

**MINUTES OF THE TOWN COUNCIL**  
**Town Hall Council Chambers**  
**December 19, 2005**

Present: Thomas J. Lacey, President  
Michael Smart, Vice-President  
Kenneth DiFazio  
Susan Kay  
Paul J. Leary  
Michael Molisse  
Arthur Mathews  
Gregory Shanahan  
Kevin Whitaker

Not Present: Joseph Connolly  
Gregory Hargadon

Also Present: Franklin Fryer, Town Clerk  
Jane Hackett, Chief of Staff  
George Lane, Town Solicitor  
Richard Swanson, Town Auditor  
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

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

**ANNOUNCEMENTS**

Councilor Molisse stated that Cathy Swain, a volleyball coach at the Norfolk County Agricultural School was named Coach of the Year. Ms. Swain is a resident of Weymouth.

Councilor Lacey stated that on 1/3/06 the new Councilors will be sworn in and the Council will reorganize.

**MINUTES**

Ordinance Committee-11/21/05

A MOTION was made by Councilor Smart to ACCEPT the minutes from 11/21/05 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Town Council-11/21/05

A MOTION was made by Councilor Smart to ACCEPT the minutes from 11/21/05 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

## **CITIZEN'S CONCERN/COUNCIL RESPONSE**

Recognition to Paul M. Dillon-Chairman/Planning Board - *President Lacey*

Councilor Lacey read a citation in recognition of Mr. Dillon's many years of service to the town of Weymouth. A citation in recognition of Mr. Dillon's service from Senator Hedlund's office was read by Councilor Smart.

Mr. Dillon spoke in regards to the various projects that he has seen take place during his time of service. He highlighted both the achievements and disappointments during his tenure.

Councilors Mathews, Shanahan, and Lacey spoke in appreciation of Mr. Dillon's contributions to the town of Weymouth.

## **PUBLIC HEARINGS**

05 161 - Abandonment-Biscayne Avenue continued from 12/5/05

A MOTION was made by Councilor Smart to OPEN the Public Hearing on Item #05 161 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

This Item was posted on 11/28/05. There was no public comment.

Councilor Whitaker stated that the applicant has submitted an affidavit requesting that this item be postponed indefinitely. The applicant will seek other ways of addressing his interests with the possibility of coming back if these other ways do not come to fruition.

A MOTION was made by Councilor Smart to CLOSE the Public Hearing on Item #05 161 and was seconded by Councilor Leary and UNANIMOUSLY VOTED.

05 162 - Partial Abandonment-Liberty Street continued from 12/5/05

A MOTION was made by Councilor Smart to OPEN the Public Hearing on Item #05 162 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

This Item was posted on 11/28/05. There was no public comment.

Councilor DiFazio recused himself from the public hearing and left the Council Chambers.

Councilor Whitaker stated that Mr. Rocco DiFazio represented the applicant during the Committee meeting. The Planning Board and DPW are in agreement with this action with certain limitations that will be discussed during Reports of Committees.

A MOTION was made by Councilor Smart to CLOSE the Public Hearing on Item #05 162 and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Aisling Eglington-Environmental Analyst with MEPA - Councilor Whitaker

A MOTION was made by Councilor Whitaker to TAKE OUT OF ORDER new business – update from MEPA analyst overview of MEPA process – Aisling Eglington and was seconded by Councilor Mathews and UNANIMOUSLY VOTED.

Councilor Whitaker introduced Ms. Aisling who is a MEPA analyst. She will oversee the South Weymouth Naval Air Station reuse plan. She is present tonight to give a presentation on how we can participate in the MEPA review process.

Ms. Eglington gave a presentation regarding the MEPA review process. She provided a handout with more detailed text and a handout of the PowerPoint presentation. She noted that MEPA is part of the Executive Office of Environmental Affairs (EOEA) and that MEPA stands for Massachusetts Environmental Policy Act. The regulations are 301 CMR 11 and are available from their website (<http://www.env.state.ma.us/mepa>) or from the Statehouse book store.

The MEPA regulations establish thresholds for projects that require review under MEPA and may require an Environmental Impact Report (EIR). The overall goal of the MEPA process is to coordinate state agency input and public review of projects.

MEPA requires state agencies and project proponents to study the environmental consequences of their project, to look at potential environmental impacts, analyze potential impacts, look for opportunities to avoid impacts, and where impacts are unavoidable; the regulations may require the agency or proponents to provide mitigation measures to mitigate for damage to the environment.

The first stage of the document which is filed with MEPA is the Environmental Notification Form (ENF). This typically has a twenty (20) day comment period and then ten (10) days later the secretary of EOEA issues a decision. The next stage in the process is a draft and final EIR. If there is a change in the project, a Notice of Project Change (NPC) may be required to be filed. This typically has a twenty (20) day comment period. But in the case of the air base, the comment period is thirty (30) days. With draft and final EIR the public comment period is thirty (30) days. Comments are encouraged from state and local agencies, federal agencies, and the general public.

Ms. Eglington noted that there is a special review procedure for projects which are complex in nature. The air station redevelopment has a special review procedure. This provides for the establishment of a Citizens Advisory Committee (CAC). It also provides for a different approach where necessary for the review process. There is an opportunity for a phased review of the project. It also provides for coordination when there are state and federal issues.

Ms. Eglington noted that the notice will be published in the Environmental Monitor on 12/21/05. Public comments are due on 1/20/06 and the decision due on 1/27/06. She stated that there will be a public consultation on the NPC. The date has not been set, but it would likely be at the beginning of January.

She noted that state agencies can not issue their permits until the MEPA process is completed. After the MEPA process is completed, then the permitting agencies may issue their permits and the Section 61 Findings which incorporate the mitigation commitments.

She noted that comments may be submitted as follows.

Secretary Stephen Pritchard  
EOEA Attn: MEPA Office  
(Aisling Eglington) EOEA #11085R  
100 Cambridge Street, Suite 900  
Boston, MA 02114  
Fax: (617) 626-1181  
Aisling.eglington@state.ma.us

She also noted the following information:

|                                  |   |
|----------------------------------|---|
| MEPA process questions:          | Richard Bourne, Asst. Director<br>(617) 626-1130  |
| MEPA Analyst                     | Aisling Eglington<br>(617) 626-1024   |
| MEPA website                     | <a href="http://mass.gov/envir/mepa">http://mass.gov/envir/mepa</a>                                     |
| Laura Rome<br>Epsilon Associates | (978) 897-0099<br><a href="http://www.thevillagecenterplan.com">http://www.thevillagecenterplan.com</a> |

Councilor Leary asked if the comment period for the request of the waiver and for the NPC is the same. She noted that the comment period is the same. The request for the waiver has been submitted as part of the NPC.

Councilor Leary questioned the Section 61 findings. Ms. Eglington noted that these are the written commitments to specific mitigation measures. When state agencies are issuing their permits, these permits will incorporate mitigation measures outlined in the EIR.

Councilor Mathews asked if a public hearing will be held. She noted that the regulations do not require a public hearing. A public consultation will occur. This will occur sometime during the week of January 9, 2006. This will be a local meeting.

Councilor Whitaker asked for clarification of what “scope” means. Ms. Eglington stated that the scope for the EIR is organized under several headings such as land alteration, storm water management, water supply, waste water, and traffic. The scope lays out what types of issues need to be considered and what analysis needs to be done to understand what the impacts are. The scope lays out what information is expected to be provided in the next filing.

For the certificate of the NPC, we will be laying out the scope for what Environmental Impact Analysis needs to be conducted and what type of information should be presented in the draft EIR.

She noted that this is not the end of the process for the opportunity for public comment. Comments received at this point will be taken into account; however, there will be other opportunities, later, for further comment. If a waiver is being proposed to be granted, there will be a draft record of decision and another two week comment period.

Also, at a later stage, when the draft EIR is filed by the proponent, anyone who has submitted comments is on the circulation list to receive a copy of the draft EIR. The timeframe for the submittal of the draft EIR is set by the proponent. Anyone can contact the proponent to request a copy of the draft EIR. At this point there is an opportunity for public review/comment period.

The certificate on the draft would determine which aspect of the scope was adequately addressed, which needs to be further addressed, and what additional information might be needed in a final EIR. Each of these documents responds to the comments submitted on the previous one. At the final EIR stage, there is an opportunity to provide additional comment.

Councilor Whitaker asked if the public can request a copy of the NPC. Ms. Eglington noted that Laura Rome of Epsilon Associates may be contacted to receive this notice.

Councilor Kay asked what happens to the comments once submitted. Ms. Eglington stated that all comments will be reviewed and taken into consideration as part of the MEPA review process and in developing the scope of the EIR. MEPA requires the proponent to respond to comments within MEPA jurisdiction.

Councilor Mathews asked who can submit comments. Ms. Eglington stated that anyone may submit comments.

Councilor Whitaker stated that tonight's meeting was strictly to discuss how residents can participate in the MEPA review process.

## **OLD BUSINESS**

*Terry Fancher* - Executive Director of South Shore Tri-Town Development Corporation –  
Monthly update and questions/answers from Town Councilors

Terry Fancher and Colin McPherson appeared before the Council. Mr. Fancher stated that he has submitted two sets of documents. The first is a list of questions posed and then answered. The second is a list of updates and letters that have gone out in the past month or so.

Mr. Fancher noted that Councilor Smart has a copy of the profit/loss detail which is 50 pages in length.

He noted that the CAC has been meeting regularly and they had a meeting on the NPC. He noted that there has been concern regarding water, sewer, and traffic. He also noted that he had been asked if the analysis that had been done was accurate regarding the bedroom count. Mr. Fancher stated that he has submitted a count. He also stated that this waiver is not about water, sewer, and traffic counts.

He stated that this waiver is about the five (5) intersections on Route 18. Unless we are moving along on these intersections the rest of this doesn't make any difference. Mr. Fancher noted that his letter to Secretary Pritchard and the cc list is the domain that he operates under. He also noted that he is required to get the five intersections under construction. Three of the intersections are set to be advertised in 2/06. Contracts should be awarded by July or August. There would be two to three months of construction which have two Christmas seasons with Route 18 disrupted, which is not good.

One of the issues he inherited was the challenge that there was only funding for Route 18 from the Abington line to Route 139, which is the county line. The letter to Secretary Pritchard indicates SSTTDC's commitment to get the intersections completed. He asked for help in getting these intersections done.

The DDA discussions are ongoing. The transfer of F.O.S.T. (Finding of suitability of transfer) 3 and 4 did not occur on 9/1/05. The DDA discussions have been extended until 3/1/06.

The regulatory framework calls for the hiring of a Building Inspector and a Conservation Agent. In addition to this, a Supervisory Planner will also be hired. This provides the ability to make sure the corporation's standards are carried down to the companies that are able to develop on the base.

The Economic Development Conveyance (EDC) first meeting has taken place. There should be about 6-10 meetings, held every 3 weeks or so, lasting approximately 4-5 hours each.

Mr. Fancher stated that SSTTDC is committed to building a school on the base.

Councilor Mathews asked that in the future, any documents be submitted prior to the meeting. In response to Mr. Fancher, Councilor Lacey asked that documents be submitted by the Thursday prior to the Council meeting.

Councilor Smart asked if there was any additional information on the 40R district. Mr. Fancher stated that the intention had been to do work on this in December, but this has not happened as they have been working on the regulatory frameworks, and the EDC. He expects to work on this in January. He noted that the meetings will be open to the public and the dates published.

Councilor Leary expressed concern with regard to several issues on the waiver. He asked about the number of senior housing units. He stated that the parks and recreation piece is being reduced. He noted that until Route 18 is widened, the bottlenecks will continue. He also noted that this may not even begin until 2010. He also stated that the credit union set to move onto the base is a transfer of jobs from one location to another, not a creation of new jobs. In his opinion, this is not smart growth.

In response to senior housing, Mr. Fancher stated that the number of senior housing units, once the project is completed, will remain the same. The waiver is to build this so that money starts to come back to the three communities.

Mr. Fancher stated that SSTTDC is committed to smart growth.

In response to the widening of Route 18, he stated that it is his job to try to get this done sooner. He noted that there are additional land takings that need to be completed.

In response to the parks and recreational piece, Mr. Fancher stated that he would respond to this in writing. He also stated that he can only work on property that is owned by SSTTDC. He noted that one of the soccer fields is planned to front on a new Shea Blvd that is not available yet. He stated that the recreational fields are in the master plan.

Councilor Whitaker expressed concern regarding schools. He does not want to see the use of trailers or to see overcrowding within the existing school buildings.

Councilor Whitaker stated that issuing occupancy permits should not happen until the completion of the five (5) intersections.

Councilor Whitaker asked if the DDA has been extended and if it has, this is an amendment. Is this document available?

Councilor Whitaker expressed concern regarding the ability of the town's emergency responders to provide for public safety.

Mr. Fancher stated that in regards to the school concerns, the intention is not to add on to existing buildings in the Town. He also noted that it would not make sense to build a school and have to heat an empty building. The Phase 1 waiver proposes to have about 130 students over a two year period of time. The first students could potentially come into the school system in the fall of 2008.

Mr. Fancher stated that in regards to the issuance of occupancy permits and the five Route 18 intersections, he would prefer to be proactive and solve this issue before it gets to that point.

Mr. Fancher stated the he realizes that there are continued concerns regarding water. He noted that the timeframe for the review tends to be about a year and a half. He believes that he has about that much time to resolve the water issues.

In regards to the extension of the DDA, Mr. Fancher stated that this issue is moot. He stated that he will send a copy of this to the Council.

Mr. Francher stated that the Police, Fire, and Public Works Directors were updated on the public safety issues last week. He noted that the use of the existing gate house as a public safety facility is not likely as this building is slated for demolition under the revised plan.

Mr. Fancher addressed the issue of dead spots on the base. Initially it was believed that these may be caused by jamming facilities somewhere on the base from the old antennas. He stated that it has since been pointed out to him that the land is absolutely flat. He noted that they use

walkie-talkies on the base all the time and do not have any problems. He acknowledged that there is a perception that this is still a problem.

Councilor Whitaker questioned where the incoming students in 2008 would go if a school is not built. Mr. Fancher stated that he continues to have discussions with Weymouth's Superintendent.

Councilor Kay asked if SSTTDC has the impression that the three communities are pushing to see "money in the coffers" at the risk of rushing through major concerns such as traffic, water, and sewer. She stated that if this is so, it is a misconception.

Councilor Kay stated that the Phase 1 waiver from 2002 did include 300 units of senior housing. She noted that the Phase 1 waiver document in August of 2005 has zero units as does the December 2005 document. She stated that market rate is not as concerning to her as is affordable senior housing.

Councilor Kay stated that the consultant, MLS, had discussions with the Navy regarding the EDC. She asked for a written report from MLS.

Mr. Fancher stated that the 2002 waiver for 300 units of senior housing will remain. The final number of units of housing based on the type of units will be what was approved in the master plan; the recreation fields, amount of office space, or commercial space will also be the same. The intention is to maximize what we can which leads to the question of money in the coffers. He stated that it is not possible to do this. The MEPA process will stipulate exactly what can and can not be done.

Mr. Fancher stated that at this time he believes that the more important focus is on the five intersections along Route 18. He agreed that it is important to bring money back to the town, but not at any/all costs. He stated that having a quality plan in place that has the potential to be built is more important.

Mr. Fancher stated that he does not have anything written from ML Strategies regarding the EDC. He noted that there is no other property that is similar to these 1400 acres. The cost of the units will be based on the cost of construction and the cost of the land. The total cost of the land has yet to be determined. Part of the acreage has been transferred in a no cost EDC. Another parcel has been transferred into a public benefit conveyance. A third parcel will have a price tag. Mr. Fancher stated that he hopes to have more information the next time he appears before the Council.

Councilor Mathews questioned why a peer review has not been done on the Phase 1 MEPA wavier. He stated that the Town of Weymouth is only committed to 150,000 gallons of water. He reminded Mr. Fancher that the town is still under a consent order with the state.

Mr. Fancher stated that a traffic study will be done as a part of the EIR. He noted that he did not believe that this study needed to be done as part of the NPC. He noted that once the NPC goes through with an order of condition, the traffic analysis will have to be done.

Mr. Fancher noted that Mr. Hayes of Weymouth's DPW stated that in 2004, the town's daily water usage was 4.3 million gallons per day. The average gallon per day per person is 78 gallons per person. He noted that the 9 month average for the base ranges from 20-22,000 gallons per day. When it increases, it can be attributed to Navy field testing, and the auto events that take place in the spring and the fall. The Coast Guard housing is comprised of 27 families for a total of 80 people. The daily average usage is 6083 gallons per day which works out to about 76 gallons per day per person.

Councilor Mathews stated that it would appear that SSTTDC's averages may be too low.

Councilor Leary questioned if both the intersections and the widening of Route 18 will happen at the same time. He also questioned that if the widening doesn't take place then the construction doesn't begin. He asked for clarification that if the widening does not occur then the waiver can not be done. Mr. Fancher replied that if the intersections are not done, then the waiver can not happen. Councilor Leary questioned this rationale, since if the road is not widened, having improved intersections is not going to solve the traffic problems. Mr. Fancher stated that the waiver was written based upon the five intersections being completed- and Route 18 has to be widened; however, in the 2002 waiver the focus was on the intersections.

Councilor Kay noted that the waiver in 2002 focused on the intersections; however the only housing at that time was senior housing. Now we are talking about housing with families. This will result in significantly more traffic.

Councilor Smart stated that he has been asked how SSTTDC can apply for a waiver when the plan was only approved in July of 2005. He asked Mr. Fancher to review the reasons for the waiver.

Mr. Fancher noted that with the increase of the housing, commercial space has decreased. He also noted that the previous plan had a different scenario. The plan approved last summer changed this scenario and thus the need for the NPC.

Councilor Lacey stated the Council worked diligently to ensure that certain things happened before the next piece of construction tied to residential or commercial property was built out. This included roadways, parks and recreation, discussions around safety facilities, and discussions around schools. He stated that this work can not be compromised by any waiver or moving forward process. He stated that he is assured that Mr. Fancher is working on the communities' behalf. He stated that it is important to know that certain things were agreed upon to happen before certain other things happened.

Councilor Lacey stated that Mr. Fancher should plan to attend the first meeting of the New Year.

Mr. McPherson stated they are making an effort to reach out and communicate; however this is a very complex project. A lot of the answers depend on the answers to other questions. He stated that we are moving forward.

## **COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS**

### **05 170 - Free Cash Appropriation-Police Department Match for Grant- \$43,000**

Ms. Hackett stated that this measure is a request that the Town of Weymouth raise and appropriate the sum of \$43,000 from free cash for the purpose of funding the Town's share of a police department grant for the purchase of bullet proof vests.

This measure requires a legal notice and public hearing.

Free cash at the time of the submittal is \$1,052,077.

A MOTION was made By Councilor Smart to REFER Item #05 170 to Budget/Management Committee and was seconded by Councilor Leary and was UNANIMOUSLY VOTED.

### **05 171 - Home Rule Petition - Randall Avenue Water Tower**

Ms. Hackett stated that this is a request "that the Town of Weymouth acting by and through its Mayor may sell and convey a certain parcel of land located within the Town of Weymouth acquired for water supply purposes as a standpipe but no longer used therefore, containing 58,587 square feet and recorded in Norfolk County Registry of Deeds in Book 2771, Page 140, and described therein as Parcel A on a plan entitled "Plan of Land in East Wey. Mass." Dated Feb. 13, 1948 made by R.H. Whiting, C.E. Town Engineer, and apply for the proceeds therefrom for general municipal purposes. Said parcel is shown on the Town of Weymouth Assessors' Map as Sheet 22, Block 300, Lot 38.

Prior to the act taking effect upon its passage, the General Court may make clerical or editorial changes to the bill and may make other amendments within the scope of the public objectives of this petition, provided the same are approved by the Mayor prior to enactment and final form by the General Court."

Ms. Hackett stated that this measure requires Legislative action as the parcel is recorded as "water" property.

A MOTION was made By Councilor Smart to REFER Item #05 171 to Budget/Management Committee and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

## **REPORTS OF COMMITTEES**

### **Budget Management Committee – Chairman DiFazio**

#### **05 166 - Appointment to the Local Emergency Planning Committee Jonathan Tose**

This Item was referred on 12/5/05. The Committee met on 12/13/05. The committee voted unanimously to recommend favorable Action.

This is a citizen appointment and the applicant is a Fire Department employee. The appointment will expire on 6/30/08.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 166 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

**05 168 - Raise and Appropriate for an Opinion of Value for Water Conservation Purpose**

This Item was referred on 12/5/05. The Committee met on 12/13/05. The committee voted unanimously to recommend favorable action.

This is a request for a transfer of \$15,000 from the FY 06 Water Reserve Fund for the purpose of financing a certified appraisal for a parcel of land located off Orleans Road consisting of approximately 40,000 square feet. This property is needed to create 40,000 square feet of compensatory wetland replication area for Libby well.

A MOTION was made by Councilor DiFazio to APPROVE Item #05 168 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

**Ordinance Committee-Chairman Leary**

**05 095 - Review of Charter-Timeline for Budget**

Councilor Leary stated that after reviewing this with Ms. Hackett, Mr. Wilson and Solicitor Lane, it was determined that the process to make this change is difficult and not worth the time involved. The Ordinance Committee voted 5-0 to take no action.

A MOTION was made by Councilor Leary to TAKE NO ACTION on Item #05 095 and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

**05 139 - Review of Section 3-102-Appointments**

This Item was referred on 10/3/05. The Committee met on 10/17/05 and continued the meeting until 11/19/05, and then continued again until 12/13/05. The committee voted unanimously each time to continue this Item. The continuances were needed due to lack of time. He noted that there seems to be a conflict between the Charter and the Ordinances. The Ordinance Committee voted 5-0 to continue this matter.

A MOTION was made by Councilor Leary to CONTINUE Item #05 139 and was seconded by Councilor DiFazio and was UNANIMOUSLY VOTED.

**05 163 - Proposed Naval Air Station Development Review Committee**

The committee voted 5-0 to recommend favorable action.

Councilor Leary stated that the motion was to have the Council President appoint a Chairman and Vice-Chairman to oversee the activity of the former Naval Air Station, to report to the full Council an agenda, and a list of members to be on the committee. The committee is to report to the Council at each meeting. The Committee will be appointed in January of 2006.

A MOTION was made by Councilor Leary to APPROVE Item #05 163 and was seconded by Councilor Kay.

Councilor Lacey questioned if the motion had been changed from its original form.

Councilor Leary stated that the formation of this committee was given to the Ordinance Committee in the form of a letter. It was simply to create a committee to oversee the goings-on at the air base.

Councilor DiFazio stated that the initial letter had indicated that the Town Council would elect the Chair and Vice-Chair. The motion tonight is for the President of the Council to appoint the Chair and Vice-chair. The goal of the proposed committee remained the same as the original letter. The other difference is that we only seek at this time for the President to appoint the Chair and Vice-Chair and to require them to report back to this committee on what their agenda and process would be in order to complete their objective. This would include how many members, and how often they would meet.

Councilor Shanahan expressed concern regarding the ambiguity of how and who would be appointed to this committee. Councilor DiFazio stated the Ordinance Committee believed that this was a two step process. In order to begin this as quickly as possible it is necessary to get a Chair and Vice Chair in place and for them to report back on their recommendation on how many people would be on the committee, who they would be, and how they would operate. This would then go before the Council for a vote. Then the committee would have its process by which it would have its meetings and report back to the Council.

Councilor Leary stated that the reason for the change from the original submittal was that we do have a number of committees under the rules. This would be another committee. The President appoints the Chair and Vice-Chair of all committees. The only difference is that this committee would report back to the full Council with its make up and agenda, to be voted on.

Councilor Shanahan expressed reservations that this committee is different from all the other standing committees. Also, he expressed concern regarding the ambiguity of what may or may not be reported back to the Council

Councilor Lacey stated that there is a rule and an ordinance as to committees and how they are formed with the President's power and jurisdiction to select the members of committees as well as the Chair and Vice-Chair. Having the President select just the Chair and the Vice-Chair and not the whole committee is different from what has been done in the past.

Councilor Lacey questioned if there was any discussion around using an existing committee. He did note that during the review of the air station plan, we did try to segment portions of the project into other committees.

Councilor Leary stated that a number of things were discussed before voting on this measure. The Ordinance Committee did not believe that it belonged in another committee. This committee is only to update the Council on items that the Council may not be aware of, such as the recent concerns about the waiver. He noted that this would be a communication committee. The reason for only having two people named is that there could be citizens appointed to this committee.

Councilor Mathews agreed with the concerns that were expressed by Councilor Lacey and Councilor Shanahan. He stated that he would support this measure tonight; however he reserves his final opinion for when the Chair and Vice-Chair return with the proposed make-up of the committee.

Councilor Molisse expressed concern regarding the utilization of existing committees. He asked for clarification of the make up of the committee to be a Chair and Vice-Chair and residents. Councilor Leary stated that the President would appoint the Chair and Vice-Chair who would then meet to decide on the committee's make-up, which could include citizens. The Chair and Vice-Chair would then report back to the Council. A vote would then be taken by the Council on whether to accept the committee's make-up or not

Councilor Whitaker stated that the goal is to do something good; to get this air base committee formed. The idea was to appoint two people to take the lead on it, and come back with a recommendation to the full Council as to how to proceed. We are not endorsing a committee or the formation of a committee this evening. We are trying to allow in 2006, the President to appoint two people to take a study of what the committee should be.

The MOTION was PASSED on a 8-1 vote.

Councilor Connolly – absent  
Councilor DiFazio - Yes  
Councilor Hargadon – absent  
Councilor Kay – Yes  
Councilor Leary – Yes  
Councilor Whitaker – Yes

Councilor Mathews- Yes  
Councilor Molisse - Yes  
Councilor Shanahan - Yes  
Councilor Smart - Yes  
Councilor Lacey – No

### **Economic Development Committee-Chairman Whitaker**

#### **05 161 - Abandonment of Biscayne Avenue**

This Item was published on 11/28/05. A Public Hearing was held on 12/19/05. The committee voted unanimously to recommend no action.

The applicant submitted an affidavit requesting that this measure be tabled indefinitely. The applicant also waived all rights to be heard under Massachusetts General Laws (MGL) in a timely manner.

A MOTION was made by Councilor Whitaker to TAKE NO ACTION Item #05 161 and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

**05 162 - Partial Abandonment-Liberty Street**

This Item was published on 11/28/05. A Public Hearing was held on 12/19/05. The committee voted unanimously to recommend favorable action.

Councilor DiFazio recused himself from this discussion and left the Council Chambers.

Councilor Whitaker stated that the Planning Board had no objections. DPW raised some concerns regarding the need to work out meets and bounds descriptions. This issue was resolved.

A MOTION was made by Councilor Whitaker to APPROVE Item #05 162 and was seconded by Councilor Mathews and was UNANIMOUSLY VOTED.

**05 169 - Economic Development Proposal-David Brooks**

The Committee met on 12/19/05. The committee voted unanimously to recommend no action.

Councilor Whitaker stated that the committee met with Mr. Brooks. During the presentation, Mr. Brooks asked that Councilor Whitaker make a request to SSTTDC for some information. In exchange, Mr. Brooks agreed that the committee would take no action on the measure.

A MOTION was made by Councilor Whitaker to take NO ACTION Item #05 169 and was seconded by Councilor Leary and was UNANIMOUSLY VOTED.

**New Business**

*Joseph L. Harrington, III and Roy P. Giarrusso - Giarrusso, Norton, Cooley and McGlone  
- Councilor Shanahan  
-East Bay at Weymouthport Corporation Legal Proceedings*

Councilor Shanahan stated that Mr. Harrington elected not to attend tonight's meeting as he believes that more meetings need to be held. Mr. Harrington apologized for the late notice.

**Late Agenda Item**

Councilor Mathews made a MOTION to ADD a Late Agenda Item and was seconded by Councilor Molisse and was UNANIMOUSLY VOTED.

Councilor Lacey read “a resolution regarding a request for an extension of comment period on the Environmental Impact of the naval air station redevelopment project.”

Councilor Kay asked for clarification on why this was a resolution. Councilor Lacey stated that it was a formality and a result of meeting a specific time frame.

A MOTION was made by Councilor Mathews to ACCEPT the resolution and was seconded by Councilor Molisse and UNANIMOUSLY VOTED.

### **ADJOURNMENT**

At 10:00pm there being no further business, Councilor Molisse MOTIONED to adjourn and Councilor Leary seconded and was UNANIMOUSLY VOTED.

Approved by: \_\_\_\_\_  
Thomas J. Lacey, President