

**TOWN COUNCIL MINUTES**  
**Town Hall Council Chambers**  
**March 5, 2018, Monday**

Present: Michael Smart, President  
Arthur Mathews, Vice President  
Kenneth DiFazio, Councilor  
Jane Hackett, Councilor  
Fred Happel, Councilor  
Rebecca Haugh, Councilor  
Christopher Heffernan  
Thomas J. Lacey, Councilor  
Michael Molisse, Councilor

Absent: Ed Harrington, Councilor  
Brian McDonald, 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  
Robert Luongo, Planning Director  
Sandra Williams-Chair of the Planning Board  
George Berg-Planning Board  
Paul Rotondo-Planning Board

Recording Secretary: Mary Barker

President Smart called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathy Deree called the roll, with two members absent. President Smart reported that Councilors Harrington and McDonald were both absent due to the flu.

**ANNOUNCEMENTS**

Councilor Hackett announced the Weymouth Recreation summer program registration opened to Weymouth residents on March 1, 2018. Residents can access information on the website [www.weymouth.ma/recreation](http://www.weymouth.ma/recreation) or by calling 682-6124. The flyer is on the website and printed copies will be out shortly. Registration will extend to non-residents on March 15, 2018.

President Smart invited Chief of Staff Langill to provide an update on the recent storm. Mr. Langill reported that schools will be open on Tuesday. As of 5 PM tonight, 200 customers, or 1%, were still without power. Chief Stark and Mr. Langill have been in constant contact. The priorities are the schools, pumping stations and senior housing.

There are four large pockets of outages that National Grid is working on 24/7. The regional warming center has been moved from Weymouth High to the Whipple Center. DPW is working nonstop on preparations before the storm and cleanup. They will have an additional debris pickup day in North Weymouth the weekend of March 17<sup>th</sup>. Residents can also bring tree/brush debris to Hollis Street during the day. An additional fire engine was added to service. The town hall sustained office damage and as a result, the Human Resource department will be moved to McCulloch for several months. President Smart asked that the administration post the pertinent information to the town website for the public.

## **MINUTES**

### **Budget/Management Committee Meeting Minutes of January 16, 2018**

A MOTION was made by Vice President Mathews to approve the minutes of the January 16, 2018 Budget/Management Committee meeting and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

### **Town Council Meeting Minutes of January 16, 2018**

A MOTION was made by Vice President Mathews to approve the minutes of the January 16, 2018 Town Council meeting and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

### **Town Council Meeting Minutes of February 5, 2018**

A MOTION was made by Vice President Mathews to approve the minutes of the February 5, 2018 Town Council meeting and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

### **Ordinance Committee Meeting Minutes of February 6, 2018**

A MOTION was made by Vice President Mathews to approve the minutes of the February 6, 2018 Ordinance Committee meeting and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

## **PUBLIC HEARINGS**

### **17 127-Zoning Amendment to Create a Commercial Corridor Overlay District**

A MOTION was made by Vice President Mathews to open the public hearing on 17 127 and was seconded by Councilor Lacey. This was continued from February 20, 2018, published on February 7 and 14, 2018. UNANIMOUSLY VOTED.

A Motion was made by Paul Rotondo to open the public hearing and was seconded by George Berg. UNANIMOUSLY VOTED.

Ms. Williams stated that speakers in the hearing are required to adhere to Roberts Rules; speakers will be limited to five minutes. So that everyone has the chance to speak, she urged commenters to please keep their comments succinct.

Mr. Schneider reviewed the changes to the proposed ordinance since the last presentation. Additional changes to the ordinance (p9 of the measure):

- Height- no limit for garages-propose to change- single story detached garages.
- Section 4-7 add prohibited -outdoor sale of automobiles; 10% of inventory- will not affect grandfathered lot (unless vacant for 2 years, then becomes a nonconforming use)
- Section 8- additions to POP – ability to retail sales and assisted living facilities-nursing homes/ special permitted uses, restaurants, theaters.
- Section 11- clarification- part of the overlay -add buffer and step-up approach.
- Section 12- take signage out of the variance process- approach from a design standpoint.
- Section 13- parking requirements-restaurants. Out of alignments with neighbors change to 1 : 3
- Add language – dumpsters to be screened; part of condition process – memorialize it for zoning
- Stricken- come up with a way to limit amount of impervious surface allowed on a resident's property. This places the burden on the homeowner and will make it a hard regulation to enforce. Take out and find another way to address them.

Councilor Lacey asked if there was an amendment. Mr. Schneider responded that he is maintaining a red-line copy. There have been modifications to the measure as it was originally presented. Councilor DiFazio reported that this is the manner in which the Ordinance Committee is handling the measure; as comments are made, and agreed to; the changes are made to the redline copy. They have reviewed one iteration thus far and expect another at the next meeting. Councilor Lacey responded that he trusts the Ordinance Committee's work; and it would benefit the Planning Board and Town Council to receive an updated copy before it is presented for a vote. Mr. Schneider responded that he has copies of everything up to date. He noted they have also beefed up some language at the request of residents in the district. He noted the latest version was distributed at the last Town Council meeting.

Council President Smart asked if there were any comments from the public.

**Laurie Yeisley-Drogan, 755 Front Street**, spoke in favor of the measure. The proposed changes will lure businesses to enhance the town. There is nothing in the proposal that adds commercial where it wasn't allowed before.

**Stephen Ford 50 Samoset Street**, spoke in favor. Changes that are happening in cities taking place here.

**Cathy Swain, 134 Middle Street**, spoke in favor and she quoted language in the Master Plan. She noted everything in the proposal is an improvement.

**Robert Montgomery Thomas, 848 Washington Street**, requested they make the proposal and changes available on the website. He has gathered signatures. President Smart asked him not to comment on specific projects for a specific area and speak to the

overlay district only; not the Mayor, or any potential projects. Councilor Hackett made a point of order when Mr. Thomas continued his comments about a proposed project. President Smart asked Mr. Thomas to confine his comments to the proposed ordinance change. Mr. Thomas continued his comments and was again reminded to speak to the subject and Mr. Berg declared a point of order regarding comments made about certain Weymouth residents.

Councilor Haugh, cited Rule 11(e) of the Town Council rules, *“each person addressing the Council shall do so in an orderly manner and shall not make repetitious, slanderous or irrelevant remarks or engage in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of the Council meeting. Additionally 11(f) states any person who so disrupts the meeting may at the discretion of the president or a majority of the Council may be subject to ejection from the meeting.”* She noted that if Mr. Thomas continued, she would make the Motion. Councilor Hackett seconded.

**Eleanor Edwards 779 Main Street**, requested a copy of the proposal. She asked what happens to property currently zoned Medical Services. Mr. Schneider responded that this proposal does not affect any other zoning. Maps indicate the locations of the proposed sites and are available on the website.

**Bob Delaney 27 Belmont Street**, reported that he drove to see the proposed sites. These are areas that are dormant that need to be brought up. The plan as outlined addresses the concerns of the commercial public. They don’t want empty storefronts that won’t bring in revenue. A dormant property is a liability to the town. He urged implementation.

A MOTION was made by Vice President Mathews to close the public hearing on 17 127 and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

On behalf of the Planning Board, a MOTION was made by Paul Rotondo to close the public hearing and was seconded by George Berg. UNANIMOUSLY VOTED.

President Smart reported that the Ordinance committee would meet next on March 8, 2018 to continue deliberation. Updates will continue to be made available.

A MOTION was made by Councilor Lacey to take a three-minute recess and was seconded UNANIMOUSLY VOTED.

A MOTION was made by Councilor Lacey to reconvene and was seconded by Vice President Mathews. UNANIMOUSLY VOTED.

### **18 009-Application of Bond Premium**

A MOTION was made by Vice President Mathews to open the public hearing on 18 009 and was seconded by Councilor Haugh. This was published on February 23, 2018. UNANIMOUSLY VOTED.

CFO Connolly presented the measure for acceptance of bond premium. A study was conducted under the Community Compact as a result of the Municipal Modernization Act. Going forward, bond premiums will remain with the projects or applied to like projects. The matter was discussed at Budget/Management. A representative from First Southwest will be invited to make a presentation on bond premium changes. During this presentation, Councilor Hackett returned. Councilor Molisse reported that the committee deliberated the measure and tabled it pending a presentation by bond counsel, scheduled for March 19, 2018.

**Robert Montgomery Thomas, 848 Washington Street** asked how this relates to the bonds out for the new library. He asked what is the actual cost of the borrowing for that project and at what rate? He noted that the town is borrowing \$33 million. The information will be provided by the administration.

A MOTION was made by Vice President Mathews to close the public hearing on 18 009 and was seconded by Councilor Lacey. Councilor Hackett asked if it would make sense to continue the matter while it's still in deliberation in Budget/Management. President Smart responded that it is not uncommon to close a public hearing while the committee still deliberates. He deferred the decision to Councilor Molisse as chair. Councilor Molisse responded that he will report out on the measure after the committee completes its work. UNANIMOUSLY VOTED.

**18 010-National Grid Gas Installations-Various Streets Surrounding Summer Street**

A MOTION was made by Vice President Mathews to open the public hearing on 18 010 and was seconded by Councilor Lacey. Abutters were notified on February 23, 2018. UNANIMOUSLY VOTED.

President Smart thanked workers who assisted National Grid with the utility repairs following the recent storm. Barbara Kelleher, Permit Representative for National Grid, presented the measure that includes a detailed map. Councilor Lacey asked what initiated the application. Ms. Kelleher responded that the company and town coordinated the work around paving. The main will be replaced and the regulator removed from Rucille. This is less around customer request. The Summer Street section will be new. Timing is not too sensitive. The work will begin in the spring. They will strictly adhere to the moratorium.

President Smart noted his concerns about trenching and existing pavement. Every poor trench has poor compaction, and falls back on the town to repair. He urged they follow the town's regulations and work closely with DPW and administration. Ms. Kelleher responded that there will be a construction meeting with the town before any cuts are made. President Smart requested that they let the residents know with sufficient notice as well as Councilor Lacey.

Councilor Lacey echoed the comments and he reviewed the past history; there were good intentions but results were good to fair. He asked that notifications be sent to those along Summer, Homestead and side streets affected. Councilor Haugh noted that as of last year 300 identified gas leaks are known in Weymouth; there is one in particular near Sherricks

Farm Road that has been in existence for twenty years; she questioned if they would address this issue? Ms. Kelleher will pass the comments along.

Council President Smart asked if there were any comments from the public, to which there was no response.

A MOTION was made by Vice President Mathews to close the public hearing on 18 010 and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

A MOTION was made by Vice President Mathews to take action on 18 010 under 2-9b (same night action) and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

A MOTION was made by Vice President Mathews to Approve 18 010; that the Town of Weymouth consent to the locations of mains of National Grid for the transmission and distribution of gas in and under public streets, lanes, highways and places of the Town of Weymouth substantially as described in the petition dated January 17, 2018 and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said company and the digging up and opening the ground to lay or place same. The Motion was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

## **OLD BUSINESS**

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

### **18 013- Reserve Fund Transfer-Engineering Services**

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth transfer the sum of \$91,000 from the Reserve Fund for the purpose of funding costs associated with professional services to provide assessment, design, bidding and construction phases related to the abatement and demolition of the derelict municipal incinerator located at zero Wharf Street.

A MOTION was made by Vice President Mathews to refer measure 18 013 to the Budget/Management Committee and was seconded by Councilor Lacey. Councilor DiFazio noted this project has been a long time coming. UNANIMOUSLY VOTED.

### **18 014-Reserve Fund Transfer-Copier Purchases**

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth transfer the sum of \$55,847.21 from the Reserve Fund for the purposes of purchasing nine multifunction copier/printers.

A MOTION was made by Vice President Mathews to refer measure 18 014 to the Budget/Management Committee and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

## **REPORTS OF COMMITTEES**

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

#### **18 009-Application of Bond Premium**

This matter was referred to the committee on February 5, 2018. The Committee met on March 5, 2018 and voted to table the measure pending receipt of additional information.

### **Public Parks and Recreation Committee-Chair Jane Hackett**

It was reported that the Committee met on February 20, 2018 and on March 5, 2018 to deliberate the following measures. She encouraged the public to watch the recorded presentation, at which revenue generated from the fields was discussed.

### **Update on Park Construction and Permitting- Mayor Hedlund and Staff**

Councilor Hackett reported that the presentation began on February 20, 2018 for a construction update. Many of the projects thus far have come in under budget and ahead of schedule on Lovell, Weston and Libbey. The meeting was continued to March 5, 2018 to discuss an increase in fees for the larger facilities.

Revenue generated from the fields was discussed. Fees are increasing as a result of improvements. The order in which fields will be rented was reviewed. She noted WHS field is used 54% of the time it is available. The Recreation Department has taken over permitting of the fields. Organized groups and the administration will meet with the Mayor in the next few weeks to discuss the impact of the fee increases. She thanked the staff the Recreation Department for their input.

## **ADJOURNMENT**

The next regular meeting of the Town Council Meeting has been scheduled for Monday, March 19, 2018. At 8:53 PM; there being no further business, a MOTION was made by Vice President Mathews to adjourn the meeting and was seconded by Councilor Lacey. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Michael Smart as President of the Town Council.

Voted unanimously on 2 April 2018