

**TOWN COUNCIL MEETING
TOWN HALL-COUNCIL CHAMBERS
OCTOBER 1, 2012**

Present: Arthur Mathews, President
Francis Burke
Robert Conlon
Kenneth DiFazio
Jane Hackett
Thomas J. Lacey
Ed Harrington
Brian McDonald
Michael Molisse
Patrick O'Connor
Michael Smart

Also Present: Richard Swanson, Town Auditor
Kathy Deree, Town Clerk
George Lane, Town Solicitor
William McKinney, Chief Financial Officer
Officer Michael Parker-Animal Control Officer

Recording Secretary: Diane T. Hachey

Following the Pledge of Allegiance, roll call was performed by the Town Clerk, with all Councilors present.

Announcements

Councilor Burke announced that the North Weymouth Civic Association will hold a Candidates Debate on Wednesday, October 24 at 7PM at the McCulloch Building. Congressman Lynch, Joe Selvaggi, and Representatives Murphy and Mariano, in addition to Senator Hedlund will be in attendance.

Councilor Conlon announced his office hours for this Tuesday from 10-11 am in the Council Chambers and 5-6 pm at the Southfield Welcome Center.

He additionally announced that Ed Marks will receive the Legion of Honor Medal from French Officials at a ceremony to be held at Town Hall on Tuesday, October 9th at 10:00 am. Mr. Marks' dedicated years of service in the army qualifies him for this honor.

Councilor Harrington announced the victory by the Weymouth High School Wildcats football team over Needham with a score of 32-27. The next game will be held at home against Natick on October 7th---the Wildcats can boast a record of 4 in 0.

12 107-National Grid-Gas Main Petition-Keith Street

Councilor O'Connor motioned to open the public hearing on measure number 12 107, noting that abutters were notified on September 21st via letter, motion seconded by Councilor Smart and voted unanimously. Verta Phoenix was present, representing National Grid, and Peter Nagle was present representing Keyspan. It was explained that the petition is requesting to install and maintain approximately 45 feet of 2 inch gas main on Keith Street.

Councilor Smart asked that they comply with the town's ordinance which indicates returning the quality of the roads to the same condition prior to work being done. Both parties agreed. He additionally commented that work preformed recently on Union, Hollis and Pond Streets was stellar.

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

Councilor O'Connor motioned to close the public hearing, motion seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned to consider measure number 12 107 under 2-9b (same night action) motion seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned for favorable action on measure number 12 107, motion seconded by Councilor Smart and voted **unanimously**.

Communications and Reports from the Mayor, Town Officers, and Town Boards

12 110-General Government Supplemental Fiscal Year 2013 Appropriation

William McKinney presented on behalf of the Mayor's office
He requests that the sum of \$135,652,536 is raised and appropriated , which is \$533,265 greater than the amount of the annual appropriation of \$135,119,271, which was approved by Town Council on June 18, 2012 via measure 12 042. Reappropriation is requested as follows:

Revenue:

Base revenue-variance of \$100,000
Local aid/lottery-variance of \$533,265
Interest income-variance of \$(50,000)
Building Permits-variance of \$(50,000)

Expenses:

School Department-increase of \$187,000
Libraries-increase of \$52,265
Town Council-increase of \$2,000
Town Clerk-increase of \$8,000
Public Works-increase of \$70,000
Planning Department-increase of \$25,000
Veterans-increase of \$25,000
Pensions/Benefits-increase of \$164,000

Mr. McKinney noted that the aforementioned items total \$533,265.

Councilor O'Connor motioned to refer measure number 12 110 to the Budget/Management Committee, motion seconded by Councilor Smart and voted unanimously.

Reports of Committees

Ordinance Committee-Chairman Michael Smart

12 104-Animal Control Ordinance-Sections 6-700 through 6-801

Chairman Smart reviewed the history of the measure as follows: This measure was received in the Town Clerk's Office on August 1, 2012, and referred to the Ordinance Committee on August 6, 2012. The committee initially met on September 18, 2012 to discuss the revisions as proposed by Officer Parker. The Ordinance Committee made several suggested revisions. Additionally a public hearing was held on September 24 at which time one person spoke.

Chairman Smart noted that the fee schedule has been increased to be in line with surrounding communities and the following sections have been added to the ordinance:

- Feeding of Wildlife
- Displaying of Tags
- Failure to identify to Animal Control Officer/Law Enforcement
- Posted Town of Weymouth Property
- Animals left unattended in motor vehicles
- Unattended dogs

Chairman Smart further stated that the Ordinance Committee met earlier this evening and voted unanimous favorable action, he motioned for favorable action by the Town Council, motion seconded by Councilor Harrington and voted unanimously.

Chairman Smart motioned to add a late agenda item, seconded by Councilor O'Connor and voted unanimously. He explained addition of the issue of Overall Zoning Plans and turned the meeting over to Councilor Hackett.

Councilor Hackett explained that the Ordinance Committee has been working for seven months, in conjunction with administration, in an effort to prioritize the Route 18 corridor. The Planning Department is performing a parcel by parcel analysis. Additionally, the area surrounding Southfield will be evaluated. Zoning guidelines, inclusive of architectural standards and landscaping are being developed. This Wednesday evening these design guidelines will be presented to the BZA. The same analysis will be conducted for the Route 3A and Route 53 corridors, but Route 18 has been determined to be a priority. It was noted that Mr. Clarke would like to appear before Town Council to discuss the details of these guidelines.

Secondly, Councilor Hackett noted that a working group has been formed, comprised of Councilor Smart, Jim Clark, Rick McLeod (Chair of Board of Zoning Appeals), Walter Flynn (Chair of the Planning Board) and herself to initially discuss the Route 18 corridor reconstruction/development of Southfield and Pleasant View Shoppes. Councilor Hackett stressed the importance of prioritizing to enhance future projects. She encourages all Councilors for ideas on all corridors of building to establish a vision for the town's master plan.

She thanked Councilor Smart, Jim Clarke and Mayor Kay for their efforts as related to this undertaking.

Economic Development Committee-Chairman Francis Burke

Chairman Burke stated that North Weymouth resident lives have been disrupted by past projects, namely, the power plant, sewer pumping station, the Fore River temporary bridge erection and now the permanent Fore River Bridge erection. He noted that the Sithe Energy Plant negotiated a MOU (Memorandum of Understanding), naming a contact person and overall the project went well.

The Fore River Bridge design was decided without taking into consideration our comments and he is asking for the Council's support for the Mayor entering into an MOU for the project. The draft before all Councilors was voted unanimous favorable action by the Economic Development Committee earlier in the evening.

Chairman Burke read the memorandum into the record as follows:

"To: Mayor Kay

From: Weymouth Town Council

Regarding: Fore River Bridge MOU

Copies to : All Councilors, George lane, Daniel McCormack, Richard Grimes, Mass DO and our local representatives

We are writing to voice our support of your efforts in securing a Memorandum of Understanding (MOU) with MASS DOT, and its contractors, with regards to The Fore River Bridge replacement project.

We also request a provision in the MOU that MASS DOT and its contractors agree to abide by all pertinent Commonwealth of Massachusetts regulations, local ordinances, and health regulations in terms of the following:

- hours of operation*
- noise limitations which would be monitored via sound level meters*
- handling and disposal of construction debris (ie: dust control)*
- employee parking arrangements*
- designation of a project liaison*

Through enforcement of these provisions, we will protect the quality of life for those businesses and residents in close proximity to the replacement bridge project.

It is imperative that we, as a town, look out for the best interests of our citizens and we encourage you to use any available avenue, whether political or legal, to accomplish this goal."

Chairman Burke motioned for favorable action, to send the aforementioned communication to the Mayor, motion seconded by Councilor Smart.

Councilor McDonald commended Councilor Burke for his efforts as MASS DOT has not been cooperative in the past and the impacts of this project will be felt by the entire town.

Councilor Conlon voiced that it is obvious by their actions that MASS DOT has no interest in resolving the issues brought to light and suggested that traffic should be detoured to route 228 neighborhoods.

Motion passes unanimously.

New Business

12 109-Town Clerk-Call of the Presidential Election on November 6, 2012-action under 2-9b requested

-Vice President Patrick O'Connor

Councilor O'Connor motioned for consideration under 2-9b, motion seconded by Councilor Smart and voted unanimously.

Councilor O'Connor motioned for favorable action as follows-That in the name of the Commonwealth, the Town of Weymouth is required to notify and warn the inhabitants who are qualified to vote in the state election on Tuesday, November 6, 2012.

Motion seconded by Councilor Smart and voted unanimously.

At 8:10 PM, there being no further business to attend to, Councilor O'Connor motioned to adjourn, motion seconded by Councilor Smart and voted unanimously.

Respectfully Submitted by:

Approved by:

Diane T. Hachey

Arthur Mathews
President of Weymouth Town Council