

TOWN COUNCIL MINUTES
Town Hall Council Chambers
Zoom # 853 1516 7909
March 6, 2023, Monday

Present: Arthur Mathews, President
Michael Molisse, Vice President
John Abbott, Councilor
Lisa Belmarsh, Councilor
Pascale Burga, Councilor
Kenneth DiFazio, Councilor
Fred Happel, Councilor
Christopher Heffernan, Councilor
Maureen Kiely, Councilor
Gary MacDougall, Councilor
Greg Shanahan, Councilor

Also Present: Kathleen Deree, Town Clerk
Richard McLeod, Town Solicitor
Brian Connolly, Town Auditor
Ted Langill, Chief of Staff
James Malary, Director of Municipal Finance

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:30 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with all member present. Councilors Belmarsh and Burga attended through Zoom.

ANNOUNCEMENTS

Councilor Kiely announced details of a raffle to benefit the Senior Center.

MINUTES

Budget/Management Committee Meeting Minutes of January 3, 2023

Vice President Molisse motioned to approve the minutes from the January 3, 2023 Budget/Management Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES

Councilor Heffernan YES

Unanimously voted.

Town Council Meeting Minutes of January 3, 2023

Vice President Molisse motioned to approve the minutes from the January 3, 2023 Town Council meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga		Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted, 10-0

Ordinance Committee Meeting Minutes of January 10, 2023

Vice President Molisse motioned to approve the minutes from the January 10, 2023 Ordinance Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga		Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted, 10-0

Ordinance Council Meeting Minutes of January 31, 2023

Vice President Molisse motioned to approve the minutes from the January 31, 2023 Town Council meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga		Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted, 10-0

Budget/Management Committee Meeting Minutes of February 6, 2023

Vice President Molisse motioned to approve the minutes from the February 6, 2023 Budget/Management Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Town Council Meeting Minutes of February 6, 2023

Vice President Molisse motioned to approve the minutes from the February 6, 2023 Town Council meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Economic Development Committee Meeting Minutes of February 16, 2023

Vice President Molisse motioned to approve the minutes from the February 16, 2023 Economic Development Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Budget/Management Committee Meeting Minutes of February 21, 2023

Vice President Molisse motioned to approve the minutes from the February 21, 2023 Budget/Management Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Town Council Meeting Minutes of February 21, 2023

Vice President Molisse motioned to approve the minutes from the February 21, 2023 Town Council meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

PUBLIC HEARINGS

23 008- CPA Funding Request- Construction and Restoration of Beals Park

Vice President Molisse motioned to open the public hearing on the measure and was seconded by Councilor Kiely. This was advertised on February 24, 2023.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Planning Director Luongo and Recreation Director Reilly presented the measure, requesting \$2.6M from the CPC Unreserved Fund Balance for the Beals Park project. Mr. Luongo reported that 6 community meetings were held to gather input and share conceptual design ideas over the last year and a half. The project is split into 2 measures in order to take advantage of some cost bundling. The CPS approved a project cost of \$2.6 million, but all four bids that came in at the

end of February are higher. The lowest responsive bidder was vetted by Activitas, and found to be acceptable, and the bidder thoroughly vetted and determined to be able to do the work. Bid has not been awarded a contract until the additional costs are appropriated. Director Luongo asked the Town Council to keep the measure open until the CPC meets to approve the additional \$800,000 bid cost.

Recreation Director Reilly presented the slideshow with the proposed conceptual plans and detailed what it will include. There are two playground sections, age-appropriate, and a skate park, walking paths, pickleball courts, a half basketball court, climbing structures that connect the different levels of the park, and a gazebo. Lighting is appropriate for the historic district where the park is located, and centrally managed as they are in other parks. Some additional parking will be created. There are shade features, signage and interpretive panels, and native plantings.

President Mathews asked if there were any questions or comments from the public, to which there was the following:

Councilor Happel asked how much grading will the site require. Mr. Reilly responded that is a large part of the expense along with the stormwater management. Material will have to be brought in.

Councilor Shanahan pointed out that it's a great project, and one of the reasons it came out so well is the public input.

Councilor Belmarsh reported that part of the discussion in CPC was the cost of adding bathroom facilities. Mr. Luongo responded that the plumbing will be stubbed out, but it isn't included in the project at this time. Councilor Belmarsh added that it should be included in the budget process this year.

Councilor Burga thanked everyone who participated in the public meetings. She asked if the request for additional funding will delay the project's timeline? Mr. Luongo responded that the administration will bring it back as soon as CPC has voted it, and it should still be on schedule for the spring, with completion November or December.

Donald Stewart, 549 Essex Street. Asked what security measures are included to keep the kids from destroying it. He suggested camera surveillance as the site is fairly secluded at night. Mr. Reilly responded that they have considered it and the infrastructure in place for cameras. They can be mounted on the light poles. Parks are problematic throughout the town..

Vice President Molisse motioned to continue the public hearing on the measure to March 20, 2023, and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES

Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 009-CPA Funding Request-Playground Equipment & Gazebo for Beals Park

Vice President Molisse motioned to open the public hearing on the measure and was seconded by Councilor Heffernan.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Mr. Reilly and Luongo presented the request. This funding will cover equipment and gazebo for the Beals Park Project, and is a separate purchasing process to take advantage of bundling costs. This part of the same project is for \$400,000 for the gazebo and playground improvements. The contractor is state-approved and this part was not subject to the public bidding process.

President Mathews asked if there were any questions or comments from the public, to which there was no response.

Vice President Molisse motioned to close the public hearing on the measure and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

OLD BUSINESS

Retirement Board Discussion on FY21 Financial Statements- Auditor Brian Connolly

Auditor Swanson reported that the outside audit brought up some concerns with the Retirement Board's audit – both the lateness in getting the information, and some questioned journal entries.

Ed Masterson and Board Director Greg Hargadon were invited to the table. Mr. Masterson pointed out that COVID shut down delayed getting the audit completed, and the firm that did the audit is no longer offering the service. The journal entries that were highlighted was his error in coding items in the wrong category. The board will be selecting a new audit firm and plans to tighten up the timeline. Prices have increased dramatically; bid pricing has quadrupled.

President Mathews pointed out that he does not want to see the audit late again and does not want the town's audit delayed as a result. He hopes this was a one-time event because of COVID interruptions.

Auditor Connolly asked if the reconciliations are up to date, so the new audit firm can begin their work right away. He also asked about the journal entry, because the town's audit firm noted it appeared to be a significant reduction in assets. Mr. Masterson responded that it was a miscoding error and did not refer to the assets.

Lateness of the audit- COVID, and the firm is no longer doing the audit. Selecting a new audit firm will tighten up the timeline. President Mathew added that he does not want to see it late again or have it impact the town's audit again. He hopes this is a one-year event as a result of COVID state of emergency. The board was not pleased with the current bid responses, and the cost increase was quadruple what they had been paying. Mr. Masterson indicated that reconciliations are now conducted every five or six weeks.

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

Capital Improvement Plan for Fiscal Years 2024-2028

On behalf of Mayor Hedlund, James Malarly requested that the Town of Weymouth accept the Capital Improvement Plan for Fiscal Years 2024-2028.

Vice President Molisse motioned to refer the plan to the Budget/Management Committee and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 012- Request to Enter into 5-Year Student Food Service Contract

On behalf of Mayor Hedlund, James Malarly requested that the Town Council authorize the Town to enter into a contract for student food service for a term of five (5) years, commencing July 1, 2023 pursuant to the provisions of Massachusetts General Laws Chapter 30B, section 12.

Vice President Molisse motioned to refer the measure to the Budget/Management Committee and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 013- Request to Enter into 6-Year Foreign Language Curriculum Contract

On behalf of Mayor Hedlund, James Malary requested that the Town Council authorize the Town to enter into a contract for student foreign language curriculum for a term of five (6) years, commencing on July 1, 2023 pursuant to the provisions of Massachusetts General Laws Chapter 30B, Section 12.

Vice President Molisse motioned to refer the measure to the Budget/Management Committee and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 014- Library Line Item Transfer

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth transfer a total of \$25000 as delineated below for the purpose of meeting the Massachusetts Board of Library Commissioners' (MBLC) materials expenditure requirement:

\$25000 from Adult Services Salaries

To the following line items:

Books and Related Materials

Vice President Molisse motioned to refer the measure to the Budget/Management Committee and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 015- Reappointment to Zoning Board of Appeals-Kemal Denizkurt

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth, in accordance with 2-10 of the Town Charter, reappoint Kemal Denizkurt of 23 Circuit Road to the Board of Zoning Appeals for a 2-year term to expire on June 30, 2025

23 016-Reappointment to Commission on Disabilities-Hank Goldman

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth, in accordance with 2-10 of the Town Charter, reappoint Hank Goldman of 33 Old Country Way to the Commission on Disabilities for a 3-year term to expire on June 30, 2026

23 017-Reappointment to Scholarship Fund Committee-Alicia Lyons

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth, in accordance with 2-10 of the Town Charter, reappoint Alicia Lyons of 90 Taft Road to the Scholarship Fund Committee for a 3-year term to expire on June 30, 2026

23 018-Reappointment to Conservation Commission- John Reilly

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth, in accordance with 2-10 of the Town Charter, reappoint John Reilly of 43 Schoolhouse Road for reappointment to the Conservation Commission for a 3-year term to expire on June 30, 2026

23 019-Reappointment to Board of Elder Services-Jeanette Rose

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth, in accordance with 2-10 of the Town Charter, reappoint Jeanette Rose of 18 Fairmount Avenue to the Board of Elder Services for a 3-year term to expire on June 30, 2026

23 020- Reappointment to Commission on Disabilities-Laurieann Yeisley-Drogin

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth, in accordance with Section 2-10 of the Town Charter, reappoint Laurieann Yeisley-Drogin of 775 Front Street to the Commission on Disabilities for a 3-year term to expire on June 30, 2026

Vice President Molisse motioned to adopt the reappointment list:

<u>Measure</u>	<u>Reappointment</u>	<u>Comm/Brd</u>	<u>Term</u>
23 015	Kemal Denizkurt	BZA	6/30/2025

23 016	Hank Goldman	Commission on Disabilities	6/30/2026
23 017	Alicia Lyons	Scholarship Fund Committee	6/30/2026
23 018	John Reilly	Conservation Commission	6/30/2026
23 019	Jeanette Rose	Board of Elder Svc.	6/30/2026
23 020	LaurieAnn Yeisley-Drogin	Commission on Disabilities	6/30/2026

Councilor Kiely seconded the motion.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 021-Street Acceptances – 7 Streets

On behalf of Mayor Hedlund, James Malary requested that the Town of Weymouth approve the layouts of seven (7) certain parcels of land, as follows:

- 1) A parcel known as Fort Point Road, a private way, shown on a plan entitled “PROPOSED STREET ACCEPTANCE PLAN FORT POINT COASTAL IMPROVEMENT PROJECT NORTH WEYMOUTH, MA.” DRAWN BY Weymouth Department of Public Works 120 Winter Street Weymouth MA, dated November 14, 2022, to be recorded herewith;
- 2) A parcel known as Wolcott Street, a private way, shown on a plan entitled “PROPOSED STREET ACCEPTANCE PLAN FORT POINT COASTAL IMPROVEMENT PROJECT NORTH WEYMOUTH, MA.” drawn by Weymouth Department of Public Works 120 Winter Street Weymouth MA, dated November 14, 2022, to be recorded herewith;
- 3) A parcel known as Chelsey Way, a private way, shown on a plan entitled ‘DEFINITIVE SUBDIVISION PLAN OF LAND, HOLLY ESTATES EXTENSION, WEYMOUTH, MASS.’ by CF Arnold Associates, Inc., Plan #5084-B, dated October 30, 1995 revised through May 6, 1996, containing ± 19,733 S.F. recorded in plan book 445 page 114;
- 4) A parcel known as Crest Avenue, a private way, shown on a plan entitled “AS-BUILT PLAN, QUARRY AVE. & CREST AVE, WEYMOUTH, MA.” drawn by Weymouth DPW, Plan #7130-B, dated February 11, 2011, Revised through April 8, 2015 containing ± 10,937 S.F. to be recorded herewith;

- 5) A parcel known as Oakdale Street, a private way, shown on a plan entitled “TAKING PLAN – OAKDALE STREET SOUTH WEYMOUTH, MASSACHUSETTS.” Drawn by Weymouth DPW, Plan #7368-B dated December 15, 2021, to be recorded herewith;
- 6) A parcel known as Quarry Avenue, a private way, shown on a plan entitled “AS-BUILT PLAN, QUARRY AVE. & CREST AVE, WEYMOUTH, MA.” drawn by Weymouth DPS, Plan #7130-B dated February 11, 2011 containing ±11,685 S.F., Revised through April 8, 2015 to be recorded herewith;
- 7) A parcel known as Rosemary Lane, a private way, shown on a plan entitled “PLAN AND PROFILE, ROSEMARY LANE, WEYMOUTH” DRAWN BY Robert E Hannigan Associates, Plan #4725-B, dated March 16, 1991 containing ±53,100, S.F., to be recorded herewith;

All as Town ways and, may refer such street acceptance to the Planning board of the Town, and to the requisite committee(s), for their respective report(s). Said reports shall be filed with the Council within thirty (30) days of receipt of this proposed measure. Upon review of said reports, Council may then vote to accept and adopt such layout and takings of the above listed seven (7) streets as Town Ways and cause the Order of Takings to be recorded with the Norfolk County Registry of Deeds within thirty (30) days of that vote.

Vice President Molisse motioned to refer the measure to the Public Works Committee and the Planning Board and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

REPORTS OF COMMITTEES

Economic Development Committee- Chair Gregory Shanahan

Councilor Shanahan reported that the Economic Development Committee met on February 16, 2023 to review one measure:

23 004- Municipal Aggregation of Electricity

John MacLeod and John O’Rourke from Good Energy to present a slideshow. Mr. O’Rourke explained that aggregation only affects the supply side of the bill. The goal is to give residents and small businesses more competitive rates. Rates are fixed over the terms of the contract. Future savings cannot be guaranteed. It increases consumer protections. 175 out of 304 eligible Massachusetts cities and town have plans approved by DPU; those that aren’t aren’t eligible have

their own and manage their own utilities. He explained the process; the town votes, and Good Energy will prepare a plan. There is a public review period, with a public hearing at the end. Questions are submitted to DPU. During the regulatory process, no steps are taken without involving the DPU. Extensive public outreach happens and it's a competitive bidding process. Once launched, the company manages and monitors. Town will be set up with a data portal to see how the plan is doing.

Councilor MacDougall asked for an explanation of the opt-out plan. Mr. O'Rourke responded that MA was the first state to establish a municipal aggregation law. All other states that have adopted one are modeled on MA plan. Many were opt-in and failed. The goal is to get 85% of the eligible in the opt out program. Anyone can opt out and in when they want to, and without penalty. National Grid continues to service the resident, and will not affect the value of the service. After deregulation, the utilities do not make money on the supply. This will not raise the delivery rate whether in or not.

Councilor Shanahan asked how Good Energy will communicate with residents. Mr. O'Rourke explained there is a customer notification period – 30 days-and all eligible residents will get a customer notification letter. There is a lot of public information outreach.

Councilor Shanahan motioned favorable action on measure 23 004; *be it ordered that the Town Council authorize the appropriate department(s) to research, develop and participate in a contract, or contracts, to aggregate the electricity load of the residents and businesses in Weymouth and for other related services, independently, or in joint action with other municipalities, and authorize the Mayor to execute all documents necessary to accomplish the same.*

Note:

The Commonwealth of Massachusetts, by enacting Chapter 164 of the Acts of 1997, has established a competitive marketplace through deregulation and restructuring of the electric utility industry. The residents and businesses of our Town have substantial economic, environmental, and social interests at stake and are interested in reducing their electricity rates. If an aggregation of electricity load is implemented in our Town, individual residents and businesses would retain the right to opt out of the aggregation with no penalty and to choose any other competitive supplier or stay with the default utility.

Councilor Kiely seconded the motion.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Ordinance Committee-Chair Ken DiFazio

Councilor Molisse reported that the Ordinance Committee met on February 28, 2023 to deliberate the following:

22 135- Town Council Code of Ordinances Amendment, Section 8-4-8 Openings in Street Restricted

Councilor DiFazio reported that the measure was referred to the committee on November 14, 2022. A public hearing was conducted on February 6, 2023. On February 27, the committee voted to forward the measure to the full Town Council with a recommendation of favorable action on the amended version.

On behalf of the Ordinance Committee, Councilor DiFazio motioned to approve the measure; that the Town of Weymouth amend Section 8-408 of the Town of Weymouth Code of Ordinances:

§ 8-408. Openings in streets restricted.

1. (a) In general. No street, road or highway in the Town shall be opened for installation of sewers, water mains, drains, public utilities or other purposes, except for emergency services, for five years after such street, road or highway has been reconstructed, rebuilt or relocated. Prior to reconstruction, rebuilding or relocation of any street, road or highway, the Department of Public Works shall notify the telephone, gas and electric companies not less than three months before actual work will be started. If the Town requires a street opening for non-emergency work, a notification in writing will be provided to Town Council no less than 30 days prior to opening of said street indicating the address, reason for opening and estimated timeline for the opening and work to completion.

The motion was seconded by Councilor MacDougall.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

22 138-Traffic Regulations- Wharf Street at East Street

This measure was referred to the committee on December 5, 2022. The committee met on January 31, 2023. A public hearing was conducted on February 6, 2023. On February 27, 2023,

the committee voted to forward the measure to the full town council with a recommendation for favorable action.

On behalf of the Ordinance Committee, Councilor DiFazio motioned to measure 22 138; that the Town of Weymouth, Through Town Council, pursuant to G.L. Chapter 40, § 22, and the Town of Weymouth Code of Ordinances, Section 13-104(a)m authorize the erection of signs regulating motor vehicle movements as follows:

Restricted Turning Maneuvers			
Location	Direction	Restriction	Time
Wharf Street at East Street	Southwest bound	Right Turn Prohibited	All Times

and cause the above regulation 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.

Councilor MacDougall seconded the motion. Traffic Engineer McDonald was available on Zoom to answer any questions.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

22 131-Citizen Petition New Building Moratorium

This measure was referred to the committee on October 17, 2022. Unlike the MWRA discussion, The committee met on November 16, 2022, January 10 and 31, and February 27, 2023. A public hearing was conducted on December 5, 2022. On February 27, 2023, the committee voted to forward the measure to the full town council with a recommendation to take no action, with the understanding pursuant to MGL that the matter will be placed on file, for a two-year period.

Councilor DiFazio provided a summary of the events:

- 10/11/22 Public Works Committee met on a standing issue (MWRA and current water supply for the town of Weymouth.) The administration responded to over 60 questions developed by the committee and constituents.
- 10/12/22 several citizens who attended the Public Works Committee meeting filed a Citizens Petition that proposed a building moratorium on construction of 3 or

more residential dwelling units for a period of 18 months while the long-term impacts of future development on the town's water study is conducted.

- 10/17/22 Petition filed as Measure 22 131- Citizen Petition Proposed New Building Moratorium – referred to the Ordinance Committee. Unlike the discussion in Public Works Committee on MWRA, the focus of the moratorium measure is whether the town's water supply will be sufficient over the next 5 years of development, excluding increased water demand at Union Point.
- The Ordinance Committee reviewed documents provided by constituents, DPW, DEP and the administration addressing supply, demand, operational issues of all water sources, and the condition of Whitmans Pond.
- 11/16/22 Ordinance Committee met with the proponents, reviewed their presentation and heard responses from the administration.
- 12/5/22 Joint public hearing conducted with the Planning Board. Proponents gave another presentation to which the administration gave responses.
- 12/13/22 Planning Board deliberated the measure.
- 12/16/22 Planning Board issued decision- unanimous unfavorable action.
- 1/10/23 Ordinance Committee met with proponents, administration to discuss unaccounted water, conservation, water audits, operation protocol, metering and mitigation
- 1/31/23 Ordinance Committee met; committee still has outstanding questions. Discussed forming independent committee to further evaluate.
- 2/6/23 two proponents also conveyed they have not received adequate responses.
- 2/27/23 Ordinance Committee met again, and voted to recommend sending the measure to the full Town Council with a recommendation for no action. Pursuant to MGL 40A, § 5, the matter will be placed “on file” in the Clerk's office and that the petitioners of the measure may request Town Council reconsider it if the matter is re-advertised and a public hearing is conducted for the Planning Board and Town Council. He thanked the proponents, the administration and the committee members for their work. The committee plans to seek responses from the administration those items that are still outstanding.

On behalf of the Ordinance Committee, Councilor DiFazio motioned to take no action on measure 22 131, and place the matter on file with the Town Clerk.

Councilor MacDougall seconded the motion.

Councilor MacDougall pointed out that he learned a lot about the town’s water issue by participating in this. He thanked the residents for bringing this forward and he agrees moving it to the Public Works is the right strategy. He is also pleased that it resulted in some water measures being brought forward.

Councilor Belmarsh supported the motion. She thanked the proponents, the committee, and Chair DiFazio for his summary.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Councilor DiFazio thanked the constituents. He explained it brought to light questions about the town is management of its water system. Some documentation provided by the the proponents was more informative that what was received from the administration.

Budget/Management Committee-Chair Michael Molisse

Vice President Molisse reported that the Budget/Management Committee met on March 6, 2023 to deliberate the following:

23 008- CPA Funding Request- Construction and Restoration of Beals Park

The measure was referred to the committee on February 21, 2023. The committee met on March 6, and voted to forward to the full council with a recommendation for favorable action. A public hearing was conducted on March 6, 2023, and the measure continued to March 20, 2023.

23 009-CPA Funding Request-Playground Equipment & Gazebo for Beals Park

The measure was referred to the committee on February 21, 2023. The committee met on March 6, and voted to forward to the full council with a recommendation for favorable action. A public hearing was conducted on March 6, 2023.

On behalf of the Budget/Management Committee, Vice President Molisse motioned for favorable action on measure 23 009; that the Town of Weymouth appropriate the sum of \$400,000 from the Unreserved Fund Balance Account for the supply of playground equipment and a gazebo for the upcoming construction of Beals Park in North Weymouth.

Councilor Kiely seconded the motion.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES

Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

23 011-Appointment to Board of Registrars- Joseph Fleming

This measure was referred to the committee on February 21, 2022. The committee met this evening and voted unfavorable action and was seconded by Councilor Kiely. The committee received information and shared it with the council. Mr. Fleming was invited to the table. He provided his background. He asked to respond to a concern raised in the Budget/Management Committee meeting in which Councilor Shanahan offered a solution. He asked why not all officers have the manual before the election takes place. Councilor Shanahan clarified that what he asked was why someone would offer a manual to one party's election workers and not the other. Mr. Fleming responded it was because the Town Clerk wasn't interested in it. He got a manual from the Hanover Town Clerk, and changed it for use in Weymouth. He was concerned that election officers were not getting adequate training. Aa manual was provided to the precinct on election day. He wanted something available to all of the poll workers, but because the clerk wasn't interested, he distributed it to the Republican Party workers.

Councilor Molisse pointed out the Mr. Fleming distributed a brochure to the election workers with the Town Seal on it and it was presented as a town document. It was a fraudulent document that had the name of someone on it who actually hadn't been appointed to the Board of Registrars. Mr. Fleming had said he didn't realize it was wrong to do that.

President Mathews noted the documentation was not approved by the Town Clerk, with the town seal, and presented it as if it came from the Town Clerk's office. The solicitor provided him with email correspondence with the state, that corroborated that the situation was unacceptable. Solicitor McLeod reviewed the correspondence that had been sent to him for review. He sent Mr. Fleming a cease and desist order, and advised him to destroy. The solicitor sent it to the state election board, and they agreed, and advised that it is up to the town to take further action.

President Mathews also asked Solicitor McLeod to explain that serving simultaneously on the Board of Registrars and the Republican Town Committee, is prohibited, which Mr. Fleming would have to resign.

Mr. Fleming responded that every election worker should have training materials. President Mathews responded that they were not authorized by the Town Clerk. Councilor Molisse added that election materials are produced and provided by the state. President Mathews said that he has a problem with anyone distributing materials with the Weymouth Town seal, without the permission of the town.

Councilor MacDougall asked if there is a manual. Mr. Fleming produced his own manual and put the town seal on it. Mr. Fleming responded that he could only send it to Republicans. It was not distributed to the Democrats who work at the polls.

Councilor Shanahan asked the clerk whether the official state sanctioned manual that goes out the day of the election is there any community in the state that any citizen draft their own and distribute to the workers? Town Clerk Deree responded no. Councilor Shanahan asked the solicitor what if there was a conflict between information the town clerk sends out on election day and the information a private citizen provided? Solicitor McLeod responded that the person who is responsible for training election workers is the Town Clerk. He personally has not had any complaints about untrained poll workers in the town. Although the intent was not malicious it is a problem, and that is why he voted not to recommend the appointment.

On behalf of the Budget/Management Committee, Vice President Molisse motioned to deny the measure; that the Town of Weymouth, in accordance with 2-10 of the Town Charter not appoint Joseph Fleming of 63 Alroy Road to the Board of Registrars for a 3-year term to expire on June 30, 2026.

Councilor Kiely seconded the motion.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

MOTIONS, ORDERS AND RESOLUTIONS

ADJOURNMENT

The next regularly scheduled meeting of the Town Council is March 20, 2023. At 9:30 PM; there being no further business, Vice President Molisse motioned to adjourn the meeting. Councilor Kiely seconded the motion.

A roll call vote was taken:

Councilor Abbott	YES	Councilor Kiely	YES
Councilor Belmarsh	YES	Councilor MacDougall	YES
Councilor Burga	YES	Councilor Shanahan	YES
Councilor DiFazio	YES	Vice President Molisse	YES
Councilor Happel	YES	President Mathews	YES
Councilor Heffernan	YES		

Unanimously voted.

Attachments:

- PPP- for the Activitas Beals Park Renovation
- PPP- Municipal Electricity Aggregation dated March 2, 2023.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Arthur Mathews as President of the Town Council

Voted unanimously on 20 March 2023