

**TOWN COUNCIL MINUTES
PUBLIC WORKS COMMITTEE
Town Hall Council Chambers
April 3, 2006**

Present: Arthur Mathews
Michael Smart
Thomas J. Lacey

Not Present: Gregory Shanahan
Sue Kay

Also Present: George Lane, Town Solicitor
Robert O'Connor, Director of DPW

Recording Secretary: Janet Murray

Councilor Mathews called the Public Works Committee meeting to order at 7:05pm.

06 030 – Easement Request

This request is in regards to a project in North Weymouth. Conoco-Phillips, Inc. is cleaning up the site.

Solicitor Lane stated that there are two agreements. They are allied but separate. One is an access agreement for easements for identification of existing hazardous substances or a threat of release of hazardous materials. Closely allied to the agreement is waterline replacement and sewer line construction. The Mayor has agreed in principle to the agreement, but he has not yet signed it.

The first phase is ready to begin. Council approval is sought for both agreements.

The Mayor is the Water and Sewer Commissioner. He does not necessarily need the approval of the Council. However, Solicitor Lane thought it wise to have Council approval of both projects.

Councilor Mathews noted that the work will be done at no cost to the Town.

Mr. O'Connor stated that the water line in the area of the contaminated soil will be replaced. He also stated that the line will be looped.

Solicitor Lane stated that Mr. O'Connor has spent significant time reviewing the agreements. Mr. O'Connor estimated the cost of the project at \$120,000 to \$150,000 if the town had to do this work.

Councilor Smart asked about contaminated soil. Mr. O'Connor stated that any excavated soil will be trucked to an off-site location. A barrier will be placed between the soil and the sewer line.

Environmental Partners of Hingham has been hired by Conoco-Phillips, Inc.

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Councilor Mathews asked for clarification on how to vote on the motion. Solicitor Lane stated that the motion should be made in two parts.

Councilor Lacey asked if the District One Councilor has any concerns. Councilor Mathews stated that he had previously spoken to Councilor Shanahan. Councilor Shanahan is unavailable this evening as he is out of town. He stated that Councilor Shanahan was pleased with the agreement and saw it as a benefit to his District.

Solicitor Lane asked for the possibility of action under 2-9B. Councilor Mathews stated that this would not be necessary as the Committee can report on this item this evening. The Council can then vote on it.

Councilor Lacey made a MOTION to recommend that the Town Council APPROVE easements to be granted by the Town of Weymouth for water line replacement and sewer line re-construction and to test for release or threat of release of hazardous waste to be performed by Conoco-Phillips, Inc. at no cost to the Town in accordance with the agreements entitled "Town of Weymouth Water Line Replacement and Sewer Line Re-construction Agreement" and "Access Agreement" dated April 2006 and was seconded by Councilor Smart and UNANIMOUSLY VOTED.

Councilor Lacey made A MOTION to recommend that the Town Council President is hereby authorized to execute said agreements on behalf of the Town Council and was seconded by Councilor Smart and was UNANIMOUSLY VOTED.

At 7:17pm there being no further business, a MOTION was made by Councilor Lacey to ADJOURN and was seconded by Councilor Smart and UNANIMOUSLY VOTED.

Approved by: _____
Arthur Mathews, Chairperson