

**TOWN COUNCIL MINUTES**  
**December 21, 2020, Monday**  
**Via Zoom # 842 9270 3292**

Present: Arthur Mathews, President  
Michael Molisse, Vice President  
Pascale Burga, Councilor  
Kenneth DiFazio, Councilor  
Brian Dwyer, Councilor  
Jane Hackett, Councilor  
Fred Happel, Councilor  
Ed Harrington, Councilor  
Rebecca Haugh, Councilor  
Christopher Heffernan  
Maureen Kiely, Councilor

Also Present: Joseph Callanan, Town Solicitor  
Kathleen Deree, Town Clerk  
Richard Swanson, Town Auditor  
Bob Luongo, Planning Director  
Owen MacDonald, Traffic Engineer  
Sgt. Brian Morse, WPD  
Officer James Flanagan, WPD

Recording Secretary: Mary Barker

President Mathews called the meeting to order at 7:34 PM. After the Pledge of Allegiance, Town Clerk Kathleen Deree called the roll, with all members present.

**MINUTES**

**Minutes of the Ordinance Committee Meeting of November 10, 2020**

A motion was made by Vice President Molisse to approve the minutes from the November 10, 2020 Ordinance Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Budget/Management Committee Meeting of November 16, 2020**

A motion was made by Vice President Molisse to approve the minutes from the November 16, 2020 Budget/Management Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Town Council Meeting of November 16, 2020**

A motion was made by Vice President Molisse to approve the minutes from the November 16, 2020 Town Council meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.  
Mathews-Yes. UNANIMOUSLY VOTED.

**Minutes of the Ordinance Committee Meeting of December 1, 2020**

A motion was made by Vice President Molisse to approve the minutes from the December 1, 2020 Ordinance Committee meeting and was seconded by Councilor Kiely.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**PUBLIC HEARINGS**

**20 114-Traffic Regulations Regarding Access to Sacred Heart School**

A motion was made by Vice President Molisse to open the public hearing on 20 114 and was seconded by Councilor Kiely. This was advertised on December 11, 2020.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

Owen MacDonald, the town's Traffic Engineer, presented the measure with police Sgt. Morse and Officer Flanagan. Mr. MacDonald displayed photos in Powerpoint to explain the changes. Sacred Heart had a significant increase in student enrollment at the Sacred Heart campus this year, and a new K-4 program, due to the closing and consolidation of parochial schools in town that relocated the programs to the Sacred Heart campus. They needed a more orderly structured process to avoid chaos during drop-off and pickup

times that will allow school busses to unload on the street and passenger cars drop off on the church property. Second, they propose striping and signage at the driveway at 70 Washington Street. There are fewer vehicles on the road since the pandemic began, but during normal traffic times, there is a lot of inbound traffic on Washington Street and it backs up.

The school and police brought the concern to the town. Washington Street is 40 feet wide with a lane in both directions and parking is allowed on the west side. Officer Flanagan pointed out that trucks and traffic heading north on Washington Street and turning onto Commercial Street are unable to make the turn, and it causes the traffic to back up. He has observed it, and also confrontations between drivers and parents trying to drop off kids a few times. There are times with three lanes of traffic in front of the church that it completely blocks entry. He recommended the town install signs to restrict parking there in the morning. This and line painting on Washington Street will help.

Council President Mathews asked if there were any comments from the public, to which there were the following responses:

Councilor Happel noted that after the measure was introduced, Channel 4 news contacted the school and the principal called Councilor Happel to inquire. Officer Flanagan responded that he wasn't sure how Channel 4 knew.

**Fr. Sean Connor, Sacred Heart Parish** clarified. He was the one who reached out to Mr. Murphy, principal of Sacred Heart School. He's unsure who contacted the television station but Mr. Murphy and the vice principal both support the measure.

Councilor Kiely pointed out that Weymouth Landing is difficult to navigate. Anything they can do to make it safer for the children is important. She supports the measure.

Fr. Sean Conner cited his previous employment history in public safety and planning. He pointed out that the construction in Weymouth Landing funnels traffic into the Landing. He would be happy to give up some church area, and along with library land, the intersection could be reconfigured to make it safer for everyone as construction continues around the Landing area.

**Robert Delaney, 27 Belmont Street** asked if the town thought about stationing a detail there and having the cars swing through the back of the church to offload students?

Mr. MacDonald responded that the automobile drop offs are conducted in the schoolyard. The objective of this was to separate students disembarking cars from the busses.

Officer Flanagan pointed out that, initially, busses were coming in at the same time as the automobile passengers were being dropped off. It was dangerous with kids trying to get off the bus and to the school with cars driving through. Having the bus on Commercial Street solved that issue; which separates the area for cars to drop off from the busses. A detail is not in his purview, but the signage on the street should prevent that.

**Fr. Conner** responded that most cities have gone to this model with businesses close to an intersection. It doesn't stop the flow but creates a buffer. It provides what a traffic officer would do. The newer busses are longer than the older ones, but because of pandemic restrictions, they are required to use the bigger bus to distance passengers.

A motion was made by Vice President Molisse to close the public hearing on 20 114 and was seconded by Councilor Hackett.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

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

### **20 120-Reserve Fund Transfer – COVID Testing Expenses**

On behalf of the Mayor, Finance Director James Malary requested that the town of Weymouth transfer the sum of \$238,000 from the Reserve Fund for the purpose of funding expenses related to COVID 19 testing.

A motion was made by Vice President Molisse to refer measure 20 120 to the Budget/Management Committee and was seconded by Councilor Hackett.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

## **REPORTS OF COMMITTEES**

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

Councilor Molisse reported that the Budget/Management Committee met on December 21, 2020 and deliberated the following measure:

### **20 118-Appointment/Contract of Town Auditor for 2021**

This measure was referred to the Budget/Management Committee on December 7, 2020. The committee met on December 21 and voted to forward the measure to the full Town Council with a recommendation for favorable action.

On behalf of the Budget/Management Committee, a motion was made by Vice President Molisse to approve measure 20 118; that the town of Weymouth, in accordance with Section 2-8(a) of the town charter, appoint Richard Swanson of 53 Clough Road,

Dedham MA for appointment as the Internal Auditor, for a term to expire on December 31, 2021. The current terms expires on December 31, 2020. This is a contract with no benefits, and a copy of the contract was provided to the Council.

The motion was seconded by Councilor Hackett. Vice president Molisse supported the measure and he is happy to see him back for another year. President Mathews added his gratitude that Mr. Swanson is back; he is able to do what he does in a limited number of hours at great savings to the town. He is pleased with the auditor's work.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

**Town Council Environmental Committee and School Committee Emergency Planning Sub-Committee Joint Meeting –Chair Rebecca Haugh**

Councilor Haugh reported that the two committees met jointly on December 9, 2020 and she provided history in a brief summary:

The Environmental Committee met on October 26, 2020 with the Director of LEPC and chiefs of the fire and police departments to hear a run through of the emergency plan in place for Weymouth, and she thanked them for their work. A week later, the school committee met and had concerns with the evacuation plans for the Johnson Early Childhood Center and Wessagusset School. Supt. Whipple met with LEPC to discuss a more in depth plan, because the plan for Wessagusset School directs students and staff to St. Jerome's School in the event at the compressor station. It made little sense to evacuate the school to another in that same evacuation zone. On November 19, 2020 the school committee met and reviewed the draft plan that the school committee and Emergency Planning offered. The school committee then sent a letter to the Town Council asking to participate in the process. A joint meeting of the school committee's Health & Public Safety sub-committee and the Town Council's Environmental Committee was held on December 9, 2020 to discuss the lack of a regional effort, and the scope of the plan that should not fall on the town. The joint committee voted to forward a letter and send to LEPC and MEMA, requesting a regional safety plan and copy it to the local officials and the state delegation.

**Ordinance Committee-Chair Ken DiFazio**

Councilor DiFazio reported that the Ordinance Committee met on December 17, 2020 to deliberate the following:

**20 117-Town Council Zoning Ordinance Amendment to Section 120-64.7.1 Billboard Relocation Overlay District (One Year Moratorium on New Permit Issuance)**

Councilor DiFazio reported that any appropriation and deliberation of this measure requires providing the pertinent background:

Zoning ordinance 124-64.7.1 creating a Billboard Relocation Overlay District in the Highway Transitional Zone, passed in Council on April 2, 2018. Since then, three measures were submitted including this one; the first, 19 109 Citizens Petition to delete 120-64.7.1 in its entirety. On November 19, 2019, the Planning Board voted against 19 109 and on December 2, 2019, the Council likewise failed to pass it. They did not agree with deleting the ordinance in its entirety. The next measure introduced on this subject on September 22, 2020 was 20 100-Citizen Petition-Request to Change Zoning Ordinances, Section 120-64.7.1 Billboard Overlay District, which sought to amend section (C) of the Ordinance pertaining to the Billboard Overlay District, and attaching a special permit provision. Twenty days after the filing, the Committee and Council received a letter from the town solicitor that there were certain infirmities with making changes to a measure enacted and on the books for less than two years. They also received a letter dated October 5, 2020 from attorney Adam Sherwin, on behalf of one of the citizens of the petition, taking issue with the solicitor's memo. On November 18, 2020, the Planning Board voted to approve measure 20 100, after considering both letters. On December 7, 2020, the Council voted to approve measure 20 100, which now requires, among other things, a special permit evaluation by the Board of Zoning Appeals. Now, measure 20 117 is before the Council, which seeks to amend the current Ordinance 120-64.7.1 by adding a new Section F, basically placing a one-year moratorium on issuance of new billboard permits. On December 11, 2020, the Planning Board voted to recommend passage of the measure, and Councilor DiFazio read that decision into the record:

*“On December 10, 2020 the Planning Board met to deliberate Citizen Petition 20 117 following a joint public hearing with the Weymouth Town Council on December 7, 2020. As the public hearing was closed following the joint hearing, no additional testimony was accepted.*

*The Planning Board discussed the objectives of the measure as put forward by the Town Council as well as the public testimony heard at the public hearing.*

*It was the consensus of the Board that the proposed moratorium represented an opportunity to pause the permitting of future billboards until such time as the negative impacts of the existing billboard at 611 Pleasant Street could be mitigated.*

*The Board then took action on Measure 20 117.*

*The decision was unanimous to recommend favorable action to the Weymouth Town Council.”*

Councilor DiFazio continued; as to the current measure- this measure was referred to the Ordinance Committee on November 16, 2020. The committee met on November 24, December 1, 2020 and on December 17, 2020 and voted to forward the measure to the full Council with a recommendation for favorable action. A joint public hearing was held with the Planning Board on December 7, 2020, and on December 11, 2020, the Planning

Board rendered its decision. The committee received a second memo from the town solicitor reminding them of legal infirmities.

On behalf of the Ordinance Committee, a motion was made by Councilor DiFazio to approve 20 117, as amended; that the Town of Weymouth amend Section 120-64.7.1 as follows:

Add a new section F. to the Billboard Relocation Overlay District as follows:

“A moratorium shall be in effect for the duration of one year regarding all electronic billboard issuances of new permits. This moratorium may be lifted only if Cove Outdoor, LLC, or its successor, fulfills all obligations included in the ‘Remediation Agreement for Neighborhoods Near the 611 Pleasant Street Digital Billboard’ dated December 18, 2019.”

This one-year moratorium would be in effect one year from the date it is adopted by the Town Council. This will allow the Planning Director to amend the guidelines, as outlined in this ordinance and should include installation of light blocking technology, limitations on both height and size of boards, hours of operation, content of advertisement; and any actions which would mitigate the effects of electronic billboards on the residents in the affected neighborhoods.”

The motion was seconded by Vice President Molisse and a discussion followed.

Councilor Harrington highlighted his concern that passage of a moratorium could impact the ability to acquire the 45 acres of open space. In speaking with landowner Mr. Bristol, he learned it is still a possibility, but there are no guaranties or binding agreements if a moratorium is put in place. Bristol is a developer and has the right to develop. The Council must be aware that 45 acres could hang in the balance.

President Mathews clarified-the subject under deliberation is measure 20 117. He pointed out there was a misleading post on social media about which measure was under consideration. Measure 20 100 was previously passed by Council, subsequently vetoed by the Mayor, and reconsideration will be on future agenda. The moratorium is the subject of deliberation. He is a proponent. If it’s passed, it does not have to last a year if Cove completes the mitigation items before then. This is the protection. Cove had a neighborhood agreement, and since then Cove has cut down more trees, making visibility worse this year. The billboard must be lowered and the light-blocking technology installed. They don’t want to see this happen to another neighborhood. Cove had also submitted a proposal to OOA to erect another board before 611 is fixed. He will support this measure to help the neighbors. The onus is on Cove; the faster they mitigate the 611 board, the faster the moratorium can be lifted.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes,

Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

#### ADJOURNMENT

A motion was made by Vice President Molisse to revert back to ANNOUNCEMENTS and was seconded by Councilor Hackett.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

Council President Mathews apologized; his internet connection was interrupted during the earlier announcements. He asked for the Council to join him in a moment of silence for Paul Milone, who was the town's Police Harbormaster for more than thirty years who recently passed away. The moment of silence was observed.

#### ADJOURNMENT

The next regular meeting of the Town Council has been scheduled for Monday, January 4, 2021. President Mathews said he looks forward to a better year.

At 8:31 PM; there being no further business, a motion was made by Vice President Molisse to adjourn the meeting and was seconded by Councilor Hackett.

A roll call vote was taken:

Councilor Burga- Yes, Councilor DiFazio-Yes, Councilor Dwyer-Yes, Councilor Hackett- Yes, Councilor Happel-Yes, Councilor Harrington-Yes, Councilor Haugh-Yes, Councilor Heffernan-Yes, Councilor Kiely-Yes, Council Vice President Molisse-Yes, Council President Mathews-Yes. UNANIMOUSLY VOTED.

#### ATTACHMENTS:

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Arthur Mathews as President of the Town Council  
Voted unanimously on 19 January 2021