

**TOWN COUNCIL MINUTES
Town Hall Council Chambers
September 10, 2018, Monday**

Present: Michael Smart, President
Arthur Mathews, Vice President
Kenneth DiFazio, Councilor
Jane Hackett, Councilor
Fred Happel, Councilor
Ed Harrington, Councilor
Rebecca Haugh, Councilor
Christopher Heffernan
Arthur Mathews, Councilor
Brian McDonald, Councilor
Michael Molisse, Councilor

Also Present: Brian Connolly, Chief Financial Officer
Joseph Callanan, Town Solicitor
Kathleen Deree, Town Clerk
Owen McDonald, Traffic Engineer
Sergeant Brendan Fogarty, WPD
Braydon Marot, Project Engineer
Paul Jacques, P.E., Project Manager, Woodard & Curran
Scott Madeiros, P.E., Vice President, Woodard & Curran

Absent: Richard Swanson, Town Auditor

Recording Secretary: Mary Barker

President Smart called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll. President Smart reported that Councilor Hackett is expected to arrive late. All others were present.

ANNOUNCEMENTS

President Smart announced the following committee chair appointments in the absence of a District 2 Councilor:

- Public Safety Committee – Councilor Happel will chair
- Mental Health & Substance Abuse – Councilor Heffernan will chair

The remainder of Councilor Lacey's committee appointments will be filled once the District 2 Councilor is seated.

MINUTES

Budget/Management Committee Meeting Minutes of April 30, 2018

A MOTION was made by Vice President Mathews to approve the minutes of the April 30, 2018 Budget/Management Committee meeting and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

Ordinance Committee Meeting Minutes of June 4, 2018

A MOTION was made by Vice President Mathews to approve the minutes of the June 4, 2018 Ordinance Committee meeting and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

Ordinance Committee Meeting Minutes of June 12, 2018

A MOTION was made by Vice President Mathews to approve the minutes of the June 12, 2018 Ordinance Committee meeting and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

Budget/Management Committee Meeting Minutes of June 18, 2018

A MOTION was made by Vice President Mathews to approve the minutes of the June 18, 2018 Budget/Management Committee meeting and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

Special Town Council Meeting Minutes of July 30, 2018

A MOTION was made by Vice President Mathews to approve the minutes of the July 30, 2018 Special Town Council meeting and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

PUBLIC HEARINGS

18 112-Traffic Regulations-Legion Field Vicinity

A MOTION was made by Vice President Mathews to open the public hearing on 18 112 and was seconded by Councilor Molisse. This was published on August 31, 2018. UNANIMOUSLY VOTED.

Owen McDonald, Traffic Engineer and Sergeant Brendan Fogarty, WPD presented the measure with supporting aerial photographs (2) of the subject locations. The Police Department has received complaints from residents in the Mt. Vernon neighborhood, which is a narrow street with parking restricted to one side. Changes recommended based on:

- The opening of the new King Oak Hill Park.
- Pedestrians crossing at the crosswalk at Legion; proposed restricting parking there.
- The crosswalk across Middle to the stadium is in the middle of the bus stop-mandatory no parking; recommend no parking on house side.

- Based on a complaint that commuters are parking their cars in the lot at Legion to take a bus or commuter rail (all day); restrict parking to 2 hours between 7AM-noon.

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 18 112 and was seconded by Councilor Molisse. President Smart reported that the matter is in deliberation in committee (Ordinance) and a meeting will be scheduled.
UNANIMOUSLY VOTED.

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

Puritan Road Flood Mitigation and Ecological Resilience Project – Braydon Marot, Project Engineer for the Town of Weymouth Paul Jacques, P.E., Project Manager, Woodard & Curran Scott Madeiros, P.E., Vice President, Woodard & Curran

Scott Madeiros provided the powerpoint presentation. A failing culvert in Great Esker Park at Puritan Rd. has structure issues and it is affecting quality of water in the inlet salt marsh. Power point presentation:

Project Background- The town had experienced structural failure of the culvert, located at the end of Puritan Road, which carries tidal flows from the Back River, under the Great Esker Park trail, into a tidal inland salt marsh. The marsh receives stormwater from several source discharges and its habitat had been deteriorating over time, due to the reduction of water exchange volume and flushing, leading to development sediment deltas, invasive species density and bacteria growth.

Project Approach

- Phase I: Evaluation and Alternatives
 - Evaluation of Alternatives
 - \$75,000 CZM Grant Award
 - \$25,000 Town Match (CPA Funds / In-kind Services)
 - May 2015 – December 2015
 - Applications prepared by town staff with Woodard & Curran support
 - Goals
 - Study the existing drainage system and run-off characteristics between the Back River and an inland salt marsh
 - Evaluate adaptive solutions for retrofitting the persistently collapsing culvert to improve drainage and tidal flow capacity
 - Develop a wetland restoration plan to improve wildlife habitat and wetland functions

- Identify a preferred alternative solution which will serve as the basis for estimating Phase II Costs (Final Design & Permitting)
- Final deliverable to support a second grant request to CZM for the development of final design documents and permits
- Tasks
 - Task 1- Wetlands Delineation, Survey and Evaluation
 - Delineated salt marsh boundaries in accordance with DEP requirements
 - Analyzed the wetland's vegetative community, hydrology and hydric soils
 - Evaluated the area's channels for stability and function and considered opportunities for a natural unburied stream design to improve the salt marsh's ecological resilience
 - Conducted public outreach meeting to introduce projects and goals
 - Task 2 – Restoration Plan Development
 - Developed a permit-level restoration and resilience plan to improve hydrological connectivity, restore salt-tolerant vegetation, control invasive species, and improve habitat quality.
 - Task 3 – Estuarine Culvert Model
 - Refined and verified the current condition of the collapsing culvert at Puritan Road
 - Collected necessary data to develop an estuarine culvert-and-control model to understand the hydrodynamics in the salt marsh
 - Evaluated multiple culvert types, dimensions, inverts and flow-control structures under various tidal and runoff conditions
 - Incorporated climate change variables including sea level rise, greater storm surge and more intense precipitation
 - Task 4 – Estuarine Culvert Concept Design
 - Developed preliminary design recommendations based on at least three options:
 - In-kind replacement of culvert
 - Replacement with a larger diameter culvert to promote greater tidal water exchange
 - Removal of the culvert and creation of a natural open channel connection
 - Conducted a public meeting on the preliminary design recommendations for public review and comment
 - Selected preferred culvert design alternative
 - Task 5 – Final Report

- Prepared a final report for wetland restoration and preferred culvert design recommendations
 - Identified all permits required for implementation of design plans and included a list of potential funding sources for financial planning
 - Conducted a public meeting on final design recommendations
- Preferred Alternative
 - Open bottom box culvert under Great Esker trail
 - Standard box culvert, easy to construct, financially reasonable
 - Provides greatest tide range of 7.9 feet
 - Maximum 16-yr flood level + 8.6 ft. NAVD88
- Ecosystem Enhancements
 - Create new open channel with 4-ft. wide bottom
 - Short box culvert under Great Esker trail
 - Channel bottom set at -1.6 ft. VAVD88 to increase tidal range
 - Dredge sediment from ~130 Ft. of channel from invert into wetland
 - Eroded bank re-stabilization
 - Manual removal of invasive species
 - Monitor native and invasive wetland species
 - Annually in August
 - 3-5 years
 - report to Conservation Commission
- Phase II: Final Design & Permitting
 - \$45,000 CZM Grant Award
 - \$15,000 Town Match (CPA Funds / In-kind Services)
 - \$60,000 total
 - November 2016- June 2017
 - Application Prepared by Town staff with Woodard & Curran Support
 - Goals
 - Obtain required permits to implement the work
 - Prepare construction level contract documents (Plans and Specifications)
 - Final deliverables to support a third and final grant request to CZM for construction
 - Tasks
 - Task 1: Environmental Permitting
 - 1.1– MEPA Environmental Notification Form
 - 1.2 – Notice of Intent (NOI) Application
 - 1.3 – Section 401 Water Quality Certification (WQC) for minor dredging Project (BRP WW08)
 - 1.4 – Section 404 United States Army Corps of Engineers (ACE) Preconstruction Notification Form (PCN)

- 1.5 – Massachusetts Historical Commission Project Notification Form (PNF)
 - 1.6 – Mass DEP Division of Wetlands and Waterways Chapter 91 Dredge Permit Application (BRP WW01)
- Task 2: Final Design/Services
 - 2.1 – Geotechnical Services
 - 2.2 – Final Design
 - 2.2.1 – Project Drawings
 - 2.2.2 – Contract and Technical Specifications
 - 2.2.3 - Opinion of Probable Construction Cost
 - Contract Documents
- Phase III: Construction
 - \$397,500 CZM Grant Award
 - \$132,500 town match (CPA funds / in-kind Services)
 - September 2017 - June 2018
 - Application prepared by Town Staff with Woodard & Curran support
 - Task 1 - Bidding
 - Task 2 - Construction Administration
 - Task 3 - Resident Project Representative
 - Task 4 - Project Closeout

At 7:54 PM, during this presentation, Councilor Hackett arrived.

Councilor McDonald asked what is the life expectancy of the project. Mr. Madeiros responded that it is a 50⁺-year design. Councilor Haugh thanked the parties and noted the neighborhood appreciates the work. She noted the photographs in the presentation don't do it justice. President Smart asked if they have seen a return of any of the native species. A baseline was performed about three months ago, and they will assess the progress. President Smart asked if there was much road debris and if monitoring is included in the fee. Debris was significant at the end of the system; the neighborhood above provided discharge. The administration will work with the Conservation Commission and with the CZM grant. President Smart noted that the project was unanimously supported and is a great project.

18 111-Community Preservation Committee-Study for Smelt Brook at Weymouth Landing

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth appropriate \$65,500 for the Weymouth-Braintree Regional Recreation Conservation District Commission (WBRRCDC) to be the sponsor for the Army Corps of Engineers to perform a feasibility study. The purpose is to restore the Smelt Brook upstream of Weymouth Landing as follows: \$218.95 from the Community Preservation fund balance reserve for open space and \$65,281.05 from the Community Preservation unreserved fund balance contingent upon the WBRRCDC obtaining a written commitment from the

Army Corps of Engineers to fund 75% of actual construction costs and the town of Braintree's CPC's commitment to funding their share of the feasibility study. Auditor Swanson reported an amended balance in the CPC via a memo to the committee. President Smart reported the Auditor was unable to be present.

A MOTION was made by Vice President Mathews to refer measure 18 111 to the Budget/Management Committee and was seconded by Councilor Molisse.
UNANIMOUSLY VOTED.

18 113-Traffic Regulations-Pingree Vicinity Associated with New Driveway Access-Egress Pattern

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth, through the Town Council, pursuant to GL Ch. 40, §22, and the Town of Weymouth Code of Ordinances, Section 13-102(l) and (aa), and 13-104(a), authorize the erection of signs, signals and markings regulating motor vehicle and pedestrian movement as follows:

Stop		
Street	Intersecting	Direction
Cottage Street	Commercial Street	Eastbound
Pingree School Driveway	Commercial Street	Westbound

School Zone, Speed Limit 20 Miles per Hour		
Street	Location	Hours
Commercial Street	Between points 200 feet north of Cottage Street and 350 feet south of Cottage Street	8:20 AM to 9:20 AM and 2:45 PM to 3:45 PM
Cottage Street	Between Commercial Street and a point 80 feet west of Commercial Street	8:20 AM to 9:20 AM and 2:45 PM to 3:45 PM

Crosswalk	
Street Crossing	Location
Commercial Street	South Side of Pingree School Driveway Intersection

Restricted Turning Maneuvers			
Location	Direction	Restriction	Time
Commercial Street at Cottage Street	Northbound	Left Turn Prohibited	8:30 AM to 3:45 PM, Monday through Friday, Except Holidays,

			September 1 through June 30
Pingree School	Westbound	Left Turn Prohibited	8:30 AM to 3:45 PM, Monday through Friday, Except Holidays, September 1 through June 30

Do Not Enter			
Street Not to be Entered	Direction	Intersecting Street	Times
Pingree School Driveway	Eastbound	Commercial Street	8:30 AM to 9:30 AM and 11:30 AM to 3:45 PM, Monday through Friday, Except Holidays, September 1 through June 30

And cause the above regulations to be listed in the Town of Weymouth Code of Ordinances, Chapter 13, Regulations Affecting Motor Vehicles, Attachment 1-Appendix A under Schedule II, Restricted Turning Maneuvers, and Schedule IV, Crosswalks, and under new headings, Schedule IX, Stop, Schedule X, School Zone and Schedule XI, Do Not Enter.

A MOTION was made by Vice President Mathews to refer measure 18 13 to the Ordinance Committee and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

18 114-Traffic Regulations Jackson Square Parking Restrictions

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth through the Town Council, pursuant to G.L. Chapter 40, §22, and the Town of Weymouth Code of Ordinances, Section 13-103(b), and Section 13-104(a), authorize the placement of signs regulating motor vehicle movement as follows:

Parking Restricted			
Street	Side	Location	Regulation Type
Commercial Street	East	Between points 200' north of Broad Street and 290' north of Broad Street	3 Hour Parking, 9:00 AM to 6:00 PM, except Sundays

and cause the above regulations to be listed in the Town of Weymouth Code of Ordinances, Chapter 13, Regulations Affecting motor Vehicles, Attachment 1-Appendix A under Schedule III, Parking Restricted.

A MOTION was made by Vice President Mathews to refer measure 18 114 to the Ordinance Committee and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

18 115-Reappointment to the Board of Library Trustees-Donna Shea

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth reappoint Donna Shea of 37 Heritage Lane to the Board of Library Trustees, for a term to expire on June 30, 2021.

18 116-Reappointment to the Historical Commission-Jenn Weiss-Donovan

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth reappoint Jean Weiss-Donovan of 4 Payne Avenue to the Historical Commission, for a term to expire on June 30, 2021.

A motion was made by Vice President Mathews to approve the reappointment list and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

18 117-Home Rule Petition-Posthumous Retirement Rank of Officer Michael Chesna

CFO Brian Connolly requested on behalf of the Mayor that the Town of Weymouth approve the home rule petition and final submission to the General Court of Massachusetts for enactment:

Home Rule Petition of the Town of Weymouth Relative to the Posthumous Retirement
Rank of Sergeant Michael Chesna

An Act Authorizing and Directing the Retirement Board of the Town of Weymouth to Pay a Certain Retirement Benefit to the Surviving Spouse of Fallen Officer, Michael Chesna, of the Weymouth Police Department.

Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1: Notwithstanding and general or special law to the contrary, specifically including and provision in G.L. c.32, §100, and in order to promote the public good, the retirement board of the Town of Weymouth is authorized and directed to pay the line of duty death benefit of Michael Chesna to his widow, Cynthia Chesna, calculated and based upon his holding the rank of sergeant at the time of death.

Section 2: This act shall take effect as of July 16, 2018.

Prior to the act taking effect upon its passage, the General Court may make clerical or editorial changes to the bill and may make other amendments within the scope of the general public objectives of this petition, provided the same are approved by the Mayor prior to enactment and final form by the General Court.

A MOTION was made by Vice President Mathews to consider measure 18 117 UNDER 2-9b, same night action and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

A Motion was made by Vice President Mathews to approve 18 117; that the Town of Weymouth approve the home rule petition and final submission to the General Court of Massachusetts for enactment and was seconded by Councilor Molisse. UNANIMOUSLY VOTED.

ADJOURNMENT

The next regular meeting of the Town Council has been scheduled for Monday, September 17, 2018.

At 8:06 PM; there being no further business, a MOTION was made by Vice President Mathews to adjourn the meeting and was seconded by Councilor. UNANIMOUSLY VOTED.

ATTACHMENTS:

Respectfully Submitted by Mary Barker as Recording Secretary.

Approved by Michael Smart as President of the Town Council.

Voted unanimously on 1 October 2018