

TOWN COUNCIL MINUTES

Town Hall Council Chambers May 21, 2012-Monday

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

Also Present: William McKinney, Chief Financial Officer
Richard Swanson, Town Auditor
Kathy Deree, Town Clerk
George Lane, Town Solicitor

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathy Deree called the roll with all members present.

ANNOUNCEMENTS

Councilor Conlon announced on behalf of Rob McLean, Library Director, that the Library Trustees are seeking input from the community in developing a long-range plan for the libraries. Surveys are available online and at each branch location.

Vice President O'Connor extended an invitation to the Town Council to participate in the Memorial Day observances.

Councilor Pap announced his resignation from the Town Council effective at the close of the meeting. He cited the birth of his fourth child and work schedules as reasons he is stepping aside to allow for someone who can more actively serve and give the town the level of commitment the position requires. Each of the other Councilors wished him well and thanked him for his service, particularly advocating on behalf of North Weymouth constituents and with regard to the Fore River Bridge replacement project.

MINUTES

Budget/Management Meeting Minutes of April 2, 2012

A MOTION was made by Vice President O'Connor to approve the minutes from the Budget/Management Meeting of April 2, 2012 and was seconded by Councilor Smart.
UNANIMOUSLY VOTED.

Town Council Meeting Minutes of April 2, 2012

A MOTION was made by Vice President O'Connor to approve the minutes from the Town Council Meeting of April 2, 2012 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Budget/Management Committee Meeting Minutes of May 2, 2012

A MOTION was made by Vice President O'Connor to approve the minutes from the Budget/Management Meeting of April 2, 2012 and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

RESIDENT AND COMMUNITY COMMENT

Taxpayers of Weymouth-Dominic Galluzzo of 86 Candia Street

Council President Mathews reported that Mr. Galluzzo is unable to be present due to illness and he will reschedule to a future meeting.

PUBLIC HEARINGS

12 080-Community Preservation Committee-North Cemetery Gravestone Repair

A MOTION was made by Vice President O'Connor to OPEN the Public Hearing and was seconded by Councilor Smart. Notice was published on May 11, 2012. UNANIMOUSLY VOTED.

Walter Flynn, Chair of CPC, was invited to the table. At the request of the Cemetery Commission, a proposal to repair the gravestones on Abigail Adams' parents' stones and remove a tree that overhangs it was voted by the CPC; for a contract in the amount of \$11,300 to Donna Walcovy, a historical conservator who provided estimates and has completed restoration at other cemeteries in town.

Councilor Harrington noted he discussed this with Jim Clarke and strongly supports the item for its historical significance.

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

A MOTION was made by Vice President O'Connor to CLOSE the Public Hearing and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

12 081-Community Preservation Committee-Abigail Adams House Re-Siding

A MOTION was made by Vice President O'Connor to OPEN the Public Hearing and was seconded by Councilor Smart. Notice was published on May 11, 2012. UNANIMOUSLY VOTED.

Walter Flynn reported that a year and a half ago a proposal was submitted to the CPC for \$95000 in repairs. During repairs, an investigation of the clapboards was done and significant deterioration was noted. The entire home needs to be resided. This request is for an additional \$8,600 to replace the clapboards and cornices, ADA accessibility (\$14,000 for a ramp) and some minor electrical upgrading and lighting improvements- the work on this is being done gratis by IBEW Local 103.

President Mathews asked if there were any comments from the public to which there was no response. A MOTION was made by Vice President O'Connor to CLOSE the Public Hearing and was seconded by Councilor Smart. Councilor McDonald asked when the last time the home had a resident. Mr. Flynn responded that it is unknown. UNANIMOUSLY VOTED.

OLD BUSINESS

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

12 090- Reserve Fund Transfer- Special Pension Payment for Military Service

Michael Gallagher requested on behalf of the Mayor that the town transfer \$3,200 from the reserve fund to the Contributory Retirement account for the purpose of funding the costs associated with a special pension payment for military service.

A motion was made by Vice President O'Connor to refer item 12 090 to the Budget/Management Committee and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

12 091- Amendments to the Zoning Ordinance Relating to the Floodplain District Maps, Administration and Regulation

Michael Gallagher requested on behalf of the Mayor that the town amend zoning relating to the floodplain District Maps, Administration and Regulation, as per federal mandate. This measure requires legal notice and a joint public hearing of the Town Council and the Planning Board.

A motion was made by Vice President O'Connor to refer item 12 091 to the Ordinance Committee and was seconded by Councilor Smart. Council President Mathews asked why the administration is presenting the request. Bob Luongo, Economic Development Planner, responded that it is a FEMA mandate and is out of the town's jurisdiction. The town is required to have a statement in place by July 17, 2012. The update may shift some homes in and some out of the current floodplain zone. There was a brief discussion; the town's refusal to comply could jeopardize a homeowner's ability to obtain flood insurance. Should residents have issues they would need to appeal their case to FEMA. Council President Mathews reported that he will schedule the public hearing on the agenda for June 11, 2012 Special Town Council meeting after confirming the availability of the Planning Board. UNANIMOUSLY VOTED.

12 092- Reappointment to the Construction Steering Committee-Richard McKinnon

Michael Gallagher requested on behalf of the Mayor that the Town of Weymouth reappoints Richard McKinnon of 882 Front Street to the Construction Steering Committee for a term to expire on June 30, 2015.

A motion was made by Vice President O'Connor to refer item 12 092 to the Budget/Management Committee and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

12 093- Reappointment to the Board of Health-Karen DeTellis

Michael Gallagher requested on behalf of the Mayor that the Town of Weymouth reappoints Karen DeTellis of 8 Chauncey Street to the Board of Health for a term to expire on June 30, 2015.

A motion was made by Vice President O'Connor to refer item 12 093 to the Budget/Management Committee and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

12 094- Appointment to the Waterfront Committee-Patricia O’Leary

Michael Gallagher requested on behalf of the Mayor that the Town of Weymouth appoints Patricia O’Leary of 999 Commercial Street to the Waterfront Committee for a term to expire on June 30, 2015. This is to fill the vacancy created by the resignation of Jeffrey Kent.

A motion was made by Vice President O’Connor to refer item 12 094 to the Budget/Management Committee and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

12 095-Appointment to the Cultural Council-Laura Barreiro

Michael Gallagher requested on behalf of the Mayor that the Town of Weymouth appoints Laura Barreiro of 65 Weybosset Street to the Cultural Council for a term to expire on June 30, 2014. She will replace Deborah Courteau.

A motion was made by Vice President O’Connor to refer item 12 095 to the Budget/Management Committee and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

12 096-Appointment to Cultural Council-Terri Savoie

Michael Gallagher requested on behalf of the Mayor that the Town of Weymouth appoints Terri Savoie of 47 Fore River Avenue to the Cultural Council for a term to expire on June 30, 2014. She will replace Michelle DeSaulnier.

A motion was made by Vice President O’Connor to refer item 12 096 to the Budget/Management Committee and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

REPORTS OF COMMITTEES

Budget/Management Committee-Chairman DiFazio

12 077-Appointment of Human Resource Director-Michael Coughlin

This item was referred to the Budget/Management Committee on May 7, 2012. Mr. Coughlin introduced himself to the Council and summarized his 28 years of work history. Councilor DiFazio notes that this measure was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio to approve item 12 077; that the Town of Weymouth in accordance with 2-10 of the Town Charter appoints Michael Coughlin to Human Resources Director, and was seconded by Vice President O’Connor. UNANIMOUSLY VOTED.

12 078-Reserve Fund Transfer-Veterans Services Salary

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio to approve item 12 078; that the town of Weymouth transfers the sum of \$6000 from the reserve fund for the purpose of funding the costs associated with a Veterans’ Services salaried position converted from part to full time, and was seconded by Vice President O’Connor. UNANIMOUSLY VOTED.

12 079-CDBG and Home Funding 2012-2013

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth accepts the fiscal year 2012/2013 HUD Grants in the amount of \$663,320 in CDBG and \$145,991 in HOME Investment Partner funds, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

12 080-Community Preservation Committee-North Cemetery Gravestone Repair

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth raise and appropriate the sum of \$11,300 from the unreserved fund of the Community Preservation Fund, for the purpose of funding the costs associated with the repair and preservation of the gravestones at the North Cemetery of Reverend William Smith and his wife, Elizabeth Smith, parents of Abigail Adams, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

12 081-Community Preservation Committee-Abigail Adams House Re-siding

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. The public hearing was held on May 21, 2012. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio to approve item 12 081; that the town of Weymouth raise and appropriate the sum of \$58,600 from the unreserved fund of the Community Preservation Fund, for the purpose of funding the costs associated with the residing of the Abigail Adams House and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

12 083- Reappointment to the Cultural Council-Lori Ann Powers

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth, in accordance with 2-10 of the Town Charter re-appoints Lori Ann Powers of 201 Lake Street, Unit 32 to the Cultural Council for a term to expire on June 30, 2014 and was seconded by Vice President O'Connor.

12 084- Reappointment to the Fourth of July Committee-Ronald Rizzo

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May 16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth, in accordance with 2-10 of the Town Charter re-appoints Ronald Rizzo of 164 Pearl Street to the 4th of July Committee for a term to expire on June 30, 2015, and was seconded by Vice President O'Connor. Councilor Pap acknowledged Mr. Rizzo's service and commended the committee for returning to July 3rd observance of the fireworks. UNANIMOUSLY VOTED.

12 085- Reappointment to the Board of Library Trustees -Donna Shea

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth, in accordance with 2-10 of the Town Charter re-appoints Donna Shea of 37 Heritage Lane to the Board of Library Trustees for a term to expire on June 30, 2015, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

12 086- Reappointment to the Recreation Commission-Steve Reilly

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the Town of Weymouth, in accordance with 2-10 of the Town Charter re-appoints Steve Reilly of 107 Old Country Way to the Recreation Commission for a term to expire on June 30, 2015, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

12 087- Reappointment to the Board of Registrars-Kenneth Karlberg

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth, in accordance with 2-10 of the Town Charter re-appoints Kenneth Karlberg of 15 Burkhall Street to the Board of Registrars for a term to expire on June 30, 2015, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

12 088- Reappointment to the Zoning Board of Appeals-Jonathan Moriarty

This item was referred to the Budget/Management Committee on May 7, 2012. It was deliberated on May16, 2012, at which time the committee unanimously voted to forward to the full Town Council with a recommendation for favorable action. On behalf of the Budget/Management Committee, a MOTION was made by Councilor DiFazio that the town of Weymouth, in accordance with 2-10 of the Town Charter re-appoints Jonathan Moriarty of 38 Hilldale Avenue to the Zoning Board of Appeals for a term to expire on June 30, 2014, and was seconded by Vice President O'Connor. UNANIMOUSLY VOTED.

Public Works Committee-Chairman Harrington
Review of overall Drain & Roadway Repair
Zero Oak Street Proposal

Councilor Harrington reported that the Town Council held a public hearing on February 6, 2012, on item 12 004-drain and roadway repairs. During the public hearing, numerous resident concerns were aired. Councilor Harrington requested a referral to the Public Works committee on February 21, 2012 for a review of this issue and overall drain conditions. The committee met on May 16, 2012 with DPW Director Jeff Bina, Building Inspector Jeff Richards and Conservation Administrator Mary Ellen Schloss, to review the drainage in South Weymouth. It's a forty-year old subdivision area. Shortly after, Councilor Harrington became aware of the Zero Oak Street proposal, which has been referred to the Zoning Board of Appeals. The owner is proposing a building in a fragile area. Several residents attended. It was noted that several owners have altered terrain of their property without notice or permission and Councilor Harrington intends to follow up. Jeff Bina reported to the committee that the Dacia Road area has been cleared and he will

continue to monitor that area. Councilor Harrington toured the area and brought his continuing concerns to the attention of the Conservation Commission to review orders of conditions. It may have been in compliance when the subdivision was completed; however issues have arisen since. Continuing compliance with ordered conditions is essential in protecting the environment so fragile drainage systems can continue working to their potential. He will continue to work with the residents and administration.

NEW BUSINESS

12 089-Rezoning Application-11 Adams Place - application submitted on behalf of applicant-Cumberland Farms, Inc.

Counsel for Cumberland Farms briefly addressed the Council. Council President Mathews responded that the Council will entertain a motion to refer the matter to committee to which the counsel could then present testimony. Economic Development Planner Bob Luongo was invited to briefly discuss the measure. He reviewed the proposal by Cumberland Farms to acquire the abutting property, rezone to B-1 zone and put in a Cumberland Farms convenience store with gas pumps. Abutters were notified, but not by certified mail, which is not required. All residents of Adams Place will be notified. Councilor DiFazio noted it would be prudent to notify them of the BZA meeting on the matter as well. The Planning Board will post the meeting, as is required.

A MOTION was made by Vice President O'Connor to refer item 12 089 to the Ordinance Committee and was seconded by Councilor Smart. Vote PASSED 10/1 (Councilor Lacey-NO).

NEW BUSINESS

A MOTION was made by Councilor Hackett to add a late agenda item and was seconded by Councilor O'Connor. UNANIMOUSLY VOTED.

A MOTION was made by Councilor Hackett to refer a review of procedural options to managing the revenue to Weymouth generated by the Naval Air Station to the Budget/Management Committee, motion seconded by Councilor Lacey and UNANIMOUSLY VOTED.

ADJOURNMENT

The next regularly scheduled meeting of the Weymouth Town Council will be on June 4, 2012. At 8:26 PM, there being no further business, a MOTION was made by Vice President O'Connor to ADJOURN the meeting and was seconded by Councilor Smart. UNANIMOUSLY VOTED.

Respectfully submitted by Mary Barker as Recording Secretary

Approved by Council President Arthur Mathews