

MINUTES OF THE TOWN COUNCIL
Town Hall Council Chambers
March 5, 2007

Present: Michael Smart, President
Paul J. Leary, Vice-President
Jack Carey
Kenneth DiFazio
Sue Kay
T. J. Lacey
Arthur Mathews
Michael Molisse
Patrick O'Connor
Gregory Shanahan
Kevin Whitaker

Not Present: Jane Hackett, Chief of Staff
Kenneth J. DiFazio, Councilor
Richard Swanson, Town Auditor

Also Present: Franklin Fryer, Town Clerk
George Lane, Town Solicitor
James Wilson, Chief Financial Officer

Recording Secretary: Janet Murray

President Smart called the Town Council Meeting to order at 7:30pm.

ANNOUNCEMENTS

Councilor Carey offered congratulations to the Weymouth High School Basketball team as they beat Madison Park High School. They will play again next Sunday in Lowell.

Councilor Molisse announced that the summer program brochure for Weymouth's Recreation program is now available. Registration begins on March 31, 2007.

Councilor Carey offered congratulations to the Weymouth High School Wrestling team.

Councilor Leary stated that there will be a Blood Drive at the Tufts Library at 46 Broad Street on March 19, 2007. He noted that the Red Cross is in desperate need of blood.

Councilor Kay stated that Mary C. Lydon was recently honored for promoting women's sports.

Citation Issuance for Acts of Heroism-Peter Dirksmeier, Andre Matthew, Officer Timothy Browing, Officer Sean Murray, Sergeant John Burke & Sergeant Edward Barry - Councilor Patrick O'Connor

Councilor O'Connor presented citations to two civilians and four Weymouth Police Officers for their actions on December 22, 2006 which saved the life of a motor vehicle operator. Police Chief Thomas stated that he was proud of his men and also emphasized that the help of the civilians was invaluable and without their assistance the situation may have turned out differently.

Citation Pronouncing March as "American Red Cross Month" - Councilor O'Connor

Councilor O'Connor read a proclamation pronouncing March as American Red Cross Month.

CITIZEN’S CONCERN/COUNCIL RESPONSE

Richard Connolly-Illegal Immigration Proposed Ordinance

Mr. Richard Connolly, 79 Mill River Drive, stated that he is present this evening to present an alternative proposal to the one he submitted along with Mr. Casimiro several weeks ago.

Mr. Connolly read from a prepared statement in which he outlined his proposed ordinance. The ordinance promotes civility and respect for our laws and treats illegal immigration as public awareness problem. It uses positive peer pressure – not enforcement of federal or state laws – to change behavior and, with the concurrence of the Mayor, establishes a Citizen Volunteer Committee (CVC).

Mr. Connolly asked that this request be forwarded to the Ordinance Committee

Councilor Shanahan stated that he does not support this issue for two reasons; one is that it does not belong at the Council level; and secondly, even if the town were to take up this issue, the proposal before us is not in the proper venue. He stated that he sees this as an issue that would divide the community with signs, stickers, and boycotts.

Mr. Connolly stated that there are no penalties associated with this issue nor is there a call for vigilante groups.

Councilor Mathews stated that he is discouraged that this issue even needs to be before the Council because it is already a law and the federal government is not enforcing it. He also stated that Mr. Connolly has requested that he be granted the opportunity to discuss this issue at the committee level.

Councilor Mathews made a MOTION to REFER this matter to the Ordinance Committee and was seconded by Councilor Whitaker.

Councilor Lacey stated that he would not support this referral. He stated that there is a risk of legal matters that may result from this proposal, if enacted, such as civil rights violations.

Councilor O’Connor thanked Mr. Connolly for coming before the Council. He stated that he did not believe that this issue belonged in the Ordinance Committee. He stated that the proper avenue to have this conversation would be in the Public Safety Committee.

Councilor Kay stated that as Chairperson of the Ordinance Committee she would accept this measure before the committee. She stated that as a member of the Council she does not support this matter going to the Ordinance Committee.

Councilor Molisse stated that he would not be supporting this measure as he believes that it is too extreme.

Councilor Leary stated that he does not believe that this belongs before any committee of the Town Council.

Councilor Whitaker stated that he seconded the motion to allow for discussion of the referral not on the substance of the proposal. He stated that he is in favor of this going before a committee for discussion.

Councilor Carey stated that he would not be supporting this referral. He stated that this issue is too large to be handles at the local level, and should be handled at another level.

President Smart stated that he would not support this motion. He stated that he has done some research on this issue and noted that several other communities around the nation have passed a measure exactly like this one and had the measure overturned in court.

President Smart stated that Mr. Connolly has appeared before the Council on 1/16/07, 2/5/07, and this evening, 3/5/07.

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Councilor Mathews stated that his intention for the referral was to allow the issue to be discussed as requested by Mr. Connolly.

The MOTION FAILED (2-8).

Robert Bowker--Recycling Efforts

Mr. Bowker, 59 Windsor Road, expressed concern regarding the town's non-compliance with recycling. Weymouth's compliance rate is 17%. The South Shore's overall compliance rate is 32%.

Councilor Mathews stated that he shared Mr. Bowker's concern regarding recycling efforts. Councilor Mathews noted that one company picks up the trash and another picks up the recyclables.

Councilor Mathews made a MOTION to refer this issue to the Public Works Committee and was seconded by Councilor Shanahan.

Councilor Leary stated that this has been an ongoing issue for many years. He noted that the Department of Public Works has blue bins available, free of charge.

Councilor Kay stated that Administration has been talking to other communities regarding regional recycling.

The MOTION was UNANIMOUSLY VOTED.

COMMUNICATION FROM MAYOR, TOWN OFFICERS, AND TOWN BOARDS

07 015-Street Acceptance-Alma Circle

A MOTION was made by Councilor Leary to REFER item number 07 015 to the Public Works Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 016-Street Acceptance-Lester Lane

A MOTION was made by Councilor Leary to REFER item number 07 016 to the Public Works Committee and was seconded by Councilor O'Connor and was UNANIMOUSLY VOTED.

07 017-Street Acceptance-Bayberry Lane

A MOTION was made by Councilor Leary to REFER item number 07 017 to the Public Works Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

07 018-Street-Acceptance-Beverly Court

A MOTION was made by Councilor Leary to REFER item number 07 018 to the Public Works Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

07 019-Street Acceptance-Blueberry Place

A MOTION was made by Councilor Leary to REFER item number 07 019 to the Public Works Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

07 020-Street Acceptance-Blueberry Street

A MOTION was made by Councilor Leary to REFER item number 07 020 to the Public Works Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

07 021-Street Acceptance-Caldwell Street

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A MOTION was made by Councilor Leary to REFER item number 07 021 to the Public Works Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

07 022-Street Acceptance-Cavern Knoll Way

A MOTION was made by Councilor Leary to REFER item number 07 022 to the Public Works Committee and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

Councilor Whitaker suggested that a physical inspection of the streets are conducted.

REPORTS OF COMMITTEES

Public Safety Committee-Chairman O'Connor

Councilor O'Connor stated that a Public Safety Committee meeting was held this week. The first issue discussed was the placement of a sign for Motorcycle Awareness Week. A second issue discussed was the implementation of a fire department operated ambulance service. Lastly, there was discussion regarding graffiti within the town.

Auditor Selection Committee-Chairman Leary

07 023- Auditor Job Description Discussion

Councilor Leary stated that this committee met twice, on 2/27/07 and this evening 3/5/07. The purpose of the meetings was to come up with a job description.

The committee voted unanimously to accept the document titled "Town of Weymouth – Position Description Summary for Internal Auditor".

A MOTION was made by Councilor Leary to ACCEPT the job description for the town auditor (item number 07 023) and was seconded by Councilor Kay and was UNANIMOUSLY VOTED.

NEW BUSINESS

Discussion relative to expanding bus routes - Councilor Mathews

Councilor Mathews stated that he thinks the town should approach the MBTA to discuss the possibility of extending the two bus routes that run through town; the 222 that goes from Quincy Center to Jackson Square and the 225 that goes from Quincy Center to Weymouth Landing.

Councilor Mathews made a MOTION to refer this item to the Economic Development Committee and was seconded by Councilor Shanahan and UNANIMOUSLY VOTED.

07 024 - Rezoning request - 1132 and 1136 middle street - Councilor Mathews

Councilor Mathews made a MOTION to refer this item to the Ordinance Committee and was seconded by Councilor Shanahan and UNANIMOUSLY VOTED.

ADJOURNMENT

At 8:35 there being no further business, Councilor Leary MOTIONED to adjourn and Councilor Kay seconded and was UNANIMOUSLY VOTED.

Michael Smart, Town Council President