

TOWN COUNCIL MEETING MINUTES
Town Hall Council Chambers
May 5, 2014, Monday

Present: Patrick O'Connor, President
Michael Smart, Vice President
Robert Conlon, Councilor
Kenneth DiFazio, Councilor
Jane Hackett, Councilor
Ed Harrington, Councilor
Rebecca Haugh, Councilor
Thomas J. Lacey, Councilor
Arthur Mathews, Councilor
Brian McDonald, Councilor
Michael Molisse, Councilor

Also Present: George Lane, Town Solicitor
Kathy Deree, Town Clerk
Richard Swanson, Town Auditor
William McKinney, Chief Financial Officer
Abigail McCabe, Principal Planner
George Pontes, Veterans' Agent
Walter Flynn, Chair, Planning Board
Mary Akoury, Planning Board
David Chandler, Planning Board
Paul Hurley, Planning Board
Sandra Williams, Planning Board

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 7:35 PM. After the Pledge of Allegiance, Town Clerk Kathy Deree called the roll, with all members present.

ANNOUNCEMENTS

President O'Connor announced the appointments to the two new standing subcommittees of the Town Council:

Mental Health Committee- Rebecca Haugh, Chair; T.J. Lacey, Vice Chair, and members Robert Conlon, Michael Molisse and Patrick O'Connor

Long-Term Planning Committee-Ed Harrington, Chair; Michael Smart, Vice Chair and members Jane Hackett, Ken DiFazio and Brian McDonald

Councilor Conlon announced Walk to School Day to be held on May 7, 2014. Volunteers are welcome. He also announced he will hold office constituent hours on May 6 from 10-11 AM for a roundtable discussion of the proposed Starwood legislation.

MINUTES

Special Town Council Meeting, March 24, 2014

A motion was made by Vice President Smart to APPROVE the minutes from the March 24, 2014 Special Town Council Meeting and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

Environmental Committee Meeting, April 14, 2014

A motion was made by Vice President Smart to APPROVE the minutes from the April 14, 2014 Environmental Committee Meeting and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

Special Town Council Meeting, April 14, 2014

A motion was made by Vice President Smart to APPROVE the minutes from the April 14, 2014 Special Town Council Meeting and was seconded by Councilor Mathews.
UNANIMOUSLY VOTED.

PUBLIC HEARINGS

Chairman Walter Flynn called to order the meeting of the Weymouth Planning Board.

14 043-Rezoning Application for Bridle Path

Town Solicitor George Lane, who was involved in the original reconveyancing of the property stepped out of the meeting. A MOTION was made by Vice President Smart to OPEN the public hearing on measure 14 043-Rezoning Application for Bridle Path and was seconded by Councilor Mathews. This was published on April 16 and 30, 2014.

A MOTION was made by Sandra Williams to open the public hearing of the Planning Board for measure 14 043-Rezoning Application for Bridle Path and was seconded by Mary Akoury.

Mr. Jancatarino, the proponent, was introduced and he reviewed his request for a rezoning of the property, currently zoned POP, which is located in an area where the properties abutting are all zoned I-1.

Councilor DiFazio reported that the application was reviewed at the last meeting of the Ordinance Committee. The committee requested that the applicant provide documentation that the abutters support the application. The applicant provided this and also confirmed for Councilor Molisse that the only access is from Mathewson Drive.

Planning Board member David Chandler asked if the access road is sufficient to meet the needs of the applicant and the two other businesses. Mr. Jancatarino responded that it has not been an issue. There was a brief discussion of the applicant's business plans and any concerns with access will be addressed when it goes before the Building Department. If the application is approved, proposed use will be heard before the Zoning Board of Appeals.

President O'Connor asked if there were any comments from the public to which there was no response.

A MOTION was made by Vice President Smart to CLOSE the public hearing and was seconded by Councilor Mathews. Councilor Mathews requested a copy of the documentation from the abutters be submitted to the Council. UNANIMOUSLY VOTED.

A MOTION was made by Sandra Williams to CLOSE the public hearing of the Weymouth Planning Board and was seconded by Mary Akoury. Chairman Walter Flynn adjourned the meeting of the Planning Board to the Kelly Room.

14 044-Community Preservation Committee/Stella Tirrell Park/In Line Hockey Rink

A MOTION was made by Vice Chairman Smart to OPEN the public hearing on 14 044 and was seconded by Councilor Mathews. This was published on April 24, 2014. UNANIMOUSLY VOTED.

Steve Reilly and Walter Flynn reviewed the proposal that was brought up during public comments during the 75% Legion Field presentation. Interest was expressed in providing an in-line hockey rink but it was determined that it didn't fit well with the plans for Legion and Lovell Fields. The tennis courts are largely unused at Stella Tirrell Park and there is other work going on there with funds appropriated from the meals tax. The high school and Legion both will have tennis courts, and the option is available for the courts at Stella Tirrell. The area hockey groups are excited about this option as it will help revitalize the park and give the hockey players something to use in their off season.

Councilor Smart asked if the \$50,000 covers everything. Mr. Reilly responded that combined with what was already appropriated from meals tax, it will be sufficient. No lighting is planned. Councilor Molisse asked for Mr. Reilly to explain (for the public's benefit) how the rink will be used. Permitting will need to be in use for organized play and they are considering posting free play times at the park. Councilor McDonald asked for dedicated use time for the neighborhood youth until use is established. Councilor Hackett asked for the total cost of the project. Mr. Reilly responded that it is close to \$100,000; and \$50,000 is from a prior appropriation. Councilor Hackett asked for the amount of the original appropriation and what projects have been completed versus what has been deferred. Councilor Molisse noted that the item is in discussion at the Budget/Management Committee. Councilor Hackett asked for more detail on the composition of the park. Mr. Reilly and John McLeod provided backup. Councilor Hackett asked if the committee provided any outreach to the community or solicited feedback from the neighbors. Councilor DiFazio asked if this park will be utilized by the youth leagues; there currently is not a youth street hockey league in town. He noted that street hockey tournaments have begun in and around Weymouth; the success of existing programs has been the availability of multiple surfaces.

Councilor Haugh noted that the total investment in Stella Tirrell is \$200,000 and the total cost of the rink is \$62,000 (12,000 derived from the meals tax). She asked if there will be an access point from the municipal lot to the rink and whether additional parking is in the plan; the original plan had 18 parking spaces at Stella Tirrell. It was confirmed that no

additional parking is budgeted in this plan. The original appropriation included replacing the entrance piers and in the coming weeks many of the other plans at the park are being completed as part of the original appropriation. This project should be complete within the next few months and should meet the deadline in the original plan.

Councilor Lacey asked if there are lights proposed, because the handout includes poles and lighting. There are no provisions for lighting; it was noted that the handout was a rendering of a similar project. Councilor Lacey asked for a detailed list of the funding and the items associated with the cost- to be provided. Mr. Reilly will provide at the next meeting of the Budget/Management Committee.

The following comments were from the public:

Robert Coyle, 32 Ashmont Street, Co-Captain of the WHS Hockey team spoke in support of the plan. He noted it is difficult to find enclosed areas like this to play on in town.

Mark Kilban, 12 Clinton Road noted he was one of the original proponents of building this park. He noted the intent is to have a safe place for kids to play. He provided a letter from the president of the Columbian Square Business Association in support of the park.

Dan McGlone, 51 Moore Ave., President of Weymouth Youth Hockey. He noted organized ice hockey is an expensive sport for kids; this gives kids who might not be able to afford it to have an opportunity to play. It will not be an exclusive program and times will be set aside for free play for the neighborhood kids.

Brian Kintz, President of the Weymouth Babe Ruth Baseball League, which is the primary user of the park now from April to August. He noted his support, but he also noted that limited parking is already an issue at the park during peak season. He also does not want to see baseball sacrificed for the in line park.

A MOTION was made by Vice Chairman Smart to CLOSE the public hearing and was seconded by Councilor Mathews. President O'Connor thanked the public for their comments, the Community Preservation Committee for their work, and reported the matter will continue to be reviewed at the Budget/Management Committee.
UNANIMOUSLY VOTED.

14 045-CPA-Preservation of Weymouth's Dugout Canoe

A MOTION was made by Vice President Smart to OPEN the public hearing on measure 14 045-CPA-Preservation of Weymouth's Dugout Canoe and was seconded by Councilor Mathews. This was published on April 25, 2014. UNANIMOUSLY VOTED.

Mr. Flynn presented with Mr. Ed Walker, Chairman of the Historic Commission, and Rob Mondine. Mr. Walker provided a handout of the proposed work for the canoe, which will be 600 years old in 2015. The preservation will include repairing the split in the

canoe, and enclosing the existing case in an argon gas-filled case. This process is totally reversible if something better is discovered in the future.

The following are the comments from the public:

Rob Mondine, 32 Linden Place, Vice Chairman of the Historic Commission voiced his support of this project.

Councilor McDonald noted that he reviewed the restoration company online for their reputation as a historical preservation company. Councilor Molisse asked if the canoe will be moved once it is completed. Mr. Walker responded that it will remain in the Tufts Library museum during the work and when completed. He also asked if there is a warranty with the work. Mr. Mondine responded that the canoe will be housed in argon gas that will be replenished every two years. He did not have specific information on a guaranty. It will also be cradled so that it will not be allowed to split again. Councilor Smart asked if they have considered ultraviolet filters for the lights. Mr. Walker responded that the lighting in the glass will have protection and the lights in the room can be shielded so they do not have to be replaced. Councilor Harrington reported that the individual doing the work is very articulate and he noted the value of the canoe is priceless. It is probably Weymouth's oldest artifact and this is money well-spent.

A MOTION was made by Vice President Smart to CLOSE the public hearing on measure 14 045- CPA-Preservation of Weymouth's Dugout Canoe and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

14 046-Ordinance Change-Section 3-333 Veterans' Graves Officer

A MOTION was made by Vice President Smart to OPEN the public hearing on measure 14 046-Ordinance Change-Section 3-333 Veterans' Graves Officer and was seconded by Councilor Mathews. This was published on April 25, 2014. UNANIMOUSLY VOTED.

George Pontes, Veterans Director, was invited to the table. The Current Graves' Officer is retiring and it was discovered that there is no mechanism in place to replace him. The responsibility as agent falls to the Veterans Agent and by changing the Ordinance it will allow the Mayor to make an appointment to fill the position.

Council President O'Connor asked for comments from the public, to which there was no response.

A MOTION was made by Vice President Smart to CLOSE the public hearing on measure 14 046-Ordinance Change-Section 3-333 Veterans' Graves Officer and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

A MOTION was made by Vice President Smart to take REPORTS OF COMMITTEES out of order and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Ordinance Committee-Chairman Kenneth DiFazio

14 046-Ordinance Change-Section 3-333 Veterans' Graves Officer

Councilor DiFazio reported that the Ordinance Committee met on April 29, 2014 and unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Ordinance Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth AMENDS the Code of Ordinances, Section 3-333, by deleting same in its entirety and in substitution thereof, the following:

SECTION 3-333 Veterans' Graves Officer

- (a) Establishment- The Mayor shall appoint a resident of the Town of Weymouth who shall be a Veteran as defined in clause Forty-third of section seven of chapter four, as a veterans' graves officer for a term of five (5) years.
- (b) Powers and Duties- The Veterans' Graves Officer shall be responsible to see that every Veteran's grave is suitably kept and cared for in accordance with M.G.L. C. 115, §9.

And that the Town of Weymouth, through Town Council, amend the Town of Weymouth Code of Ordinances, Section 3-334 (b), by deleting the words, "...and Veterans' Graves Officer as otherwise provided in these Ordinances", so that the paragraph shall now read:

SECTION 3-334 Veterans' Service Director

- (b) Powers and Duties- The Veterans' Services Director shall furnish information, advice and assistance to Veterans relative to employment, education, medical care, pensions and other benefits to which they are or may be entitled in accordance with M.G.L. C. 115, s. 10-14. The Veterans' Services Director shall also serve as the Burial Agent as otherwise provided in these Ordinances."

The MOTION was seconded by Vice President Smart. UNANIMOUSLY VOTED.

OLD BUSINESS

Starwood's Proposed Revisions to the Enabling Legislation

Update on Legislation and Memorandum of Agreement-Mayor Susan M Kay/ Burns & Levinson

Continued Discussion with Council-Matthew Barry, Starwood Vice President/Robin Daniels, Starwood Director of Development

President O'Connor reported that the Mayor continues to meet with parties since last Friday's 5-hour meeting and prefers to hold off reporting out until the talks conclude. Mr.

Barry reported that significant progress has been made and they continue to be engaged. The latest updated legislation has been published to the website and provided to the Mayor and attorneys.

COMMUNICATION AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS

14 080-Bonding for Field Improvements-Legion Field, Weymouth High School

CFO McKinney requested on behalf of the Mayor that the Town of Weymouth raise and appropriate the sum of \$6,000,000 for the purpose of funding the costs associated with renovating the Legion Field athletic area, including the development of new parking facilities, construction of tennis courts, development of a children's play area, construction of an artificial turf field, development of running and walking trails, landscaping n and around the facilities and the installation of related field and security lighting, (ii) replacing the artificial turf on the High School football field, and (iii) all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to Chapter 44, section 7(25) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.

A MOTION was made by Vice President Smart to refer measure 14 080-Bonding for Field Improvements- Legion Field, Weymouth High School to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

14 081-Reappointment to the Board of Registrars-Sandra Carle

CFO McKinney requested on behalf of the Mayor that in accordance with Section 2-10 of the Town Charter that Sandra Carle of 12 Karlyn Road be reappointed to the Board of Registrars. The new term will expire on June 30, 2017.

A MOTION was made by Vice President Smart to refer measure 14 081-Reappointment to the Board of Registrars-Sandra Carle to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

14 082-Reappointment to the Conservation Commission-Scott Dowd

CFO McKinney requested on behalf of the Mayor that in accordance with Section 2-10 of the Town Charter that Scott Dowd of 66 Hollis Street be reappointed to the Conservation Commission. The new term will expire on June 30, 2017.

A MOTION was made by Vice President Smart to refer measure 14 081-Reappointment to the Conservation Commission-Scott Dowd to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

ADJOURNMENT

President O'Connor reported that the Special Town Council Meetings scheduled for May 6 and 7, 2014 are cancelled. The Annual Town Meeting will be held in the Abigail

Adams Auditorium of the Adams Middle School on May 12, 2014 and the next regular meeting of the Town Council will be held on May 19, 2014.

At 8:42 PM, there being no further business, a MOTION was made by Vice President Smart to adjourn and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Council President Patrick O'Connor
Voted unanimously on 16 June 2014