

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
September 8, 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: Kathy Deree, Assistant Town Clerk
George Lane, Town Solicitor
Michael Gallagher, Director of Administrative and Community Svcs.
Scott Bois, Coordinator of Financial Services

Not Present: Maureen Duffy, Town Auditor
Frank Fryer, Town Clerk

Recording Secretary: Diane Hachey

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

ANNOUNCEMENTS

Moment of Silence in Memory of Officer Michael Davey
-Council President Michael Smart

Council President Smart acknowledged the unfortunate passing of Officer Michael Davey and noted his achievement as an Iraq war veteran and his past service to the town as a Weymouth Police Officer. Council President Smart expressed the town's condolences to Mr. Davey's family. A moment of silence occurred.

Councilor O'Connor noted that an account has been established on behalf of Officer Davey's children. Donations are being accepted at all South Shore Savings Bank branches.

Citation Issuance to Mae Jackson of 45 West Lake Drive, who was awarded three gold medals for swimming at the National Senior Games
-Council President Michael Smart, Councilor Michael Molisse and Councilor Arthur Mathews
-Mayor Susan Kay

Mayor Kay delivered a citation and certificate of recognition to Mae Jackson, citing her swimming accomplishments at the National Senior Games.

Councilor Mathews delivered a citation on behalf of the Council to Mae Jackson, citing her swimming accomplishments and numerous contributions to the town.

Councilor Pap announced that a briefing will be held by the Massachusetts Highway Department, on the Fore River Bridge Replacement Project, on September 18, 2009 at 3:00 PM at the Whipple Center. This is the second in a series of informational meetings. Additionally, he noted that on Sunday, September 13, 2009 at 11:30 am-- St. Jerome's will hold

a picnic. Tickets are \$5.00 per person with a \$20.00 cap per family.

Councilor Conlon announced that restoration is underway at Legion Field, resultant from minimal funding made available. A group of citizens have joined forces to raise funds (Friends of Legion Field) for restoration purposes. Councilor Conlon urges anyone interested to contact the Mayor's Office.

Councilor Molisse announced that the Rotary Club, in conjunction with St. Albert the Great Parish, is hosting an educational forum on how to navigate through our tough economy and will explain the programs and resources available to people. This event will be held on September 17, 2009 at 7:00 at the Great Parish Hall, 1130 Washington Street.

MINUTES

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

A MOTION was made by Councilor Mathews to approve these minutes, as amended, motion seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

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

A MOTION was made by Councilor Mathews to approve these minutes, as amended, motion seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

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

A MOTION was made by Councilor Mathews to approve these minutes, as amended, motion seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Budget/Management Committee Meeting of June 2, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Budget/Management Committee Meeting of June 9, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Budget/Management Committee Executive Session Meeting of June 9, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Town Council Meeting of June 15, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Budget/Management Committee Meeting of June 22, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Special Town Council Meeting of June 22, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Budget/Management Committee Meeting of June 29, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to approve the minutes of the Special Town Council Meeting of June 29, 2009, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

PUBLIC HEARINGS

09 093-National Grid/Verizon Pole Relocation for Columbian Street

A MOTION was made by Councilor Mathews to open the PUBLIC HEARING on measure number 09 093-National Grid/Verizon Pole Relocation for Columbian Street, seconded by Councilor O'Connor and UNANIMOUSLY VOTED. It was noted that the abutters were notified on August 28, 2009.

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

Joseph Howard of National Grid presented to the Council that relocation of pole number 14 is being requested in order to create an unobstructed view for a newly installed sign and landscaping in front of the new hospital annex.

There were no comments from the public when the question was posed by Council President Smart.

A MOTION was made by Councilor Mathews for favorable action on measure number 09 093, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

A MOTION was made by Councilor Mathews to close the PUBLIC HEARING on measure 09 093, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

OLD BUSINESS

08 139-Verizon/National Grid Petition for Lester Lane

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

Council President Smart explained that he is in favor of same night action on these measures and further noted that they represent streets which were previously private, of which the town has since accepted as public ways. Approval of these petitions allows National Grid and Verizon to perform work and maintain equipment. Solicitor Lane agreed with President Smart's summation as stated.

A MOTION was made by Councilor Mathews for favorable action on measure number 08 139, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 140-Verizon/National Grid Petition for Alma Circle

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

A MOTION was made by Councilor Mathews for favorable action on measure number 08 140, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 141-Verizon/National Grid Petition for Blueberry Place

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

A MOTION was made by Councilor Mathews for favorable action on measure number 08 141, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 143-Verizon/National Grid Petition for Blueberry Street

A MOTION was made by Councilor Mathews to consider this measure under 2-9b (same night action), seconded by Councilor O'Connor and UNANIMOUSLY VOTED

A MOTION was made by Councilor Mathews for favorable action on measure number 08 143, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 144-Verizon/National Grid Petition for Caldwell Street

A MOTION was made by Councilor Mathews to consider this measure under 2-9b (same night action), seconded by Councilor O'Connor and UNANIMOUSLY VOTED

A MOTION was made by Councilor Mathews for favorable action on measure number 08 144, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 145-Verizon/National Grid Petition for Cavern Knoll Way

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

A MOTION was made by Councilor Mathews for favorable action on measure number 08 145, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

08 146-Verizon/National Grid Petition for Beverly Court

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

A MOTION was made by Councilor Mathews for favorable action on measure number 08 146, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

Councilor Mathews announced that in the future these approvals will be included within the procedures of street acceptances, thereby avoiding the need for Council approval subsequent to the streets being accepted.

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

Mr. Gallagher presented the following measures on behalf of the Mayor's Office:

09 095-Reappropriation-Fulton School Closeout

It is being requested that the Town of Weymouth re- appropriate the sum of \$1,023.99 (corrected on the floor as the measure itself reads "\$1,323.99") from line item 02121001 and \$300 from line item 02133755 for purposes of funding a payment to National Grid for property located at 245 Pond Street-Fulton School.

Action under 2-9b is requested because the bill is in collection and is the only outstanding invoice associated with the Fulton School.

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

A MOTION was made by Councilor Mathews for favorable action on measure number 09 095, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 096-Revised CDBG Funding 2009-2010

It is being requested that the Town of Weymouth accept the revised fiscal year 2009-2010 HUD grant totaling \$821,984 as represented by CDBG funding.

A MOTION was made by Councilor Mathews for referral of measure number 09 096 to the Budget/Management Committee, seconded by Councilor O'Connor and voted 10-0-1 with Councilor Pap recusing himself.

09 097-Rescind Bond Authorizations-City Form of Government

A request is made that the following excess borrowing authorizations are rescinded:

Order number 02 051 in the amount of \$17,767
Order number 02 047 in the amount of \$203,731
Order number 05 010 in the amount of \$1,243,400

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

Councilor Lacey asked to clarify the purpose of this measure. Mr. Gallagher noted that bonding approvals were never met on these measures; additionally the town's debt ceiling will decrease.

09 098-Approval of Energy Efficiency Community Block Grant (EEBG) Funds

It is being requested that the Town of Weymouth accepts the Energy Efficiency Community Block Grant (EEBG) in the amount of \$485,800 from the Department of Energy. This is part of the federal stimulus package. Mr. Gallagher noted that these projects are shovel-ready and therefore requests prompt approval.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 099-New Engine for the Fire Department

A request is being made to raise and appropriate \$455,000 in order to purchase an engine for the town fire department. It was further noted that this is an item included in the CIP.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

09 100-Charter Committee Request

This measure is being submitted at the request of the Charter Review Committee, and is requesting appropriation of \$6,000 from the Reserve Fund for the purposes of funding projected expenses for the committee:

\$5,000 for Recording Secretary services
\$1,000 for miscellaneous expenditures

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 101-Ethics Reform Bill-Adoption of M.G.L. C. 268A, S. 29, Designation of Liaison to the MA Ethics Commission

Mr. Gallagher noted that the Mayor is seeking approval in accordance with the provisions of G.L. C. 268A, S. 29, the newly enacted Ch. 28 of the Acts of 2009, to designate George Lane, Jr., Town Solicitor, as liaison to the Ethics Commission, representing the Town of Weymouth.

A MOTION was made by Councilor Mathews for referral to the Ordinance Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 102-Appointment to the Recreation Commission-Colleen Kelley

In accordance with section 2-10 of the charter, the name of Colleen Kelley of 29 Ledgehill Road is being submitted for appointment to the Recreation Commission, term expiring on June 30, 2011.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 103-Appointment to the Historical Commission-Donald Mathewson

In accordance with section 2-10 of the charter, the name of Donald Mathewson of 9 Regatta Road is being submitted for appointment to the Historical Commission, term expiring on June 30, 2012.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

09 104-Appointment to the Historical Commission-Philip Smith

In accordance with section 2-10 of the charter, the name of Philip Smith of 250 West Street is being submitted for appointment to the Historical Commission, term expiring on June 30, 2010.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 105-Appointment to the Conservation Commission-Steve DeGabriele

In accordance with section 2-10 of the charter, the name of Steve DeGabriele of 21 Tamburlane Ridge is being submitted for appointment to the Conservation Commission, term expiring on June 30, 2010.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

09 106-Appointment to the Conservation Commission-Laura Harbottle

In accordance with section 2-10 of the charter, the name of Laura Harbottle of 123 High Street is being submitted for appointment to the Conservation Commission, term expiring on June 30, 2011.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 107-Appointment to the Conservation Commission-George Loring III

In accordance with section 2-10 of the charter, the name of George Loring of 146 Pine Street is being submitted for appointment to the Conservation Commission, term expiring on June 30, 2010.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

09 108-Appointment to the Conservation Commission-Scott Dowd

In accordance with section 2-10 of the charter, the name of Scott Dowd of 66 Hollis Street is being submitted for

appointment to the Conservation Commission, term expiring on June 30, 2011.

A MOTION was made by Councilor Mathews for referral to the Budget/Management Committee, seconded by Councilor Molisse and UNANIMOUSLY VOTED.

Councilor Mathews requested of Mr. Gallagher that all appointees appear before both Budget/Management and Town Council. Mr. Gallagher agreed.

NEW BUSINESS

09 094-Call of the Town General Election on November 3, 2009-Councilor Arthur Mathews

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

A MOTION was made by Councilor Mathews for favorable action on the following:

In the name of the Commonwealth, the Town of Weymouth is hereby required to notify and warn the inhabitants of said town, who are qualified to vote in the town general election on Tuesday, November 3, 2009.

Motion seconded by Councilor Molisse, roll call vote requested of the Assistant Town Clerk by Council President Smart:

Councilor Conlon-Y
Councilor DiFazio-Y
Councilor Harrington-Y
Councilor Lacey-Y
Councilor Mathews-Y
Councilor McDonald-Y
Councilor Molisse-Y
Councilor O'Connor-Y
Councilor Pap-Y
Councilor Whitaker-Y
Councilor Smart-Y

UNANIMOUSLY VOTED.

ADJOURNMENT

At 8:20 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 Diane Hachey as Recording Secretary

Approved by:

Michael Smart-Town Council President