

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
December 20, 2010

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

Also Present: Franklin Fryer, Town Clerk
Kathy Deree, Assistant Town Clerk
George Lane, Town Solicitor
Richard Swanson, Town Auditor
Chief Grimes, Police Department
Captain Comperchio, Police Department
Robert O'Connor, Director, DPW
James Clarke, Director of Planning and Development
Robert Luongo, Principal Planner
Walter Flynn, Chairman –Planning Board
Michael Gallagher, Director, IT and Administrative Services
Scott Bois, Coordinator of Financial Services

Recording Secretary: Diane T. Hachey

President Mathews called the Town Council Meeting to order at 7:33 PM. Town Clerk Franklin Fryer called roll, with all members present.

ANNOUNCEMENTS

Councilor Pap announced his need to depart the meeting early due to a family commitment. He also stated that as he serves on the Weymouth Housing Authority, he has been advised to recuse himself from voting on the Clapp Memorial proposal.

Councilor Molisse announced that the annual “Weymouth Wildcats Plunge” will take place on Saturday, January 1st with proceeds to benefit the strengthening and conditioning program at the High School.

Councilor Harrington announced the Weymouth High School Holiday Concert to be held

on December 22 nd from 7-9 PM in the High School auditorium. He expressed his gratitude to the town and wished all a Merry Christmas.

Councilor Lacey confirmed that he will be “taking the plunge” on New Year’s and challenged his fellow Councilors to join him.

MINUTES

Ordinance Committee Meeting Minutes of November 29, 2010

A MOTION was made by Councilor O’Connor to approve the minutes of the November 29th Ordinance Committee meeting, and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

PUBLIC HEARINGS

7:35 PM 10 132-Fiscal Year 2011 Snow Removal Additional Appropriation

A MOTION was made by Councilor O’Connor to OPEN the Public Hearing and was seconded by Councilor Smart. It was noted that this measure was published on December 10th, UNANIMOUSLY VOTED.

Mr. Gallagher and Mr. Bois presented and noted that the Mayor is requesting that \$500k be allocated from free cash in order to supplement the snow removal line item, due to an anticipated shortfall. It was noted that the snow removal fund will have a balance of \$825k (following approval of this measure) and that \$844k was expended last year on 18 snow instances.

Linda Mac Donald of 58 Laurel Street inquired about Weymouth instituting the program by use in Quincy, whereby contractors are paid by the inch. She further asked about the supervision of school plowing. Mr. O’Connor noted that he has investigated the Quincy program and continues to monitor its feasibility. He further clarified that Mr. Slattery oversees the school plowing and that the bills are paid through DPW. Mrs. Mac Donald further requested the importance of the police enforcing the overnight parking ban in the winter. Mr. O’Connor confirmed that the Police Department has been most cooperative when DPW requests their assistance.

Councilor O’Connor requested that comments remain relevant to the measure at hand.

A MOTION was made by Councilor O’Connor to CLOSE the Public Hearing and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Ordinance Committee-Chairman Michael Smart

10 126-Ordinance Amendment-Tax Amnesty Program

Councilor Smart noted that his committee met earlier this evening and the measure was originally referred on November 15, 2010, and the public hearing was held last Monday evening. The Ordinance Committee voted favorably to extend the program.

Councilor Smart MOTIONED on behalf of the Ordinance Committee for favorable action on measure number 10 126-motion seconded by Councilor O'Connor and UNANIMOUSLY VOTED.

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

Councilor Smart stated that this measure was time stamped in the Town Clerk's Office on September 16, submitted to Council and subsequently referred to the Ordinance Committee on September 20. A joint public hearing was held with the Planning Board on November 8 and continued until December 6. The Planning Board met on December 14 and voted unanimously for unfavorable action. The Planning Board's report to the Council was issued on December 15.

The Ordinance Committee met on October 28 and again tonight and voted unanimously for unfavorable action.

Discussion ensued as follows:

Councilor O'Connor noted that this is first time the Council has had an opportunity to vote on an actual project. This vote is against developing dense complexes, without sufficient emergency services to support the additional population. Overdevelopment is not the answer, redevelopment is the answer. Many constituents have voiced their concerns that Weymouth has significantly changed, resultant in deterioration of quality of life.

Councilor Molisse agrees with Councilor O'Connor and feels that this proposal is disgraceful and cited the project by the developer located across the street from the Clapp building. He believes that the proposal has not considered the abutting neighbors and he extended his appreciation to the Ordinance Committee for their unfavorable vote.

Councilor Conlon agrees wholeheartedly with his colleagues. He had a speech prepared but noted that his points of concern have been mentioned.

Councilor Whitaker is grateful for both the opportunity to review this proposal and to the developer for submitting the plans. He would like to leave the door open for future opportunities and doesn't want to dismiss the process.

Councilor Smart did not support the proposal at the Ordinance Committee nor will he be supporting at Town Council level. The residents spoke loud and clear regarding numerous issues with the project---traffic, over-density, emergency services, water/sewerage, and quality of life for surrounding residents to name a few. He doesn't feel confident that the state will reimburse the town for the education costs of students residing in the complex.

He stated that this is one of few rezoning requests received by the Council since inception of the new form of government—he noted that the Council does not approve every building plan for the town. He takes offense at the characterization that the Council doesn't take this issue seriously. Many meetings were attended and documentation analyzed accordingly.

Councilor Smart further stated that Mr. Barry's presentation was lacking and that incomplete plans and late documents were submitted to the Council. For the aforementioned reasons, he will not be voting in support of the proposal.

Councilor Harrington noted that he grew up in Dorchester, relocated to Quincy and cited the negative changes inherent in that neighborhood, resultant from 40R developments, he witnessed a town change overnight to a city. He will not be voting favorable action.

Councilor Lacey agrees with those Councilor who have previously spoken. There are currently too many condominiums/apartments in the town. He will not support the project as he views it as squeezing as much square footage as allowed for mere profitability reasons; it is not the correct fit or direction for Central Square.

Councilor DiFazio noted that although this proposal does fit into the town's master plan, would add to the tax rolls, increase office space, receive funding from the state and developer to refurbish Central Square; the public hearing process illustrated the following concerns:

- suspect of state funding of the \$177k
- suspect of state funding for student reimbursement
- too dense for the area
- apartments versus owner-occupied condominiums had a chilling effect
- developer failed to instill confidence as documents were tardy and missing

Councilor DiFazio thanked the Administration, Planning Board and the public for their involvement. Although he sees numerous advantages to the proposal ,the disadvantages far outweigh the advantages. He doesn't see evidence with traffic and water/sewer issues based on the information supplied. He will not consider this proposal after taking serious review of all aspects of project.

Councilor McDonald noted his concerns with state funding and the change in plans from owner occupied to rental properties, and will not vote in favor.

President Mathews cited the troubling issues with 40R and 40S, noting that only a few of the municipalities have successfully received reimbursement from the state. He also has problems with reimbursement concerning the school children. He feels this is too dense for the area. He suggests the lot is better suited for affordable senior housing and indicated that he will not be voting in favor of this project for the reasons cited.

Councilor Smart MOTIONED for unfavorable action on measure number 10 102, motion seconded by Councilor Harrington, a roll call vote was taken by the Town Clerk resulting in a unanimous 10-0 (Councilor Pap not present) for unfavorable action.

Budget/Management Committee-Chairman Kenneth DiFazio

10 131-Police Department Telecommunicators-Fiscal Year 2011 Retroactive Payroll

Chairman DiFazio announced that this measure was referred to the Budget/Management committee on December 13, they met earlier this evening . Chairman DiFazio stated that the 6% increase is over the course of three years, will not result in any layoffs, and going forward the Police Department budget will be in a position to support the increase. On behalf of the committee Councilor DiFazio motioned for favorable action on measure number 10 131, motion seconded by Councilor O'Connor. Councilor Molisse noted that he will be recusing himself from a vote. Unanimously voted 9-0-1.

10 132-Fiscal Year 2011 Snow Removal Additional Appropriation

Chairman DiFazio noted that the measure was referred to the Budget/Management Committee on December 13, the committee met on December 20 and voted unanimous favorable action. He motioned on behalf of the committee for favorable action on measure number 10 132, motion seconded by Councilor O'Connor and voted unanimously.

MOTIONS, ORDERS AND RESOLUTIONS

Motion to Carry-Over Outstanding Issues to Calendar Year 2011-Councilor O'Connor

Councilor O'Connor motioned to carry over to calendar year 2011 the following:

Issue-Central Fields-to address citizens concerns – the Parks and Recreation Committee Chairman Michael Molisse met on November 18, 2009 and voted to carry-over to calendar year 2010 on December 21, 2009. He will schedule meetings as the need arises.

Issue-Tax Incremental Financing Agreement Between the Town of Weymouth and Sithe Energy- this was submitted to Council on April 20, 2010 and referred to the Budget/Management Committee who met on September 20 , and again on November 18 at which time they voted to continue. Chairman DiFazio is working with the Town Solicitor and will call additional meetings as he sees fit.

Issue-Fore River Bridge Replacement Project- this was submitted to the Environmental Committee on October 18th , committee Chairman McDonald held a public meeting on December 13 to hear citizen concerns and will hold additional meetings as needed.

Motion seconded by Councilor Smart and voted unanimously.

ADJOURNMENT

The next Town Council meeting will be held on Monday, January 3, 2011 at 7:30 PM.

At 8:27 PM, there being no further business to attend to, a MOTION to adjourn was made by Councilor O'Connor and seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Diane T. Hachey as Recording Secretary

Approved by

Arthur Mathews, Town Council President