

**TOWN COUNCIL MINUTES
Town Hall Council Chambers
January 17, 2017, Tuesday**

 **APPROVED**
6 Feb 2017 DA

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

Absent: Ed Harrington, Councilor
Brian McDonald, Councilor

Also Present: Ted Langill, Chief of Staff
Brian Connolly, Chief Financial Officer
Joseph Callanan, Town Solicitor
Kathy Deree, Town Clerk
Richard Swanson, Town Auditor
Dr. Jennifer Curtis-Whipple, Supt. of Schools
Josh Sullivan, Weymouth School Committee
John MacLeod, Project Manager/Construction Manager

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 two members absent. President Mathews reported that Councilor Harrington has a family obligation and Councilor McDonald is unwell.

ANNOUNCEMENTS

Councilor Mathews announced that Weymouth Fire Department Local 1616 vs. Weymouth Department of Public Works employees will hold the first annual Winter Classic Hockey game. It will be played at MDC Connell Rink Sunday, January 29, 2017. All proceeds will benefit the Kate McCarthy Scholarship fund. Suggested donation is \$20 per family.

Councilor Mathews also announced the Special Town Council meeting that was to be held on December 27, 2016 was postponed because the Council was unable to meet Charter guidelines. Any Councilors who have questions pertaining to the Water Agreement between the town and Union Point are to be submitted in writing to Diane Hachey. A future meeting will be scheduled.

Spectra Energy Gas Leak -Congressman Stephen Lynch

President O'Connor reported that Congressman Lynch was not able to be present because of scheduling conflicts. A joint letter was sent to Spectra Energy last week on behalf of Council, Representatives Lynch and Mariano and Mayor Hedlund, requesting Spectra Energy appear at tonight's meeting to discuss the recent significant gas leak at the company's facility in North Weymouth on January 6, 2017.

Councilor Haugh provided a review of the incident and response by WFD and Spectra. She applauded the Mayor, Congressman Lynch and Representatives Mariano and Murphy. They have offered to appear at the February 6, 2017 meeting and their response to an invitation is pending. As a result of the incident, changes have been made to response protocols, replacing valves, corrective signage and a request for funding for increased monitoring and security measures is under consideration.

MINUTES

Budget/Management Committee Meeting Minutes of December 19, 2016

A MOTION was made by Vice President Smart to approve the minutes of the December 19, 2016 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Town Council Meeting Minutes of December 19, 2016

A MOTION was made by Vice President Smart to approve the minutes of the December 19, 2016 Town Council meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Budget/Management Committee Meeting Minutes of January 3, 2017

A MOTION was made by Vice President Smart to approve the minutes of the January 3, 2017 Budget/Management Committee meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Town Council Meeting Minutes of January 3, 2017

A MOTION was made by Vice President Smart to approve the minutes of the January 3, 2017 Town Council meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

PUBLIC HEARINGS

16 153-Free Cash for Stabilization Fund

A MOTION was made by Vice President Smart to open the public hearing on 16 153 and was seconded by Councilor Mathews. This was published on January 6, 2016. UNANIMOUSLY VOTED.

Chief of Staff Langill presented the measure for the administration; a request to transfer \$2 million from free cash to the stabilization fund. He provided a history of the

stabilization fund in a handout. The stabilization fund has been historically underfunded. Currently it is \$1.5 million (1% of operating budget) and in the past has been under 1% (2008). The Council voted a measure to add 350K last year. This increase will more than double the balance and represents 3.2% of the operating budget. Mr. Langill reported that this is a fiscally responsible action that will have positive impact to bonding and bond rating. He noted that doing this does not affect the ability to address other capital needs.

Councilor Mathews noted that the town will be bonding items shortly and there is a measure on the agenda to over-expend on snow removal. He is concerned with the timing of this measure. Mr. Langill responded that it is also being submitted to get ahead of the budget. With this measure and two others from free cash, there are sufficient funds to meet other requests, including snow. Councilor Mathews asked if any funding is earmarked for the Host Community account. Mr. Langill responded none. The host community account deposits were received in the same year this year and transferred over to the Special Purpose Stabilization fund.

Councilor Molisse reported that the measure was thoroughly vetted in the last Budget/Management meeting.

A MOTION was made by Vice President Smart to close the public hearing on measure 16 153 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

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

17 001-Authorization to Overspend-Snow Removal-action requested under 2-9(b)

Nick Bulens requested on behalf of the Mayor, in accordance with MGL Chapter 44 Section 31D, that the Town Council authorizes the Department of Public Works, with the approval of the Mayor, to over expend any all line items (program 0620) associated with snow removal.

A MOTION was made by Vice President Smart to consider measure 17 001 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 17 001 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

17 002-Free Cash-Workers Compensation

Nick Bulens requested on behalf of the Mayor 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 workers compensation expenses for FY17.

A MOTION was made by Vice President Smart to refer measure 17 002 to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

17 003-MSBA Statement of Interest-Hamilton Boilers-action requested under 2-9(b)
Nick Bulens requested on behalf of the Mayor:

“Resolved: Having convened in an open meeting on January 17, 2017, prior to the closing date, the Town Council of Weymouth, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest that will be submitted to the MSBA by no later than Friday, February 12, 2017 for the Thomas W. Hamilton Primary School located at 400 Union St., S. Weymouth, Massachusetts 02190 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

The district is seeking funding to replace the boilers which are forty-seven years old; Replacement would improve efficiency, reduce utility costs, ensure non-interrupted service and extend the useful life of the building. The project is identified as a Priority Five, categorized by the School Building Authority as any replacement, renovation, or modernization of school facility systems, such as roofs, windows, boilers, heating, and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. It is and hereby further specifically acknowledged that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Weymouth to filing an application for funding with the Massachusetts School Building Authority.”

A MOTION was made by Vice President Smart to consider measure 17 003 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 17 003 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

17 004-MSBA Statement of Interest-Johnson Early Childhood Center Boilers-action requested under 2-9(b)

This measure was withdrawn on January 13, 2017 by the School Department.

17 005-MSBA Statement of Interest-Wessagusset Boilers-action requested under 2-9(b)

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth:

“Resolved: Having convened in an open meeting on January 17, 2017, prior to the closing date, the Town Council of Weymouth, in accordance with its charter, by-laws,

and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest that will be submitted to the MSBA by no later than Friday, February 12, 2017 for the Wessagusset Primary School located at 75 Pilgrim Rd., N. Weymouth, Massachusetts 02191 which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future

The district is seeking funding to replace the boilers which are forty-seven years old; Replacement would improve efficiency, reduce utility costs, ensure non-interrupted service and extend the useful life of the building. The project is identified as a Priority Five, categorized by the School Building Authority as any replacement, renovation, or modernization of school facility systems, such as roofs, windows, boilers, heating, and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility. It is and hereby further specifically acknowledged that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Weymouth to filing an application for funding with the Massachusetts School Building Authority."

A MOTION was made by Vice President Smart to consider measure 17 005 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 17 005 and was seconded by Councilor Mathews. Council President O'Connor thanked the school superintendent, Dr. Jennifer Curtis-Whipple and School Committee member Josh Sullivan, both in attendance. UNANIMOUSLY VOTED.

17 006- Reappointment to the Conservation Commission-George Loring

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth reappoint George Loring, of 146 Pine Street to the Conservation Commission for a term to expire on June 30, 2019.

A MOTION was made by Vice President Smart to refer measure 17 006 to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

17 007- Appointment to the Conservation Commission-Frank Singleton

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth appoint Frank Singleton, of 60 Bluff Road to the Conservation Commission for a term to expire on June 30, 2019. This is to fill the vacancy by Steven DeGabriele.

A MOTION was made by Vice President Smart to refer measure 17 007 to the Budget/Management Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget/Management Committee/ Chairman Michael Molisse

Councilor Molisse reported that the Committee met on January 3, 2017 and deliberated the following measure:

16 153-Free Cash for Stabilization Fund

This matter was referred to the Committee on December 19, 2016. The Committee met on January 3, 2017 and voted to forward to the full Town Council with a recommendation for favorable action, pending a favorable public hearing, which was held on January 17, 2017.

On behalf of the Budget/Management Committee, a Motion was made by Councilor Molisse to approve measure 16 153; that the Town of Weymouth transfer the sum of \$2,000,000 from free cash to the Stabilization Fund and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

Ordinance Committee Chairman/Kenneth DiFazio

Councilor DiFazio reported that the Committee met on January 17, 2017 to deliberate the following measures:

16 146-Crosswalk Across Mutton Lane at the Lakehurst Avenue Intersection

This matter was referred to the Committee on November 14, 2016. The Committee met on November 28, 2016. A public hearing was held on December 19, 2016. The committee met again on January 17, 2017 and 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 to approve measure 16 146; that the Town of Weymouth, through the Town Council, pursuant to GL Ch. 40, § 22, and the Town of Weymouth Code of Ordinances, Sections 13-103(b) and 13-104(a), authorize the placement of markings and signs regulating motor vehicle movement and parking, and regulating pedestrian movement as follows:

Crosswalk

Street Crossing

Mutton Lane

Location

North side of Lakehurst Avenue Intersection

Parking Restriction

Street

Mutton Lane

Side

West

Location

Lakehurst Avenue
to 30' North of
Lakehurst Avenue

Regulation Type

No Parking Any Time

Mutton Lane	East	Opposite Lakehurst Avenue to 30' North of Lakehurst Avenue	No Parking Any Time
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And cause the above restrictions to be listed in the Town of Weymouth Code of Ordinances, Chapter 13, Regulations Affecting Motor Vehicles, Attachment 1 – Appendix A under new headings, Schedule III, Parking Restricted, and Schedule IV, Crosswalks.

The Motion was seconded by Vice President Smart and UNANIMOUSLY VOTED.

16 150-Proposed Changes to the Town of Weymouth Zoning Ordinance-Section 120

This matter was referred to the Committee on November 21, 2106. The Committee met on November 28, 2016. A joint public hearing was held by the Town Council and the Planning Board on December 19, 2016. The Planning Board relayed its recommendation for approval with an amendment on December 22, 2016. The committee met on January 17, 2017 and voted to forward to the full Town Council with a recommendation for favorable action on the measure and amendment.

On behalf of the Ordinance Committee, a motion was made by Councilor DiFazio to approve measure 16 160; that the Town of Weymouth amend the Town of Weymouth Code of Ordinance, as follows:

Delete §120-53 in its entirety.

Also remove reference to 120-53 from Table 1 Schedule of District Regulations

Add §120-53.2 containing the following text:

Lot Shape Factor: No lot shall be created so as to be so irregularly shaped or extended that it has a "shape factor" in excess of thirty-five (35), as amended to Thirty (30). Shape Factor equals the square of the lot perimeter divided by the lot area.

Also add reference to 120-53.2 to Table 1 Schedule of District Regulations defining the R-1 District Lot Size.

Amend §120-53.1 to read:

Any lot created after [insert adoption date], shall have a minimum upland area, as defined in Section 120-6, of 85% of the minimum lot area.

Delete §120-13 (A) in its entirety.

Re-assign lettering of remaining items under §120-13 accordingly.

Amend Table 1 Schedule of District Regulations as follows:

Under the heading "Maximum Lot Coverage" in the R-3 District, change the Percentage of Landscaped Area from 15% to 20%.

Amend Table 1 Schedule of District Regulations as follows:

Under the heading "Maximum Lot Coverage" in the R-4 District, change the Percentage of Landscaped Area from 15% to 20%.

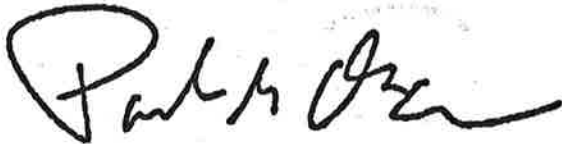
The Motion was seconded by Vice President Smart. UNANIMOUSLY VOTED.

ADJOURNMENT

The next regularly scheduled Town Council Meeting will be held on Monday, February 6, 2017 at 7:30 PM. At 7:58 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 as Recording Secretary

Approved by Council President Patrick O'Connor

A handwritten signature in black ink, appearing to read "Patrick O'Connor", with a stylized, cursive script.