

**City Councillor
Joseph A. DelGrosso
City Council Chamber
April 5, 2010**

Regular meeting of the Revere City Council was called to order at 4:00 P.M.

President Zambuto presiding.

1. Salute to the Flag by the members of the Revere City Council and those in attendance.

2. Roll Call: Councillors Colella, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo and Zambuto present.

3. Approval of the Journals of the meetings held on March 15th and March 22nd, 2010.

The Journals were approved as presented.

10-127 4. Certificates of Commendation will be awarded to the Northeast Metropolitan Regional Vocational High School football players from Revere in recognition of winning the Division 4A Superbowl.

Ordered received and filed.

10-128 5. Pursuant to Council Order #10-128, the Mayor will appear before the City Council to discuss "Plan Design."

Addressing the Council at this time was Mayor Thomas G. Ambrosino

Ordered received and placed on file.

10-70A 6. Pursuant to Council order #10-70A, the Mayor along with the City Solicitor will appear before the City Council to discuss the Comcast Contract.

Addressing the Council at this time was Mayor Thomas G. Ambrosino

Ordered received and filed.

Committee Reports

10-89 7. Re: CND's Proposal for the Walden Street Fire Station

Motion presented by Councillor Rizzo: That the offer of Chelsea Neighborhood Developers (CND) of 4 Gerrish Avenue, Chelsea, MA 02150 be accepted and that the City Solicitor and/or Assistant City Solicitor be requested to prepare the necessary documents conveying the Walden Street Fire Station to Chelsea Neighborhood Developers for the sum of two hundred thousand (\$200,000.00) dollars.

Also, that the deed restrictions be adhered to as cited in the RFP. Further, that this property be utilized only for the construction of nine (9) elderly housing units and be subject to real estate taxes. Furthermore, that no variance applications shall be accepted for this location.

Said deed is to be executed and recorded in the Suffolk County Registry of Deeds within ninety (90) days of the approval of this City Council Order by the Mayor or said order shall be returned to the City Council to be rescinded. Further, that all legal and recording expenses associated with the conveyance of the aforementioned land shall be paid by Chelsea Neighborhood Developers.

Motion was declared Ordered on a Roll Call: Councillors Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo and Zambuto voting “YES”. Councillor Colella voting “NO”.

10-87 8. Re: Comm. from Nationalgrid for conduit locations at 1062 Broadway, Revere.

Motion to grant request for conduit location at 1061 Broadway, Revere, the same be granted.

C-10-02

10-82 9. Re: Special Permit Application of Muneer’s Auto Repair, LLC, for a special permit to expand parking on residential land for commercial garage purposes on Lots 696, 697, and 688 and 699 Squire Road at the intersection of Lantern Road at 220 Lantern Road, at 220 Squire Road, Revere, Ma.

The Zoning Committee recommends adoption of the following: That upon the special permit application of Muneer’s Auto Repair, LLC, for a special permit to expand parking on residential land for commercial garage purposes on Lots 696, 697, and 688 and 699 Squire Road, at the intersection of Lantern Road at 220 Lantern Road, at 220 Squire Road, Revere, the same be and hereby is granted subject to the following conditions set forth below:

A 10-ft. wide landscaped buffer shall be maintained along the full frontage of the property on lantern Road and along the rear of the property.

The 10-ft. wide landscaped buffer along Lantern Road shall include the planting of five Bradford Pear Trees (minimum of 3” caliper) to be approved by Site Plan Review Committee. An irrigation system shall be installed within the 10-ft. wide landscaped strip.

A \$25,000 performance bond shall be placed on file with the Site Plan Review Committee to secure performance for the installation of the irrigation system, planting of trees and lawn, and restriping of the parking lot.

There shall be no driveway opening allowed on Lantern Road.

The parking spaces shall be appropriately marked and painted including 1 handicapped parking space.

There shall be no outdoor storage of equipment, vehicles, or merchandise.

Any proposed dumpster area shall be completely screened from public view on all sides.

A final as-built plan shall be submitted to the Site Plan Review Committee showing the landscaped buffer areas, trees and parking layout.

Motion to grant relief requested to the petitioner was declared Ordered on a Roll Call: Councillors Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo and Zambuto voting “yes.” Councillor Colella voting “no.”

C-10-03

10-83 10. Re: Special Permit Application of Clear Wireless, LLC for a request to install 6 telecommunication antennas along with accessory equipment and cables including 1 equipment cabinet on the roof and façade of the existing hotel structure on Lot 10 at 427 Squire Road, Revere, Ma.

The Zoning sub-committee recommends adoption of the following: That upon the special permit application of Clear Wireless, LLC for a request to install 6 telecommunication antennas along with accessory equipment and cables including 1 equipment cabinet on the roof and façade of the existing hotel structure on Lot 10 at 427 Squire Road, Revere, Ma., the same be and hereby is granted.

Motion to Grant relief to the petitioner was declared Ordered on a Roll Call: Councillors Colella, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo and Zambuto voting “yes.”

Communications

10-123 11. Comm. from the Mayor:

Re: Council Order No. 10-123

I am writing in response to Council Order No. 10-123, which requests an update on dispositions regarding the thefts from the DPW Sign Department and from the Library.

With respect to the DPW Sign Department theft, although a disposition has occurred in Chelsea District Court, the matter of restitution remains open. I am working with counsel for the former employee and expect to reach a favorable resolution soon. The City does have considerable leverage in this case given the former employee’s available contributions to the Revere Pension System.

As for the matter involving the former Library Director, that case is still under investigation by the Suffolk County District Attorney’s Office. It is in the City’s best interest to await the conclusion of that investigation before pursuing any restitution. The City is not suffering any prejudice by this delay.

Ordered received and filed.

10-62A 12. Comm. from the Mayor:

Re: *Evening Meeting*

I am writing in response to Council Order No. 10-62A, which requests a date and time for an evening meeting to discuss assessments by Patriot Properties.

Please note that the Council has been commencing its meetings in the afternoons to avoid the need for custodial overtime. If the Council desires a night meeting, I would suggest that it do so on one of the upcoming evenings when City Hall will already be open for, and custodial costs incurred by, the Election Department. Those evenings are Tuesday, April 13, 2010, Wednesday, April 21, 2010 and Tuesday, May 11, 2010.

Ordered received and filed.

10-138 13. Comm. from the Mayor:

Re: *Easement for Oak Island Tidegate*

The City is in the process of replacing the Oak Island Tidegate, which has not always worked properly, with a brand new tidegate. The construction work has been awarded to N. Granese & Sons. The new gate is an electric sluice gate, which is designed to function for the dual purpose of salt marsh restoration and flood control.

Thankfully, this Oak Island Tidegate project will not cost the City any money. An entity called KHB Venture LLC is under a mitigation obligation to the Army Corps of Engineers to perform salt marsh restoration in this area, and the tidegate replacement will be fully funded by KHB as part of that mitigation obligation.

Part of this Project requires that National Grid bring power to the new electric sluice gate via an electrical conduit which will run along the access road. National Grid requires an easement on the City's access road prior to performing this work. A copy of the Easement, to be granted by the City to National Grid for consideration of \$1.00, is attached for your review.

I would greatly appreciate it if the City Council would vote to grant this Easement at its earliest convenience. I will be available at the next City Council meeting, along with City Planner Frank Stringi, to answer questions about the Project.

Ordered on a Motion of the City Council: That his Honor, the Mayor, is authorized to execute and convey an easement to National Grid for electrical service over land North of Hastings Street.

Ordered on a Roll Call: Councillors Colella, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo and Zambuto voting "yes."

10-139 14. Comm. from the Mayor:

Re: Reserve Account Payment to Five Oaks Construction Company

Attached you will find Application for Payment No. 3 from Five Oaks Construction Company Inc., for the water line replacement along Rice Avenue. To make this payment, I respectfully request that the City Council approve a transfer of \$5,954.11 from the DPW Infrastructure Reserve Account (No.8455) to the Water Infrastructure Rehab Capital Account (No. 3066) The Auditor's Verification of Funds is also attached.

Motion presented by Councillor Haas: That the following sum be and hereby is appropriated by transferring said sum as follows:

<u>From</u>	<u>To</u>
DPW Infrastructure Reserve Acct. \$5,954.11	Water Infrastructure Rehab Capital Acct. \$5,954.11

Motion to transfer was declared Ordered on a Roll Call: Councillors Colella, Guinasso, Haas, Novoselsky, Patch, Powers, Rizzo, Rotondo and Zambuto voting "yes." Councillor Reardon absent.

10-73 15. Comm. from the Mayor:

Re: *Council Order No. 10-73*

I am writing in response to Council Order No. 10-73, which requests an update on the City's snowplowing budget and expresses a desire to expand the Senior Workoff Program.

In Fiscal Year 2010, the City Council appropriated \$200,000 for Snow Removal (by private contractors) and \$100,000 for DPW Overtime for Snow Removal. At this point, the City is *in deficit* in Snow Removal by more than \$157,000.00 (hardly an unusual situation) and has barely \$10,000 left in Snow Overtime. I expect that latter account to be depleted before the weather completely turns. Accordingly, there will be no money available in these accounts for senior tax relief nor for any other purpose.

With respect to the Council's request to expand the Senior Workoff Program, understand that doing so will require the appropriation of additional funds to the Overlay Reserve Account. Given the fiscal constraints we face in FY11, we should probably defer this effort until better financial times.

Ordered received and filed.

10-75 16. Comm. from the Mayor:

I am writing in response to Council Order 10-75, which requests an update on plans for street painting in the Spring.

After discussion with DPW General Foreman Paul Argenzio, it appears the City will have sufficient funds to perform our typical, but limited, Spring street painting. As is the case in most years, the majority of street painting work will occur in the late Summer, hopefully before the start of the school year, with the new FY 11 Street Painting appropriation.

Ordered received and filed.

10-68 17. Comm. from the Mayor:

Re: Ma. Highway Traffic Issues

Attached you will find MassHighway's response to the Council's recent request regarding a left turn arrow on Revere Street for westbound traffic.

The City Council also recently approved Council Order No. 10-25 requesting installation of a left turn green arrow for southbound traffic on Broadway at the intersection of Central Avenue. Please note that City Planner Frank Stringi and I are scheduled to meet with MassHighway in mid-April to discuss the configuration of Broadway at Brown Circle. At that meeting, we will raise the issue regarding the traffic signal at the Broadway/Central Avenue intersection and determine what steps are required to implement this change.

Ordered received and filed.

10-140 18. Comm. from the Mayor:

With much regret, I have accepted the resignation of Mr. Antonio Cafarelli from the Revere Retirement Board.

As a result of this resignation, I respectfully ask that the City Council consider the appointment of former City Clerk John Henry to fill the unexpired term of Mr. Cafarelli, which term expires on November 18, 2011. Mr. Henry is a member of the City of Revere Retirement System, employed continuously by the City for over thirty years.

Given that the Retirement Board is scheduled to meet in early April, I ask that the Council act expeditiously on this appointment.

Ordered referred to Appointment sub-committee.

10-141 19. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that Caruso Corporation, Stephen Caruso, President, 320 Charger Street, Revere, MA 02151, be re-appointed as a Licensed Drain Layer.

Please take careful notice that all drain layer licenses expire on April 1, annually, unless sooner revoked by the Mayor and the Council.

Mr. Caruso has been advised that he will be contacted directly by the Appointment Sub-Committee with a date and time to appear before them concerning this re-appointment.

Ordered referred to the Appt. sub-committee.

10-142 20. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that Meninno Construction Co., Inc., 76 Oakville Street, Lynn, MA 01905 be re-appointed as a Licensed Drain Layer.

Please take careful notice that all drain layer licenses expire on April 1, annually, unless sooner revoked by the Mayor and the Council.

Mr. Meninno has been advised that he will be contacted directly by the Appointment Sub-Committee with a date and time to appear before them concerning this re-appointment.

Ordered referred to the appointment sub-committee.

10-143 21. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that R.J. Cincotta Co., Inc., 321Rear Charger Street, Revere, MA 02151, be appointed as a Licensed Drain Layer.

Please take careful notice that all drain layer licenses expire on April 1, annually, unless sooner revoked by the Mayor and the Council.

Mr. Cincotta has been advised that he will be contacted directly by the Appointment Sub-Committee with a date and time to appear before them concerning this appointment.

Ordered referred to the Appointment sub-committee.

10-144 22. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that ARM Construction, 787 North Shore Road, Revere, MA 02151, Avetis Nakashian, be re-appointed as a Licensed Drain Layer.

Please take careful notice that all drain layer licenses expire on April 1, annually, unless sooner revoked by the Mayor and the Council.

Mr. Nakashian has been advised that he will be contacted directly by the Appointment Sub-Committee with a date and time to appear before them concerning this re-appointment.

Ordered referred to the Appointment sub-committee.

Motions

10-130 23. Motion presented by Councilor Rotondo: That section 3.01.020 of the City's ordinances be amended in section A to read as follows:

A. Within ninety days of the certification of free cash by the department of revenue, the mayor shall present to the city council, and the city council shall approve, a transfer to the stabilization fund of a sum equal to not less than (20%) Twenty percent of the total free cash amount certified by the department of revenue.

The amendment is to increase the current transfer of free cash from 15% to 20%.

Ordered referred to Ways and Means.

10-131 Ordered on a Motion presented by Councillors Novoselsky and Reardon: That the Mayor request the DCR to complete the following request:

"Synchronize the yellow to red traffic cycle eastbound on Rt. 16 at the intersection of North Shore Road, with the yellow to red signal at the intersection of Rt. 16 and Tomasiello Road (Suffolk Downs), thereby stopping eastbound Rt. 16 traffic before it can encroach on the short distance of the roadway between that intersection and the Tomasiello Road intersection and allowing left turning North Shore Road traffic to proceed through the intersection more easily. Also, lengthen the green cycle at the westbound Rt. 16 signal at the North Shore Road intersection allowing traffic exiting Tomasiello Road to proceed without stopping abruptly after taking the left hand turn."

10-132 25. Ordered on a Motion presented by Councillor Guinasso: That the Mayor request the Traffic Commission to look into the feasibility of installing "No Trucking from 9pm – 7am" signage at the intersection of McCoba Street and Ward Street. This motion is made at the request of area residents.

10-133 26. Ordered on a Motion presented by Councillor Colella: That the Mayor request the Director of Finance to provide the City Council with a status report relative to all state reimbursements for all new school construction including any new roofs on existing buildings. How does the reimbursement impact the financial structure of the bond indebted schedule given to the City Council on March 22, 2010. What amounts of reimbursements have been submitted to date? What amounts of reimbursements remain? To what extent have bond anticipation notes (BANs) have been used for short term borrowing relative to new school construction and roofs. Are those reimbursable items and how has it impacted the financial structure of the city?

10-134 27. Ordered on a Motion presented by Councillor Colella: That the Mayor request the City Auditor to prepare a Fiscal Year 2010 summary of all appropriations, transfers in and out, expenditures from total

appropriations, balances, and projected spending for the first nine months of the fiscal year ending March 31, 2010. Further, that balances in the Stabilization Fund, Free Cash, and Car Rental Surcharge be made available.

The above information will be helpful as the City Council prepares to review the FY 2011 budget document.

It would also be helpful if the above information is forwarded to the City Council by May 1, 2010.

10-135 28. Ordered on a Motion presented by Councillor Colella: That the Mayor request the director of Inspectional Services in conjunction with the Director of Handicap Affairs direct the owners of Northgate Shopping Plaza to re-install the handicap ramps intermittently along the sidewalk for the entire length of the shopping plaza to allow those with disabilities access to the shops.

10-136 29. Ordered on a Motion presented by Councilor Rizzo: That the Mayor request the Traffic Commission to hear and approve plans to allow parking along all three sides of the island located at Endicott Avenue and Bellingham Avenue. Further, that in the interim, the Parking Clerk take immediate steps to eliminate the issuance of parking tickets at this location. People in the neighborhood have parked here for years without problems or inconvenience to residents and/or motorists.

Addressing the City Council on the subject matter were the following:

James Godino and Ginny Colangelo

10-137 30. Ordered on a Motion presented by Councillor Colella: That a memorial be erected in memory of Victor J. Mancini, WWII United States Air Corp. veteran and the recipient of the Purple Heart. The memorial is to be located at the northwest corner of Broadway and Mountain Avenue.

10-145 31. Ordered on a Motion presented by Councillor Patch: That the Mayor request the Department of Public Works to immediately spread lime on St. Mary's baseball fields due to the contamination of raw sewerage caused by the recent heavy rains. In the interest of public health and safety, this should be completed as soon as possible as the baseball and softball season is soon approaching.

10-146 32. Comm. from the Mayor:

I am writing with a brief update on 60 Warren Street.

As you will recall, the City successfully obtained an Order for Receivership for this property. Our Receiver, Chelsea Restoration Corporation, rehabilitated the property with financial assistance from the North Suburban Consortium and the Danvers Savings Bank.

The rehabilitation work is now complete. An open house is scheduled for Friday, April 9, 2010 from 10:00 a.m. until 12:00 Noon. A public auction

for this new affordable housing will take place on Monday, May 3, 2010 at 10:00 a.m.

Ordered received and filed.

10-147 33. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that Raffaele Construction, Inc., P.O. Box 436, Swampscott, MA 01907, be appointed as a Licensed Drain Layer.

Please take careful notice that all drain layer licenses expire on April 1, annually, unless sooner revoked by the Mayor and the Council.

Mr. Raffaele has been advised that he will be contacted directly by the Appointment Sub-Committee with a date and time to appear before them concerning this appointment.

Ordered referred to the Appointment sub-committee.

Ordered on a Motion of Councillor Zambuto: That the City Council now stand adjourned to meet on Monday, April 12, 2010, at 4:00 PM

Ordered adjourned at 6:35 P.M.

Attest:

City Clerk