

**City Councillor
Joseph A. DelGrosso
City Council Chamber
March 12, 2012**

Regular meeting of the Revere City Council was called to order at 6:00 P.M.

President Penta presiding.

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

2. Roll Call of Members: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, and Penta present. Councillor Zambuto was seated at 6:10 P.M.

3. Approval of the Journal of the meeting held on February 27, 2012.

The Journals were declared approved as presented.

12-033 4. Pursuant to Council Order #12-033, a Certificate of Merit will be presented to Auxiliary Police Chief Robert Campbell on the occasion of his retirement from position of call-taker within the Revere Police Department.

Ordered received and placed on file.

Committee Reports

Legislative Affairs Committee Report

12-006 5. Proposed ordinance submitted by the Revere Police Department relative to civil fingerprinting for certain licenses.

An Ordinance Amending Title 5, Chapter 5.04 – Licenses Generally of the Revised Ordinances of the City of Revere.

Be It Ordained by the City of Revere as Follows:

Section 1. Title 5, Chapter 5.04 – Licenses Generally, is hereby amended by adding a new Section 5.04.110 Civil Fingerprinting for Individuals Applying for or in Possession of Certain Licenses:

Civil Fingerprinting

Chapter 256 of the Acts of 2010 and incorporated into the Massachusetts General Laws as Chapter 6 Section 175B^{1/2}, has authorized the City to create the following ordinance enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for or in possession of certain licenses including but not limited to those engaged in the business of Hawking and Peddling or other Door-to-Door Salespeople, Pawn Dealers, Secondhand Dealers, and Hackney Drivers.

- A. The Police Department may conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for or in possession of certain licenses including but not limited to those engaged in the business of Hawking and Peddling or other Door-to-Door Salespeople, Pawn Dealers, Secondhand Dealers, and Hackney Drivers.**

- B. An applicant, employee, or volunteer seeking to engage in the above employment shall submit, if required by the licensing authority, fingerprints taken by the Police Department along with a fee of one hundred (\$100.00) dollars.
- C. Upon receipt of the fingerprints and the appropriate fee, the Police Department will transmit the fingerprints to the State Police Identification Unit through the Department of Criminal Justice Information Services (DCJIS), formerly the Criminal History System criminal file and then submit the fingerprints to the Federal Bureau of Investigation (FBI) for a comparison with national records. The result of the FBI check will be returned to the State Police, which will then disseminate the state and national results back to the Police Department.
- D. In rendering a fitness determination, the Police Department will decide whether the record subject has been convicted of (or is pending indictment for) a crime, which bears upon his or her ability or fitness to serve in that capacity, any felony or a misdemeanor, which involved force or threat of force, controlled substances, or was a sex-related offense.
- E. The Police Department shall establish, by rule or regulation, a civilian fingerprinting system for the purposes of conducting state and national criminal history records checks of persons applying for certain licenses within the City. Any person applying for a license for the following activities within the City is required to submit with the application, a full set of fingerprints taken by the Police Department within six (6) months prior to the date of application:
 - 1. Hawking and Peddling or other Door-to-Door Salespeople
 - 2. Pawn Dealers
 - 3. Secondhand Dealers
 - 4. Hackney Drivers
- F. A person applying for a license and who is required to submit a full set of fingerprints to the licensing authority pursuant to this Chapter, may request and receive a copy of his or her criminal history records from the Police Department. Should the license applicant seek to amend or correct his or her record, he or she must contact the DCJIS, or its successor, for a state record of the FBI for records from other jurisdictions maintained in its file.
- G. The fee charged to the applicant by the Police Department for the purpose of enforcing this section shall be one hundred (\$100.00) dollars for each application. A portion of the fee, thirty (\$30.00) dollars, as specified in Chapter 6 Section 175B½ of the Massachusetts General Laws, shall be deposited into the Firearms Fingerprint Identity Verification Trust Fund, and the remainder of the fee may be retained by the Police Department for costs associated with the administration of the fingerprinting system.
- H. The City or any of its officers, departments, boards, committees or other licensing authorities is hereby authorized to deny any application for, or to revoke, or to suspend any license or permit, including renewals and transfers thereof, for any person who is determined unfit for the license, as determined by the licensing authority, due to the information obtained pursuant to this ordinance.

Section 2. Table 1 – Fee Schedule is hereby amended by adding the following new fee:

Civil Fingerprint Application, the fee for an applicant, employee, or volunteer seeking to engage in the businesses as described in Section 5.04.110 of the Revised Ordinances of the City of Revere and in accordance with Chapter 6 Section 175B½ of Massachusetts General Laws shall be one hundred (\$100.00) dollars.

Section 3. This ordinance shall take effect upon its passage.

Ordered referred to a public hearing.

12-008 6. Motion of Councillor Guinasso relative to the City Council Rules of Order.

Subject matter remain in Committee.

12-059 7. Motion of Councillors Correggio and Guinasso relative to a proposed ordinance regulating the number and placement of satellite dishes on buildings.

Subject matter remain in Committee.

12-066 8. Comm. from Ed O’Hara relative to Global Petroleum and the non-binding ballot question concerning ethanol.

Motion presented by the City Council:

Whereas, On November 8, 2011, the voters of the City of Revere voted on a non binding public opinion advisory question to go on record as being opposed to the transportation of ethanol through the City of Revere, now therefore be it

Resolved, The Revere City Council affirms the will of the voters regarding the proposal put forth by Global Oil to transport ethanol via railway through Revere, Ma., and be it further

Resolved, That a copy of this resolution be sent to Governor Deval Patrick, EOEEA Seretary Rick Sullivan, Mr. David Slagle Ma DEP Waterways Resource Protection, Boston, City Council, Cambridge City Council, Somerville Board of Alderman, Chelsea, City Council, Everett City Council, Congressman Edward J. Markey, Senator Anthony Petruccelli, Senator Sal DiDomenico, Speaker of the House Robert DeLeo and State Representative Kathi-Ann Reinstein.

Resolution was Adopted on a Roll Call: Councillors Arrigo, Giannino, Guinasso, Haas, Patch, Powers, Reardon, Zambuto voting “YES.” Councillor Novoselsky voting “NO.” Councillor Penta voting “PRESENT.” Councillor Correggio absent.

Communications

12-81

9. Comm. from the Mayor:

Please find enclosed, the audited financial statements for the City of Revere as of June 30, 2011. These statements were prepared by the independent auditor’s from the firm of Melanson Heath and Co. P.C. These statements are complete with all footnotes included. I have also enclosed the management letter which makes observations along with recommendations that the city take to improve the control functions.

After reviewing these financial statements, I have decided that further discussion is necessary with the independent auditors. I will contact them on your behalf to appear before your Honorable Body.

Ordered received and filed.

Motions

12-067 10. Ordered on a Motion presented by Councillor Guinasso: That the Mayor request the Department of Public Works to place a 30 minute parking sign in front of 245 Revere Street at the business owner's request.

12-068 11. Ordered on a Motion presented by Councillor Patch: That the Mayor request the Director of DPCD, Superintendent of Public Works, and the City Engineer to appear before the City Council Public Works Sub-Committee to discuss ongoing drainage issues on Sherman Street and alarm issues concerning the Sherman Street pump station.

12-069 12. Ordered on a Motion presented by Councillors Correggio and Guinasso: That the Mayor request the Department of Planning and Community Development to add Rossetti Street and Cummings Avenue to the Capital Improvement Street Repaving List.

12-070 13. Motion presented by Councillors Correggio and Patch: That the Mayor request the Chief of Police to increase surveillance on Amasa Street at the corner of Lincoln Street from midnight to 5:00 a.m. for illegal dumping.

Ordered subject matter tabled.

12-071 14. Ordered on a Motion presented by Councillor Guinasso: That the Mayor request the Director of DPCD to include on the Capital Improvement Plan, the street and sidewalks of Waite Street. This request is made in the interest public safety as many seniors traverse this area as it is located adjacent to Friendly Gardens on Revere Street.

12-072 15. Motion presented by Councillor Penta as amended: That the Mayor request Joe DeGangi of Eurovest to appear before the City Council to discuss the on goings of the Wonderland TOD project.

Further that a copy of the contract be made available for all City Councillors.

12-073 16. Ordered on a Motion presented by Councillor Penta: That the Mayor provide the City Council with a list of bid contracts and non-bid contracts. The list shall include date of issuance and date of expiration of said contracts.

12-074 17. Motion presented by Councillor Haas: That the following proposed amendment to the Zoning Ordinances of the City of Revere be ordered to a public hearing:

An Ordinance Providing For A One Year Moratorium Relative To Granting Of Special Permits For Standing Signs (Outdoor Advertising Devices) Within The City Of Revere.

Section 1. Title 17, Chapter 17.16, Section 17.16.250 of the Revised Ordinances of the City of Revere is hereby temporarily amended by inserting at the end thereof the following:

- C. Notwithstanding the foregoing, the provisions of this section shall not be effective for a period of one year commencing on May 7, 2012 and ending on May 6, 2013.

The foregoing moratorium is hereby imposed to allow the City Council time to consider possible amendments or additions to Section 17.16.250 relative to Standing Signs (Outdoor Advertising Devices) within the City of Revere.

Section 2. The foregoing sub-section C inserted by this amendment is hereby repealed effective May 6, 2013.

Ordered referred to Zoning and Legislative Affairs Committees.

Further, that the City Planner be invited to attend this Committee Meeting.

12-075 18. Motion presented by Councillor Penta: That the Mayor request the Purchasing Agent to provide the City Council with a copy of the contract between the City of Revere and Creative Outdoor Advertising for the installation of trash barrels throughout the City of Revere.

Addressing the Council was
Carol Haney
Ronald Champoux

Ordered referred to the Public Works Committee.

12-076 19. Ordered on a Motion presented by Councillors Correggio and Penta: That the Mayor request the City Engineer to examine the structural integrity of the old police station for the purpose of determining the feasibility of renovating or demolishing the building. Further, there have been numerous public health concerns from neighbors with regards to mice and rats emanating from the structure.

12-077 20. Ordered on a Motion presented by Councillor Arrigo: That the Mayor request the Director of Finance to address the City Council to present an update on the FY12 budget.

12-078 21. Ordered on a Motion presented by Councillor Arrigo: That the Mayor be requested to review the City's relationship with its independent auditor and consider changing independent auditors to have a fresh look at the City's finances.

12-079 22. Ordered on a Motion presented by Councillor Patch: That the Mayor direct the Department of Inspectional Services, in accordance with Sub-Section I of Section 15.08.010 of the Revised Ordinances of the City of Revere and M.G.L. Chapter 40 Section 21, to notify the owners of the billboard located on Salem Street to make the necessary repairs to bring the billboard up to code. If the repairs are not made timely, the provisions of Sub-Section I should be enforced.

Further, that all billboards throughout the City be reviewed.

12-080 23. Ordered on a Motion presented by Councillors Correggio, Giannino, and Patch: That the Certificates of Commendation be awarded to Robert Gregorio, Frank Claudio, and Dylan Kalloch for their efforts to suppress a house fire at 24 Aurelia Sylvia Drive. Their heroic efforts limited the amount of property damage and minimized the possibility of bodily harm.

Ordered on a Motion of Councillor Zambuto: That the City Council now stand adjourned to meet on Monday evening, March 26, 2012 at 6:00 P.M.

Ordered adjourned at 7:45 P.M.

Attest:

Ashley E. Melnik
City Clerk

12-066 24. Reconsideration filed by Councillor Novoselsky relative to a resolution adopted opposing the transportation of ethanol throughout the City at a meeting of the Council held on March 12, 2012.

Respectfully submitted,

(s) Ira Novoselsky

Attest:

Ashley E. Melnik
City Clerk