

**SPECIAL TOWN COUNCIL MEETING MINUTES**  
**Weymouth Town Hall**  
**Council Chambers**  
**August 15, 2016, Monday**

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

Not Present: Edmund Harrington, Councilor  
Thomas J. Lacey, Councilor  
Michael Molisse, Councilor

Also Present: Ted Langill, Chief of Staff  
Brian Connolly, Chief Financial Officer  
Joseph Callanan, Town Solicitor  
Kathleen Deree, Town Clerk  
Nicholas Bulens, Administrative Services Coordinator  
Robert Luongo, Director of Planning  
Owen McDonald, Traffic Engineer

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathy Deree called the roll, with three members absent. President O'Connor reported that Councilors Harrington, Lacey and Molisse were absent due to family commitments.

**ANNOUNCEMENTS**

Councilor Haugh announced the placement of the Fore River Bridge span that took place earlier in the day. She reported that reports are available for viewing with all news outlets. She also announced the revitalization of Great Esker Day and its success; it had been a yearly event that was on hiatus the last decade. She also announced that the North Weymouth Civic Association will hold its third annual "North Weymouth Day" on Sunday, August 28, 2016 at O'Sullivan Park, 12-3 PM. It is a free event and open to the public.

Council President O'Connor announced the members of Troop 92 in attendance and working on communication merit badge requirements.

## **MINUTES**

### **Budget/Management Committee Meeting Minutes of May 2, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 2, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of May 4, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 4, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of May 11, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 11, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of May 16, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 16, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of May 18, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 18, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of May 23, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 23, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Budget/Management Committee Meeting Minutes of June 20, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the June 20, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Joint Ordinance and Environmental Committee Meeting Minutes of May 31, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 31, 2016 Joint Ordinance and Environmental Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Annual Town Meeting Minutes of May 23, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the May 23, 2016 Annual Town Meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **Town Council Meeting Minutes of June 6, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the June 6, 2016 Town Council meeting and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

#### **Town Council Meeting Minutes of June 20, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the June 20, 2016 Town Council meeting and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

#### **Town Council Meeting Minutes of April 19, 2016**

A Motion was made by Vice President Smart to Approve the minutes from the April 19, 2016 Town Council meeting and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

### **PUBLIC HEARINGS**

#### **16 127-National Grid Pole Relocation-Front Street**

A Motion was made by Vice President Smart to Open the public hearing on measure 16 127 and was seconded by Councilor Mathews. Abutters were notified on August 5, 2016. UNANIMOUSLY VOTED.

No representative from National Grid was present. President O'Connor reported that no action would be taken at this time.

The following were the comments from the public:

**Melanie Hardy, 40 Whipple Street** asked for clarification as to where the pole will be relocated, since wires abut the side of her home. Vice President Smart reviewed the map and noted the pole is between 1109 and 1119 Front Street and moving 25' north.

**Thomas Nutley, 1119 Front Street** noted he requested the pole be moved from the center of the driveway on his property to the edge of the same property. It's to make way for the driveway for a new development. He noted the time sensitivity; getting the item on an agenda during the council's summer recess. Vice President Smart noted the driveway is actually a new road.

Councilor Mathews suggested the residents who have questions leave their names and a representative from National Grid will be asked to make contact before the public hearing is closed. President O'Connor reported that protocol requires someone from National Grid be present to present the information and respond to questions before the Council takes action.

Councilor DiFazio noted that the Council was also forwarded documentation regarding discussion between the proponent and MassDOT about the ultimate placement of the pole

after the widening of Route 18. He noted it's further evidence against taking action on the measure at this time.

A Motion was made by Vice President Smart to continue the public hearing on measure 16 127 to a date certain that will be decided before the end of the meeting, and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**16 129-Land Taking, Easements-Middle Street/Libbey Industrial Parkway Intersection**

A Motion was made by Vice President Smart to Open the public hearing on measure 16 129 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**16 129-Land Taking, Easements-Middle Street/Libbey Industrial Parkway Intersection-Action requested under 2-9(b), 2/3 vote required**

A Motion was made by Vice President Smart to Open the public hearing on measure 16 129 and was seconded by Councilor Mathews. This was advertised on August 5, 2018. UNANIMOUSLY VOTED.

Robert Luongo presented the request with Town Traffic Engineer, Owen MacDonald, requesting the takings of land and temporary and permanent easements. This is a MassDOT project to improve the intersection of Middle and Libbey Industrial Parkway, with federal funding. The Town of Weymouth is the proponent of the action under the multi-year Transportation Improvement Program (TIP). The project was presented by MassDOT in April. There will be some temporary land takings during construction, permanent takings and signalization of the intersection. This was first in discussion in 2004 and the design later changed. He reviewed the process of the project in a Power Point presentation and noted that roadways will remain open during construction with temporary lane closures. It will be accessible to abutters at all times.

- Why we need this project?
  - Existing issues- intersection and safety
  - deficient bike access
  - deficient pedestrian accommodation
  - pavement deterioration.
- Project Goals
- Project Scope (Owen McDonald- Traffic Engineer)
  - Additional turning lanes added into Libbey
  - Sidewalks, etc. ADA accessibility
  - Road milled and resurfaced where needed
  - New traffic signal installation
  - New regulatory traffic and warning signs installed
  - Where widened, curb and elevation for drainage
- Project Schedule
  - Revised 75% design
  - Public Information meeting
  - Advertise construction

- Award of contract
  - Construction starts by Spring 2017
- Traffic impacts
  - Roads remain open
  - Lane closures
- Proposed improvements
  - Street widened to limit of right of way
  - Sidewalk moved
  - NE corner of Libbey- small land taking
- Environmental Permitting complete
- 100% designed submitted
- Plans and design submitted

Proposed takings:

- NE Corner- permanent
- Utility easements- one each side of Middle to North of Libbey
- Easement for traffic sensor access-periodic maintenance
- Temporary construction easements along sidewalks
- Adjacent to Planet Fitness

Councilor DiFazio asked about bicycle accommodations along both sides of Middle Street. He also asked if any new sidewalks are proposed and if signalization will provide a dedicated arrow. Mr. Luongo will review and respond.

Vice President Smart asked about the land taking and design and traffic loops on Tara Drive. The majority of the queuing traffic is on Libbey Parkway.

Councilor Conlon asked if there is a dedicated right turn onto Libbey Parkway and how far back the easement is proposed to gain the right lane. He noted his concerns for the homeowners at 930 Middle Street who will lose half of their driveway to the taking. He requested signage so that their drive is not blocked by traffic approaching the signal.

The following are the comments from the public:

**Elizabeth Mazzei, 6 Tara Drive** urged that the lights be put in so that traffic going to the industrial park impedes traffic coming out of Tara Drive.

**Dan Boyle, 16 Dixon Street** asked if the socio-economic effect of the land taking was studied, as it relates to the Tirrell property and the neighborhood behind Dixon and Malcolm Streets. He asked if they would consider an entrance directly to the industrial parkway from Malcolm Street. He noted there was an earlier plan that was proposed and to be funded by the owner of the land on which Planet Fitness sits and later withdrawn. He noted the project destroys one residential property.

Mr. Luongo responded that the project was proposed as a plan to improve traffic flow and public safety. If they lose funding in this cycle, they stand to lose the project in its entirety.

Dan Boyle responded that he is disappointed that in 10-12 years that the town had an opportunity to take action and didn't and the current proposal could ruin someone's property.

Kathy Tirrell, 930 Middle Street, noted their concern with backing or pulling out of their drive. She asked if the town could have an arborist take a look at the property to make sure that removal of trees and roots won't compromise the remaining trees. There was a brief discussion with Mr. Luongo regarding what items were included in the property appraisal that was done. He will review the land taking proposal to determine, specifically, what items are included in the compensation.

Councilor Mathews suggested they go out and review the specific property with the town arborist and bring site plans. Councilor DiFazio urged the land taking be marked so the homeowners know where their land ends.

Councilor Haugh noted that the Tirrell's are losing approximately 5% of their land to the taking. She asked them if they are in agreement with it as long as the tree issue is resolved. Mrs. Tirrell responded yes.

**Ann Maranville, 7 Tara Drive** noted that the residents have been promised a traffic signal since 2004. She asked if anything else delays the rest of the project would they install the light in the interim. Mr. Luongo responded that if the project does not move forward they would have to start from scratch and take the chance that the funding disappears.

Councilor McDonald asked why the public hearing is so late if the project stands to lose funding if not voted immediately. The traffic engineer responded that the project looks different than it did in April and May; they had to wait to see the design before they could move forward. The state is responsible for the public outreach and the focus of this public hearing is the land taking.

A motion was made by Vice President Smart to close the public hearing on measure 16 129 to the Ordinance Committee and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

Agenda reverted back to measure number 16 127.

#### **16 127-National Grid Pole Relocation- Front Street**

As a representative from National Grid still didn't appear, a Motion was made by Vice President Smart to continue the Public Hearing to September 6, 2016 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## **COMMUNICATIONS AND REPORTS FROM MAYOR, TOWN OFFICERS AND TOWN BOARDS**

### **16 129-Land Taking, Easements-Middle Street/Libbey Industrial Parkway Intersection-Action requested under 2-9(b), 2/3 vote required**

Nick Bulens presented the request, on behalf of the Mayor's Office.

A Motion was made by Vice President Smart to consider measure 16 129 under 2-9(b), Same Night Action, and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

A Motion was made by Vice President Smart to Approve measure 16 129; that the Town Council authorize the Town, pursuant to MGL Chapter 40, §14, to approve the land and easement takings listed on the Exhibit A, attached hereto and made a part hereof, in association with the roadway improvements and traffic signal installation at the Middle Street/Libbey Industrial Parkway/Tara Drive intersection, as shown on Right of Way plans by Massachusetts Department of Transportation (MassDOT) Highway Division, File Number 605721. The Motion was seconded by Councilor Mathews.

Councilor DiFazio noted he will support this measure, as the plan was circulated with no adverse comments received; the only complaint was by a resident about another's property. He noted it was unfortunate that the previous proponent withdrew his application, resulting in the town having to rush to get funding.

Councilor Hackett thanked the Tirrell's for their handling of the process.

Councilor Conlon noted the Councilors had received sufficient explanatory material and will support the measure.

Vice President Smart noted he supports the measure and asked Mr. Luongo to follow through on tree work if necessary in an Order of Conditions. He also asked that the boundary be marked out with paint for the homeowner's benefit.

Councilor Haugh thanked the Tirrell's and the residents of Tara Drive.

Councilor McDonald noted he supported the measure; he just needed some clarification.

President O'Connor also thanked the Tirrell's and the neighbors. These improvements will help improve safety and traffic in the area.

UNANIMOUSLY VOTED, 8/0.

## NEW BUSINESS

### **16 128-Town Clerk-Call of the State Election on September 8, 2016-Action requested under 2-9(b)**

A Motion was made by Vice President Smart to consider measure 16 128 under 2-9(b) Same Night Action and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

9/8/16.

A Motion was made by Vice President Smart to approve measure 16 128; *in the name of the Commonwealth, the Town of Weymouth is hereby required to notify and warn the inhabitants of said Town who are qualified to vote in the state election to vote on Thursday, September 8, 2016.* The motion was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## ADJOURNMENT

The next regularly scheduled meeting of the Town Council is Tuesday, September 7, 2016. At 9:00 PM; there being no further business, a Motion was made by Vice President Smart to adjourn the meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Approved by Council President Patrick O'Connor

Respectfully submitted by Mary Barker as Recording Secretary  
Voted favorably on 6 September 2016

