

MINUTES OF THE SPECIAL TOWN COUNCIL

Town Hall Council Chambers

July 14, 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
Franklin Fryer, Town Clerk
George Lane, Town Solicitor
James Wilson, Chief Financial Officer

Not Present: Thomas J. Lacey

Recording Secretary: Janet Murray

President Smart called the Special Town Council Meeting to order at 7:45pm.

President Smart stated that Councilor Lacey had a previous appointment this evening and would not be in attendance.

ANNOUNCEMENTS

Councilor Mathews announced that this Saturday the Whitman's Pond Association Fishing event will begin at 10am.

Councilor Mathews announced that Single Stream recycling allows all recycling materials to be placed in one container. He encouraged residents to participate in this new program.

Councilor O'Connor announced that WETC has produced a show "Not a moment's notice" concerning emergency preparedness. This program was funded with grants from the Massachusetts Department of Public Health and the Department of Homeland Security.

Councilor O'Connor announced that Richard Pattison passed away last week. Mr. Pattison was a dedicated member of the Historical Commission and a retired member of the Weymouth Fire Department. The Council observed a moment of silence in Mr. Pattison's honor.

MINUTES

Budget/Management Committee Meeting of 5/29/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 5/29/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Town Council Meeting of 6/2/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 6/2/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Budget/Management Meeting of 6/5/08

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

Councilor Whitaker stated that he would abstain from this vote.

The MOTION passed on a 9-0-1 vote with Councilor Whitaker abstaining.

Town Council Meeting of 6/30/08

A MOTION was made by Councilor Mathews to ACCEPT the minutes from 6/30/08 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

CITIZEN'S CONCERN/COUNCIL RESPONSE

PUBLIC HEARINGS

08 087-Workman's Compensation Appropriation

A MOTION was made by Councilor Mathews to OPEN the public hearing on item number 08 087 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

This item was published on 7/4/08. There was no public comment.

Mr. Wilson stated that the Mayor had initially sought \$85,000 from free cash to fund unforeseen expenses in Workman's Compensation. The amount of the request has since been reduced to \$70,000.

Mr. Wilson stated that there was an increase in the number of Workman's Compensation cases as well as an increase in medical expenses and attorney's fees.

President Smart asked if there was any comments from the public-to which there was no response.

A MOTION was made by Councilor Mathews to CLOSE the Public Hearing on item number 08 087 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 093-Health Insurance Appropriation

A MOTION was made by Councilor Mathews to OPEN the public hearing on item number 08 093 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

This item was published on 7/4/08.

Mr. Wilson stated that this is a request for \$495,880 for purposes of applying the funds to the health insurance claims trust fund. The amounts from each fund are as follows:

- \$80,000 - Free cash
- \$200,00 - Stabilization Fund
- \$29,176 - Sewer Enterprise
- \$116,704 - Water Enterprise Fund Retained Earnings
- \$70,000 - Reserve Fund

Mr. Wilson stated that the Water and Sewer funds are what are required to cover the insurance benefits for Water and Sewer employees.

Mr. Wilson gave an update of the Health Insurance Claims Fund Balance. He stated that the town is waiting for further information from a number of sources to determine the final numbers: actual expenses for June, and the quarterly reconciliation for April, May, and June between what Harvard Pilgrim has paid out compared to the \$1.2 million level monthly payments made by the town. The difference is billed to the town, negative or positive.

He pointed out that there is an appropriation and a re-appropriation further supplementing the revenue stream for the health insurance claims trust fund by \$1.1 million.

He stated that there is the IBNR (incurred but not reported expenses) which is the subject of the consultant and auditor to be reviewed at the beginning of August.

The negative \$400,000 balance is now a positive \$700,000 including the appropriations mentioned above.

Mr. Wilson stated that the deficit may not be as high as initially reported. He expects it to be about \$1.2 million.

Mr. Wilson stated that the FY 09 appropriation deals with the projected actual expenses unless there is a change in the policy. He stated that he anticipates the town's share to be \$14 million and the employees' share to be \$7 million.

There was the following public comment:

Mickey Cronin, 65 Hinston Road, asked about the Free Cash balance. Mr. Wilson stated that the balance is approximately \$9000 as the fiscal year is closed. Ms. Cronin asked what the Free Cash balance was in 1999. Mr. Wilson stated that the Free Cash balance in 1999 was approximately \$3 million.

A MOTION was made by Councilor Mathews to CLOSE the Public Hearing on item number 08 093 and was seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 094-Community Preservation Committee Community Housing Request

A MOTION was made by Councilor Mathews to POSTPONE the Public Hearing on item number 08 094 and was seconded by Councilor O'Connor

President Smart stated that this item was published on 7/4/08. He questioned if the Council is able to postpone the public hearing. He stated that there are time frames and public comment to be considered.

Councilor DiFazio stated that this was discussed at the Committee level. It was voted to continue the discussion on this matter and to postpone the public hearing with the intention of publicizing and having another public hearing.

Even though the public hearing will be re-advertised President Smart opened up the floor to anyone who may have come this evening to speak on this matter. There was no public response.

The MOTION PASSED on a 9-1 vote.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

08 098-Appointment-South Shore Tri-Town Development Corporation Board Member-Jeff Wall

A MOTION was made by Councilor Mathews to REFER item number 08 098 to the Budget/Management Committee and was seconded by Councilor O'Connor.

Mr. Gallagher presented the name of Jeff Wall for appointment to the South Shore Tri-Town Development Corporation.

President Smart stated that this appointment does not require Council approval. This appointment is being sent to the Council as a courtesy by the Mayor. The Council's action will be for a recommendation.

This appointment does not fall under Chapter 2-10 of the Town's Charter.

The MOTION PASSED UNANIMOUSLY.

08 099-Adoption of the South Shore Pre-Disaster Mitigation Plan

A MOTION was made by Councilor Mathews to REFER item number 08 099 to the Public Safety Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

08 100- School Department Request

Mr. Gallagher read a letter written by Mayor Kay regarding this measure.

Mr. Wilson stated that this measure is being submitted at the request of the School Committee.

Councilor Mathews made a MOTION to REJECT item 08 100 and was seconded by Councilor Molisse.

Councilor Mathews stated that he does not support this measure which is to place three Proposition 2 ½ override questions on the ballot. He stated that he is concerned about the tax burden that is already placed on the residents. He pointed out that many water front homes were reassessed as of late and their value was increased, resulting in substantial property tax increases. He stated that a Proposition 2 ½ override is not a long term solution to our current budget problems.

Councilor Harrington stated that he had previously endorsed a potential 2 ½ override. However he had envisioned a broad based coalition for a general proposition 2 ½ override. He stated that this measure is strictly for the school department. He does not want to see one department pitted against another. He also stated that he could not consider a 2 ½ override until town employees are on the Government Insurance Commission (GIC) for health insurance.

Councilor Conlon concurred with Councilor Mathews. He stated that this is the wrong override for the wrong purpose at the wrong time.

Councilor O'Connor stated that he will vote against this proposition 2 ½ override. He stated that the citizens of this town are struggling. The cost of gas, heating oil, food and other expenses are constantly increasing. He also pointed out that unemployment and foreclosures are also increasing. He stated that everyone needs to come together to develop a plan to get back on track.

Councilor Molisse stated that he will not be voting in favor of this measure. He stated that he believes that the timing is not right for it. He pointed out that a resolution was sent to the School Committee which as far as he knows was never acknowledged or responded to.

Councilor Pap reminded viewers at home that anyone is welcome to send in additional monies to the town in addition to their quarterly tax bills. He stated that he will be voting to reject this measure.

Councilor Whitaker expressed concerns regarding the process if this measure were approved. He pointed out that there is a timing issue as to publishing this matter and receiving approval from the state for the ballot measure. He stated that this measure would result in rushing the process. Additionally, this would limit the amount of time for the public to comment on this matter. He stated that he is not philosophically opposed to an override in the future-but is not at this time.

Council President Smart stated that he did not think that this was a good time for this measure. He mentioned the rising costs of everyday items. He noted that the Governor has issued a statement advising towns to prepare for the worst. He stated that all other departments have made the cuts as requested. He stated that the School Committee is passing along their responsibility to make decisions to cut their budget to the Mayor and the Council.

Councilor McDonald stated that cuts are never pleasant or easy. He pointed out that a proposition 2 ½ override in 1990 failed miserably. He noted that private industry is cutting back and the Town of Weymouth must do the same thing.

The motion is to reject the measure stating that the Council does not want to place the Proposition 2 ½ questions on the ballot. Councilor Smart clarified that to vote yes on this motion is to vote to reject the request of this measure.

The MOTION to reject measure number 08 100 PASSED UNANIMOUSLY.

08 101-Supplemental Budget- School Department

Mr. Wilson stated that the Mayor would withdraw this item as measure number 08 100 failed.

REPORTS OF COMMITTEES

Budget Management Committee – Chairman DiFazio

08 087-Workman's Compensation Appropriation

This item was referred on 6/2/08. The Committee met on 6/5/08 and 7/14/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 087 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 097-Reappropriation for Health Insurance Deficit

This item was referred on 6/30/08. The Committee met on 7/14/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 097 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 093-Health Insurance Appropriation

This item was referred on 6/16/08. The Committee met on 7/14/08. The committee voted unanimously to recommend favorable action.

A MOTION was made by Councilor DiFazio to recommend favorable action on item number 08 093 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

08 094-Community Preservation Committee Community Housing Request

This item was referred on 6/16/08. The Committee met on 7/14/08. This item was published on 7/4/08. A Public Hearing on 7/14/08 was postponed. Another public hearing will be re-advertised and held at a future date. The committee voted 3-2 to continue this measure and postpone the public hearing.

Councilor DiFazio stated that no motion or action was taken.

NEW BUSINESS

Councilor McDonald stated that he had received the North Weymouth Civic Association newsletter. The newsletter noted concerns regarding the Fore River Bridge. He stated that the lighting is poor and the lane markings are poorly delineated. He is requesting that the Council and the Mayor join him in sending a letter outlining these concerns to our legislative delegation of Senator Hedlund and Representatives Murphy and Mariano.

President Smart requested that Councilor McDonald submit a copy of the letter to him. President Smart stated that he will then make the request of administration to join in sending the letter to the legislative delegation regarding these public safety issues.

Councilor McDonald made a MOTION to send a letter to the legislative delegation as outlined and was seconded by Councilor Pap and was UNANIMOUSLY VOTED.

ADJOURNMENT

At 8:50pm there being no further business, Councilor Mathews MOTIONED to adjourn and Councilor O'Connor seconded and was UNANIMOUSLY VOTED.

Approved by: _____
Michael Smart, President