

**TOWN COUNCIL MINUTES  
ORDINANCE COMMITTEE  
Town Hall Council Chambers  
May 4, 2009**

Present: Kevin Whitaker, Chairperson  
Arthur Mathews, Vice-Chairperson  
Ed Harrington  
Brian McDonald  
Michael Smart

Also Present: Patrick O'Connor, Councilor  
Mayor Susan Kay  
James Wilson, Chief Financial Officer  
Mike Gallagher, Director of Community and  
Administrative Svcs.  
Jeanne Savoy, Assistant to the Mayor  
George Lane, Town Solicitor

Recording Secretary: Diane T. Hachey

Chairman Whitaker called the Ordinance Committee meeting to order at 7:05 pm.

Chairman Whitaker announced the meeting would be a working committee meeting as there are several items on the agenda. In order to make best use of time, the committee will review the items before the committee without substantive deliberation or testimony and then determine which items require additional information or the involvement of other parties to aid in the Committee's deliberative process.

**09 006-Exemption from Civil Service for Position of Police Chief**

Chairman Whitaker announced a public hearing will be held on Monday, May 11, during the Annual Town Meeting. He inquired of the Committee as to any questions, issues which required attention, or further input as to what additional information would be beneficial to the committee to consider in reviewing this measure.

Councilor Smart noted that Mayor Kay had previously been requested to have someone from Civil Service appear before the committee, he questioned the status of this request. Chairman Whitaker stated that several efforts were undertaken by

various members of the Administration to provide a Civil Service representative for the Committee and the Council, but that Civil Service, to date, had been unresponsive to the requests. After his consultation with the Administration and upon the Mayor's request, Chairman Whitaker determined the Committee would proceed and review the merits of the proposal based on the information before the Committee and any additional information the Committee would like to obtain.

Councilor O'Connor requested the Weymouth Police Department Superior Officers be invited to participate in the Committee's future deliberations. Chairman Whitaker thanked Councilor O'Connor for his suggestion and indicated he agreed. Chairman Whitaker noted he had sent an email to all members of the Superior Officers Union advising them of the process involved in reviewing the Mayor's proposal and also inviting the Officers participation as both individuals and through their Union leadership. In addition Councilor Whitaker indicated he had been in discussions with the Union's leadership and he would continue to follow-up with the Union's representatives while affording them a full opportunity to participate further.

Councilor Smart mentioned that the Town of Holbrook may have changed out of Civil Service and then reverted back and he suggested investigating this further. Councilor Whitaker mentioned Councilor Pap had raised a similar point and he would look into and inquire of this further.

#### **09 022-Proposed Ordinance-Compliance with Chapter 465 PF The Acts of 2008 (Parking Fines)**

It was noted that the intent of passage of this measure is to increase the amount of parking fines as related to parking violations at bus stops.

Councilor Smart inquired as to the intent of the measure and it was agreed to request a member of the Administration be requested to discuss this at a future meeting.

#### **09 023-Ordinance Amendment-Amnesty Program**

Chairman Whitaker noted this measure seeks to continue the tax payment amnesty program that had previously been approved by the council. The measure would help collect tax revenues and extend the ability to use this tool to assist taxpayers. After consultation with Council President Smart, a public hearing was proposed for May 18, 2009.

**Issue: Peer Review Role/ Process**

Councilor Mathews was recognized for raising this issue for further discussion at the committee level. Based on his experiences over the years at many meetings on behalf of constituents, Councilor Mathews strongly believes the peer review process needs to be investigated in an effort to help residents and the town better protect their interests. He will continue working on a draft proposal for future discussion by the committee.

**08 095-Proposed Ordinance-Tenant Identification**

Chairman Whitaker, the author of this proposed ordinance, deferred this measure to a future meeting due to the number of issues before the Committee. He remains concerned about the topic, especially given recent news reports from surrounding communities involving dangerous living conditions which are going unreported and ending tragically.

Councilor Smart indicated he had recently been helping a constituent on a related matter and that there are a number of historical and outdated laws the Committee should consider, too. Councilors' Whitaker and Smart agreed to collaborate on this further before returning to discussion of this proposed ordinance at the Committee.

**09 038-Proposed Ordinance “Neighborhood Property Preservation”**

Chairman Whitaker announced that this measure was not referred to the Ordinance Committee, but under his discretion he added it to the agenda to provide fellow Ordinance Committee member, Councilor Harrington, a forum to be heard further on his proposal and to see if the Committee could be of assistance in reviewing the matter.

Councilor Harrington stated the purpose of his proposal is to promote the health and welfare of the town by enforcing upkeep of blighted property. He indicated there are similar ordinances in Boston, Quincy, Lawrence, and Lowell. He reports these are receiving favorable feedback in those communities. The proposed ordinance sets minimum standards for blighted property owners to adhere to. His is an effort to protect the town's community image as well as neighboring taxpayers' investments in their homes. Councilor Molisse was recognized as the co-sponsor of this measure. Councilor Harrington indicated he and Councilor Molisse will continue updating the Committee as they continue exploring this proposal further.

**09 037-Front Street Peak Hour Parking Restrictions**  
**09 039-Front Street/Federal Street Stop Signs**

Chairman Whitaker recognized these measures involve the work and previous efforts of the Public Safety Committee, its members, and the Administration. Chairman Whitaker indicated he had previously spoken with Chairman of the Public Works Committee, Councilor O'Connor, about scheduling and Councilor O'Connor was recognized for his efforts with the affected neighbors. Councilor O'Connor asked the Ordinance Committee to continue its discussions to a future date so that the many concerned constituents who attended the Public Safety meetings about these issues may attend a future meeting and be provided a full opportunity to comment on their receptiveness to the ordinances being proposed.

Chairman Whitaker and President Smart proposed the public hearings be held on measures 09 037 and 09 039 at the June 1, 2009 Town Council Meeting so the neighbors would have adequate advance notice of the meeting and be able to fully participate.

Councilor Mathews suggested Mr. Bezkorovainy be invited to attend also and that he hopes he has reached out to the neighbors. Chairman Whitaker agreed with Councilor Mathews and indicated that Mr. Bezkorovainy, through the Administration, would be asked to attend the Committee meeting and Council's public hearing. Chairman Whitaker announced an Ordinance Committee meeting will also be held prior to the June 1 Town Council Meeting and thus following the public hearing of the same night, the Town Council could vote on these measures if it so chooses.

Having reviewed all items on the meeting's agenda, Councilor Mathews motioned to adjourn at 7:25 PM, motion seconded by Councilor Smart and unanimously voted.

Respectfully Submitted by-Diane T. Hachey  
Recording Secretary

Approved by-Chairman Kevin Whitaker