

**TOWN COUNCIL MINUTES**  
**Town Hall Council Chambers**  
**December 18, 2017, Monday**

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

Also Present: Ted Langill, Chief of Staff  
Brian Connolly, Chief Financial Officer  
Joseph Callanan, Town Solicitor  
Kathleen Deree, Town Clerk  
Richard Swanson, Town Auditor

Recording Secretary: Mary Barker

President O'Connor called the meeting to order at 6:00 PM. After the Pledge of Allegiance, Town Clerk Kathy Deree called the roll. All members were present.

**ANNOUNCEMENTS**

Councilor Hackett offered a moment of silence for retired School Department teacher Ann Meany who passed away over the past weekend.

Councilor Conlon announced the end of his constituent hours and reported he will be running for Norfolk County Commissioner in the fall of 2018.

Councilor Haugh announced the 6<sup>th</sup> annual Polar Plunge will be held on New Year's Day at Lane Beach. Registration for the noon plunge begins at 11 AM. Adults cost to participate is \$10; children are free and the theme this year is "Your Favorite Sports Team." This will be followed by a party at Hajjar's where additional fundraising will take place. All proceeds will benefit the Joanne DeVanna and Adams School BAAS funds.

**MINUTES**

**Economic Development Committee Meeting Minutes of November 27, 2017**

A MOTION was made by Vice President Smart to approve the minutes of the November 27, 2017 Economic Development Committee meeting and was seconded by Councilor

Mathews. UNANIMOUSLY VOTED.

## **COMMUNICATIONS AND REPORTS FROM THE MAYOR, TOWN OFFICERS AND TOWN BOARDS**

### **17 128-Establishment of the Department of Asset Management and Procurement**

Chief Financial Officer Brian Connolly requested on behalf of the Mayor that the Town of Weymouth, through the Town Council, amend the Town of Weymouth Code of Ordinances in the following manner:

SECTION 1. Section 3-326 of Chapter 3 of the Town of Weymouth Ordinances is hereby amended by striking out subsection (a), and inserting in place thereof the following subsection:

- (a) Establishment. The Purchasing Agent shall be appointed by and shall be responsible to the Mayor designee, in accordance with MgL c.41, §103.

SECTION 2. Section 4-201 of chapter 4 of the Town of Weymouth Ordinances is hereby amended by striking out, in subsection (b) (7), the figure “;” and inserting in place thereof the following figure: - .

SECTION 3. Section 4-201 of chapter 4 of the Town of Weymouth Ordinances is hereby amended by striking out subsection (b)(8).

A MOTION was made by Vice President Smart to refer measure 17 128 to the Budget/Management Committee and was seconded by Councilor Mathews.  
UNANIMOUSLY VOTED.

### **17 129-Measure to Provide an Exemption Under the State Ethics Law to Allow Municipal Employees to Plow Snow**

Solicitor Callanan requested on behalf of the Mayor that the Town of Weymouth, through Town Council, hereby authorizes, under General Laws, chapter 268A, section 20(b), certain municipal employees to contract with the Town to offer snow plowing services. The Department of Public Works shall not employ these certain municipal employees and they have no official responsibilities within the department. The employees will file with the Town Clerk the proper disclosure required by the state Ethics Commission and will not do this contracted work over five hundred hours during any calendar year. These employees shall offer the services outside their normal working hours and the municipal employee's regular duties do not require these contracted services. The director of the Department of Public Works will certify each employee's disclosure that no employee of the agency is available to do those contracted services as part of their regular duties because the need for snow plowing services exceeds the existing manpower of the department. The Council is requested to delegate to individual Councilors, a number less than a quorum of any subcommittee or the entire body, the authority to sign the required disclosures.

Action is requested under section 2-9(b), same night action of the Town's Charter.

Vice President Smart asked if the purpose of the measure is to accept the section of MGL? Solicitor Callanan noted there are several employees who work in other departments and could plow for the DPW, and is permitted under current conflict of interest rules if the Town Council allows it. Currently an employee cannot work for one department and then plow for the DPW without the exemption. The town currently does not have enough snow removal vendors. If the council approves this, then they would delegate the authority to sign off on disclosures. They could delegate the authority to some councilors to sign off on the disclosures for the conflict of interest waiver. Completed disclosures would be filed with the Town Clerk.

Councilor Hackett asked how many employees this would involve. Solicitor Callanan responded that there is one now, but they could probably get another half dozen once they make them aware. It would need to be publicly noticed. Pending action, they cannot work for one department and then work plowing for the DPW. Councilor Lacey noted he is inclined to refer the matter to committee for deliberation.

A motion was made by Councilor Lacey to refer measure 17 129 to the Ordinance Committee and was seconded by Councilor DiFazio. Solicitor Callanan responded that they would want to take action quickly in case there is more snow before the subcommittee can deliberate.

Vice President Smart asked why there are twenty fewer outside contractors this year. Solicitor Callanan responded that it is a result of more stringent insurance requirements to better comply with state procurement requirements and the increased rates in other towns, specifically Braintree. Councilor Hackett asked if they should be reviewing the new requirements also. Additionally she asked if the Mayor has the authority to bring in vendors in the event of an emergency. Solicitor Callanan responded yes, but it does not waive this conflict of interest requirement. Councilor Molisse asked how many one-man vendors are working for Weymouth currently. Solicitor Callanan responded there are several. Councilor Molisse asked why this was being brought forward at this time and not earlier. Solicitor Callanan responded that the last snow event had some no-shows by contractors.

Councilor DiFazio noted that the Ordinance Committee would not meet until after the new year. Councilor Haugh asked for the difference in pay rates between Braintree and Weymouth. Solicitor Callanan will provide this information.

Councilor Lacey suggested that due to the complexity of the issue, he would be more comfortable with time to review the detail but would be open to a substitute motion.

Councilor Hackett noted she would be inclined to support this if the Council could appoint a member(s) to review the 4-page submission.

Councilor DiFazio asked if it is a one-time review of each vendor? Solicitor Callanan responded that it is; but the Council would determine whether they choose to do it less or more than once a year and determine to when it would be revisited. It could be good through June 30<sup>th</sup>.

Councilor Mathews noted that he does not have a problem with supporting, but more important is how they got to this point. Vendors are going to private venues that don't require the insurance that a municipality does. The insurance guidelines are stricter than what is required and it is a losing proposition if there isn't much snow. Prior to 2016, the vendors were not required to have additional snow endorsement coverage. The current additional snow removal coverage requires \$1 million coverage per single incident and \$3 million in the aggregate. Vice President Smart also noted he was inclined to refer this to committee to obtain further information.

A substitute motion was made by Councilor Hackett to consider measure 17 129 under 2-9(b), same night action, and to amend the measure to include that approvals are good until June 30, 2017 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

A motion was made by Vice President Smart to approve measure 17 129 as amended and was seconded by Councilor Mathews. Vote Passed 10/1 (Councilor Lacey-NO)

A motion was made by Vice President Smart to refer the matter of snow plowing contracts to the Public Works Committee and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

## **REPORTS OF COMMITTEES**

### **Budget/Management Committee-Chairman Michael Molisse**

Councilor Molisse reported that the Committee met on December 18, 2017 to deliberate the following measures:

#### **17 112-Appointment to the Zoning Board of Appeals-Brandon Diem**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 112; that the Town of Weymouth appoint Brandon Diem of 22 Stratford Road to the Zoning Board of Appeals for a term to expire on June 30, 2019 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

#### **17 118-Appointment to the Cultural Council-Hong Vuong**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 118; that the Town of Weymouth appoint Hong Vuong of 26 Paris Street to the Cultural Council for a term to expire on June 30, 2019 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**17 119-Appointment to the Board of Health-Lynn Squillace**

This matter was referred to the Budget/Management Committee on November 20, 2017.

The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 119; that the Town of Weymouth appoint Lynn Squillace of 119 Pond Street to the Board of Health for a term to expire on June 30, 2020 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**17 120-Appointment to the Historical Commission-James Clarke**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 120; that the Town of Weymouth appoint James Clarke of 86 Great Hill Drive to the Historical Commission for a term to expire on June 30, 2018 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**17 121-Appointment to the Waterfront Committee-James A. Sullivan**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 121; that the Town of Weymouth appoint James A. Sullivan of 75 Blanchard Street to the Waterfront Committee for a term to expire on June 30, 2020 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**17 122-Appointment to the Scholarship Committee-Joanne Kelly**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 122; that the Town of Weymouth appoint Joanne Kelly of 63 Governor Winthrop Lane to the Scholarship Committee for a term to expire on June 30, 2020 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**17 123-Appointment to the Commission on Disabilities-Michelle Casey**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 123; that the Town of Weymouth appoint Michelle Casey of 34 Hollis Street to the Commission on Disabilities for a term to expire on June 30, 2019 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

**17 126-Appointment to the Cultural Council-Mary Pap**

This matter was referred to the Budget/Management Committee on November 20, 2017. The Committee met on December 18, 2017 and voted to forward to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Councilor Molisse to approve measure 17 126; that the Town of Weymouth appoint Mary Pap of 60 Lovell Street to the Cultural Council for a term to expire on June 30, 2019 and was seconded by Vice President Smart. UNANIMOUSLY VOTED.

Councilor Molisse thanked the previous appointees to these committees for their dedication and years of service.

**MOTIONS, ORDERS AND RESOLUTIONS**

**Motion to Carry Over Measures from Calendar Year 2017 to 2018-Vice President Michael Smart**

A motion was made by Vice President Smart to carry over open measures to Calendar Year 2018 and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

**ANNOUNCEMENTS**

**Tribute to Councilor-at-Large Robert Conlon-President Patrick O'Connor/Mayor Robert Hedlund/Representative James Murphy's Office/Representative Ronald Mariano's Office**

President O'Connor reviewed Councilor Conlon's service. During his first few years he kept the rebuilding of Legion Field on the forefront of the Council's focus. He has been an advocate for seniors and for public safety. He commended his service to the City of Boston and the Town of Weymouth. He read a citation from the state delegation into the record and presented Councilor Conlon with a town tile and an ornament of the Fogg Library. Mayor Hedlund also offered comments on Councilor Conlon's humor, spontaneity, and overall commitment to the town and read a citation from his office into the record. The Council and audience joined in a standing ovation and many of the Councilors offered their comments of appreciation. Councilor Conlon thanked everyone

for the civics lessons he experienced running for office and serving as a Councilor-- he hopes to bring the same to his next campaign. He reported that he takes pride in his part in making Weymouth a great place to live and play.

**Tribute to Council President Patrick O'Connor –Vice President Michael Smart/Mayor Robert Hedlund/Representative James Murphy's Office/Representative Ronald Mariano's Office**

Vice President Smart invited Mayor Hedlund to offer his comments. Mayor Hedlund reviewed his first time meeting Councilor O'Connor was when Patrick was in high school. Councilor O'Connor shadowed Senator Hedlund as an intern at the State House and recalled that he displayed an interest in civics at an early age. He showed a knowledge, wisdom and maturity beyond his years. He's shown great patience. Mayor Hedlund read a citation from his office into the record.

Vice President Smart also offered comments on behalf of the Council and read a citation from and signed by every Councilor into the record. Each of his fellow Councilors offered comments on President O'Connor's service on the Council. President O'Connor reflected on his time on the Council and thanked each of the Mayors under whom he served: David Madden, Susan Kay and Robert Hedlund. He reported he will continue to serve the town in his state capacity and into the future. The Council and audience held a standing ovation.

**ADJOURNMENT**

The next regular meeting of the Town Council has been scheduled for Tuesday, January 2, 2018. At 7:22 PM; there being no further business, a MOTION was made by Vice President Smart to adjourn the meeting and was seconded by Councilor Mathews. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Patrick O'Connor as President of the Town Council

Voted unanimously on 5 February 2018