

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
June 16, 2008

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

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

Not Present: Franklin Fryer, Town Clerk

Recording Secretary: Janet Murray

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

ANNOUNCEMENTS

Councilor Molisse announced that Weymouth's Fourth of July celebration will be held on Saturday June 28, 2008. The fireworks will begin at 9:30pm.

Councilor Harrington announced that Weymouth will hold the 3rd annual Relay for Life on 6/20/08 beginning at 4pm continuing to 11am Saturday morning.

Councilor DiFazio announced that the East Weymouth Neighborhood Association will meet on Thursday, 6/26/08 at 7pm at the Sons of Italy Hall

Councilor Lacey acknowledged the work of the Homestead Civic Association and the Friends of Webb Park for cleanup efforts in the Landing area and in the park.

President Smart stated that Town Clerk Franklin Fryer was not feeling well this evening and is at home resting. He stated that the Council looks forward to his return.

Citation Issuance to Officer Edward A. Hancock and his canine Hax-Council President Michael Smart and Mayor Susan M. Kay

Mayor Kay, Council President Smart, Councilor O'Connor, and Chief Thomas recognized the efforts of Officer Hancock and his canine, Hax, in apprehending a suspect after a motor vehicle chase.

Officer Hancock was also recognized nationally in May in Washington, D.C.

CITIZEN’S CONCERN/COUNCIL RESPONSE

Weymouth Fire Department-Public Safety Concerns/Budget-Lieutenant Jeff Wall

Lieutenant Wall appeared before the Council as a resident and employee of the Town of Weymouth. He expressed concern regarding the current fiscal situation in the town. He stated that he represents 106 employees in the Fire Department. He stated that eight (8) positions will be lost bringing the total number of employees to 98.

Lieutenant Wall stated that reduction in employees means a reduction in safety and puts firefighters and the community at risk. He implored the Council to not make the proposed cuts. He agreed that times are tough and everyone is suffering but he does not want to see the town’s services continue to fall apart.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

08 093-Health Insurance Appropriation

Mr. Wilson stated that the Mayor submits the following measure for consideration by Town Council: That the Town of Weymouth appropriates the sum of \$495,880 from the following line sources:

Free Cash:	\$ 80,000
Stabilization Account	\$200,000
Sewer Enterprise Fund, retained earnings	\$ 29,176
Water Enterprise Fund, retained earnings	\$116,704
Reserve Fund (program 132)	\$ 70,000

To line number 11945840.517202, the Town’s appropriation for FY 08 health insurance claims.

This measure requires a legal notice and public hearing.

Fund balances are as follows assuming enactment of measures which are currently before Council utilizing these funding sources:

Free Cash:	\$ 89,631
Stabilization Account	\$1,028,989
Sewer Enterprise Fund, retained earnings	\$ 344,604
Water Enterprise Fund, retained earnings	\$ 399,377
Reserve Fund (program 132)	\$ 71,256

A MOTION was made by Councilor Mathews to REFER item number 08 093 to the Budget/Management Committee and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 094-Community Preservation Committee-Community Housing Request

Mr. Wilson stated that the Mayor submits the following measure for consideration by Town Council:

That the Town of Weymouth appropriates the sum of \$125,000 from the Community Preservation Fund, Fund Balance Reserved for Community Housing (4906.32106) purposes of contributing funding for the Main Street Housing Project.

A MOTION was made by Councilor Mathews to REFER item number 08 094 to the Budget/Management Committee and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

08 086-Reappropriation-Clerk’s Office

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This item was referred on 6/2/08. The Committee met on 6/5/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 086 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

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

This item was referred on 6/2/08. The Committee met on 6/5/08. The committee voted unanimously to recommend favorable action.

This vacancy is the result of the resignation of Peg Goudy. Ms. Jennings appeared before the Council.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 088 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 089- Appointment to the Youth Coalition-Kathleen Godbout

This item was referred on 6/2/08. The Committee met on 6/5/08. The committee voted unanimously to recommend favorable action.

Ms. Godbout appeared before the Council.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 089 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

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

This item was referred on 6/2/08. The Committee met on 6/16/08. The committee voted unanimously to recommend favorable action.

Councilor Molisse stated that he would abstain from voting on this appointment for personal reasons.

Councilor DiFazio stated that Mr. Kenneally has been an alternate member of the Board of Zoning Appeals. With the resignation of Donald Holzworth, Mr. Kenneally has been moved up to member.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 090 and was seconded by Councilor Mathews and PASSED on a 10-0-1 vote with Councilor Molisse abstaining.

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

This item was referred on 6/2/08. The Committee met on 6/16/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 091 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

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

This item was referred on 6/2/08. The Committee met on 6/16/08. The committee voted unanimously to recommend favorable action.

Councilor Mathews stated that the three Board of Zoning Appeals members appeared before the Budget Management Committee.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 092 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

FISCAL YEAR 2009 BUDGET

Councilor DiFazio stated that the remaining items are all subject of the FY 09 budget. He gave an introduction of the budget process.

Councilor DiFazio reported that measures 08 026 through 08 026Z were discussed on 6/5/08. He noted that measures 08 026 L Police and 08 026O DPW did not receive a majority vote due to there being only four members voting because of conflicts. He then noted that the other measures were voted 3-2 in favor of sending the measure to the full Town Council with “no recommendation.” Councilor DiFazio stated that the measures were deliberated at length.

08 027-Revolving Accounts Annual Authorization

This item was referred on 4/7/08. The Committee met on 4/15/08. The committee voted unanimously to recommend favorable action on 6/5/08.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 027 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 028-Gift Accounts Annual Authorization

This item was referred on 4/7/08. The Committee met on 4/15/08. The committee voted unanimously to recommend favorable action on 6/5/08.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 028 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 029-Reserve Fund Transfer-Voting Machine Upgrades/Clerk’s Office

This item was referred on 4/7/08. The Committee met on 6/5/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 029 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 030-Unpaid Bills

This item was referred on 4/7/08. The Committee met on 5/29/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 030 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 032-Sewer Enterprise Fund Annual Appropriation

This item was referred on 4/7/08. The Committee met on 4/17/08. The committee voted unanimously to recommend favorable action on 6/5/08.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 032 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 033-Wetlands Replication Sewer Retained Earnings

This item was referred on 4/7/08. The Committee met on 4/17/08. The committee voted unanimously to recommend favorable action on 6/5/08.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 033 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 034-Water Enterprise Fund Annual Appropriation

This item was referred on 4/7/08. The Committee met on 4/17/08. The committee voted unanimously to recommend favorable action on 6/5/08.

A MOTION was made by Councilor DiFazio to recommend FAVORABLE ACTION on item number 08 034 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 036-Tank Painting-Reed Avenue

This item was referred on 4/7/08. The Committee met on 4/17/08. The committee voted 4-1 to recommend favorable action on 6/5/08.

Councilor O'Connor stated that he had voted in favor of this measure at the committee level but has since reviewed the measure further and will not vote in favor of the measure this evening.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 036 and was seconded by Councilor Mathews and PASSED 7-4.

Councilor Conlon – Y	Councilor DiFazio – Y	Councilor Harrington N
Councilor Lacey – Y	Councilor McDonald – Y	Councilor Mathews – Y
Councilor Molisse – Y	Councilor O'Connor – N	Councilor Pap, III – N
Councilor Whitaker – N	Councilor Smart – Y	

08 037-Great Pond Water Treatment Plant Increase

This item was referred on 4/7/08. The Committee met on 4/17/08. The public hearing was held on 5/12/08. The committee voted unanimously to recommend favorable action on 6/5/08.

Council President Smart stated that this measure needed to be re-advertised as the measure was not voted within 10 (ten) days of the initial publication.

GREAT POND WATER TREATMENT PLANT INCREASE

Upon request of her Honor, Mayor Kay, the Town of Weymouth, through the Weymouth Town Council approved to raise and appropriate the sum of \$5,000,000 for the purpose of planning, designing and constructing 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 \$5,000,000.00 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

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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 recommend favorable action on item number 08 037 and was seconded by Councilor Mathews.

Councilor Pap stated that he would not vote in favor of this measure. He is concerned that the technology currently planned for this plant will be obsolete by the time the plant is built.

President Smart asked Mr. Wilson to explain how the Enterprise Fund works and where the funding for this treatment plan will come from.

Mr. Wilson stated that the water and sewer funds are separated from the general fund into enterprise funds. Money for these funds is raised from user fees.

Councilor Mathews asked how old the current plant is. Mr. Wilson stated that it was built around 1928. Just to maintain this plant it cost approximately \$500,000. He noted that it had cost over \$1 million last year as leaks and other repairs were made.

Mr. Wilson pointed out that water technology in the 1920's was different from today, as was the electrical technology. He noted that the electrical system is below the high water mark.

Councilor Lacey asked that Mr. Wilson speak to the financial aspect of the funding for this much needed project.

Mr. Wilson stated that the approach for the water treatment plant will be similar to that used for the new high school. The state has suggested that a \$40 million bond be approved. A measure for this amount is currently before the Council.

Mr. Wilson noted the following as possible means of funding this project:

- General Obligation bond– market rate – cost may increase 3.3% interest
- Water pollution abatement trust rate – 2% guaranteed for 20 years – approved
- Use of retained earnings for additional design work so do not need to bond. Managing at 6 month intervals

Councilor Lacey asked how much money is invested in this project, to date. Mr. Wilson stated that approximately \$3 million has been invested from several different sources.

Councilor DiFazio asked when this project began. Mr. Wilson stated that the Pilot Study began in 2004. The project cost started at \$30.8 million and is now at \$40 million.

Councilor DiFazio asked what the yearly impact on debt service will be. Mr. Wilson stated that if the money were expended, today, the cost of the borrowing would be \$1 million. He pointed out that money from the enterprise funds will also be used to help offset the cost of bonding.

Councilor Pap asked if this is more or less than what is currently spent maintaining the facility. Mr. Wilson stated that the debt service would be between \$1 million and \$1.7 million once the new plant comes on line in 2010-- which includes a 5% increase. He pointed out that the \$500,000 must still be spent maintaining the current facility while the new plant is being built.

Councilor Whitaker stated that he is concerned that this year's budget is lean and there are no other capital improvement projects scheduled. He stated that he did not want to see this project delayed due to the current financial situation. The plant is in dire need of replacement due to old technology.

Councilor Harrington asked if the state has minimum standards which the town must meet on water quality. He asked if the town would be subject to fines if the plant were not built.

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Mr. Wilson stated that in the 1990's the town was subject to Administrative Consent Orders to improve the water infrastructure. If the town did not meet the state's timeframe for improvements then fines could be imposed.

Councilor Mathews noted that we can only allocate money from the water and sewer enterprise funds for water and sewer purposes. Projects such as the restoration of Legion Field cannot be funded through either of these funds.

Councilor Lacey stated that this project is a long-term investment in the town's infrastructure and is desperately needed.

President Smart stated that he supports this project. He stated that the costs for various supplies continue to increase.

Councilor O'Connor asked if Mr. Wilson expected any further expenditures regarding this project. Mr. Wilson stated that a year ago he would not have anticipated a 50% increase in concrete, steel, and copper costs. He stated that every day that the project is delayed current bidders drop out and the new bidders come in with higher prices.

Mr. Wilson stated that he has attempted to account for all possible contingencies. He stated that he cannot sign any contracts until the Council has approved the measure.

The MOTION PASSED on a 10-1 vote.

Councilor Conlon – Y
Councilor Lacey – Y
Councilor Molisse – Y
Councilor Whitaker – Y

Councilor DiFazio – Y Councilor Harrington Y
Councilor McDonald – Y Councilor Mathews – Y
Councilor O'Connor – Y Councilor Pap, III – N
Councilor Smart – Y

08 038-Community Preservation Committee Annual Appropriation

This item was referred on 4/7/08. The Committee met on 5/13/08. The committee voted unanimously to recommend favorable action on 6/5/08.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 038 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 039-Abigail Adams Birthplace Supplemental Request

This item was referred on 4/7/08. The Committee met on 4/17/08 and 5/15/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 039 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

Capital Improvement Plan for Fiscal Years 2009-2013

The Capital Improvement Plan was reviewed by the Committee on 4/7/08. The committee voted unanimously to accept the Capital Improvement Plan for Fiscal Years 2009-2013.

A MOTION was made by Councilor DiFazio to ACCEPT the Capital Improvement Plan for Fiscal Years 2009-2013 and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

Budget – FY 2009

Councilor Lacey stated that he has a long list of concerns regarding the budget. He asked about potential revenue from Southfield for services provided to them which is listed in the amount of \$100,000. This amount is approximately \$50,000 lower than this past year. Mr. Wilson stated that one outlet of the revenue is reimbursement to the town of a \$52,200 band that will go to bond next year and the reimbursement will be reduced.

He pointed out that the Mayor is looking to list other types of service contracts, however, until a contract is signed the revenue cannot be booked.

Mayor Kay addressed the Council. She stated that it is her intention to ask for the same cuts across the board for all departments. She then stated that as money comes available it will be re-distributed to the departments in the same way.

Councilor DiFazio stated that at the committee level all of the budget items 08 026 A through 08 026 Z were voted “no recommendation” on a 3-2 vote except for items 08 026L and 08 026O. The two exceptions were the result of failure to reach a majority vote due to a member’s abstaining.

08 026A-Town Council

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026A for an appropriation of \$293,151.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026A in the amount of \$293,151 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026B-Mayor’s Office

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026B in the amount of \$143,256.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026B in the amount of \$143,256 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026C-Reserve Fund

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026C for an appropriation of \$554,312.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026C in the amount of \$554,312 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026D-Municipal Finance

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026D for an appropriation of \$1,802,281

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026D in the amount of \$1,802,281 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08026E-Town Solicitor

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026E for an appropriation of \$334,121.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026E in the amount of \$334,121 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026F-Information Services

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026F for an appropriation of \$731,005.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026F in the amount of \$731,005 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 026G-Town Clerk

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026G for an appropriation of \$322,702.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026G in the amount of \$322,702 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 026H-Planning and Development

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026H for an appropriation of \$414,783.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026H in the amount of \$414,783 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 026I- Town Hall Maintenance

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026I for an appropriation of \$451,322.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026I in the amount of \$451,322 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 026J-Administrative Services

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026J for an appropriation of \$114,171.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026J in the amount of \$114,171 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 026K-Human Resources

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026K for an appropriation of \$228,697.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026K in the amount of \$228,697 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 026L-Police Department

Councilor DiFazio stated that the Budget/Management Committee had “no action” on item number 08 026L for an appropriation of \$9,954,152.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026L in the amount of \$9,954,152 and was seconded by Councilor O'Connor and PASSED on a 10-0-1 vote with Councilor Molisse abstaining.

08 026M-Fire Department

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026M for an appropriation of \$7,973,062.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026M in the amount of \$7,973,062 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026N-Licensing and Inspections

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$521,883.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026N in the amount of \$521,883 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026O-Department of Public Works

Councilor DiFazio stated that the Budget/Management Committee had “no action” on item number 08 026O for an appropriation of \$9,193,894.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026O in the amount of \$9,193,894 and was seconded by Councilor O’Connor and PASSED on a 10-0-1 vote with Councilor Molisse abstaining.

08 026P-Health

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026P for an appropriation of \$456,217.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026P in the amount of \$456,217 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026Q-Library

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026Q for an appropriation of \$1,103,505.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026Q in the amount of \$1,103,505 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026R-Veterans’ Services

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026R for an appropriation of \$426,514.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026R in the amount of \$426,514 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026S-Parks and Recreation

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026S for an appropriation of \$397,188.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026S in the amount of \$397,188 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026T-Elder Services

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$193,192.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026T in the amount of \$193,192 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026U-Civil Defense

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$7,888.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026U in the amount of \$7,888 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026V-Commission on Disabilities

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$392.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026V in the amount of \$392 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026W-Youth and Family Services

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$53,424.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026W in the amount of \$53,424 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026X-Debt

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$8,587,161.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026X in the amount of \$8,587,161 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026Y-Pensions and Benefits

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$21,364,395.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026Y in the amount of \$21,364,395 and was seconded by Councilor O’Connor and was UNANIMOUSLY VOTED.

08 026Z-Schools

Councilor DiFazio stated that the Budget/Management Committee voted “no recommendation” on item number 08 026N for an appropriation of \$54,640,044.

A MOTION was made by Councilor Mathews to recommend FAVORABLE ACTION on item number 08 026Z in the amount of \$54,640,044 and was seconded by Councilor O'Connor.

Councilor Mathews stated that the Town Council does not have line item veto power for the school budget. He also noted that the contracts currently being negotiated will not come before the Council. The Council simply votes on the bottom line number.

Councilor Mathews stated that he is troubled about the potential economic impact of long term deals.

Councilor Whitaker stated that his brother is a Weymouth school teacher and he has received an opinion in the past that he is able to vote on this measure without conflict as the school budget is voted in total.

The MOTION was UNANIMOUSLY VOTED.

08 026-General Government Annual Appropriation

This measure is to raise and appropriate the sum of \$128, 513,202 in order to provide for all the expenses for the maintenance and operation of the town's several departments and activities for the fiscal year 2009.

This item was referred on 4/7/08. The Budget/Management Committee met on 6/2/08 and voted no recommendation.

A MOTION was made by Councilor Mathews to recommend favorable action on item number 08 026 and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 038 Community Preservation Committee Annual Appropriation

A MOTION was made by Councilor Whitaker to RECONSIDER item number 08 038 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Councilor Pap stated that it was by his request that Councilor Whitaker requested the reconsideration.

A MOTION was made by Councilor Mathews to recommend favorable action on item number 08 038 and was seconded by Councilor O'Connor.

Councilor Pap stated that he is opposed to the Community Preservation Act as he considers it in actuality to be a tax.

The MOTION PASSED on a 10-1 VOTE—Councilor Pap being the dissenting vote.

LATE AGENDA ITEM – Mayor Kay

Mayor Kay gave an overview of possible ways a 3.4% cut could be made across the board in each department.

Councilor Conlon expressed concern regarding health and safety issues specifically related to the Fire Department. He asked if the revenue does come in, he would like to see the Fire Department get a little more of their cuts restored.

Mayor Kay stated that she is concerned about health and safety issues, also, but is also concerned about restoring cuts to all of the departments.

Councilor DiFazio stated that the total cuts in the budget amounts to approximately 5.4%.

Mayor Kay stated that these budget cuts do not include any potential salary increases. She stated that the town is negotiating in good faith with the unions.

Councilor DiFazio noted that if any raises are agreed upon, that department would have to absorb the increases within their budget.

Resolution on Fiscal Year 2009 Budget-Councilor Kenneth DiFazio

Councilor DiFazio read a resolution entitled: “A WEYMOUTH TOWN COUNCIL RESOLUTION REGARDING THE FY09 BUDGET AND THE CURRENT STATE OF WEYMOUTH’S COST TO PROVIDE HEALTH CARE FOR TOWN EMPLOYEES.” The resolution was seconded by Councilor Mathews.

Solicitor Lane stated that this resolution could be seen as preconditioned bargaining. It is not the function of the Town Council to enter into the bargaining process. He stated that he recommends that the Council not adopt this resolution.

Councilor DiFazio stated that he had spoken with Solicitor Lane on Friday and believed that there was not a conflict. He stated that even if the resolution fails, he would still like these issues to be heard.

Councilor DiFazio stated that he believes that now is not the time to be agreeing to long term contracts and associated raises.

Councilor O’Connor stated that it is no longer possible for the Town of Weymouth to continue to be self-insured. He suggested that the GIC is a possible option for town employees.

Councilor Mathews stated that a resolution is non-binding. It is a statement by the Council.

Councilor Lacey asked Solicitor Lane what has changed from Friday to today since the conversation on Friday with Councilor DiFazio which changed his opinion about this resolution.

Solicitor Lane stated that the 1st part of the resolution is factually stated and he is in agreement that it is a resolution with no binding effect. However, the issue of the labor impact is concerning in that it could possibly be brought up as part of the bargaining process. In the charter a measure is a unified agreement of a body of individuals.

Councilor Lacey asked what the vote was of the committee was. Councilor DiFazio stated that the measure was voted out of committee 4-1 in favor this evening.

Councilor Whitaker stated that he is concerned about the impact that this resolution could have on the bargaining process.

Councilor Pap stated that he is concerned about micromanaging the negotiation process. He stated that the Town needs to reconsider being self-insured as this option has become unsustainable.

Councilor McDonald stated that he would not have a problem voting to urge those involved in negotiations to consider joining the GIC. However, he did not agree with this resolution as worded. He stated that he agreed with Solicitor Lane’s opinion.

Councilor Conlon stated that he did not think that this resolution was unfair labor practice. He stated that the Council is stating its opinion only.

Councilor Harrington stated that he can see this as a statement from the Council. However, he believes that those negotiating are capable of doing the job asked of them.

A MOTION was made by Councilor Mathews to SUSPEND Rule 23 – allow to the Council to go beyond 11:00pm curfew - and was seconded by Councilor O’Connor and UNANIMOUSLY VOTED.

President Smart stated that all the councilors are aware that the Council is not a part of the negotiating team, on either side. He stated that the resolution uses words such as consideration and recommendation. The attempt is to

point out specific areas of concern. He stated that he did not believe that this resolution will damage the negotiation process.

Councilor DiFazio stated that he is concerned about what he has heard regarding the negotiations for the teachers. He read that the offer is for a 5 year contract with incremental raises without requiring the employees joining the GIC. He stated that he believes that this is an important bargaining point.

Solicitor Lane apologized for the change in his opinion at the last minute. He is offering a caveat as to how this resolution could be used in regards to the negotiation process.

A MOTION was made by Councilor O’Connor to MOVE the question.

Council President Smart stated that all councilors have been heard from at least twice.

Councilor Whitaker pointed out what he saw as factual inaccuracies in the resolution.

Councilor Conlon – Y	Councilor DiFazio – Y	Councilor Harrington – N
Councilor Lacey – Y	Councilor McDonald – N	Councilor Mathews – Y
Councilor Molisse – Y	Councilor O’Connor – Y	Councilor Pap, III – N
Councilor Whitaker – N	Councilor Smart – Y	

The RESOLUTION PASSED on a 7-4 vote.

NEW BUSINESS

08 095-Proposed Tenant Identification Ordinance -Councilor Kevin Whitaker

A MOTION was made by Councilor Mathews to REFER item number 08 095 to the Ordinance Committee and was seconded by Councilor O’Connor and PASSED ON A 10-1 VOTE.

MOTIONS, ORDERS AND RESOLUTIONS

Vote to suspend Town Council Rule 24 (Council Meetings) -Vice President Arthur Mathews

Councilor Mathews stated that this rule allows for more flexibility in scheduling of meetings. This does not mean that the Council is taking the summer off.

Councilor O’Connor requested that when special meetings are called that the meeting time be the same as regular Council meetings.

A MOTION was made by Councilor Mathews to EXERCISE Rule 24 to suspend council meetings for the months of July and August and was seconded by Councilor O’Connor and UNANIMOUSLY VOTED.

ADJOURNMENT

At 11:22pm there being no further business, Councilor Mathews MOTIONED to adjourn and Councilor O’Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President