

**TOWN COUNCIL MEETING MINUTES**  
**Weymouth Town Hall**  
**Council Chambers**  
**January 19, 2016, Tuesday**

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

Absent: Robert Conlon, Councilor  
Thomas J. Lacey, Councilor

Also Present: Ted Langill, Chief of Staff  
Lee Hultin, Asst. Town Clerk  
Joseph Callanan, Town Solicitor  
Richard Swanson, Town Auditor

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Assistant Town Clerk, Lee Hultin, called the roll, with two Councilors absent. Council President O'Connor reported that Councilor Lacey was out of the state and Councilor Conlon was unable to be present.

## ANNOUNCEMENTS

Councilor Haugh announced that Spectra is holding an open house for Access NorthEast at the Quincy Marriott on January 27, 2016, 5:30-7:30 PM. This is the second part of the project to expand the gas pipeline. Additional meetings will be held in the spring.

### **Town Council Committee Appointments for 2016-2018- Council President Patrick O'Connor**

President O'Connor announced the following appointments, which will be posted to the town website; most similar to last year:

<b><u>Committee</u></b>	<b><u>Chair</u></b>	<b><u>Vice Chair</u></b>	<b><u>Members</u></b>
Budget/Management	M. Molisse	P. O'Connor	J. Hackett R. Haugh B. McDonald
Ordinance	K. DiFazio	M. Smart	A. Mathews P. O'Connor J. Hackett
Economic Development	E. Harrington	T.J. Lacey	R Haugh B. McDonald R. Conlon
Public Works	A. Mathews	E. Harrington	M. Smart T.J. Lacey R. Conlon
Public Parks & Recreation	J. Hackett	M. Molisse	M. Smart A. Mathews T.J. Lacey
Public Safety	T.J. Lacey	A. Mathews	M. Smart P. O'Connor E. Harrington
Rules	M. Smart	K. DiFazio	P. O'Connor R. Haugh A. Mathews
Senior Citizens	R. Conlon	B. McDonald	M. Molisse K. DiFazio R. Haugh
Education	R. Haugh	J. Hackett	B. McDonald M. Molisse R. Conlon

Environmental	B. McDonald	R. Conlon	J. Hackett K. DiFazio T.J. Lacey
Mental Health & Substance Abuse	T.J. Lacey	M. Molisse	R. Conlon B. McDonald P. O'Connor
Long Range Planning	E. Harrington	R. Haugh	J. Hackett K. DiFazio A. Mathews

## **MINUTES**

### **Public Works Committee Meeting minutes of November 23, 2015**

A motion was made by Vice President Smart to approve the minutes from the November 23, 2015 Public Works Committee Meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Ordinance Committee Meeting Minutes of November 23, 2015**

A motion was made by Vice President Smart to approve the minutes from the November 23, 2015 Ordinance Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of November 30, 2015**

A motion was made by Vice President Smart to approve the minutes from the November 23, 2015 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Special Town Council Meeting Minutes of November 30, 2015**

A motion was made by Vice President Smart to approve the minutes from the November 30, 2015 Special Town Council meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## **PUBLIC HEARINGS**

### **15 137-Free Cash for Special Purpose Stabilization Fund**

A motion was made by Vice President Smart to open the public hearing on measure 15 137 and was seconded by Councilor Mathews. This was published on January 8, 2016. UNANIMOUSLY VOTED.

Nick Bulens and Ted Langill presented the request; to transfer \$720,532 of mitigation payments received under the Host Community Agreement for the Special Purpose Stabilization Fund. Councilor Hackett asked for confirmation of amounts received in total \$720,000 (HCA) and \$1.2M (from LStar). Mr. Bulens responded that \$1.2M is in the definitive agreement and related to the additional obligations by Weymouth under the new legislation by the previous administration. The amount represents the new van

purchases. Councilor Hackett noted that for discussion purposes, the Council should consider whether this \$1.2 million should also go to the Special Purpose Stabilization Fund or to free cash. It currently is in free cash. The SPSF provides a neat, unique accounting mechanism to receive one-time revenues from the NAS and subsequent expenditures and the Council may want to consider for consistency using the SPSF for this purpose going forward.

Councilor DiFazio asked the auditor if there has been any report from the administration for the use of these funds. He was unsure how it could be linked to the SPSF. There is a measure for the school department for some of these costs, but he would like to see a plan from the administration for the balance. Ted Langill responded that a spending plan is being developed. Vice President Smart noted that while it is not linked, it was understood that any one-time revenue coming from the definitive agreement would be placed in the SPSF, but the discussion should be had whether any other definitive agreements will be made and that funds go to SPSF prior to falling to free cash. Mr. Langill responded that the administration would be happy to have that discussion.

President O'Connor opened the floor to comments, to which there was no response.

A motion was made by Vice President Smart to close the public hearing on item 15 137 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**15 138-Free Cash for School Department to Close Level Service Gap**

A motion was made by Vice President Smart to open the public hearing on measure 15 138 and was seconded by Councilor Mathews. This was published on January 8, 2016. UNANIMOUSLY VOTED.

Nick Bulens and Ted Langill presented the measure and the justification. Mr. Bulens noted that during the budget process, the administration was unable to provide the school department with level funding and the administration promised that if the override was unsuccessful, free cash would be transferred once it was certified, to bridge the gap.

Councilor Hackett noted that in March of last fiscal year, she requested the free cash projection and was told it was \$2 million. When the books closed 6 weeks later the free cash balance was \$6 million. Certain decisions were made that were based on over-conservative projections. She has spoken with the current administration regarding more accuracy in future revenue and spending projections and anticipates a more transparent process going forward.

President O'Connor opened the floor to comments, to which there was no response.

A motion was made by Vice President Smart to close the public hearing on measure 15 138 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **15 139-Free Cash for School Department to Reimburse Capital Costs**

A motion was made by Vice President Smart to open the public hearing on measure 15 139 and was seconded by Councilor Mathews. This was published on January 8, 2016. UNANIMOUSLY VOTED.

Nick Bulens and Ted Langill presented the measure to transfer \$250,294 for purchase of 6 passenger vans to replace aged vehicles in the fleet. Negotiation of the definitive agreement included reimbursement to the School Department for the cost of the six vans.

President O'Connor opened the floor to comments, to which there was no response.

A motion was made by Vice President Smart to close the public hearing on measure 15 139 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **15 140-Community Preservation Committee-Housing Authority Security Cameras at Lakeview Manor**

A motion was made by Vice President Smart to open the public hearing on measure 15 140 and was seconded by Councilor Mathews. This was published on January 8, 2016. UNANIMOUSLY VOTED.

Capt. Joseph Comperchio, WPD and Weymouth Housing Authority Director Michael Flaherty were invited to the table to review the request for funding to assist the Housing Authority to build out the town's infrastructure for security. They have identified seventeen areas of concern in the Lakeview Manor Housing development where they propose to install cameras. The cameras will provide views to 41 different areas. The purpose is to improve the quality of life to the residents and assist the police in criminal investigations and identification. The system has the ability for real-time monitoring and limited time recording and storage capability. The cameras are weather and vandal proof. The monitoring will strictly be for public areas and no one's privacy will be violated. They do not intend to infringe on any resident's rights. Only the Housing Authority Director will have access to the tapes-they are not fed directly to the police department.

Council President O'Connor asked if other public housing complexes have security cameras, and if the authority intends to post signs notifying the public that the premises are under video surveillance.

Councilor Harrington asked if the residents support the proposal.

Councilor McDonald asked if they would consider sending a notification to the residents.

Councilor DiFazio asked if it's the first time CPA funding for this kind of proposal has been requested. Both Cadman and Pleasantville have surveillance in place but they were federally funded. Councilor Mathews reviewed how the CPA funds are collected from the tax surcharge, how the funds are allocated to the three funding sources and he noted that other housing proposals were initially proposed but deemed ineligible for the funding. He asked that the town solicitor review and provide some guidance on the project's eligibility so that it isn't challenged at a later time. He also asked for a survey of

other towns and municipalities that have used CPA monies to fund these kinds of projects. Interim Solicitor Callanan agreed to provide this research.

Councilor Molisse asked who will be responsible for maintaining the system after installation- will there be a contract and who will pay for it? Mr. Flaherty responded that it will be the Housing Authority's responsibility. Councilor Molisse also reported that the Budget/Management Committee is reviewing the proposal and has not voted it out of committee as of yet.

The following are the comments from the public:

**Robert Montgomery Thomas, 848 Washington Street** noted that tenants did not agree to surveillance and suggested the Housing Authority should include in the lease with new tenants, and renewals.

**Kathy Swain, 134 Mill Street** asked that any trees removed for installation be replaced.

**Sandra Peters, 57 Weybosset Street** noted her concern with the cost - \$100,000 and she asked that they carefully consider stewardship of the CPA funds.

Council President O'Connor asked the solicitor to research the legality of privacy and the use of CPA funds for the proposal.

Councilor DiFazio asked if the only notice was through publication or were the residents personally notified. Director Flaherty offered to call a community meeting to present it to the residents and will inform the Council when it has been scheduled.

Vice President Smart asked if any contract has been awarded yet? Capt. Comperchio responded that no contract is in place; the vendor is one who has done prior work for the town and was a sole source provider under the prior administration.

Councilor Haugh asked if the installation comes with a warranty; can any malfunctions be handled by the town's IT department? Capt. Comperchio responded that it is a one-year warranty on parts and labor. There will be a service agreement for the maintenance- The software and equipment will work together.

Councilor McDonald asked if the provider is on the state bid list? Will it be in accordance with requirements under MGL, Ch. 30B? Capt. Comperchio responded that the vendor was utilized by the previous administration and was a sole source provider.

Councilor DiFazio asked how the surveillance works. Will there be an additional cost to the town for an officer to monitor the surveillance? Capt. Comperchio responded that they will have the capability to monitor, but it doesn't mean they will monitor. They can as needed, but most times it will be used after to assist in an investigation.

Vice President Smart asked about recording storage. Will it require special equipment? He would like to see other quotes to price against if they are not going out on procurement.

**Robert Montgomery Thomas, 848 Washington Street** asked whether the bids should include protection from vandalism. Capt. Comperchio responded that the cameras are vandal-proof and mounted at a significant height.

Councilor Harrington asked to see statistics for the number and nature of police calls to the development.

A motion was made by Vice President Smart to continue the public hearing on measure 15 140 to the February 1, 2016 Town Council meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

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

#### **16 003-Appointment of Chief of Staff- Ted Langill**

Nick Bulens requested on behalf of Mayor Hedlund and under 2-10 of the town charter, that the Town of Weymouth consider Ted Langill for appointment as Chief of Staff.

A motion was made by Vice President Smart to refer measure number 16 003 to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **16 004-Appointment of Town Solicitor-Joseph Callanan**

Nick Bulens requested on behalf of Mayor Hedlund and under 2-10 of the town charter, that the Town of Weymouth consider Joseph Callanan for appointment as Town Solicitor.

A motion was made by Vice President Smart to refer measure number 16 004 to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **16 005-General Fund Reserve Appropriation for Veterans' Benefits**

Nick Bulens requested on behalf of Mayor Hedlund that the Town of Weymouth raise and appropriate the sum of \$75,000 from the General Fund Reserve for the purpose of funding the Veterans' Services Benefits Account and providing for the disbursement of public benefits through the remainder of FY16 in accordance with MGL Ch. 115.

The Weymouth Veterans Services Department has seen a steady increase in applications throughout FY16. This appropriation will help ensure that the department has sufficient funding to provide for current and projected future demand for assistance through the remainder of the fiscal year. Under MGL Ch. 115, veterans' benefits are required to be paid by the city or town wherein applicants reside but are reimbursed at a rate of seventy-five percent by the Commonwealth.

Supporting justification for this measure has been provided by the Town's Director of Veterans' services.

A motion was made by Vice President Smart to refer measure 16 005 to the Budget/Management Committee and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

**16 006-Police Department Line Item Transfer**

Nick Bulens requested on behalf of Mayor Hedlund that the Town of Weymouth transfer \$450,000 from the following salary accounts to the following overtime accounts for the purpose of covering the Police Department's projected overtime expenses:

<u>Salary Account</u>	<u>Transfer Amount</u>
Uniform Patrol Salaries	\$345,000
Traffic Salaries	\$65,000
Investigations Salaries	\$40,000
<b>Total</b>	<b>\$450,000</b>
<u>Overtime Account</u>	<u>Transfer Amount</u>
Uniform Patrol Overtime	\$432,000
Uniform Patrol Overtime Training	\$10,000
Technical Support (Dispatchers) Overtime	\$8,000
<b>Total</b>	<b>\$450,000</b>

Supporting justification for this measure has been provided by the Police Department's Captain of Administrative Services.

A motion was made by Vice President Smart to refer measure 16 006 to the Budget/Management Committee and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

**REPORT OF COMMITTEES**

**Budget/Management Committee- Chair Michael Molisse**

Councilor Molisse reported that the Budget/Management Committee met earlier this evening to deliberate the following measures:

**15 136- General Fund Reserve Appropriation for Teen Center Custodian Salary**

This measure was referred to the committee on December 21, 2015. The committee met on January 19, 2016 and voted to forward to the full Town Council with a recommendation for favorable action. A public hearing was held on January 19, 2016.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 15 136; that the Town of Weymouth raise and appropriate the sum of \$9,000 from the General Fund Reserve for the purpose of funding the payroll



costs of the Weymouth Teen Center's part-time custodian with an increase in usage of the Town Building Maintenance Salaries account. Vice President Smart seconded the motion. UNANIMOUSLY VOTED.

**15 137- Free Cash for Special Purpose Stabilization Fund**

This measure was referred to the committee on December 21, 2015. The committee met on January 19, 2016 and voted to forward to the full Town Council with a recommendation for favorable action. A public hearing was held on January 19, 2016.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 15 137; that the Town of Weymouth raise and appropriate the sum of \$720,532 from Free Cash to be transferred to the Special Purpose Stabilization Fund for mitigation payments received in FY15 as part of the Town's Host Community Agreement with LNR South Shore, LLC, as amended. Vice President Smart seconded the motion. UNANIMOUSLY VOTED.

**15 138- Free Cash for School Department to Close Level Service Gap**

This item was referred to the committee on December 21, 2015. The committee met on January 19, 2016 and voted to forward to the full Town Council with a recommendation for favorable action. A Public Hearing was held on January 19, 2016.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 15 136; that the Town of Weymouth raise and appropriate the sum of \$350,000 from free cash for the purpose of funding the costs associated with school department operations in FY2016. Vice President Smart seconded the motion. UNANIMOUSLY VOTED.

**15 139- Free Cash for School Department to Reimburse Capital Costs**

This measure was referred to the committee on December 15, 2015. The committee met on January 19, 2016 and voted to forward to the full Town Council with a recommendation for favorable action. A public hearing was held on January 19, 2016.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 15 136; that the Town of Weymouth raise and appropriate the sum of \$250,294 from free cash for the purpose of funding the costs associated with the school department purchase of six passenger vans. Vice President Smart seconded the motion.

Councilor DiFazio reported that Auditor Swanson will maintain a separate spreadsheet tracking the funds. President O'Connor reported that there will be a further conversation regarding the Definitive Agreement and where it should be placed. It is separate from the negotiations for the Host Community Agreement that was negotiated in 2005. In the interim, it will be tracked by the Auditor. President O'Connor also acknowledged the attendance of members of the school committee and administrators. UNANIMOUSLY VOTED.

**15 140-CPC – Weymouth Housing Authority Security Cameras at Lakeview Manor**

This measure was referred to the committee on December 21, 2015. The committee met on January 19, 2016 and did not vote, but left the measure in committee. A public hearing was held on January 19, 2016 and is continued to February 1, 2016.

**NEW BUSINESS**

**16 002-Rezone Request for 1081 Washington Street (Map34, Block 402, Lot 11)- from Residential (R-1) to Limited Business (B-1)- Council Vice President Michael Smart.**

Vice President Smart reported the Council received the request for rezoning of 1081 Washington Street from Mr. Kelso.

A motion was made by Vice President Smart to refer measure 16 002 to the Ordinance Committee and was seconded by Councilor Mathews. The Planning Department will be notified. He recommended that the proponent come prepared to present the proposal. Councilor DiFazio reported that the Ordinance Committee is scheduled to meet on February 1, 2016, prior to the Council's meeting, with this item on its agenda. UNANIMOUSLY VOTED.

**OML-Acknowledgement of receipt and referral**

Vice President Smart reported that the Council has received a complaint regarding the Open Meeting Law.

President O'Connor reported that the Council must now respond to the complaint, and any response would come through the Town's Solicitor.

A motion was made by Vice President O'Connor to refer OML-Acknowledgement of receipt and referral to the Town Solicitor for comment and reply and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**ADJOURNMENT**

The next regularly meeting of the Town Council is scheduled for Monday, February 1, 2016.

At 8:40 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 Town Council President Patrick O'Connor  
Voted unanimously on 7 March 2016