

**City Councillor
Joseph A. DelGrosso
City Council Chamber
June 4, 2012**

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

President Penta presiding.

1. **Roll Call:** Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Zambuto and Penta present.

2. **Approval of the Journal of the meeting of May 21, 2012.**

The Journals were declared approved as presented.

12-173 3. **Presentation of the City of Revere Community Scholarship to Mr. Soun Heang Lee presented by School Committeewoman, Carol Tye.**

Awarded and placed on file.

4. **City Councillor George V. Colella Achievement Academic Awards will be presented to Elementary and Middle School Students, awards were presented by the Principals of each school district.**

Awarded and placed on file.

Public Hearings

12-174 5. **Hearing called, as ordered, on the application of Fadala Restaurant, 653 Beach Street, Revere, MA, seeking permission from the Revere City Council to install an awning at said premises.**

Proponents

Mr. Abdel Majid Sayed
334 Broadway, Revere, MA

Opponents

None

Hearing held, subject matter referred to the committee.

Committee Reports

12-141 6. **Report of the Ways and Means Sub-Committee Cola increase: That the City Council hereby approves the cost of living increase to retirees by increasing the base from \$12,000. To \$13,000.00.**

Motion was declared Lost on a Roll Call: Councillors Giannino, Novoselsky and Penta voting “yes.” Councillors Arrigo, Reardon, and Zambuto voting “no.” Councillors Correggio, Guinasso, Haas, Patch and Powers voting PRESENT.

7. Report of the Legislative Affairs Sub-Committee

12-006 An Ordinance relative to civil fingerprinting for individuals applying for or in possession of certain licenses.

Subject matter was Ordered on a second reading.

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.

Subject matter was Ordered to a third and final reading.

Ordered Engrossed and Ordained on a Roll Call:

Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Zambuto and Penta voting "Yes."

12-081 8. Proposed Legislation relative to the issuance of second hand dealers licenses in the City of Revere.

Referred back to Committee.

12-153 9. Re: Reappointment of Ciampa Construction Company as a licensed drainlayer for the City of Revere.

Motion to confirm was declared Ordered on a Roll Call: Councillor Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Zambuto and Penta voting "Yes."

Communications

12-167 10. 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 LaMountain Brothers, Inc., 37 Federal L Hill Road, Oxford, Ma. Be appointed as a licensed drainlayer.

Please be take careful notice that all drainlayer licenses expire on April 1st, annually, unless sooner revoked by the Mayor and City Council.

Ms. LaMountain 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.

12-137A 11. Comm. from the Mayor:

Attached please find correspondence from the State Treasurer's Office in response to council Order 12-137A, in which a request was made to look into the feasibility of implementing five cent-winning lottery tickets.

- A copy of the attachment has been received and made part of the official documents of the Revere City Council.

Ordered received and placed on file.

Motions

12-165 12. Ordered on a Motion presented by Councillor Powers: as amended: That the Mayor request Inspectional Services - Building and Health Departments – to make an inspection of the property at 585 North Shore Road to determine the structural integrity of the building and to clean all debris in and around the building. The present condition of the property poses a potential fire hazard.

Further Ordered, that the “Gentle Movers” trucks be removed from said area.

12-160 13. Motion presented by Councillor Correggio: That the Mayor request the Chief of Police to conduct Police surveillance around the area of Stone and Salem Street and to post speed limit signs in and around said area.

Motion was declared Lost on a Roll Call: Councillors Arrigo, Correggio, Novoselsky, and Reardon voting “yes.” Councillors Giannino, Guinasso, Haas, Patch, Powers and Zambuto voting “No.” Councillor Penta voting “present.”

12-161 14. Ordered on a Motion presented by Councillor Correggio: That the Mayor request Verizon to remove the double pole that has been in front of 8 and 10 Lee Street. This pole has been rotting for over a year, and bringing insect infestation to the area. Pole #SET12865.

12-162 15. Ordered on a Motion presented by Councillors Correggio and Reardon: That the Mayor send a letter to the owner and developers of the construction site at the end of Oakwood Avenue and to further bait the entire area and also bait for rats around #157 Lincoln Street.

12-163 16. Ordered on a Motion presented by Councillor Correggio and Haas, That the Mayor direct the Director of RHA, Ms. Linda Shaw, to clean up the area in the vicinity of 30-100 Cushman Avenue abutting the hill

in the rear of the RHA projects of all debris, including couches, in the surrounding area.

12-164 17. Motion presented by Councillor Correggio and Reardon: That the Mayor request the Department of Public Works to install a guardrail at the end of Burbank Street abutting the Oakwood Avenue property as a matter of public safety.

Motion was withdrawn.

12-166 18. Ordered on a Motion presented by Councillors Powers: That his Honor, the Mayor, direct the Health Department to immediately have the high growth of grass and bushes at the corner of Harris and Beach Street cut, as it's present condition is not only an eyesore but also it is a public safety issue.

12-168 19. Ordered on a Motion presented by Councillors Reardon and Correggio: That the Mayor offer an update to the City Council regarding traffic and light cycle reconfiguration and improvement in signage at the intersection of Broadway and Central Avenue and Broadway and Park Avenue.

12-169 20. Ordered on a Motion presented by Councillors Arrigo and Reardon: That the Mayor offer an update to the City Council regarding plans for addressing traffic issues on Hysil Avenue and Dale Street. Another recent accident has indicated that this matter has become an even more urgent public safety issue.

12-170 21. Ordered on a Motion presented by Councillors Patch and Correggio: That the Revere City Council award certificates of commendation to City of Revere Police Sergeant Charles Callahan and Patrolman Joseph Turner for their exemplary and precise police investigation which resulted in the apprehension, in the City of Revere, of a person who allegedly robbed and murdered a 91 year old woman in Clearwater, Florida.

12-171 22. Ordered on a Motion presented by Councillor Patch and Novoselsky.: That the Revere City Council award a certificate of commendation to Thomas Daly, Security officer for Allied Barton Security, for his quick response on May 16, 2012 in assisting the Revere Police Department to apprehend a dangerous criminal who had assaulted a number of female residents of 364 Ocean Avenue, Revere,, Massachusetts.

12-172 23. Ordered on a Motion presented by Councillors Penta and Powers: That Inspectional Services look into the rodent problem around 70 Sewall Street.

12-175 24. Communication from the Mayor:

Re: Appointments to Emergency Management Board

I am writing to request that the City Council consider the following appointments to the emergency Management Board:

1. Fire Chief Eugene Doherty, as Director of Emergency Management, 255 Rice Avenue, Revere, Ma.

2. Paul Simonini, as Deputy Director of Emergency management, 9 Wildwood Drive West Peabody, Ma.

3. Paul Boudreau as Deputy Director of Emergency Management, 111 Winona Street West Peabody, Ma.

Ordered referred to the Appointment sub-committee.

12-176 25. Communication from the Mayor:

Pursuant to MGL c. 138, ss 4, I am hereby requesting that the City Council approve the appointment of Joseph Quarantello, 81 Hutchinson Street, Revere, Ma. to the Revere License Commission for a six (6) year term effective upon the date of approval. Mr. Quarantello, will fill the expired term of Mr. Robert Marra.

Ordered on a Motion of Councillor Penta: That upon the appointment of Joseph Quarantello, as a member of the Revere License Commission for a six year term the same be and hereby is confirmed.

Motion to confirm was declared Ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Zambuto and Penta voting “yes.”

12-177 26. Communication from the Mayor:

Re: Proposed fiscal year 2013 Municipal Budget

After many months of budget deliberations with not only the City’s financial team, but also with my department heads, I respectfully submit to you my first operational budget as Mayor to your honorable body for approval. During the previous 12 years, I have scoured over many budgets along with my colleagues on the Council in an attempt to ensure that all tax dollars were being utilized to their utmost benefit to the residents of this community.

This budget totals \$146,003,244 which represents an increase of \$7,995,665 or 5.4% over last year’s budget. Much of this can be attributed to an increase of the school department budget of \$6,348,213. Whereas, the State Budget has not been officially set, we used the Senate Ways and Means appropriations in our calculations for the development of this budget. We determined that these numbers would be most appropriate as they fell in the middle of the Governor’s proposed budget and the House Ways and Means proposal. The line item for the Chapter 70 monies that were appropriated was an additional \$5,478,981. In the past the ARRA (American Recovery Reinvestment and Act) money had provided support for the School Department, however, this source of funding is no longer available. The Commonwealth has made allowances for this loss of funds to the School Department and is the reason of this increase in Chapter 70 monies. For

your edification and review, I have attached a copy of the Fiscal Year 2013 Cherry Sheet (Attachment).

This is a short recap of what the City has dealt with during this budget process. The former administration had frequently referred to FY 2013, specifically in the last two letters of the budget transmittal, as the year when the reserves would be the lowest. I am happy to report that if or when this budget is passed, there will be no layoffs of personnel. I will address the particulars of the budget in my next letter to the City Council this Monday June 4, 2012. I will also be available to meet with the City Council to answer any questions.

Ordered referred to Ways and Means.

12-181

27. Comm. from the Mayor:

I am hereby requesting the City Council's confirmation of Vincent Carbone, 19 Stonecrest Drive Saugus, Ma., as a constable for the City of Revere.

In accordance with the provisions of Chapter 41, Section 9I of the MGL, this reappointment is granted for a period of three years, unless sooner revoked by the Mayor, Chief of Police, or the Honorable City Council.

Mr. Carbone has been advised that the Appointment Sub-Committee will be contacting him shortly with a date and time to appear before them concerning this reappointment.

Ordered referred to the Appt. sub-committee.

Ordered on a Motion of Councillor Arrigo: That the City Council now stand adjourned to meet on Monday June 25, 2012, at 6:00 P.M.

Ordered adjourned at 8:00 P.M.

Attest:

Ashley E. Melnik
City Clerk