept the proceeds of three donated policies. It was noted that funds may be expended in accordance with terms and conditions of the donation. Motion was seconded by Councilor Mathews and voted unanimously.

#### **09 027-Revolving Accounts Annual Authorization**

This matter was referred to the Budget/ Management Committee on April 6 and the committee unanimously recommended favorable action on April 30, 2009. A motion was made by Councilor DiFazio to authorize the following revolving accounts in accordance with MGL Ch. 44, Sect. 53E-- ½ for fiscal year 2010 and Account 5210 for Parks and Recreation established by MGL Ch. 44, Sect. 53D-- and further that each of these funds is permitted to accept funds in the aggregate to the limits set forth below and expend those funds in the aggregate to the limits herein expressed, with the consent of the Mayor.

Conservation	Limit to Accept \$25,000	Limit to Expend \$50,000
Law Enforcement	Limit to Accept \$25,000	Limit to Expend \$25,000
Community Services	Limit to Accept \$100,000	Limit to Expend \$175,000
Law Enforcement	Limit to Accept \$100,000	Limit to Expend \$100,000
Parks & Recreation	Limit to Accept \$500,000	Limit to Expend \$500,000
Weymouth Day Celebration	Limit to Accept \$50,000	Limit to Expend \$75,000

This was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 028-Sewer Enterprise Fund Annual Appropriation**

This matter was referred to the Budget/Management Committee on April 6. It was reviewed on May 7, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth raise and appropriate the sum of \$13,573,262 from the Sewer Enterprise Fund receipts and appropriate for salaries, operation and expenses during fiscal year 2010 for the Sewer Department Enterprise Fund and that the Director of Public Works with the approval of the Mayor be authorized to expend said funds.

In addition, any expenditure from the reserve fund for extraordinary and unforeseen circumstances is subject to the approval of the Mayor and Town Council. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 029-Sewer Division-Capital Expenditures-CP Residual**

This matter was reviewed by the Budget/Management Committee on May 7, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth transfer the sum of \$175,000 from the Sewer Capital Projects Residual Fund to fund 0002, for the purpose of funding the following capital projects:

\$150,000 - Inflow/Infiltration at the Union Street area (items -40 and 41 of the 2009 Capital Improvement Plan)

\$25,000 – Wharf Street Pump Station Engineering Design (this item is not in the Capital Improvement Plan. Mechanical issues arose after the CIP was published.)

The balance in the residual fund at the time of this submittal was \$191,636. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 030-Sewer Division-Capital Expenditures-Retained Earnings**

This measure was reviewed by the Budget Management Committee on May 7, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth transfer the sum of \$250,000 from the Sewer Retained Earnings to fund 0002 for the purpose of funding the following capital projects:

\$150,000 - Design of the Montcalm Interceptor Project, based on the findings of the engineering review conducted over the past two years (item 33 in the 2009 Capital Improvement Plan- Proposed Building & Grounds and Equipment).

\$100,000 - Wharf Street Pump Station (this item is not in the Capital Improvement Plan. Mechanical issues arose after the CIP was published).

The balance in the Sewer Retained Earnings at the time of this submittal was \$1,245, 144. The motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 031-Water Enterprise Fund Annual Appropriation**

This measure was referred to the Budget/Management Committee on May 7, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth raise and appropriate the sum of \$8,764,342 from Water Enterprise Fund receipts and appropriate for salaries, operation and expenses during fiscal year 2010 for the Water Department Enterprise Fund and that the Director of Public Works with the approval of the Mayor be authorized to expend said funds.

In addition, any expenditure from the reserve fund for extraordinary and unforeseen circumstances is subject to the approval of the Mayor and Town Council. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 032-Water Treatment Plant Chemicals-Reserve Fund Transfer**

This measure was referred to the Budget/Management Committee on May 7, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth transfer the sum of \$200,000 from the Reserve Fund to the line item Water Treatment Chemicals. The balance in the reserve fund at the time of this submittal was \$ 455,971. The bidder awarded the contract has backed out and the Town procured the product through the next eligible bidder under the state contract. As a result, there was a substantial increase in pricing. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 033 - Water Treatment Plant Electricity-Reserve Fund Transfer**

This measure was referred to the Budget/Management Committee on May 7, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth transfer the sum of \$50,000 from the Reserve Fund to line item Water Treatment-Electricity. The balance in the reserve fund at the time of this submittal was \$ 455,971. This was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 034-Water Division-Capital Expenditures-CP Residual**

This measure was referred to the Budget/Management Committee on May 7, 2009 and recommended favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth transfers the sum of \$127,000 from the Capital Expenditures CP Residual Fund to fund 0002, to fund the following Capital Projects:

\$75,000 – for the purchase of two service vehicles (Item 40 and 41 in the 2009 Capital Improvement Plan-Requested Vehicles).

\$25,000 – for the rehabilitation of the Circuit Avenue Well (this is from item 39 in the 2009 Capital Improvement Plan-Proposed Building & Grounds and Equipment).

\$27,000 – for the rehabilitation of the Reed Avenue Water Tank (this is from item 39 in

the 2009 Capital Improvement Plan -Proposed Building & Grounds and Equipment). While this measure was deliberated in committee, there was a substitute motion, which failed, to reduce the request by the \$27,000 for the Reed Avenue Water Tank. The measure passed favorably in committee 4/1.

This item was seconded by Councilor Mathews. (During this deliberation, Councilor Pap left the meeting.)

Councilor O'Connor made a SUBSTITUTE MOTION to reduce the amount of the request for 09 034 for the Reed Avenue Water Tank \$27,000 for a total request of \$100,000. This was seconded by Councilor Mathews. Councilor O'Connor suggested that if the substitute motion carries, the \$27,000 come directly from the expenditure line item of the Reed Avenue Water Tank- Painting. He voted against this measure last year also. During a time of global economic crisis, trying to mandate and regulate painting a water tank for an excess of a half million dollars would send a message to the administration and to the state. Wasteful state regulation has led to cities and towns having bare-bones budgets and the current fiscal mess.

Councilor DiFazio requested through Mr. Wilson the ramifications of not appropriating the funds. Mr. Wilson responded that the town is mandated by the Department of Environmental Protection Consent Orders to complete the project. Failure to do so will subject the town to daily fines. The Town is required to complete the project within a specific timeframe. Councilor DiFazio questioned the status of the project and what the implications would be if it was delayed one year. Mr. Wilson noted that he cannot sign a contract without full appropriation and will expose the town to DEP failure to adhere and could potentially result in fines. To protect the Town from further cost and litigation, the project should not be delayed. Councilor Whitaker reported that he voted against this measure last year- but will support now in order to complete this last phase of the project so that the Town can then concentrate more on funding necessary future capital projects.

Substitute motion VOTED 1/9 and did not carry.

The original MOTION was VOTED and PASSED 9/1 (Councilor O'Connor- NO)

#### **09 036-Community Preservation Committee Annual Appropriation**

This measure was referred to the Budget/Management Committee on May 28, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth adopt the report of the Community Preservation Committee on the fiscal year 2010 Community Preservation Budget in the amount of \$699,814 and all other necessary and proper expenses for the year 2010 as identified in the exhibit which was attached to the measure. Revenue projections are indicated to support the budget request. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

#### **Capital Improvement Plan for Fiscal Years 2010-2014**

The Capital Improvement Plan was submitted to the Budget/Management Committee on

March 16, 2009. It was taken under advisement on April 30, 2009 and continued to May 28, 2009. It was recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth accept the Capital Improvement Plan for fiscal years 2010 to 2014. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

#### Non-Budget Related Measures

##### **09 079-Use of Funds-Sale of Town Owned Property**

This measure was referred to the Budget/Management Committee on May 18, 2009 and reviewed it on May 26, 2009. This measure was recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth appropriate the sum of \$60,000 from the Sale of Town Owned property to fund 0002 for the purpose of purchasing two patrol cars for the police department, and was seconded by Councilor Mathews. VOTED UNANIMOUSLY.

##### **09 083-Community Preservation Committee-Reed Cemetery Restoration**

This measure was referred to the Budget/Management Committee on May 18, 2009 and reviewed on May 28, 2009. It was recommended for favorable action on June 9, 2009 and a public hearing was held during this Town Council meeting. A MOTION was made by Councilor DiFazio that the Town of Weymouth raise and appropriate the sum of \$80,325 from FB Unreserved Fund Balance for the purpose of restoring headstones at the historic Reed Cemetery. The Community Preservation Committee approved the purchase of this at its meeting held on May 9, 2009. The FB Unreserved Fund balance as of May 9, 2009 was \$1,147,982. This motion was seconded by Councilor Mathews and VOTED 9/1. (Councilor Molisse voting NO).

##### **09 084-Community Preservation Committee-Tammy Brook Apartments**

This measure was referred to the Budget/Management Committee on May 18, 2009 and reviewed on May 2, 2009. It was recommended for favorable action on June 9, 2009 and a public hearing was held during this Town Council meeting. A MOTION was made by Councilor DiFazio that the Town of Weymouth raise and appropriate the sum of \$150,000 to be allocated in the following manner- \$87,742 from the Community Housing FY09 Reserve line item and \$62,258 from the FB Reserved Community Housing for the purpose of funding a long term, deferred subordinate loan which will assist with keeping the complex as affordable housing. The Community Preservation Committee approved the purchase of this at its meeting held on May 9, 2009. The Community Housing Reserved Fund balance as of May 12, 2009 is \$119,712 and the Community Housing FY09 Reserve line item balance is \$87,742. This motion was seconded by Councilor Mathews and VOTED 9/1. (Councilor Molisse voting NO).

##### **09 085-CDBG-R Stimulus Funding Substantial Amendment to 2008-2009 Fiscal Year Annual Action Plan**

This measure was referred to the Budget/Management Committee on June 1, 2009, reviewed on June 9, 2009 and recommended for favorable action. A MOTION was made by Councilor DiFazio that the Town of Weymouth accepts the fiscal year 2009-2010

HUD grants in the amount of \$819,660 in CDBG funding and \$197,574 in HOME investment partnership funds; that the Town of Weymouth accepts the fiscal year 2009-2010 HUD grant made available through the American Recovery and Reinvestment Act of 2009. Total funding available to the Town is \$217,173. Furthermore, that the Director of Community Planning and Development, with the approval of the Mayor, be permitted to expend said grants in their entirety as described in the attached two funding lists; one for CDBG-R and one for HOME funding. This was seconded by Councilor Whitaker and VOTED UNANIMOUSLY.

**09 086-Inter-Municipal Health Service Agreement**

This measure was referred to the Budget/Management Committee on June 1, 2009 and recommended for favorable action on June 9, 2009. A MOTION was made by Councilor DiFazio that the Town of Weymouth, through the Town Council and with the approval of the Mayor, authorize the Mayor to execute a contract in the name of the Town of Weymouth, pursuant to the provisions of MGL, Ch. 40, Section 4-A for Mutual Aid Assistance between public health agencies of certain municipalities entering into this Agreement-- when the resources normally available to a municipality are not sufficient to cope or when a situation requires public health action. This motion was seconded by Councilor Mathews and VOTED UNANIMOUSLY.

**09 088-Community Preservation Fund Land Purchase**

This measure was referred to the Budget/Management Committee and although the matter has been reviewed, it has not been completely deliberated. The public hearing on this matter has been continued to June 26, 2009 and will be reported on at that time.

President Smart congratulated the Budget/Management Committee, Chairman DiFazio and all departments participating in the budget process for the work involved.

President Smart noted that the vote earlier on item **09 090-Reappointment to Elder Services – Judy MacDonald** was in conflict with the Town Charter. He read the charter language regarding appointments; nominations which are to be referred to a standing committee for action.

A MOTION was made by Councilor Mathews to RECONSIDER item 09 090 and was seconded by Councilor O'Connor. VOTED UNANIMOUSLY.

A MOTION was made by Councilor Mathews to refer item 09 090 to the Budget/Management Committee and was seconded by Councilor O'Connor. VOTED UNANIMOUSLY.

**MOTIONS, ORDERS AND RESOLUTIONS**

**Vote to suspend Town Council Rule Number 24 (Council Meetings)**

A MOTION was made by Councilor Mathews to suspend all meetings of the Town Council for the months of July and August under Town Council Rules and Regulations - Rule Number 24 and was seconded by Councilor O'Connor.



Councilor Mathews noted that the Council actively participates in town meetings, during the time that the Council is in recess, and that meetings will be called as needed.

Councilor DiFazio asked when Mr. Wilson will know what funds will be available for local aid, and how the town will proceed. Mr. Wilson noted that there are currently five different budgets under review at the state level. Once that is completed, the Governor will notify the Department of Revenue which in turn will notify cities and towns. He expects it will be at least mid-July when this occurs.

Councilor O'Connor noted the House Ways and Means has agreed on a budget to present and may be prepared to vote it shortly.

Council President Smart reminded constituents that although meetings may be suspended, the Town Council office is open all summer and Councilors may be contacted for concerns.

UNANIMOUSLY VOTED.

### **ADJOURNMENT**

At 10:15 PM, there being no further business, a MOTION to adjourn was made by Councilor Mathews and seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Briggs as Recording Secretary

Approved by:

Michael Smart-Town Council President