

**TOWN COUNCIL MINUTES  
ORDINANCE COMMITTEE  
Town Hall Council Chambers  
September 23, Monday**

Present: Ken DiFazio, Chairman  
Arthur Mathews, Councilor  
Rebecca Haugh, Councilor  
Christopher Heffernan, Councilor

Absent: Smart, Vice Chairman

Also Present: Owen MacDonald, Traffic Engineer

Recording Secretary: Mary Barker

Chair DiFazio called the meeting to order at 7:00 PM.

**19 097-Traffic Regulation-Bus Stop, Summer Street/Harland Road**

Traffic Engineer Owen MacDonald presented the measure. This is part of the MBTA's program to make its bus stops accessible to mobility challenged persons at locations where it is not already the case. The current bus stop at the Summer Street / Harland Road intersection is not accessible.

The recommendation is to relocate the bus stop to a sidewalk to be constructed by the MBTA between the Harland Road intersection and a point 60' north. He reviewed the map that was provided.

The MBTA program requires that the stop be located on a sidewalk (generally curbed and elevated above the street traveled way), desirably at least 8' wide, but width can be reduced to a minimum of 5' in a constrained location. The sidewalk segment comprising the bus stop needs to be long enough to provide a landing area at the bus front door and a clear zone at the bus rear door. The sidewalk segment needs to be accessible from all directions.

Retaining the Summer Street/Harland Road stop at its current location requires the removal of a safety guard rail at the 4 Harland Road property to construct the required sidewalk.

The proposed stop meets the width and length criteria. In addition to a 50' long sidewalk, MBTA will install a crosswalk across Summer Street with ADA compliant pedestrian ramps on each end, and flashing pedestrian warning signs, similar to those outside SS Hospital.

Councilor Mathews asked if the pedestrian crossing lights will flash only when in use? Mr. MacDonald responded that they are similar to the ones outside of South Shore Hospital.

Chair DiFazio asked where the current bus stop is along that side? Mr. MacDonald responded that there isn't one and he pointed out the location on the map. Chair DiFazio asked who will pay for the work. Mr. MacDonald responded that the MBTA will. Councilor Mathews clarified that the MBTA will pay now, but the town will be charged next year in an increase in state assessment. Chair DiFazio asked if the current stop is not accessible or has no crosswalk. Mr. MacDonald responded that the current stop is not accessible for wheelchair access.

Councilor Haugh asked if this was a spontaneous MBTA decision or a result of a resident request? Mr. MacDonald responded that it's part of an MBTA plan to make every stop ADA compliant.

Councilor Mathews asked if the project will be completed this year. Mr. MacDonald responded that the MBTA plan is to do it "soon." Councilor Mathews asked if anyone has spoken with the direct abutter. Mr.

MacDonald responded that he was not aware. Councilor Mathews suggested a pro-active contact to the abutter prior to the public hearing. No public notice was given other than the public hearing.

Councilor Haugh asked how many more stops need to be done in Weymouth on this route. There are no others. Councilor Mathews asked if they will include the line extensions. Mr. MacDonald responded that the stop on Middle Street has a sidewalk on both sides.

Chair DiFazio noted the committee will not make a recommendation to the full town council until after the public hearing, and he advised the administration to reach out to the abutter before then.

### **Issue-Restricting Single Use Plastic Bags**

Resident Michael Yavorsky was invited to the table to present the request to restrict the use of plastic bags in retail establishments.

Chair DiFazio reported that he spoke with Senator O'Connor who provided additional materials that were shared with the committee. He reached out to the Health Department for input. The Director does not have the personnel to assist with enforcement, and perhaps it's the DPW that would have enforcement authority. He asked if Mr. Yavorsky had anything new to add. Mr. Yavorsky suggested getting the process started to educate the public. He will do so at the Farmers' Market and the Great Pumpkin Give-a-Wey. Senator O'Connor advised that there are two bills before the state, but he didn't expect it to come up soon. It doesn't satisfy what the original proponents wanted. Currently, it's up to each city and town to decide. Chair DiFazio asked if he or the committee had received any opposition? Councilor Heffernan noted that the formal session at the state house doesn't end until next July 31<sup>st</sup>, so there's plenty of time to continue to apply public pressure. Chair DiFazio suggested they could formulate an ordinance. As a committee, they can assume that the town wants it and wants it regulated, they then propose a draft that is workable. Councilor Heffernan added that it must be enforceable. Councilor Mathews read through Hingham and Abington's ordinances and he likes that they include a grace period. This is a big undertaking. He asked which would be the enforcement office. There are more establishments than just the 4 major grocery chains. Mr. Yavorsky responded that once the initial run through begins, they wouldn't have to go out to every establishment monthly. Councilor Mathews does not believe this is within the DPW's purview, and the Health Department does not have the staff to make it their jurisdiction. Mr. Yavorsky suggested that enforcement could be subcontracted for a short time. Councilor Mathews said when it is done, he wouldn't want the Health Department to focus on this over legitimate health issues. The enforcement will be the key. Mr. Yavorsky responded that some resources will be needed to do it. Chair DiFazio responded that enforcement is needed at the beginning. Councilor Haugh suggested that Weymouth doesn't like change. If other towns can do it, Weymouth can figure it out. We want this; so how can we support? Councilor Heffernan suggested that during the grace period they could see what the state decides and what it will include for enforcement. Chair DiFazio noted that notice would have to be given to every establishment. Mr. Yavorsky responded that the thickness of the plastic bag is what determines what the ordinance addresses. They are targeting bags of 4 mil or thicker. Chair DiFazio responded that many establishments will have to be notified. They will have to see the response to the public hearing. Councilor Mathews responded that enforcement is the only issue he sees. Councilor Heffernan suggested the transition won't be too bad and he referred to when smoking was banned in restaurants.

A brief discussion took place about the process. Councilor Haugh suggested that she has confidence it will work. Consumers will have to bring their own bags or purchase them at the point of sale, but retailers are not required to provide bags. She provided 3 generic draft ordinances that will be circulated to the members. Councilor Mathews asked what is the recourse for smaller establishments trying to get rid of bag inventory; would they be issued a waiver?

The chair tasked the committee with reviewing the 3 drafts and to come to a consensus at the next meeting in terms of what to include in an ordinance. He would also like representation from administration to provide monetary and enforcement expertise. Councilor Mathews suggested including the Town Clerk since she has knowledge on the number of establishments this will entail. Mr. Yavorsky reported that he spoke with the customer service representative at Shaw's who was receptive to the idea.

ADJOURNMENT

At 7:37 PM, there being no further business, a motion was made by Councilor Mathews to adjourn and was seconded by Councilor Haugh. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Ken DiFazio as Budget/Management Committee Chairman  
Voted unanimously on 7 October 2019