

**TOWN COUNCIL MINUTES  
ORDINANCE COMMITTEE  
Town Hall Council Chambers  
January 14, 2018, Monday**

Present: Kenneth DiFazio, Chairman  
Michael Smart, Vice Chairman  
Rebecca Haugh, Councilor  
Christopher Heffernan, Councilor  
Arthur Mathews, Councilor

Also Present: Ted Langill, Chief of Staff  
Richard Swanson, Town Auditor  
Joseph Callanan, Town Solicitor  
Owen MacDonald, Traffic Engineer  
Robert Luongo, Planning Director

Recording Secretary: Mary Barker

Chairman DiFazio called the meeting to order at 6:37 PM-he noted that Councilor Mathews will be late.

A motion was made by Vice Chair Smart to take measure 18 129 out of order and was seconded by Councilor Haugh and unanimously voted

**18 129-Traffic Regulations Parking Restrictions-Phillips Street and Commercial Street**

This matter was referred to the Ordinance Committee on December 17, 2018. Traffic Engineer Owen MacDonald reviewed the measure in a powerpoint presentation. The first part of the measure is Phillips Street. He reviewed the location. Residents from Phillips Street and the Weymouth Police called it to their attention as a result of problems with the parking situation on Phillips Street. Cars are being parked on both sides and on the west side of the street, in addition to cars parking on the sidewalk. Parking is restricted to one side of the street, so it's still passable and cars are allowed to park on one side. On the east side of Phillips there's a fairly wide driveway for Jimmy's and the residence to the north. Marked spaces can accommodate 3-4 vehicles. The west side is open except for one narrow residential drive that can fit 6-7 vehicles. The proposal is to prohibit parking in the marked area on the east side, between Broad Street and 150' north of it.

Chair DiFazio asked who brought it to their attention? It was a citizen, but WPD requested resolution. Councilor Haugh asked if the owners of Jimmy's Diner have any reservations about the proposal. Mr. MacDonald responded that he hasn't heard. The dentist office appears to allow parking in their lot when they are closed. It's not an easy street. This change eliminates 3 parking spots.

The second portion of the measure involves parking on Commercial Street and is a follow up from a recent ordinance. Time restricted parking on a small section of Commercial Street was provided. At the public hearing for the prior measure, the condo trustees made a presentation and another trustee submitted a letter addressing vehicles parked which were encroaching their driveway. They requested an area in front of the complex drive be changed to “no parking” on either side of the entrance drive. They asked for 6’ of clearance on either side of the drive.

Chair DiFazio asked how the restrictions will be marked; signage or crosshatch lines painted on the street? Mr. MacDonald suggested they would erect on a pole that already has a sign added to the pole limiting the parking on the street; however the gas line under the sidewalk poses a challenge to installing a pole on the other side. They will need a dig safe determination. There are two additional signs and probably a marking on the street.

Vice Chair Smart asked if they would consider marked lines on the street instead. Mr. MacDonald responded that they wouldn’t be able to enforce it.

Councilor Haugh noted her concerns with over-signage. All of the signage will be posted on two signs on either side of the street.

Chair DiFazio noted on the record that the committee made a recommendation of white line markings.

Councilor Haugh also noted the shoulder along Commercial Street disappears in this vicinity. Mr. MacDonald responded that the white line would be continuous; it would have to be perpendicular to the curb and would not break for a driveway.

Vice Chair Smart suggested that painting the lines would satisfy the residents. If they simply put the lines in and it doesn’t satisfy the residents, they will have to revisit. Mr. MacDonald responded that the measure is to enact the regulation for “no parking” between points “a” and “b”; it doesn’t state the manner.

A motion was made by Vice Chairman Smart to forward measure 18 129 to the full Town Council with a recommendation for favorable action and utilizing stop bar white lines in the roadway on Commercial Street, and was seconded by Councilor Heffernan.  
UNANIMOUSLY VOTED.

At 6:55 PM, Councilor Mathews arrived.

### **18 130-Traffic Regulations-Bus Stop Mutton Lane**

This matter was referred to the Ordinance Committee on December 17, 2018. Mr. MacDonald reported that this measure was brought forward as a result of a request from the MBTA and its program to make T stops accessible to riders with mobility challenges. One of the locations in Weymouth which has been recommended is the area on Pleasant Street by the Old Stone Condominiums. The proposal is to relocate a stop along Pleasant Street to the end of the sidewalk as Pleasant turns into Mutton Lane, by the driveway to

the Old Stone Apartments and Condos. The MBTA will construct ADA compliant ramps at the stop. There are bus stops in the vicinity now. The current stop has no sidewalk with a sign on an embankment. The MBTA is not proposing an enclosure structure.

Chair DiFazio asked if there are crosswalks in this area. Mr. MacDonald responded that there isn't one close to there. Residents have to cross the street to catch the bus without a crosswalk.

Councilor Mathews asked if the bus stop will remain at Mutton and Washington Streets? It will; it will just be moved a few hundred feet.

A motion was made by Vice Chairman Smart to forward measure 18 130 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Heffernan. UNANIMOUSLY VOTED.

### **18 126-Amending Annual Salary of Various Elected and Appointed Officials**

This matter was referred to the Ordinance Committee on November 13, 2018. A public hearing was held on December 7, 2018. Auditor Swanson provided additional backup. The Chair asked if they had sufficient information. He asked Mr. Langill how they determined to increase each of the salaries/stipends by 16%. Mr. Langill responded that they determined a reasonable amount for the Mayor first; then applied the rate equally across the board. They felt this was reasonable. The Chair noted he asked the Auditor to calculate the average and mean average Mayoral salary for the nine cities/towns surveyed to be \$140,499. The average after removing the highest and lowest was \$138,836. He also noted that if they were to apply the increase to the top step of the highest salary in Weymouth, it would be \$138,000.

The Chair asked if the committee wanted to consider splitting the question.

A motion was made by Vice Chair Smart to split the question and consider the Mayor's salary by itself and was seconded by Councilor DiFazio. Vice Chair Smart suggested since the Mayor is only allowed to hold one position, and the salary hasn't increased in fourteen years, it is a reasonable request. It is not specific to a person, but the position. Councilor Haugh pointed out that some of the positions are not salaried but are stipends.

Councilor Haugh stated that there is a lot expected of the Councilors and School Committee members, and those stipends allow them to do their work. It also hasn't been increased in 15 years. She opposed splitting the question.

Councilor Mathews also is not in favor of a split-- would like time for additional analysis. In an initial survey of over 20 municipalities, Weymouth is second from lowest in pay. Even the 16% would only move it up one spot from the lowest at the bottom.

Councilor Heffernan is not in favor of splitting the question. The stipends in the initial measure have not been increased in 20 years.

Vote failed 2/3 (Councilors Haugh, Heffernan and Mathews- NO).

Councilor Haugh noted it has been twenty years since the form of government changed, and only one prior consideration for salary/stipend increases. This is a budget matter. She could support raises if they were in the budget, and the budget was healthy. Budget season is hectic, but this then allows time to research it further. She would support the motion but would prefer to do so after the budget is presented.

Mr. Langill responded that the amount is small considering the overall budget. The chair asked if this would place any restriction on the budget process. Mr. Langill responded that they could re-file it with the budget. The measure could be voted simultaneously with the budget in June. The chair asked if there would be any adverse reaction as a result of not taking action on the measure.

Vice Chair Smart asked if there was a charter review to be conducted shortly and if that might be a more appropriate time to look at the positions. He isn't sure it's right to put it through in the budget. It's a more transparent process outside of the budget process, since so few constituents take part in the public hearing at the Annual Town Meeting. For whatever reason, the Charter Committee set those stipends/salaries-therefore it is a charter issue.

Chair DiFazio responded that the ordinance has to be passed first so the process remains transparent. Even if it is included in the budget, the ordinance still has to be approved in the processing.

Councilor Mathews noted that they have reviewed and can still take no action until June- if it isn't done by then, it's void since it must be voted within the first eighteen months. He is not concerned with the timeframe. The other alternative is for administration to withdraw the measure and come back with it split.

Chair DiFazio clarified; only one part of the measure was split out (Mayor); they haven't considered the same for Council or School Committee or other boards. Vice Chair Smart noted the administration provided the information the committee requested. Is anything else needed?

Councilor Haugh reported that this is more a charter issue. She suggested looking to what other towns do. Reviewing every 15-20 years is not responsible and seeing headlines that the Mayor seeks a 16% increase is skewed. She would like to see that there is money in a healthy budget to sustain it. Councilor Heffernan also would like to see the budget first.

Councilor Haugh made a motion to delay any action until the FY2020 budget is submitted to the Town Council. She would like to see it as a backup measure with the budget, or it could be included in a supplemental. If the Council adopts it and a budget is presented that eliminates positions-- it would be disastrous. This is the most prudent course. There were other measures that were not voted and carried on the agenda. Chair DiFazio noted that this is not unusual.

Vice Chair Smart suggested they could vote the measure down and have the administration resubmit. Mr. Langill responded that they have no intention of changing the numbers. The submittal was presented for a valid reason.

Vice Chair Smart made a substitute motion to forward measure 18 126 to the full Town Council with a recommendation for unfavorable action and was seconded by Councilor Mathews. Councilor Mathews noted he supports the measure but the administration could consider withdrawing it and submitting the measure for an appropriation for the half-year. Mr. Langill responded that they already established the impact is about \$20,000. If it was passed today and state aid nosedived, they would not submit a budget that gives the Mayor a raise if positions were eliminated. He doesn't understand the wait. They are not changing the proposed number. The only difference is knowing whether they can afford the \$20,000 in April.

Councilor Haugh stated that is exactly why she doesn't want to vote until she sees the budget. If one person had to be laid off because of budget issues she would not support the initial measure. If they agree to it now, they can't reverse the ordinance. Mr. Langill responded that the Mayor and/or Councilors could refuse the raise.

Solicitor Callanan explained their options; they could keep the measure in committee and adopt before the Town Council adopts the budget, or refer it to the Budget/Management committee. Mr. Langill responded that the Town Council cannot add to the budget once it's submitted.

Chair Smart moved the question. Vote passed 3-2 (Councilor Mathews, Haugh- NO).

#### ADJOURNMENT

At 7:40 PM, there being no further business, a MOTION was made by Vice Chairman Smart to adjourn and was seconded by Councilor Heffernan. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Kenneth DiFazio as Ordinance Committee Chairman.  
Approved unanimously on 4 February 2019