

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
December 6, 2004

Present: T.J. Lacey, President
Michael Smart, Vice-President
Paul Leary
Colin McPherson
Joseph Connolly
Gregory Hargadon
Kenneth DiFazio
Sue Kay
Michael Molisse
Art Mathews

Not Present: Gregory Shanahan

Also Present: George Lane, Town Solicitor
James Wilson, Chief Financial Officer
Franklin Fryer, Town Clerk
Richard Swanson, Town Treasurer

Recording Secretary: Janet Murray

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

ANNOUNCEMENTS

Colin McPherson stated that the Economic Development Committee and the Budget/Management Committee will hold a joint meeting on December 9, 2004. This meeting will provide an opportunity to question Lennar regarding the redevelopment of the former Naval Air Station.

Paul Leary noted that the Weymouth Business Council will meet on Wednesday morning at 8am.

Colin McPherson implored residents to call their councilors with any questions regarding Lennar's proposal.

MINUTES

Public Works Committee – 10/21/04

A MOTION was made by Michael Smart to APPROVE the minutes from the Public Works Committee meeting on October 21, 2004 and was seconded by Susan Kay and UNANIMOUSLY VOTED.

Ordinance Committee – 11/8/04

A MOTION was made by Michael Smart to APPROVE the minutes from the Ordinance Committee meeting on November 8, 2004 and was seconded by Gregory Hargadon and was UNANIMOUSLY VOTED.

Budget/Management Committee – 11/8/04

A MOTION was made by Michael Smart to APPROVE the minutes from the Budget/Management Committee meeting on November 8, 2004 and was seconded by Gregory Hargadon and was UNANIMOUSLY VOTED.

Ordinance Committee – 11/15/04

A MOTION was made by Michael Smart to APPROVE the minutes from the Ordinance Committee meeting on November 15, 2004 and was seconded by Gregory Hargadon and was UNANIMOUSLY VOTED.

Town Council 11/8/04 and 11/15/04

A MOTION was made by Michael Smart to RETURN to Recording Secretary for amendments the minutes from the Town Council meetings on November 8, 2004 and November 15, 2004 and seconded by Michael Molisse.

The following discussion ensued. Michael Molisse noted that he did not vote in favor of the abandonment of Theron Ave. It was also noted that discussions regarding St. Albert's and the Community Preservation Act were missing from the minutes. President Lacey directed Councilors to highlight the areas of concern and send them to the Recording Secretary.

The MOTION was UNANIMOUSLY VOTED.

CITIZEN'S CONCERN/COUNCIL RESPONSE

Robert Casimiro spoke to the Council regarding the 63rd Anniversary of the attack on Pearl Harbor. He noted that as our veterans die, the memories of the occasion fade. He wanted to make sure that we carry on the standards that they sacrificed for. Mr. Casimiro recounted the events of that fateful day.

PUBLIC HEARINGS

04 212 Appointment to Cultural Council – Gertraud E. Gillen

Michael Smart made a MOTION to take item #04 212 out of order and was seconded by Greg Hargadon and UNANIMOUSLY VOTED.

Ken DiFazio called Gertraud E. Gillen forward. He then stated that in accordance with Section 2-10 of the Town Charter, the Mayor has respectfully submitted the name of

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Gertraud E. Gillen of 28 Cummings Ave, Weymouth, MA, for appointment to the Cultural Council. Her term will expire on June 30, 2006.

This matter was referred to the Budget Management Committee on November 8, 2004. The Committee met on November 29, 2004 and voted unanimously in favor of her appointment to the Cultural Council.

Mrs. Gillen introduced herself to the Town Council.

Ken DiFazio made a MOTION to APPROVE the appointment of Gertraud E. Gillen and was seconded by Michael Smart and was UNANIMOUSLY VOTED.

04 213 Keyspan Gas Main Industrial Parkway

Michael Smart made a MOTION to open the public hearing on item #04 213 and was seconded by Art Mathews and was UNANIMOUSLY VOTED.

Abutter notification letters were mailed on November 23, 2004.

Francis X. O'Leary, Permit Representative for Keyspan Energy, appeared before the Council. Keyspan is requesting permission to install a 400' of 2" gas main in Libbey Industrial Parkway from the existing 4" gas main on Libbey Industrial Parkway at Performance Drive, easterly to the Town's pumping station. This will provide heat to the building.

T.J. Lacey asked if any councilors had comment to which there was no reply. He also asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 213 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

Paul Leary made a MOTION to APPROVE item #04 213 under 2-9B, same night action, and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED

04 193 Appropriation request \$669,907 – Teachers' Collective Bargaining Agreement

Michael Smart made a MOTION to open the public hearing on item #04 193 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson stated that this was the first of 15 measures before the Council for free cash appropriations and/or reserve fund transfers. The current balance in the free cash appropriation is \$3,033,573. If all 15 measures pass this evening as amended, there will remain in the free cash fund, \$1,728,365.

Item #04 193 seeks a free cash appropriation of \$669,907 to fund the economic impact of a collective bargaining agreement between the Weymouth School Committee and Unit A of the Weymouth's Teacher Association.

Karen Berry, chairperson of the school committee budget committee, and Joseph Rull, Superintendent of schools were called forward. On October 7, 2004 the Weymouth School Committee ratified a three-year agreement with the Weymouth Teacher's Association. The first year of the funding was subject to Town Council approval. On October 17, 2004 a request was sent to Mayor Madden to fund this increase. The amount requested represents year one funding for the agreement.

The increase in year one is 2%, then a 3% increase in year two, and finally a 4% increase in year three. A major part of the negotiation centered around the new middle school model in Weymouth and a lot of time issues and teacher planning issues. Contract language had to be written to incorporate this middle school model into the contract.

Another financial impact is the increase of longevity. There are three longevity steps of 15, 25, and 30 years.

Mr. Rull noted that he had met twice with the Budget/Management Committee.

T.J. Lacey asked if any councilors had comment to which there were the following comments:

Paul Leary noted that Mr. Rull had provided the Councilors with a large amount of information.

Sue Kay wanted to note for the record that usually you do not see in a union contract, as disclosed in the Unit A projections, a longevity for non-union tied to Unit A - that is in individual agreements with four employees in the amount of \$1301. Whenever the Unit A has a longevity increase so will these four employees.

Colin McPherson stated that he believes that this is a fair contract. He noted that the increases this year are being funded with free cash appropriations. We need the state to start providing increases in local aid in order to keep funding pay increases.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 193 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 194 Appropriation request \$100,768 – Four new firefighters

Michael Smart made a MOTION to open the public hearing on item #04 194 and was seconded by Sue Kay and was UNANIMOUSLY VOTED

This item was published on November 26, 2004.

Mr. Wilson stated that the Mayor is seeking this amount from free cash. There are salary, clothing, gear, and physicals costs associated with the hiring. The Mayor

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believes that adding four new firefighters will reduce the amount of money spent on overtime within the Fire Department.

T.J. Lacey asked if any councilors had comment to which there were the following comments.

Sue Kay commented that the overtime costs are a concern to the Councilors. The hope is that the four new firefighters will alleviate the ongoing need for overtime.

President Lacey asked if there was any public comment to which there was no reply

Michael Smart made a MOTION to close the public hearing on item #04 194 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 195 Appropriation request \$42,249 High School Resource Officer

Michael Smart made a MOTION to open the public hearing on item #04 195 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson stated that the Mayor seeks to reduce the amount requested from \$42,249 to \$31,687. This is based on one half year costs for this position. The previous amount was based on a seven-month salary requirement. Time has passed and a six-month salary is all that is required. This position will be filled by a uniformed police officer. The officer will be assigned to Weymouth High School. The priority of this position will be to divert young people from the criminal justice system. This officer would act as an educator, counselor, and police officer.

T.J. Lacey asked if any councilors had comment to which there were the following comments.

Michael Smart questioned where future funding would come from. Funding for this position will be from the Police Department budget, as a uniformed officer will fill this position. All other security salaries are taken from the School budget.

President Lacey noted that the balance for the remainder of this year is coming from free cash. If the position is sustained in FY 2006, it will be funded through the Police Department budget. Mr. Wilson noted that the town's current practice is that any officer assigned to a school is funded through the Police Department budget.

Paul Leary noted that all of these items came before the Budget/Management Committee. Councilor Leary noted that when the schools are on vacation, the officer will return to regular police duty.

President Lacey asked if there was any public comment to which there was the following reply.

Irving Murstein of 463 Broad Street spoke to concerns of security at Weymouth High School. Mr. Murstein stated that there should be private security at the school, 24 hours a day, 7 days a week. There should be video cameras, metal detectors, a comprehensive ID system, and turnstiles to indicate what time students entered the building, and to account for their movement throughout the day. He also noted that GPS could be used in the ID card system to locate students during the course of the day.

Michael Smart made a MOTION to close the public hearing on item #04 195 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 197 Appropriation request \$6,122 – Reclassification Inspector of Buildings

Michael Smart made a MOTION to open the public hearing on item #04 197 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson stated that the Mayor requests this amount from free cash. This is a request for a reclassification of the Inspector of Buildings from a G12 to a G16. The amount requested is for seven months. The reclassification will cost approximately \$13,000 for a full year.

T.J. Lacey asked if any councilors had comment to which there was no reply.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #49 197 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 198 Appropriation request \$1,980 – Increase for Poll Workers

Michael Smart made a MOTION to open the public hearing on item #04 198 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that the Mayor requests this amount from free cash to increase the rate of pay for poll workers. Their last rate increase was 1998.

This is a matter solely within the jurisdiction of the Town Council. Town Clerk, Franklin Fryer, has been advocating for an increase in the poll workers.

T.J. Lacey asked if any councilors had comment to which there were the following comments.

Sue Kay noted that many Councilors expressed concerns regarding the rate of pay for the poll workers.

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Michael Molisse noted that this is a well-deserved pay increase, as the workers put in a 12-hour day.

President Lacey asked if there was any public comment to which there was the following reply.

Bob Gumpwright of Dwyer Lane- he stated that the poll workers start at 6:30am and don't generally end until 9pm. He stated that he is in favor of this item.

Michael Smart made a MOTION to close the public hearing on item #04 198 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 200 Appropriation request \$1,465 – Law Enforcement Block Grant Match

Michael Smart made a MOTION to open the public hearing on item #04 200 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is a request for matching funds for a police equipment block grant. Before the town is permitted to accept the grant, the town must match the grant with an appropriation of \$1,465 to match this federal grant.

T.J. Lacey asked if any councilors had comment to which there was the no comment.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 200 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 203 Appropriation request \$163,878 – Police Cruisers

Michael Smart made a MOTION to open the public hearing on item #04 203 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is a request for six cruisers which will replace the sector cruisers. Each cruiser cost \$27,313. This amount is from the state bid. Sector cars accrue over 100,000 miles per year.

T.J. Lacey asked if any councilors had comment to which there was no comment.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 203 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 204 Appropriation request \$39,500 - Deputy Chief Van

Michael Smart made a MOTION to open the public hearing on item #04 204 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is a request for the replacement of a 1997 Deputy Fire Chief vehicle which doubles as a command vehicle in the event of a fire. This car has 110,000 miles on it. This car will be used as backup.

T.J. Lacey asked if any councilors had comment to which there was no comment.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 204 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 205 Appropriation request \$80,000 – Sidewalk Snow Plow

Michael Smart made a MOTION to open the public hearing on item #04 205 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is request for a rubber tire sidewalk tractor. Its' primary purpose will be as a sidewalk snowplow. However, it will also be used for sidewalk sweeping, mower, and brush cutter. This amount is taken from a state bid.

T.J. Lacey asked if any councilors had comment to which there was no comment.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 205 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 206 Appropriation request \$16,900 Abigail Adams Phase III Fuel Tank

Michael Smart made a MOTION to open the public hearing on item #04 206 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is a request to conduct a phase II remediation plan for the Abigail Adams fuel tank leak, which occurred in 1987. Phases I and II cost the town \$33,457 to investigate this type of spill. Now that we know what type of spill it is, this

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phase of the plan will develop a plan for approval by the Department of Environmental Protection. This plan will eliminate the contaminants in and around the fuel leak. This contract is awaiting award until the funds are appropriated.

T.J. Lacey asked if any councilors had comment to which there were the following comments.

In response to a question by Michael Smart, Mr. Wilson stated that this appropriation is for the plan only it is not for the actual removal. The plan must be submitted to DEP for a determination of it appropriateness and feasibility.

Sue Kay noted that although the Council is going through these hearings very quickly, a lot of information is on file from committee meetings.

President Lacey asked if there was any public comment to which there was no reply.

04 207 Appropriation request \$160,000 Wituwamut Drain

Michael Smart made a MOTION to open the public hearing on item #04 207 and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is a request for funding the Wituwamut drain project in North Weymouth. This is an I & I (inflow and infiltration) project. It is a federal grant that requires a matching appropriation from the town. The federal grant totals \$256,272. The town must appropriate \$85,424 as its portion of the grant.

In addition, this request seeks seed money. This grant requires the town to expend money and then seek to be reimbursed. When the project is completed there should be approximately \$70,000, which will revert back to free cash. The money must be advanced, expend it, and then be reimbursed at the back end.

Of the \$160,000 requested, \$85,000 is our match and the rest is seed money to advance for the requirements of the grant.

T.J. Lacey asked if any councilors had comment to which there was no comment.

Michael Smart questioned when the project would begin. Mr. Wilson stated that it should begin in the spring.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 207 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

04 209 Appropriation request \$30,000 Veterans' Wall

Michael Smart made a MOTION to open the public hearing on item #04 209 and was seconded by Gregory Hargadon and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson stated that Councilor Leary had reminded him that it should be the Veteran's *Memorial Wall*. Mr. Wilson seeks to amend the request to include that change.

\$30,000 would be part of an overall project cost of \$55,000. Mr. Fuqua of the Planning Department had forwarded to the Mayor a memorandum which detailed all of the various aspects of the project, including the types of plaques needed. There is \$25,000 available from a prior appropriation and gifts, leaving a balance of approximately \$30,000 to complete this project.

T.J. Lacey asked if any councilors had comment to which there was the following comment.

Sue Kay noted that she is a member of the Veteran's Memorial Wall Committee. She noted that this measure is very important. The committee has been trying to raise money for this. This measure will speed up the process.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 209 and was seconded by Paul Leary and was UNANIMOUSLY VOTED.

04 210 Appropriation request \$300,000 – Ejector Station

Michael Smart made a MOTION to open the public hearing on item #04 210 and was seconded by Gregory Hargadon and was UNANIMOUSLY VOTED.

This item was published on November 26, 2004.

Mr. Wilson noted that this is an appropriation from the sewer retained earnings fund. The current balance of this fund is \$1,239,560. If this measure is approved, the fund will be reduced to \$939,560. The purpose of the measure is to fund the repair or replacement of ejector stations. The ejector stations are located at Thicket Street to Abington line, Woodside Path, Greenvale Avenue, and Clinton Road. Each ejector station will cost approximately \$75,000.

T.J. Lacey asked if any councilors had comment to which there was no comment.

President Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 210 and was seconded by Sue Kay and was UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

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ORDINANCE COMMITTEE – Chairman Leary

04 180 – Proposed ordinance re: operation of motorized scooters

04 211 – Organization Plan – Administrative and community Services

The Ordinance Committee met in joint session tonight with the Budget/Management Committee. The Committee voted unanimously to move both 04 180 and 04 211 forward to the Town Council pending a December 20, 2004 public hearing.

BUDGET/MANAGEMENT COMMITTEE – Chairman DiFazio

04 192 Internal Department Audits

This matter was referred to the Budget/Management Committee on November 8, 2004. by a letter from Town Council President T.J. Lacy. The first meeting was held on November 23, 2004. There was also a meeting on November 29, 2004. This item identifies concerns regarding the results of internal audits for the Information Technology Department, Department of Public Works, and The Fire Department. There were concerns with the timing of actual contractor work completed versus the date of approved contracts and purchase orders. All three department heads appeared before the Budget/Management Committee to discuss this issue. The audit findings were reviewed as were the management responses to the audit findings by Mr. Swanson. The Committee is confident in the future that these finding are responded to in a timely manner. Mr. Swanson did an excellent job providing the committee with all the necessary information.

The Committee voted unanimously to report back to the Town Council.

Michael Smart made a MOTION to accept the report on item #04 192 and was seconded by Sue Kay and UNANIMOUSLY VOTED.

04 193 Appropriation Request \$669,907 - Teacher's Collective Bargaining Agreement

Ken DiFazio stated that this item was referred to the Budget/Management Committee on November 8, 2004. The first meeting took place on November 17, 2004 and continued on November 23, 2004. A vote was taken on November 29, 2004 for favorable action. This item was published on November 26, 2004. A public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on item #04 193 and was seconded by Sue Kay and UNANIMOUSLY VOTED.

04 194 Appropriation request \$100,768 – Four New Firefighters

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 17, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on item #04 194 with the following allocations:

- \$87,268 for fire suppression salaries and rescue
- \$2800 for fire suppression clothing allowance
- \$3900 for fire suppression expenses
- \$6800 for fire equipment

and was seconded by Gregory Hargadon and UNANIMOUSLY VOTED.

04 195 Appropriation request \$31,687 - High School Resource Officer

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 17, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on item #04 195 and was seconded by Michael Smart and UNANIMOUSLY VOTED.

04 196 Appropriation request \$11,512 - Administrative and Community Services

As the public hearing for Item #04 196 has not been held yet, Councilor DiFazio made a MOTION to report out after the public hearing on December 20, 2004 and was seconded by Sue Kay and UNANIMOUSLY VOTED.

04 197 Appropriation request \$6,122 – Reclassification Inspector of Buildings

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 29, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on item #04 197 and was seconded by Michael Smart and UNANIMOUSLY VOTED.

04 198 Appropriation request \$1,980 – Increase for Poll Workers

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 29, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on item #04 198 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

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04 200 Appropriation request \$1,465 – Law Enforcement Block Grant Match

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 200 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 201 Reserve Fund transfer \$2,200 - Mayor's Staffing

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 29, 2004. The committee voted unanimously in favor of this item. Councilor DiFazio noted that Colin McPherson recused himself on this vote. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 201 and was seconded by Paul Leary –item voted 10-0.

04 203 Appropriation request \$163,878 – Police Cruisers

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 29, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 203 and was seconded by Paul Leary. Sue Kay commented that during recent years of financial difficulty in Weymouth this funding was cut with ghastly results, and UNANIMOUSLY VOTED.

04 204 Appropriation request \$39,500 - Deputy Chief Van

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 204 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 205 Appropriation request \$80,000 – Sidewalk Snow Plow

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 205 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 206 Appropriation request \$16,900 Abigail Adams Phase III Fuel Tank

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 206 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 207 Appropriation request \$160,000 Wituwamut Drain

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 207 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 208 Reappropriation request - \$115,000 Libbey Well Improvements

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 208 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 209 Appropriation request \$30,000 Veterans' *Memorial Wall*

This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 209 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

04 210 Appropriation request \$300,000 – Ejector Station

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This item was referred to the Budget/Management Committee on November 8, 2004. A meeting was held on November 23, 2004. The committee voted unanimously in favor of this item. The item was published on November 26, 2004 and a public hearing was held on December 6, 2004.

Councilor DiFazio made a MOTION to TAKE FAVORABLE ACTION on Item #04 210 and was seconded by Paul Leary and UNANIMOUSLY VOTED.

Reformatting of Schools Fiscal Year 2006 Budget

Councilor DiFazio stated that during last year's budget review, it was noted that improvements might take place when we review the school budget. The School Committee, through member Karen Berry and Superintendent Joseph Rull, have worked with the Budget/Management Committee to improve this year's process. There has been a team approach from all involved.

NEW BUSINESS

04 128 Rezoning Request – Weathervane – President Lacey

The council has received an application request regarding the Weathervane project and potential rezoning. Each Councilor's packet includes all the necessary information.

Councilor Smart made a MOTION to REFER Item #04 128 to the Ordinance Committee and forward to the Planning Department for a future public hearing and was seconded by Sue Kay, Councilor Mathews asked if there were time frames attached to this motion, to which President Lacey replied there are certain criteria in regards to timing that must be met , as well as a joint public hearing with the Planning Board, and UNANIMOUSLY VOTED.

04 215 Review of Polling Places – Handicap Access – Councilor Lacey

This is a request to formalize this issue into an Measure number. This item has previously been discussed in committee.

Councilor Kay made a MOTION to REFER Item #04 215 to the Budget/Management Committee and was seconded by Art Mathews and was UNANIMOUSLY VOTED.

04 216 TIF Review and Analysis – President Lacey

This is a request to formalize this issue into an measure number. This item has previously been discussed in committee.

Councilor Smart made a MOTION to REFER Item #04 216 to the Budget/Management Committee and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

Algonquin Gas Line Project – Councilor Kay

Sue Kay noted that she read in a Boston Globe article about the Mass. Bay Gas Line that was buried improperly. Over the past few years, the council had received notices in regards to the Algonquin gas line project that it was going well. However, the article states “A new 29 mile gas pipe line under Massachusetts Bay remains improperly buried in 21 locations marring the seabed with open trenches and piles of dirt despite the developers promise to fully bury the pipe line and return the sea floor to its natural state.” Councilor Kay offered copies of the article to anyone interested. She also noted that she was concerned that she had to find out about this problem from the newspaper.

She stated that she was not certain what level of awareness town officials had of this problem and was displeased with the Army Corps of Engineers for not being forthcoming to the town with this information. The Globe article also made mention of a further request to extend the pipe line another 12 miles.

Councilor Smart made a MOTION to REFER to the Environmental Committee the concerns noted by Sue Kay regarding the Algonquin gas pipe line, and was seconded by Art Mathews and UNANIMOUSLY VOTED.

ADJOURNMENT

At 9:05pm there being no further business, Councilor Leary MOTIONED to adjourn and Councilor Molisse seconded. The MOTION was UNANIMOUSLY VOTED.

Approved by: _____
T.J. Lacey, President