

**City Councillor
Joseph A. DelGrosso
City Council Chamber
May 10, 2010**

Regular meeting was called to order at 4:00 P.M.

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

President Zambuto presiding.

**1. Roll Call of Members: Councillors Colella,
Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo, and
Zambuto present.**

**2. Approval of the Journal of the meeting held on April
26, 2010.**

**The Journal of the meeting held on April 26, 2010 was
declared approved as presented.**

**10-165 3. A Certificate of Appreciation will be awarded to John
DelloRusso, Jr. for his success at the Massachusetts State History Fair.**

Ordered received and placed on file.

**10-166 4. A Certificate of Appreciation will be awarded to
Auxiliary Police Chief Robert Campbell for his 40th year of service on the
Revere Auxiliary Police Force.**

Ordered received and filed.

Communications

10-189 5. Comm. from the Mayor:

**I am writing to request a meeting in Executive Session on Monday, May
10, 2010 to discuss the status of the City's on-going litigation, and settlement
discussions, in *Kathe A. Tano-Gallagher and James J. Tano v. City of Revere*.
This case involves the plaintiffs' claim that the City's *pro tanto* payment for
the eminent domain taking of their property at 407 Revere Street for the
construction of the New Paul Revere School was inadequate. The case is
scheduled for a 5 day jury trial in Suffolk Superior Court commencing on
May 18, 2010.**

**The City Council moved to go into Executive Session at
at 4:20 P.M.**

Motion to go into Executive Session was declared Ordered on a Roll Call: Councillors Guinasso, Haas, Novoselsky, Powers, Reardon and Zambuto voting “yes.” Councillors Colella, Patch and Rizzo voting “No.” Councillor Rotondo absent.

The City Council meeting was reconvened at 4:53 P.M.

10-104 6. Comm. from the Parking Clerk, John J. Henry

In response to City Council Order 10-104 I have conducted a cost analysis to replace all of the City’s parking meters with “isolated pay stations”, similar to the new pay stations recently installed in the City of Boston.

The City of Revere currently maintains three hundred and eighty-seven (387) parking meters citywide. To replace these parking meters with modern parking meter pay stations would cost the city \$369,950.00, not including additional sidewalk installation costs.

Each pay station would replace eight parking meters and cost \$7,550.00 per pay station. Forty-nine pay stations would be required to replace all of our existing parking meters citywide.

A second option would be replace our existing 387 parking meters with new digital meters at a cost of \$600.0 per meter, a total cost of \$232,200.00.

The City recently refurbished one hundred parking meters at a cost of \$65.00 per meter a total cost of \$6,500.00. As of this date all 387 parking meters are functioning properly.

Ordered received and placed on file.

10-190 7. 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 J. Marchese and Sons, Inc., 69 Norman Street Everett, Ma. Scott Karpinski, General Manager, 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.Karpinski 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.

10-191 8. Comm. from the City Clerk, relative to the submission of a surety bond for an employee of the Collector’s Office.

Ordered received and placed on file.

10-193 9. Comm. from the Mayor:

I am running a little behind in preparation of the proposed FY 11 Budget. Normally, I try to have it to the Council by mid late May. This year I expect I will have it to the City Council in advance of the June 7, 2010 meeting. By Law, the annual budget is due to the City Council no later than June 23, 2010 which is 170 days after the annual organization of the city government. (see mgl ch. 44, ss 32).

Ordered received and referred to the Ways and Means Subcommittee.

10-152 Comm. from the Mayor:

Attached you will find DCR's response to Council Order 10-152.

Communication received and made part of.

10-192 10. Comm. from Frank Ferrara:

My family and I are abutters along the seawall located on 1 Spray Avenue (off of Broadsound Avenue, Revere), This concerns a parcel of land (see attachment #20101011452) located on the Beach side of the sea wall.

A new seawall was completed in 1998, by the U. S. Army of Engineers. As abutters, my family was paid \$2,000.00 as mitigation for the loss of this parcel. At that time, our responsibility/ownership of that parcel ceased. However, we continued to be billed for taxes on this parcel and we continued to pay them.

I expect that the City of Revere can retrieve the taxes paid in error, from after the wall was completed and return the balance to me and my family, or if the balance can be transferred toward the taxes owned on an historically connected parcel (2 family home and land #20101011451) located on the street side of same sea wall. This will correct the record as to the erroneous connection my family and I have had with this parcel since 1998.

Addressing the Council at this time was

Mr. Ferrara, 204 Broadsound Avenue, Revere, Ma.

Ordered referred to the Land Sale Subcommittee.

11. Not used

12. Not used

10-171

CZ-10-02 13. Re: Proposed Ordinance amendment to the Land based Wind Energy Facilities.

AN ORDINANCE TO AMEND THE LAND-BASED WIND ENERGY FACILITIES ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REVERE AS FOLLOWS:

Section 1. Title 17, Chapter 17.18, Section 17.18.030(A) is hereby amended by striking the first full sentence and replacing it with the following new two sentences: “Provided that the use complies with all requirements set forth in this Chapter, the construction of a commercial wind energy conversion facility shall be permitted by right in the TED District. By contrast, in the HB, LI, IP, PDD1 and PDD2 zoning districts, and on municipally owned property, the construction of a commercial wind energy conversion facility shall be subject to the issuance of a Special Permit by the City Council.”

Section 2. Title 17, Chapter 17.18, Section 17.18.030 is hereby amended by adding a new Subsection (D) which reads as follows: “For uses allowed by right in the TED District, the applicant shall be required to comply only with the Site Plan Review process set forth in Chapter 17.17 of this Zoning Ordinance. No review by the City Council is required. Notwithstanding any provisions to the contrary in Chapter 17.17, the Site Plan Review Committee shall complete its review of a completed application for a commercial wind energy conversion facility, and issue its findings, within 180 days after the date the application to the Site Plan Review Committee is complete. Failure of the Site Plan Review Committee to issue a final decision within 180 days shall constitute constructive approval of the application without conditions, and in such circumstances, the Building Inspector shall issue a Building Permit forthwith upon request of the applicant.

Section 3. Title 17, Chapter 17.18, Section 17.18.060(B)(iii) is hereby amended by adding by striking the second sentence and replacing it with the following new sentence: “The Site Plan Review Committee (for as-of-right sitings) and the City Council (for Special Permit applications) may reduce the setbacks as appropriate, based on site specific considerations, and only after review of substantial evidence, including but not limited to detailed engineering reports or product engineering certification, which demonstrate that safety concerns have been minimized and that setbacks have been complied with to the maximum extent practicable.”

Subject matter was Ordered to a second and third reading.

Subject matter was Engrossed and Ordained on a Roll Call: Councillors Colella, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Rizzo, Rotondo and Zambuto voting “yes.”

10-172

C-10-08 14. Re: Special Permit application of Robert M. Cataldo, for a permit to install a standing accessory sign at premises located on Lot 538A at 230 Squire Road, Revere, Ma.

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

Motions

10-179 15. Motion presented by Councillor Rotondo: That the following Resolution be adopted by the Revere City Council:

RESOLUTION IN SUPPORT OF COLLECTIVE BARGAINING BETWEEN SUPERVALU, INC. AND WAREHOUSE WORKERS OF UNITED FOOD AND COMMERCIAL WORKERS LOCAL UNION 791.

WHEREAS, over three hundred workers at the Shaw’s distribution center in Methuen, Massachusetts have been on strike for six weeks; and

WHEREAS, striking workers and their families lost health benefits on April 1, 2010; and

WHEREAS, in these difficult economic times, loss of pay and health benefits puts a particularly immense strain on working families, and

WHEREAS, workers are already struggling under the weight of rising health care costs; and

WHEREAS, the State of Massachusetts has a long standing commitment to assuring affordable health care for citizens; and

WHEREAS, Methuen workers have been loyal employees for many years; and

WHEREAS, the workers are an integral part of the Methuen community; and

WHEREAS, it is in the best interest to strive to keep jobs in our state; and

WHEREAS, collective bargaining is a time-tested method for resolving labor conflicts.

THEREFORE, BE IT RESOLVED, The Revere City Council, hereby assembled, encourages both parties to return to the bargaining table and arrive at a fair and reasonable contract in an expedient manner.

Ordered adopted.

10-180 16. Ordered on a Motion presented by Councillor Rizzo: That the Mayor provide information as to the technology being used to distribute reverse 911 phone calls for emergency purposes. Many residents did not receive calls and it was indicated that it may take 2½ days to get information to residents in case of emergencies such as the recent water break and water shortage.

10-181 17. Ordered on a Motion presented by Councillor Colella: That the Revere City Council seek a status update from our state legislative delegation relative to H3709, An Act Protecting the City of Revere's Vehicular Rental Surcharge From the Opening of the Consolidated Rental Car Facility at Logan International Airport.

10-182 18. Ordered on a Motion presented by Councillor Powers as amended: That the Mayor request the Director of Inspectional Services to require Wonderland Park to cut and remove the high grass and other types of foliage on their property lines adjacent to Shawmut Street and Dunn Road. Further, that this area be cut back in a manner agreeable to and in accordance with the Revere Fire Prevention Department regulations.

Further, that the MBTA be requested to cut the grass in the Atwood Street area adjacent to the Marsh behind the new Paul Revere School.

10-183 19. Ordered on a Motion presented by Councillor Novoselsky: That the Mayor request the Director of Veteran Services, Nick Bua, to have the intersection of Walnut Place and Sumner Street dedicated in memory of WWII Navy Veteran, Leonard B. Finestone, Electrician's Mate First Class, United States Navy. Also, that the Director of Veteran Services and the Department of Public Works Sign Department work to have this installed before Memorial Day 2010. Further, that the exact location be determined with the cooperation of all parties, including the Ward 2 Councillor.

10-184 20. Ordered on a Motion presented by Councillors Novoselsky and Haas: That the Revere City Council issue a letter of Commendation to RevereTV for their extraordinary coverage of the water main break emergency situation this past week.

10-185 21. Ordered on a Motion presented by Councillors Novoselsky and Haas as amended: That the Revere City Council issue a letter of Commendation to Fire Chief Gene Doherty, Emergency Management Director of the City of Revere, and his team for their outstanding service to the residents of the city during the water main break emergency.

Further, that members of the Public Works crew be also commended for their service.

Ordered that several late communications be admitted for consideration.

10-186 22. Ordered on a Motion presented by Councillor Guinasso: That the Mayor request the Traffic Commission to look into the feasibility of making Rumney Road one-way from Graves Road to Broadway. This motion is made at the request of area residents and in the interest of public safety. A petition signed by area residents will be presented to the Traffic Commission for consideration.

10-187 23. Motion presented by Councillor Rotondo: That the Mayor request the City Solicitor to provide a legal ruling on the duties of the council president when he or she is designated as the "acting mayor".

Motion was withdrawn at this time.

No objection from the Council.

Motion was withdrawn.

10-188 24. Ordered on a Motion presented by Councillor Patch: That the Mayor and the Chief of Police appear before the City Council to discuss recent injuries within the police department, impending retirements within the police department, and how the staffing of the police force will be handled due to these events.

10-188A 25. Ordered on a Motion of Councillor Powers: - That the Mayor consider looking into the feasibility of establishing a Police Reserve List.

10-164 26. Comm. from the Mayor:

Re: Council Order No. 10-164

I am writing in response to Council Order #10-164, which request that the City seek a grant, including a Massachusetts Parkland Acquisitions and Renovations for Communities (“Parc”) grant to rehabilitate Harry Della Russo Stadium.

Please note, that as a precondition to applying or a PARC or similar grant, the City of Revere is required to have on file with the Dept. of Housing and Community Development an approved Open Space and Recreation Plan. That Plan is currently under development and should be submitted within the next few months. I expect that the Plan will be approved by DHCD by the end of the Summer. The City’s proposed Open Space Plan as a top priority improvements to Harry DellaRusso Stadium.

Once the City’s open space Plan is approved, we will work to secure appropriate grant funding for the rehabilitation of Harry Della Russo Stadium.

Ordered received and filed.

10-194 27. 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 Joseph A. Festa, Jr., Joseph Festa Construction Co., Inc., 385 Broadway, 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. Festa 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.

**Ordered on a Motion of Councillor Haas: That the City Council
now stand adjourned to meet on Monday, May 24, 2010 at 4:00 P.M.**

Ordered adjourned at 6:00 P.M.

Attest:

City Clerk