

**MINUTES OF THE TOWN COUNCIL**  
**Town Hall Council Chambers**  
**SEPTEMBER 20, 2004**

Present: T.J. Lacey, President  
Michael Smart, Vice-President  
Paul Leary  
Colin McPherson  
Joseph Connolly  
Gregory Hargadon  
Kenneth DiFazio  
Sue Kay  
Michael Molisse

Not Present: Gregory Shanahan  
Art Matthews

Also Present: George Lane, Franklyn Fryer, Jane Hackett, Brad Hayes, and James Wilson

Recording Secretary: Janet Murray

President Lacey called the meeting to order at 7:30pm.

**ANNOUNCEMENTS**

Michael Smart announced that the town has received notification of a meeting regarding the proposed transfer station near the Weymouth line. The meeting will be held on Thursday October 7, 2004 at the Abington Town Hall. He also announced that the Airbase Reuse Plan will be presented at the base on September 23, 2004.

Michael Molisse announced that Weymouth Day would be held on October 2, 2004. There will be a safety fair from 9am – 12pm at the High School on Wildcat Way. At 1pm there will be a parade from Route 53 to the High School. From 3pm – 7pm there will be post parade activities. Participants are urged to use Park Avenue to access the building. More information can be obtained from the town's website: [www.weymouth.ma.us](http://www.weymouth.ma.us).

Sue Kay announced that the League of Women Voters would be meeting at the Hearth and Kettle on October 22, 2004 . Both women and men are welcome.

Ken DiFazio announced that the East Weymouth Neighborhood Association will host Mayor Madden at its next meeting.

Colin McPherson announced that the Economic Development Sub-Committee did not meet tonight as Jim Clarke was unavailable to attend. The sub-committee was scheduled to discuss the abandonment of Theron Avenue.

**PUBLIC HEARINGS**

**04 175 Appropriate \$3,155.76 from Waterways Fund**

Michael Smart made a MOTION to open the public hearing on item #04 175 and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

Councilor Lacey introduced Jim Wilson and Officer Paul Milone to discuss this request. Mr. Wilson noted that the Waterways Fund is restricted. The Fund currently has \$72,306.86. Mr. Wilson stated that the request is for the repair of two propellers and the purchase of two propellers.

T.J. Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #04 175 and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

**04 178 Appropriate \$1M for Arthur Bilodeau Water Treatment Plant Improvements**

Michael Smart made a MOTION to open the public hearing on item #04 178 and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

Councilor Lacey introduced Brad Hayes and Bob O'Connor of the Department of Public Works. James Wilson spoke to the Council regarding Phase 4 improvements at the Arthur Bilodeau Water Treatment Plant on Water Street. The overall cost is approximately \$1.6M. Only \$1M needs to be bonded because there is \$376,000 available from the settlement with Microsonics which was located across the street from the plant, and there is \$228,000 available from 01 0244.

Brad Hayes stated that these improvements represent a major overhaul of the treatment plant. In an overview of the plan Mr. Hayes noted that equipment would be replaced and structural damage repaired.

Councilor Smart asked if the Great Pond Treatment Plant would be able to handle the extra use when this plant is taken off line. Brad Hayes replied that Great Pond can handle the extra usage. He also stated that the plan is to get the work completed during the winter when there is less demand for water. The project is scheduled to be completed by spring.

The design portion has been completed and approved by DEP. The total cost for all 4 phases is approximately \$3M. This is not an upgrade. It is the result of deferred maintenance. Some of the repairs will result in more energy efficiency. Jane Hackett noted that the funding is being asked for now rather than during budget season to be able to begin construction during the off-peak time.

T.J. Lacey asked if there was any public comment to which there was no reply.

## **Town Council - September 20, 2004**

Michael Smart made a MOTION to close the public hearing on item #04 178 and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

### **03 008 Amendments to Section 9 of the Municipal Code**

Michael Smart made a MOTION to open the public hearing on item #03 008 and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

The amendments to Section 9 of the Municipal Code were initially taken up in January of 2003. Councilor Leary read into the record the revisions to Chapter 9.

Colin McPherson noted that these changes were needed in order to regulate itinerant peddlers who appear on street corners to sell flowers and other items during the holidays. All peddlers will need to have a license. He also noted that all ordinances would need to be reviewed in 2005.

Councilor Smart stated that business owners in South Weymouth had expressed concerns about outdoor business licenses.

Sue Kay pointed out that there are three types of sellers: 1) hawkers and peddlers; 2) canvasses, solicitors; and 3) outdoor businesses. She expressed her thanks to the Councilors who have worked diligently on these changes.

T.J. Lacey asked if there was any public comment to which there was no reply.

Michael Smart made a MOTION to close the public hearing on item #03 008 and was seconded by Greg Hargadon and was UNANIMOUSLY VOTED.

### **FY 2004 and FY 2005**

Jane Hackett and James Wilson informed the Council that the town's free cash has been certified. Also, he informed the Council that there will be a supplemental FY 2004 budget increase, which will give the town an additional \$600,000. Ms. Hackett also stated that the SBA (school reimbursements) will be informing the town as to the reimbursement schedule to be expected now that the High School project is completed.

Greg Hargadon suggested that the additional funds be used to replenish the stabilization fund.

### **OLD BUSINESS**

#### **04 174 Mass. Electric, Pleasant Street and Pond Street**

Hernan Yepz of Massachusetts Electric was present before the Council. This item involves the relocation of 19 light poles due to the Massachusetts Highway Department (MHD) project on Main Street/Route 18.

## **Town Council - September 20, 2004**

A MOTION was made by Michael Smart and seconded by Gregory Hargadon to take up measure #04 174 and was UNANIMOUSLY VOTED.

Michael Smart made a MOTION to TAKE FAVORABLE ACTION on item #04 174 for the relocation of 19 light poles by Massachusetts Electric and was seconded by Sue Kaye and was UNANIMOUSLY VOTED.

### **REPORTS OF COMMITTEES**

Budget/Management Committee: Chairman Ken DiFazio

#### **04 175 Appropriate \$3,155.76 from Waterways Fund**

A MOTION was made by Ken DiFazio to TAKE FAVORABLE ACTION on item #04 175 and was seconded by Sue Kay and UNANIMOUSLY VOTED.

#### **04 176 Appointment to Community Events Committee – Sharon Morgan**

A MOTION was made by Ken DiFazio to TAKE FAVORABLE ACTION on item #04 176, appointment of Sharon Morgan of 20 Squanto Road to the Community Events Committee, and was seconded by Sue Kay and UNANIMOUSLY VOTED.

#### **04 178 Appropriate \$1M for Arthur Bilodeau Water Treatment Plant Improvements**

It was noted that the notification date for this item was September 10, 2004.

A MOTION was made by Ken DiFazio to TAKE FAVORABLE ACTION on item #04 178 as per MGL 44 and was seconded by Michael Smart and UNANIMOUSLY VOTED.

Economic Development: Chairman Colin McPherson

#### **04 160 Abandonment of Theron Avenue**

This item was not taken up, as the Economic Development Sub-Committee was not able to meet tonight to discuss it.

Ordinance Committee: Chairman Paul Leary

#### **03 008 Amendments to Section 9 of the Municipal Code**

Paul Leary noted that this item was added as it was not on the agenda. These amendments were referred to the ordinance committee on January 28, 2003. Notice was given on September 10, 2004.

A MOTION was made by Paul Leary to TAKE FAVORABLE ACTION on item #03 008 and was seconded by Michael Smart and UNANIMOUSLY VOTED.

**NEW BUSINESS**

**04 180 Proposed regulation for operation of motor scooters**

President Lacey and Councilor DiFazio stated that a draft proposal for this proposed regulation for the operation of motor scooters is ready to be referred to the Ordinance Committee.

A MOTION was made by Michael Smart to REFER to the Ordinance Committee, item #04 180 and was seconded by Greg Hargadon and UNANIMOUSLY VOTED.

**04 181 Reappointment of Franklin Fryer, as Clerk of Town Council**

A MOTION was made by Paul Leary and seconded by Michael Smart to REFER to the Budget/Management Committee item #04 181, the reappointment of Franklin Fryer, as Clerk of Town Council and was UNANIMOUSLY VOTED.

**ADJOURNMENT**

At 8:30pm there being no further business, Councilor Leary MOTIONED to adjourn and Councilor Molisse seconded. The MOTION was UNANIMOUSLY VOTED.

Approved by: \_\_\_\_\_  
T.J. Lacey, President