

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
November 8, 2010 - Monday

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

Not Present: Thomas J. Lacey

Also Present: Franklin Fryer, Town Clerk
 Kathy Deree, Assistant Town Clerk
 George Lane, Town Solicitor
 James Clarke, Director, Planning & Development
 Robert Luongo, Economic Developer
 Eric Kinsherf, Interim CFO
 Michael Gallagher, Dir. Administration & Community Services

Recording Secretary: Mary Barker

President Mathews called the Town Council Meeting to order at 7:30 PM. Town Clerk Fryer called roll, with three members not present. President Mathews reported that Councilor Lacey is unable to make the meeting but that Councilor Whitaker will arrive shortly.

ANNOUNCEMENTS

Councilor Harrington announced that the WHS Wildcats will play Brookline High School on Friday, November 12, 2010 at 7 PM at the high school. The team's record is 9/0 and he urged the public to attend and support the team.

Councilor Molisse announced the town Veterans' Day observances will begin at 9:15 AM on November 11th with a ceremony at the Korean Memorial in Jackson Square followed by the parade at 9:45 AM to the civic center at Town Hall.

Councilor Pap announced several upcoming events at St. Jerome's: the Cub Scout pack will be conducting a food drive to benefit the Weymouth Food Pantry, a coat drive to benefit the Mass Coalition for the Homeless over the next two weekends, a craft fair at

the school on 11/13, and a Roundtable for North Weymouth businesses held at the South Shore Bank in North Weymouth on 11/9 at 5:30 pm.

Councilor Smart announced a meeting of the Ordinance Committee on November 15, 2010, 6:30 PM to consider the rezoning of the Weymouth Landing district.

MINUTES

Budget/Management Committee Meeting of October 18, 2010

A MOTION was made by Vice President O'Connor to ACCEPT the minutes of the October 18, 2010 Budget/Management Committee meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Town Council Meeting of October 18, 2010

A MOTION was made by Vice President O'Connor to ACCEPT the minutes of the October 18, 2010 Town Council meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Public Safety Committee Meeting of October 25, 2010

A MOTION was made by Vice President O'Connor to ACCEPT the minutes of the October 25, 2010 Public Safety Committee meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

PUBLIC HEARINGS

10 109-National Grid Gas Main Utility Petition for Meredith/Grampian Ways, continued from October 18, 2010

A MOTION was made by Vice President O'Connor to CONTINUE the public hearing and was seconded by Councilor Smart. The abutters were notified on October 8, 2010 and two private way abutters were notified on October 22, 2010. UNANIMOUSLY VOTED.

Dennis Regan and Peter Nagle of National Grid were present to provide an update to the Councilors. At the last meeting, they were asked to reach out to all abutters, extended to those on the private way (Grampian Way) to provide information on the plan. Mr. Regan noted that any abutter who could not be contacted directly was left a contact card and a diagram of the project.

Irving Murstein suggested the gas line be laid as it used to be done, 6 feet below grade instead of the current 3 foot standard. He also noted that a prior project resulted in residents blocked in once work started and asked that not be allowed to happen here. He also recommended \$5M liability insurance coverage for workers. Mr. Regan responded that the 3-foot standard is sufficient. Pipe is laid in a bed of sand and a 24 hour test at 9 lbs. pressure conducted. Mr. Nagel responded that all residents will be given notice of the work.

Councilor Smart noted that Mr. Murstein commented on adequate notice; a project several years ago resulted in residents being blocked in their drives due to inadequate notice by the utility. He also asked for an explanation of the terms of the testing. Mr. Nagel noted that residents will be notified by mail before work is begun, with adequate contact information for National Grid.

Councilor DiFazio asked if contact had been made with the resident at 29 Meredith; Mr. Regan responded that he has had contact with him.

Councilor DiFazio asked if notification to abutters on private ways will be a precedent for future projects. President Mathews reported that under MGL and as confirmed by Solicitor Lane, the town is not obligated to notify private way abutters to a project; however, the town will consider it in the future.

A MOTION was made by Vice President O'Connor to CLOSE the PUBLIC HEARING on item 10 109 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

10 102- Zoning Amendment for Clapp Memorial (203 Middle Street, Map 22, Block 291, Lot 9), continued from October 18, 2010

A MOTION was made by Vice President O'Connor to open the joint Public Hearing and was seconded by Councilor Smart. This was published on October 20, 2010 and October 27, 2010. UNANIMOUSLY VOTED.

Planning Board Chairman Walter Flynn called to order the Planning Board joint public hearing with the Town Council.

A MOTION was made by Sandra Williams to OPEN the PUBLIC HEARING on item 10 102 and was seconded by David Chandler. A MOTION was made by Sandra Williams to waive the reading of the public notice and was seconded by Mary Akoury. UNANIMOUSLY VOTED.

Robert Luongo presented a brief powerpoint overview of the project. He reviewed the district boundary. It is a one lot zoning change. The existing property is 2.5 acres, and is currently residential R-1 zoned, which only allows for 1 single family unit per 25,000 square feet; the maximum number of units which can be built on this site is four, under current zoning. The existing building was built in 1903, and is about 10,500 square feet and 2 1/2 stories. The proposed zoning ordinance will allow for denser construction. It is proposed for a mixed use with three sub-districts; mixed use, 2-3 family and open space. Under the residential mixed use, there is a maximum of 20 units per acre and maximum of 7,000 square feet of office/commercial space. Under the 2-3 family, there is a minimum of twelve and a maximum of 17 units per acre. 24 townhouse units are proposed in that subdistrict. Mr. Luongo reviewed the map of the proposal and the dimensional requirements (height, frontage and setbacks). Proposal includes two parking spaces per townhouse unit and one space per 300 gross square footage commercial/office space (no change from current zoning requirements). The Zoning Board of Appeals will be the issuing authority to plans, if zoning is passed. Site plan standards were reviewed.

Design standards are built into the zoning to maintain town control over the development. He reviewed the standards. There will also be building design guidelines that will pertain to the reuse of the historic building and the new construction's impact on surrounding areas. He reviewed the guidelines in the proposed zoning. The commercial space will be in the historical building.

Housing and affordability were presented. Twenty percent of the housing will be set aside for low income families (below median income), in perpetuity. Eight of the thirty eight units will need to be set aside. The rent for qualifying renters shall not exceed thirty percent of a household's total income.

There are payments that will be made by the state if the zoning is approved. Under 40R, the Zoning Incentive Payment will be \$75,000 and then \$3,000 bonus payments for each of the thirty four bonus units. (Under current zoning, four units are allowed; under the proposed zoning thirty eight are allowed; the difference- thirty four- will be bonus units qualifying for the incentive.) Total payment from the state will be \$177,000 which can be used at the discretion of the town.

The proposed zoning also will result in a 40S school reimbursement. The town is reimbursed for any new school-aged children resulting from the development. Mr. Clarke provided a memo to the Council with a report on the formula for the method of calculating the reimbursement.

If the ordinance is approved, it then must go before the Zoning Board of Appeals for normal review and public hearing process for approval or denial of the project based on its consistency with the zoning bylaws.

Councilor Conlon asked for clarification of the parking requirements and the number of office units in the proposed development. He does not believe there is sufficient parking for the number of proposed office units and the increased traffic.

Jim Clarke reviewed the memo for the reimbursements; the 40R reimbursement of \$177,000; 40S reimbursement of \$107,000, based on an estimate based on available figures and an average of seventeen students. If five students result from the development, the estimated 40S reimbursement would be approximately \$11,000. The 40S is currently unfunded at the state level. Any changes in assessment will affect the results.

Vice President O'Connor asked for clarification of the 40S funding; Mr. Clarke confirmed that it is currently unfunded. The bill has been passed, but not funded by the legislature at this time.

Councilor DiFazio asked what benefit the zoning change will provide to the town. In answer to his question: a one -time payment of \$177,000; increased tax revenue generated by real estate and excise taxes to the town of 71,000 annually. He asked if there are any other revenues that will result from the project. Mr. Clarke responded that these

are the only direct revenues, other than that which the developer will present in his project.

At 8:00 PM during this discussion Councilor Whitaker arrived.

Councilor Smart noted this item has been in the Ordinance Committee over several meetings. The request by them was for what funding could be reimbursed, understanding that it was based on estimated information.

Ray Jennings, with offices on Pleasant Street and representing the developer William Barry, and Nick Deveau, Architect, were invited to make their presentation. Attorney Jennings noted the benefit to the town and the Central Square area are restoration of the historical building, which has been vacant. The 40R funding can be directed and earmarked for the Central Square district. The property is currently owned by a church and is not on the tax rolls, so the project will provide additional tax revenue to the town. The affordable housing will increase the town's stock. There is a commitment to the square by the developer. He is proposing option A, which will include the acquisition of 555 Middle Street. There is no agreement under consideration with the building's current owner. The developer is also considering a \$100,000 straight investment in the area. The Cecil Group was commissioned to provide a design plan for the improvement of the square and there have been presentations made at the neighborhood meetings. Attorney Jennings reviewed some of the possibilities. \$25,000 will be made available for improvements to facades of existing businesses in the square, and administered by grant by a neighborhood political body. The balance of \$75,000 would be utilized for landscape improvements and would be provided at a later time (typically with the issuance of the project building permits).

He also noted that 40R is consistent with the town's Master Plan, and the Village Centers concept. There is no other alternative under consideration for this property. If it is not approved, another proposal could come along that isn't as favorable, or likely to have 40R development money attached. Or no proposal may come along. Mr. Barry has stuck with the project for over three and a half years through many design changes, countless meetings with town officials and the public, and he has committed to the area, as he has a construction project across the street from this site.

Nick Deveau reviewed the design of the project. He provided a presentation of Mr. Barry's other projects and the proposed project. The current conditions of the existing building were reviewed along with the plans for the renovations and the townhouse construction proposed for the property in the rear of the Clapp building. Many of the designs of the Clapp building will be carried to the unit construction; similar color palette and materials, double hung windows, and keyed corners. Layout for the townhouses includes a turning radius for fire truck access. Restoration of the flagpole, maintaining the two larger trees, lighting, landscaping and benches and walkways will be incorporated into the design. Several area improvements were also presented such as crosswalk paintings, awning replacement, new signage, sidewalks, plantings and lighting, bus stop shelters, and directional signage.

Research into water usage was provided. The residential space expects to use 1.5 million gallons of water per year; the office space roughly 136,500 per year.

Mr. Barry noted the traffic study was dropped off today. President Mathews noted that due to its late arrival, the Council has not had a chance to review the data. It will be forwarded to the town Traffic Engineer to determine whether he concurs with the findings.

Councilor Conlon asked what the affordable housing unit configuration is. Mr. Barry responded that they are spread across the project, but there has been some talk about removing the three bedroom units. Councilor Conlon asked what the average cost of the condos will be. Mr. Barry noted that he will solicit the project as condos; however, given the economic climate, and with the difficulty obtaining bank financing, he may not be able to sell them as condos, but as apartments. A two bedroom condo would probably garner \$250,000-\$275,000 in the current market; a three bedroom probably around \$300,000. There will be studios in the Clapp building, but Mr. Barry will hold those as rental units.

Councilor Conlon asked if the developer is offering \$25,000 for mitigation in the square. Mr. Barry noted that he has offered \$25,000 in grants to the area businesses for upgrades for a total of \$125,000. Councilor Conlon noted his personal opinion is that amount is a pittance for the number of units being offered. There was a brief discussion; Mr. Barry clarified the unit space and the number of offices in the proposed 7,000 square feet. Councilor Conlon questioned the parking. Mr. Barry noted the proposed parking exceeds what is required in the current zoning.

Councilor Whitaker asked for clarification of the number of buildings; nine, with eight new construction. He asked for the unit configurations. Fifty two to fifty four bedrooms are in the presented plans and fifteen units in the Clapp building. There was a brief discussion of the breakdown of the units in the office space. The bottom floor is set up for one company with offices, likely the same in the second floor. Councilor Whitaker noted that each office space can be used separately.

Councilor Smart noted that water and sewer usage studies were both requested at the Ordinance Committee meeting. Mr. Barry responded that sewer is based on water usage. He noted that the town uses less than the state guidelines. Mr. Barry utilized an average.

Mr. Chandler of the Planning Board noted the design of the buildings in the historical district are not in keeping with the area or the New England flavor. Mr. Barry noted some of the characteristics cannot be replicated in the project; it would be more in keeping with a project on Beacon Hill. Under 40R the town dictates the design characteristics; he will be happy to work with the town for any changes which are reasonable.

Ms. Akoury noted that since Mr. Barry now is leaning towards apartments rather than condos she asked if this will affect the eligibility of affordable housing to Weymouth

residents only. Mr. Luongo noted that if the project is rental, there are income guidelines for all eight units, in perpetuity. Maximum rents under affordable housing are \$1,025 for an efficiency; \$1,099 for a one-bedroom; \$1,321 for a two-bedroom and \$1,517 for a three bedroom. For ownership units and depending on interest rates, a one-bedroom cannot go for more than \$154,000; a two bedroom \$170,250 and a three bedroom \$187,000. Those are rough numbers provided by the state. As to the selection process, no one can guarantee 100 percent Weymouth residents will occupy those units. There will be a selection process plan developed and entity drafted by the Mayor to oversee the process. There will be a preference for Weymouth residents, but state law prohibits exclusivity.

Ms. Williams asked if the reimbursement rate is different for rental or condo units. There is no difference. She also asked for clarification of the modular units and the use of Canadian companies. Mr. Barry responded that National Lumber in New Bedford has expanded to include modular units. Mr. Barry clarified the condo issue. He would like to build them but will not let them sit vacant.

Ms. Akoury asked Mr. Clarke to note any impact on tax revenue estimates if the project shifts from condo to rental. Mr. Clarke responded that his estimates were based on an apartment approach.

Chairman Flynn noted it is the desire of the Planning Board that the least restrictions placed on the affordable housing units will be in perpetuity and it was asked if Mr. Barry is in agreement. Mr. Barry noted that he is required under 40R and that's how it has been set up.

Irving Murstein of 463 Broad Street noted that he applauds the development in the area. He is in favor.

Mark Denino of 170 Middle Street and owner of a Karate School in the square is also in favor. It will bring revitalization to the area.

Ernie Petrucci 21 Weston St. also noted he is in favor of the project.

Francis Krauss 229 Middle Street, a direct abutter to the project. He has seen many changes over the course of the project. He notes that if the projects becomes rental, he will have issues. The neighborhood is already subject to vandalism and youth trespassing. He was coerced by the town a few years ago to hook up to town sewerage. At that time he was told the sewer system was "fragile and overburdened". Storm drains already flood in bad weather, and this will have further affects by development and asphalt on the property. He noted that the traffic count was not done at a time when there was a funeral going on which drastically increases the volume of vehicles.

Ann Hilbert of 45 Doris Drive noted that in all the figures presented; no one has noted what it will cost the taxpayers under proposition 2 ½ new growth revenues. She noted that the water consumption charges are widely different. She asked about the water

agreement which the Mayor signed with Tri-Town. President Mathews noted he will be asking the DPW Director to review and determine what are the true numbers are. Mr. Barry's projections will be provided to the DPW Director. He will have the Planning Department provide new growth projection figures. President Mathews noted that the Town Council does not have the authority to make water agreements, that authority lies with the administration.

Linda McDonald of 58 Laurel Street noted she is in favor of the project as it will take a vacant building and make some use of it. She also noted that she has not had an issue with residents of nearby rental property and believes it is a misconception that rental property brings more crime to a neighborhood. There are many empty storefronts currently, and the square could use the improvements.

Dan Kelliher of 29 Middle Street noted that he is opposed to the project. The area is already congested. He asked what the annual upkeep will be to the area improvements and who will maintain them.

Mr. Barry noted that it could be overseen by a neighborhood association. He will maintain his own property.

Rosella Cicchese of 958 Commercial St. noted she is trying to be positive, but is not sure if the town is expected to pay in part for the renovations. She suggested the town perform a traffic study that includes the building across the street from the Clapp, to determine if it will benefit the neighborhood. The project across the street is not under the 40R guidelines, but should also have been incorporated under the Village Center concept. It does not adhere to the properties of smart growth. She is unsure whether she still is in support of the family.

Mr. Barry responded that he is building what was allowed under the zoning on the project across the street from the Clapp; without any variances.

Evelyn Gallagher of 169 Chard St. noted that a historical review of the building be undertaken and that the purpose of the original deed to the property may have placed restrictions on the future use of the building. She asked the Council to research the water issue.

Attorney Jennings noted that he has a copy of the deed which is for registered land and any restrictions would have had to have shown on the certificate. He will provide copies to the Council.

Trisha Pries of 15 Woodbine Rd. noted she agrees with several comments made earlier. She noted that the Council and the public are both required to complete their research. She does not agree with the comment about the "devil you know", and noted the next proposal may not necessarily be better. She is concerned with the financial information and how the calculations benefit the town. She also noted the state's definition of affordable housing, the demands of development on the town's emergency services. She

urged the Council to take into account the master plan when considering any developer who requests a variance. She sees the town of Weymouth becoming another Brockton.

Lucy Kalajian of 49 Middle Street recommended relocating the microphone so that the audience can see the speaker. She was a former teacher in town and has watched the development over the years. The town is being swayed to do things they shouldn't (referring to the consideration of WHS being built on Legion Field). She noted it isn't the town's responsibility to provide housing to people and the town needs to concentrate on the residents who are already here. She suggested the Clapp Memorial be used by the town for its own business, maybe as an adjunct to the town hall for meetings, and not for housing.

Jane Latus of 164 Candia Street, is not in support of 40R development for the town of Weymouth. She asked if it passed, would it open the town for 40R development anywhere. Councilor Smart noted that it is only for this lot; the proposal is for an overlay district for this particular lot. She is not in favor of 40R; it is too dense of a development in a small area and has not worked, and overburdens the town's resources, which will result in higher taxes, and force out the senior citizens who cannot afford more taxes. She noted 40R is "dumb growth". The hearings in 2007 and 2008 came up with suggested alternate uses for the building. She noted it is nothing more than a low-rise housing project. She asked that several sets of past minutes, particularly of the 12/16/08 Planning Board meeting be reviewed. She believes there needs to be a legal review and that before any future decision is made that it has been done. She asked how a high density project can possibly add to the quality of life in Weymouth. She recommended a moratorium on building until a review of the current zoning is completed.

Donna Ogden of 160 Burkhall St. noted that she is in favor of the project and urged the Council to consider the proposal.

An unidentified speaker noted her exception to the comments about Brockton made by a previous speaker. President Mathews noted he will request all comments be kept to the topic of the public hearing.

Marisa Coppolla of 33 Federal St. noted that she is in support of improvements to the area and the building.

Scott Walsh 87 Chard St. noted he has lived in the area his entire life and wants to see the town remain as it was. He is not in favor of further development and noted the stress on the fire resources including the currently closed stations. He also noted the crime which occurs at the nearby Maple Gardens apartments. The developer does not live in town and does not have a stake in this project. There are many vacant apartments in town; is there really the need to add more? Improvements to the landscape will need to be maintained, and the town does not have the funds. He also commented on the traffic problems in that area.

Steve Bergfors of 46 Mt. Vernon West noted that the building has been for sale for several years. The town has an opportunity to get something back; something that should be a benefit to the town.

Donald Krauss spoke again. He noted that he doesn't have anything against the developer. He noted that because of density changes in the town and reduction in emergency services his homeowner's insurance company has notified him of an increase in his rates by \$150 this year. The increase in the cost to services will be offset by the tax provided by the development.

Dominic Galluzzo of 86 Candia Street noted the vast discrepancy in the water usage studies quoted at different meetings. President Mathews responded that he will be requesting a review of the numbers provided by the developer in conjunction with the director of the DPW. Mr. Galluzzo also requested an estimate of the number of additional residents this project would produce. Mr. Barry responded that using examples around town, he has come up with an average of 80. He is not in favor of residential development at the expense of the residents.

Dan Kelliher noted traffic studies should take into consideration the Next Page on a night when there is live music and cars are parked along both sides of Broad Street. He noted that there is poor lighting and a grade change.

Evelyn Gallagher recommended that the town use CPA funding to research the deed. Councilor DiFazio requested that the Council be provided with the chain of title to the property, as there have been allegations that a condition on the deed may have been dropped.

President Mathews noted that the Planning Board has twenty one days from the close of the public hearing to render a decision, and Town Council will have ninety days to render its decision by a two thirds majority vote.

As there are still outstanding issues, a MOTION was made by Chairman Flynn of the Planning Board to CONTINUE the Public Hearing and was seconded by Ms. Williams. President Mathews noted that the public hearing will have to be continued to a date certain. A special Town Council meeting will need to be scheduled as the next regular meeting will contain a public hearing to consider the Weymouth Landing zoning proposal. Mr. Clarke will research the questions brought up during the public hearing and will provide responses at the next meeting.

A MOTION was made by Vice President O'Connor to CONTINUE the PUBLIC HEARING ON item 10 102 to the Town Council meeting of Monday, December 6, 2010 and was seconded by Councilor Smart, and voted unanimously.

Councilor Whitaker requested as a point of order that the allowable use and densities screen be confirmed. Mr. Clarke noted the Planning Department provided that information.

At 10:10 PM, there being no further business, a MOTION was made by David Chandler to ADJOURN the Planning Board Meeting, seconded by Mary Akoury. UNANIMOUSLY VOTED.

10 116-Appropriation for Wall and Gate at Legion Field Memorial Wall

A MOTION was made by Vice President O'Connor to OPEN the Public Hearing and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Mr. Clarke reported on the request for funding by the Mayor and the Community Preservation Committee for \$10,000 to continue the restoration of the wall and gate at Legion Field Memorial Wall. The first phase of the restoration is in process. The initial plan included repair of nineteen piers-this funding will allow for replacement of all piers, which will look the same but have drainage issues corrected. The sign over the gate will also be completed and several of the cast iron fences will be restored. The quote for the pier replacement is \$51,300 and the gate and entrance sign repairs will be \$4725. The funding will allow for completion of Phase I restoration.

Councilor Whitaker asked from which fund the money will be allocated. Mr. Clarke responded that it will be from the unrestricted fund balance, which has a current balance of just under \$250,000. Councilor Pap noted that the additional funds do not add up. Mr. Clarke responded that a rounded number was used. Any unused funds will be returned to the CPC. Councilor Smart asked if the work will be completed before the winter. Mr. Clarke noted that based on the Council's decision, the orders will be ready the next day. Councilor Conlon asked if the concrete bases are scheduled to be done. Mr. Clarke noted that the base is scheduled for Phase III.

Dan Kelliher noted that he is in favor of the project; it has made a huge improvement.

A MOTION was made by Vice President O'Connor to CLOSE the PUBLIC HEARING on item 10 116 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

A MOTION was made by Vice President O'Connor to take "Reports of Committees, Budget/Management Committee "out of order and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget/Management Committee

10 113- Appointment to the Youth Coalition-Kerry Dunn

Chairman DiFazio reported that this item was referred to the Budget/Management Committee on October 18, 2010. The committee met on November 8, 2010, and voted unanimous favorable action. Ms. Dunn was introduced to the Council.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor

DiFazio to appoint Kerry Dunn of 11 Lakehurst Avenue to the Youth Coalition and was seconded by Vice President O'Connor. Her term will expire on June 30, 2013.
UNANIMOUSLY VOTED.

10 114- Appointment to the Waterfront Committee-George Mutch

Chairman DiFazio reported that this item was referred to the Budget/Management Committee on October 18, 2010. The committee met on November 8, 2010, and voted unanimous favorable action.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio to APPOINT George Mutch of 213 North Street to the Waterfront Committee, and was seconded by Vice President O'Connor. His term will expire on June 30, 2013.
UNANIMOUSLY VOTED.

10 115-Appointment to the Waterfront Committee-Herb Clifford

Chairman DiFazio reported that this item was referred to the Budget/Management Committee on October 18, 2010. The committee met on November 8, 2010, and voted unanimous favorable action.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio to APPOINT Herb Clifford of 140 North Street to the Waterfront Committee, and was seconded by Vice President O'Connor. His term will expire on June 30, 2013.
UNANIMOUSLY VOTED.

10 116-Appropriation for Wall and Gate at Legion Field Memorial

Chairman DiFazio reported that this item was referred to the Budget/Management Committee on October 18, 2010. The committee met on November 8, 2010, and voted unanimous favorable action.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth raise and appropriate the sum of \$10,000 from the Community Preservation Fund Unreserved Balance for the purpose of funding the Restoration of the Wall and Gate at Legion Field Memorial Wall; the Community Preservation Committee voted to approve this measure at their meeting on October 7, 2010. Motion was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

Issue: Tax Incremental Financing Agreement Between the Town of Weymouth and Sithe Energy

Councilor DiFazio reported that this item is being deliberated in committee, and has been continued to the next Budget/Management Committee meeting.

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

10 117- Appointment of Library Director-Robert MacLean

Mr. Gallagher requested on behalf of the Mayor the appointment of Robert MacLean to

the position of Library Director.

A MOTION was made by Vice President O'Connor to refer item 10 117 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

10 118- Appointment to the Commission on Disabilities-Maria Flynn

Mr. Gallagher requested on behalf of the Mayor the appointment of Maria Flynn of 26 Sumner Road to the Commission on Disabilities for a term to expire on June 30, 2012. This is to fill the vacancy of Deb Deveau.

A MOTION was made by Vice President O'Connor to refer item 10 118 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

10 119- Appointment to the Commission on Disabilities-Janet Walsh

Mr. Gallagher requested on behalf of the Mayor the appointment of Janet Walsh of 87 Chard Street to the Commission on Disabilities, for a term to expire on June 30, 2011. This is to fill the vacancy of Beverly DeMourat.

A MOTION was made by Vice President O'Connor to refer item 10 119 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

10 120- Appointment to the Cultural Council-Sandra Peters

Mr. Gallagher requested on behalf of the Mayor the appointment of Sandra Peters of 57 Weybosset Street to the Cultural Council, for a term to expire on June 30, 2011. This is to fill the vacancy of Gertrude Gillen.

A MOTION was made by Vice President O'Connor to refer item 10 120 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

10 121- Appointment to the Zoning Board of Appeals as an Alternate-Jonathan Moriarty

Mr. Gallagher requested on behalf of the Mayor the appointment of Jonathan Moriarty of 38 Hilldale Road to the Zoning Board of Appeals, as an alternate member, for a term to expire on June 30, 2012. This is to fill the vacancy of Kemal Denizkurt.

A MOTION was made by Vice President O'Connor to refer item 10 121 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

10 122- Reappointment to the Board of Health-Karen DeTellis

Mr. Gallagher requested on behalf of the Mayor the reappointment of Karen DeTellis of 8 Chauncey Street to the Board of Health, for a term to expire on June 30, 2012.

A MOTION was made by Vice President O'Connor to refer item 10 122 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

10 123-Reappointment to the Board of Health-Maureen DelPrete

Mr. Gallagher requested on behalf of the Mayor the reappointment of Maureen DelPrete of 73 Regatta Road to the Board of Health, for a term to expire on June 30, 2013.

A MOTION was made by Vice President O'Connor to refer item 10 123 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES (cont.)

Public Safety Committee

Vice President O'Connor reported that the Public Safety Committee met on October 25, 2010 to discuss a variety of issues. An update on staffing levels and morale was reviewed with members of the Weymouth Fire Department. Additionally there was a lengthy discussion on speeding and safety on Route 3A which resulted in several actions to be taken; the unposted school zone at St. Jerome's will be addressed immediately; relevant studies of speeding infractions, traffic accidents and safety issues along 3A will be requested from the State and DPW traffic engineer and the WPD for further study.

A discussion with the Weymouth Police Department was postponed to a future meeting as a result of a scheduling conflict with the Police Chief. Crosswalk issues brought forward by a constituent through Councilor DiFazio were addressed and the committee has requested an audit of conditions of all crosswalks within a half mile radius of each school building by the DPW.

Public Works Committee

10 109- National Grid Gas Main Utility Petition For Meredith/Grampian Ways

Councilor Harrington reported this item was referred to the Public Works Committee on October 18, 2010. A public hearing was held on October 18, 2010 and continued to October 25, 2010, at which time the committee voted to refer item 10 109 to the full Town Council with a recommendation for favorable action. On behalf of the Public Works Committee, a MOTION was made by Councilor Harrington to approve item 10 109 and was seconded by Vice President O'Connor. Councilor Molisse noted he will abstain from a vote. UNANIMOUSLY VOTED 9/0/1.

NEW BUSINESS

10-124-Reappointment of Clerk of the Council-Franklin Fryer

President Mathews requested on behalf of the Council the re- appointment of Franklin

Fryer to the position of Clerk of the Council for a term to expire on December 15, 2012.

A MOTION was made by Vice President O'Connor to refer item 10 124 to the Budget/Management Committee and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

ADJOURNMENT

The next Town Council meeting will be held on Monday, November 15, 2010, at 7:30 PM.

At 10:40 PM, there being no further business, a MOTION was made by Vice President O'Connor to ADJOURN and seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully Submitted by: Mary E. Barker

Approved by:
Council President Arthur Mathews