

**TOWN COUNCIL MEETING MINUTES**  
**Town Hall Council Chambers**  
**September 15, 2014, Monday**

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

Also Present: William McKinney, Chief Financial Officer  
Richard Swanson, Town Auditor  
George Lane, Town Solicitor  
James Clarke, Director of Planning & Community  
Development  
Michael Gallagher, Director of Administrative Services  
Richard Grimes, Chief, Weymouth Police Department  
Kathy Deree, Town Clerk

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. All members were present.

**ANNOUNCEMENTS**

Councilor Conlon announced that representatives from Norfolk County Registrar of Deeds will be available on September 25, 2014, from 10:00AM to noon in Council Chambers for any resident who would like to ask questions regarding deeds, the Homestead Act and to confirm status of mortgage discharges, etc.

Councilor Molisse announced the celebrations to honor the wedding anniversary of Abigail and John Adams will take place the weekend of October 24, 2014 through October 26<sup>th</sup>. Information is available on the historic site's website:  
[www.abigailadamsbirthplace.com](http://www.abigailadamsbirthplace.com)

Councilor Smart announced that the Weymouth Fire Fighters have been awarded a grant from FEMA that will allow them to purchase equipment and training.

Councilor Harrington announced the Weymouth High School football game will be held Friday evening at WHS and invited the public for a great evening of family

entertainment.

Council President O'Connor introduced David Robinson, Chair of the Weymouth Chamber of Commerce (formerly Weymouth Business Council) and Cass Casados, Chair of the Board of Directors, Weymouth Food Pantry, to report out on the recent Pizza Palooza. The fundraiser pitted the town's several pizza restaurant's in a competition for the best pizza. It included several voting categories and was judged by several Weymouth celebrities. The event raised \$9,000 which will allow the pantry to purchase more than \$62,000 in food purchases to support 450 families in Weymouth. Mr. Robinson named the list of the participating restaurants and thanked the judges, residents and town officials for all of their support.

## **MINUTES**

### **Special Town Council Meeting Minutes, July 10, 2014**

A motion was made by Vice President Smart to approve the minutes from the Special Town Council Meeting of July 10, 2014 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

### **Mental Health and Substance Abuse Committee Meeting Minutes, August 25, 2014**

A motion was made by Vice President Smart to approve the minutes from the August 25, 2014 Mental Health and Substance Abuse Committee Meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## **RESIDENT AND COMMUNITY COMMENT**

## **PUBLIC HEARINGS**

### **14 097- Community Preservation Committee-Brad Hawes Park**

A motion was made by Vice President Smart to open the public hearing on measure 14 097-Community Preservation Committee-Brad Hawes Park and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

James Clarke, Director of Planning and Community Development, reviewed the measure in a power point presentation. The request for \$60,000 from Community Preservation funds (Open Space Reserve) to serve as local commitment from \$200,000 in state funds to renovate Brad Hawes Park. The town applied for and received the grant funding from the state in the "Our Common Backyards" program. The funding was received in June, following adoption of a resolution by the Council and they are now moving forward with the work. A design firm was hired and demolition is already underway with much assistance from DPW. A neighborhood meeting held at the park on August 27, 2014 was well-attended. Mr. Clarke reviewed the proposed plans. The play equipment was removed and two new age-appropriate play areas will be installed. The swings will be moved closer to the play areas and replaced with infant, children and handicapped accessible swings. A dip in the center of the ball field will be filled and the fence replaced. A walkway will be installed around the play area with benches, and plantings installed by the walkway and along the street, but will still be open for sight and security. Lighting will be installed. The basketball court will be resized to regulation, paved and

striped. The tennis courts will be changed to accommodate a skate area for hockey and new fencing installed around it. A walkway will be installed around the play areas to the entranceway and there will be benches and picnic tables. The tree by the Memorial bench will be replaced and several other trees and plantings installed, and the memorial marker that notes the donation of the land by Bradford Hawes will be relocated to a more prominent area. Lighting will be installed and a decorative sign located at the corner of Perry and Lakehurst. The town is under some pressure to complete the work before the Governor's term ends, but some work that may have to wait until spring and some not in the scope of the \$200,000 could be accomplished with CDBG funds.

Vice President Smart asked if the playground materials are pressure treated or composite. Mr. Clarke responded that it is composite.

The following were the comments from the public:

**Maureen Joyce Campbell of Cedar Street**-asked if the plan includes any bleachers. Mr. Clarke responded that the DPW has pressure-washed the older concrete and painted the wooden bleachers.

A motion was made by Vice President Smart to close the public hearing on measure 14 097-Community Preservation Committee-Brad Hawes Park and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

#### **14 099- Ordinance Revisions/Section 4-209-Police Department**

A motion was made by Vice President Smart to open the public hearing on measure 14 099-Ordinance Revisions/Section 4-209-Police Department and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Chief Grimes and Michael Gallagher reviewed the measure to amend the Town of Weymouth Code of Ordinances Section 4-209, by deleting Section 4-209(c)(1) *School Traffic Supervisors* in its entirety and renumber Section 4-209(c) to read as follows:

#### ***Section 4-209 Police Department***

*(c) The following services shall be contained within the Police Department and be subject to the general supervision and oversight of the Chief of Police:*

*(1) Harbor Division – The Harbor Division shall be headed by a Harbormaster (see section 3-312 of these Ordinances). The Harbor Division shall be responsible for the operation of all vessels in the harbor in conformity with MGL C.102, s.17-28 and all Town Ordinances adopted in relation to the harbor.*

*(2) Animal Control Division – The Animal Control Division shall be headed by an Animal Control Office as provided in Section 3-302 of these Ordinances. The Animal Control Division shall be responsible for the enforcement of all laws relating to dogs, including but not limited to MGL C. 140, s.136A-175 and all*

*Ordinances of the Town further regulating animals.*

Michael Gallagher, Director of Administrative Services, reviewed the history. The Traffic Supervisors were laid off in 2010 and ordered rehired this year as a result of settlement with AFSCME Council 93. The administration has met with the bargaining unit and negotiated former pay and a further contract. The change in the ordinance language would move the function from the police jurisdiction to the school department. It is a housekeeping issue that cleans up the town ordinances by eliminating that section from the language in the police department. The School Committee has not taken the matter up yet.

Councilor Conlon opposed the amendment. He noted the supervisors have been under the direction of the police department for years and it is a public safety issue. He asked why change it now? That relationship is already developed and ensures the safety of the children and this trumps all other considerations.

Councilor DiFazio asked if the change has any ramifications to Net School Spending. Mr. Gallagher responded that it is not factored in NSS.

Councilor Harrington agreed with Councilor Conlon. He noted the traffic supervisors are quasi-police employees and he believes the greater the police presence, the better.

Council President O'Connor reminded everyone that the matter is still under deliberation in committee and no recommendation has been brought forward yet.

The following is the comments from the public:

**Bonnie Hayes, 15 Meetinghouse Lane**, and President of the Traffic Supervisors- she reported that the supervisors have been under the direction of the police for 47 years and are there for the safety of the children. She questions why the change is needed now. Mr. Gallagher responded that it is a housekeeping function. The School Committee will make the decision whether or not to accept once the Council has voted.

Vice President Smart asked if the Traffic Supervisors would be funded through the School Department budget. Mr. Gallagher responded that the town funds the difference between actual cost and what was budgeted by the School Committee. Three safety officers were assigned to the schools. Chief Grimes responded that the removal of the language from the ordinance does not change the function.

Councilor Molisse asked if the change in the ordinance means the supervisors will report to the school department and not the police department. Chief Grimes responded that the supervisors would continue to report to the police until some other action takes place. It is a housekeeping matter.

Councilor Conlon responded that as it stands, it is a public safety issue. He reiterated that public safety trumps any financial consideration.

Councilor Hackett asked if there is any financial benefit by shifting it to the School Department. Mr. Gallagher responded that there could be. Because the group is effectively laid off each year, they can collect unemployment benefits, which the town is required to pay into. Councilor Hackett also asked if the Council is required to act on the measure within 60 days. Town Solicitor Lane will review and report back to the Council.

Councilor Lacey noted that not every town function is delineated within the ordinances. The language in the ordinance indicates that the Chief “may” – he could move the unit without changing the ordinance. Councilor Lacey asked if the School Committee has taken up the matter. Mr. Gallagher responded that it has been discussed, but there hasn’t been a formal request.

President O’Connor asked if the Town of Weymouth and the Traffic Supervisors in their Memorandum of Agreement discussions had agreed on this point? Mr. Gallagher responded yes; they had the discussion with the bargaining unit.

President O’Connor also noted that a vote of Council for favorable action would not take the bargaining unit out; it simply deletes the language from the ordinance.

Councilor Conlon asked if the Traffic Supervisors agreed to this in the successor contract. Mr. Gallagher responded that the discussion took place while negotiations were underway at the bargaining table, but noted that they did not have an agreement with the School Committee to take on the function.

Councilor Harrington said he would like to see the Traffic Supervisors look as much like police as possible. He noted that the president of the Traffic Supervisors union is not in favor, nor is the union.

Mr. Gallagher responded that it is a 150-E issue that will be addressed tomorrow.

**Maureen Joyce Campbell, 70 Myrtle Street**, member, Traffic Supervisors union- she noted that the group has been under the police direction since 1967 and she does not understand why the change is needed. Theirs and the children’s safety is the main concern.

**Chris Primiano, 82 Rindge Street**, concurred with Councilor Harrington; public safety is paramount. Traffic supervisors are perceived as police and it shows as additional public safety presence on the streets. Parents need to feel safe when they drop off their children. If it is a budget issue, it needs to be addressed as such.

**Elizabeth Foster Nolan- 54 House Rock Road**, asked a few questions. In the past three years, who has been in charge? Mr. Gallagher responded the School Department. Have there been any incidents; do they have full support of Police Department? Mr. Gallagher responded yes. What if the School Committee does not elect to take them? Mr. Gallagher responded it will be a moot point. Will there be an additional public hearing after the

Ordinance Committee action? President O'Connor noted that an Ordinance Committee meeting is scheduled. Councilor Lacey asked if the School Committee is required to hold a public hearing. President O'Connor responded no.

Vice President Smart noted the School Committee needs to agree to it and it's important that the Council know before they take action. He asked when the School Committee is scheduled to take up the matter. (They have a meeting in two weeks.) He noted that even if this is subject to action within 60 days; the measure referral was on September 2, 2014 so there is sufficient time to meet again before they must take action. He recommended leaving the public hearing open. (Action is required by November 2, 2014; at least two Town Council meetings are scheduled before then.)

A motion was made by Vice President Smart to continue the public hearing on item 14 099-Ordinance Revisions/Section 4-209-Police Department, and was seconded by Councilor Hackett. (Ordinance Committee meets on September 22, 2014 at 6:30 PM.)  
UNANIMOUSLY VOTED.

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

### **14 101-Sale of Town Owned Land**

CFO William McKinney presented the measure authorizing the Mayor, in accordance with Section 2-206 of the Town Ordinances to sell the following parcels of land:

<b>Address</b>	<b>Sheet</b>	<b>Block</b>	<b>Lot</b>	<b>Land Area</b>	<b>Assessment</b>	<b>Abutter</b>
Liberty Street	55	606	2	5,208	36,700	Yes
Sunnyplain Avenue	36	421	27	3,300	4,400	Yes
Lambrose Street	33	425	28	5,000	25,600	Yes
Main Street	61	639	37	19,080	4,900	
Western Avenue	40	456	15	53,900	156,300	
Lakecrest Path	34	437	11	6,800	62,800	Yes
Oliver Road	30	386	15	3,675	134,000	
Piedmont Street	12	133	7	6,021	130,300	Yes
Piedmont Street	12	133	3	5,600	129,400	Yes
25 Emerson Street	14	171	2	8,394	32,100	
27 Wingate Road	14	167	8	6,752	62,800	Yes
Middle Street	26	289	11	10,300	1,200	Yes
River Street	3	3	4	1,000	5,400	Yes
Holbrook Road	6	53	20	3,853	3,600	Yes
Evans Street	7	78	10	6,156	3,700	Yes
Idlewell Boulevard	9	139	18	3,657	3,700	Yes
Narragansett avenue	13	155	13	4,833	3,800	Yes
Campbell Street	52	608	2	40,000	6,200	

French Street	55	606	37	7,200	4,700	
Victoria Avenue	55	611	39	2,920	4,300	Yes
Hingham Avenue	55	611	51	3,600	4,400	Yes
Chelsey Way	64	636	64	9,341	1,000	Yes
Royden Road (portion of lot)	49	557	18	1,000		Yes
Note- lots designated as abutter lots will be sold with the restriction that they are not buildable lots.						

Vice President Smart reported that he read through the list and asked that the administration confirm town ownership- several parcels appear on the website to be owned by individuals. Councilor Harrington asked if the parcels could be restricted in the sale so they cannot be combined with existing parcels to become buildable lots. Mr. McKinney referred the question to Jim Clarke.

A motion was made by Vice President Smart to refer measure 14 101-Sale of Town-owned Land to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## **REPORTS OF COMMITTEES**

### **Budget/Management Committee-Chairman Michael Molisse**

#### **14 095- Human Resources Department Transfer Request**

Councilor Molisse reported that this matter was referred to the Budget/Management Committee on September 2, 2014. The committee met on September 15, 2014 and voted to forward to the full Town Council with a recommendation for favorable action. A public hearing was held on September 15, 2014.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor Molisse to APPROVE measure 14 095-Human Resources Department Transfer Request; that the Town of Weymouth transfers the sum of \$23,500 from Line Item- Salaries to Line Item-Miscellaneous Expenses and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

#### **14 097- Community Preservation Committee-Brad Hawes Park**

Councilor Molisse reported that this matter was referred to the Budget/Management Committee on September 2, 2014. The committee met on September 15, 2014 and voted to forward to the full Town Council with a recommendation for favorable action. A public hearing was held on September 15, 2014.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor Molisse to APPROVE measure 14 097- Community Preservation Committee- Brad Hawes Park; that the Town of Weymouth raise and appropriate the sum of \$60,000 from the Community Preservation Fund-Open Space Fund Balance Reserve to serve as local commitment for \$200,000 in state funds to renovate Brad Hawes Park, in particular the

children's play area, basketball court, tree planting and handicapped accessibility, and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**14 096-Appointment to the Youth Coalition- Rev. Dion Maeda**

Councilor Molisse reported that this matter was referred to the Budget/Management Committee on September 2, 2014. The committee met on September 15, 2014 and voted to table the matter due to the absence of the applicant.

**14 098-Appointment to the Planning Board-B. D. Nayak**

Councilor Molisse reported that this matter was referred to the Budget/Management Committee on September 2, 2014. The committee met on September 15, 2014 and voted to forward to the full Town Council with a recommendation for favorable action.

B. D. Nayak was invited to the table to review his interest and qualifications.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor Molisse to APPROVE item 14 098-Appointment to the Planning Board- B.D. Nayak; that the Town of Weymouth appoints B. D. Nayak of 20 Hollis Street to the Planning Board for a term to expire on June 30, 2015, and was seconded by Vice President Smart. Vice President Smart noted the many years of service of Paul Hurley, who is his predecessor on the board. UNANIMOUSLY VOTED.

**14 100-Appointment to the Community Events Committee-Paul Quintiliani**

Councilor Molisse reported that this matter was referred to the Budget/Management Committee on September 2, 2014. The committee met on September 15, 2014 and voted to forward to the full Town Council with a recommendation for favorable action.

Paul Quintiliani was invited to the table to review his interest and qualifications.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor Molisse to APPROVE item 14 099-Appointment to the Community Events Committee-Paul Quintiliani; that the Town of Weymouth appoints Paul Quintiliani, 29 Church St. U21, to the Community Events Committee for a term to expire on June 30, 2015, and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**NEW BUSINESS**

**Interim Proposed Budget for Southfield Redevelopment Authority-Councilor Jane Hackett**

Councilor Hackett reported that she attended the Advisory Board meeting at Southfield last week and she had provided the Council with a copy of the proposed interim budget for the Southfield Development Authority. According to enabling legislation, the Advisory Board must establish a budget by September 30, 2014, although it can be amended going forward. She suggested keeping it on the Council's agenda during the transitional period. Council President O'Connor agreed and he reported his intent to



invite the representatives from Weymouth to come before the Council shortly for an update.

**ADJOURNMENT**

The next regular meeting of the Town Council will be held on October 6, 2014.

At 8:50 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.

Respectfully submitted by Mary Barker, Recording Secretary

Approved by Council President Patrick O'Connor

Voted unanimously on 20 October 2014