

**City Councillor
Joseph A. DelGrosso
City Council Chamber
August 27, 2012**

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

President Penta presiding.

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

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

2. Approval of the Journal of the meeting held on July 23, 2012.

The Journal was declared approved as presented.

12-200 3. Certificate of Commendation will be awarded to John Hamel and the Revere Beach Partnership for their hard work and success at the annual Revere Beach Sandcastle Festival.

Ordered received and filed.

12-022 4. National Grid, Verizon, and Comcast will appear before the City Council to discuss ongoing work within the City such as double poles and trench work.

Addressing the Council at this time were the following:

**Stan Usovich, Verizon
Tim Kelly, Comcast**

Councillor Giannino moved to suspend the rules of order for the purpose of taking up a motion at this time.

12-219 Motion presented by Councillor Giannino: That the Mayor request Verizon, Nationalgrid, Comcast, and fire alarm to immediately remove the double pole at the top of Roosevelt Street at the corner of Revere Street. The double pole blocks the view of vehicles entering onto Revere Street. It is a public safety hazard for the children in the school zone especially with classes beginning.

Motion was declared Ordered.

12-219A Ordered on a Motion of Councillor Patch: That the Mayor send a letter to NationalGrid to express the Council's concern over non-cooperation.

12-219B Ordered on a Motion of Councillor Zambuto: That the Mayor be requested to appropriate funding to allow the Fire Department to remove the fire alarm boxes on poles to be removed.

Councillor Reardon moved at this time while under the suspension of rules to take up a committee report of the zoning committee.

Councillor Reardon moved to vote on the special permit of Kenneth LaFauci Trustee of K and L Realty Trust.

C-12-05

12-196 5. Motion presented by Councillor Reardon: That relief requested be granted to the petitioner for a special permit to alter an existing use on Lots 207, 208, 209, 210, 222, 223, and 224 Naples Road to convert the use to a contractors storage yard within the TED District at 225 Naples Road subject to the conditions set forth below by the Site Plan Review Committee:

1. An Order of Conditions must be issued by the Conservation Commission as the property is located within the 100-ft. buffer zone of the Rumney Marsh ACEC.

2. There shall be no filling or raising the elevation of the property other than the placement of crushed stone for the parking areas and equipment storage areas.

3. There shall be no pavement allowed under the special permit. The parking areas shall be maintained with compacted crushed stone and compacted gravel.

4. A siltation fence and chain link fence shall be installed along the perimeter of the property where it is abutting to the Rumney Marsh ACEC.

5. A 6 ft. high screened fence shall be installed along the frontage of the property along Naples Road. In front of the screened fence along Naples Road there shall be planted 6' to 8' high arborvitae to be planted 4" on center.

6. There shall be no construction materials stock piled higher than 15 ft. within the property.

Special Permit was granted on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Zambuto and Penta voting "yes."

Councillor Haas moved immediate reconsideration on the vote taken hoping it would not prevail.

Reconsideration was declared Lost.

Councillor Haas referred back to the regular order of business.

12-197a 5a. Pursuant to Council Order #12-197, Sgt. Chris Giannino and Mr. Paul Rupp have appeared to discuss the traffic issues relative to the Wonderland parking garage. Addressing the Council at this time were:

**Paul Rupp
Daniel LaRoche
William Bell
Sgt. Giannino
Eric Hingham**

Ordered received and placed on file.

Public Hearings

12-192 6. Hearing called, as ordered, upon the proposed ordinance amendments to Title 9 as it pertains to noise disturbances generally.

Proponents

**Joseph DiNunzio
Bill Bell**

Opponents

None

Ordered referred to Legislative Affairs Committee.

12-211

C -12-06

7. Hearing called, as ordered, upon the application of James St. Vil, for a special permit to further alter an existing non-conforming structure and use, commercial garage at 851-855 Broadway, at intersection of Folsom Street by altering the existing non conforming structure to another non conforming use special garage auto body at 851-855 Broadway, Revere, MA.

Proponents

**Paul Arsenault, Salem, Ma.
Thomas Anzuoni
James St. Vil**

Opponents

**Christine Walker
Richard Mendez
Frank Giardi
Lenny Orlandello**

Hearing held, subject matter referred to the Zoning sub-committee.

12-210

8. Hearing called, as ordered, upon the application of

James St. Vil for a Chapter 148 License to conduct an auto body business at 851 – 855 Broadway, Revere, MA.

Proponents

**Paul Arsenault, Salem, Ma.
Thomas Anzuoni
James St. Vil**

Opponents

**Christine Walker
Richard Mendez
Lenny Orlandello
Frank Giardi**

Hearing held, subject matter referred to the Zoning sub-committee.

C-12-08 9. Hearing called, as ordered, upon the application Cellular Sales of MA, LLC, 6513 Kingston Pike, Suite 106, Knoxville, TN 37919 seeking permission from the Revere City Council to modify a nonconforming standing accessory sign on Lot 5 at 85 Squire Road, Revere, MA 02151.

Proponents

Thomas Brennan

Opponents

None

Hearing held, subject matter referred to the Zoning sub-committee.

CZ-12-02 10. Hearing called, as ordered, upon the application of Overlook Ridge, LLC and Overlook Ridge Phase IB, LLC c/o Richard J. Gallogly – Rackemann, Sawyer & Brewster, 160 Federal Street, Boston, MA 02110-1700 requesting an amendment to the Zoning Map of the City of Revere to change three parcels on Breedens Lane and Overlook Ridge Drive from Residential A 1 District (RA1) to Highway Business (HB).

Proponents

Joseph Shea, Roseland Properties

Opponents

None

Hearing held, subject matter referred to the Zoning sub-committee.

C-12-07 11. Hearing called, as ordered, upon the application New Cingular Wireless PCS, LLC d/b/a AT&T Mobility Corporation, 550 Cochituate Road, Framingham, MA 01701 seeking permission from the Revere City Council to install nine (9) new antennas to be façade mounted on a roof top shelter with associated equipment at 100 Morris Street, Revere, MA 02151. (HB District)

Proponents

Gin Villante, Wellman Associates

Opponents

None

Ordered referred to the Committee on Zoning.

Committee Reports

12-199

12-201

12. Report of the Parks and Recreation Committee

That the following motions be taken from Committee at this to be placed on file.

Motion of Councillor Correggio relative to proper maintenance of city parks and playgrounds.

Motion of Councillor Patch relative to the abandonment of city owned parkland and land designated for public park purposes for school purposes.

Motions were taken from Committee and filed.

Re: Report of the Zoning sub-committee.

PUD-12-01 13. Re: Rumney Marsh View LL, requesting a Planned Unit Development (PUD) special permit to amend PUD-07-01 granted on September 04, 2007, to reduce the total number of apartment units and building stories in three separate buildings at 10 Ward Street, Revere, Ma.

Subject matter remain in Committee.

Communications

12-180

14. Comm. from the Mayor:

I am writing in response to Council Order No. 12-180 in which you request that the City through the Mayor's Office, convene a meeting with the State, local, and federal officials to discuss the growing problem with bird sanctuaries in the City of Revere, including is a response from Senator Kerry's Office.

At this time, it is important to take steps to schedule a public meeting. My office is waiting to hear back from DCR on this matter. They promised to make a person from their staff available.

Communication from the US Senator Kennedy:

Thank you for your letter regarding the bird sanctuary on Revere Beach. My staff is happy to attend a meeting on this matter. Please have your office reach out to Meghan Leahy with possible dates and times. She may be contacted at 617-565-8519 or Meghan Leahy @ Kerry.senate.gov.

Thank you again for your correspondence on this matter.

Ordered on a Motion of the Revere City Council: That the mayor request a Representative from DCR to appear before the City Council and discuss the bird sanctuary on Revere Beach.

12-224 15. Comm. from the Mayor:

In accordance with the vote of the ETP Committee at its January 19, 2012 meeting, I am writing to request that the City Council approve the attached expenditures from the ETP Account. The total amount of requests is \$14,288.25.

The Auditor's verification of funds is attached.

<u>From</u>	<u>To</u>
ETP Telecommunications Program	Parks and Recreation \$7,288.25
MIS – Fiber Optic Pole Replacement Program	
\$14,288.25	\$7,000.00

Motion presented by the City Council: That the following sum be appropriated by transferring said sum as follows:

<u>From</u>	<u>To</u>
ETP Telecommunications Program	Parks and Recreation \$7,288.25
MIS – Fiber Optic Pole Replacement Program	
\$14,288.25	\$7,000.00

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

16. Comm. from the Site Plan Review Committee:

Please be advised that the Site Plan and Project Review Committee has reviewed the above referenced Planned Unit Development (PUD) special permit amendment site plan dated September 23, 2011 prepared by Appledore Engineering, Inc. for the construction of a 261-unit residential apartment community to be situated on a 19.9-acre parcel of land located along Ward Street, opposite McCoba Street. This plan is being reviewed for conformance with Site Plan Review and Planned Unit Development standards in accordance with Sections 17.17.070 and 17.20.030 of the Revised Revere Zoning Ordinance.

Due to the scale of this Planned Unit Development project and the number of outstanding environmental permits to be obtained by the applicant, the Site Plan Review Committee will continue to review the impacts of this development in coordination with the Massachusetts Highway Department, Massachusetts Environmental Protection Act Unit (MEPA), and Conservation Commission. Throughout this permitting process, the Site Plan and Project Review Committee will incorporate all applicable mitigation measures resulting from these additional permitting agencies into the final site plan. Therefore, the following findings and conditions have been made by the Site Plan and Project Review Committee as a result of all local reviews conducted to date, and are subject to additional findings and conditions that may be placed on this project by the Massachusetts Highway Department, Massachusetts Environmental Protection Act Unit, and the Revere Conservation Commission.

OVERVIEW

The intent of the site plan review process is to regulate development through conditions which may be imposed by the Site Plan and Project Review Committee concerning the siting of buildings, open space and landscaping, parking areas, access and egress, traffic, site lighting, drainage, sewage, water supply, and fire safety. The Site Plan and Project Review Committee has worked closely with the project proponent since the initial submission of the plan on December 14, 2006 and has insisted on many modifications to the site plan, which would produce a plan that is sensitive to the surrounding environment. To this end, the major focus of the site plan review committee has been the treatment of landscaped buffer zones and open space areas adjacent to the Rumney Marsh ACEC and surrounding residential apartment uses and the management of site generated traffic. Discussions have been held with the Massachusetts Department of Transportation regarding traffic management improvements throughout the Route 60 corridor and the potential for this development to provide seed money and redesign to implement those improvements. Specific areas of traffic safety improvement measures are reflected in the traffic comments of this report and have been further addressed in the Environmental Impact Report.

The Site Plan and Project Review Committee have also focused on offsite infrastructure improvements, which must be addressed to offset development impacts to the sewer, water and drainage systems. These improvements are

also discussed in the infrastructure comments and have been addressed in the Environmental Impact Report.

Additionally, the Community Improvement Trust Fund Ordinance is applicable to this development project. Under the Community Improvement Trust Fund, the developer must contribute 3% of the cost of construction towards the fund, which must be expended exclusively towards capital improvement projects within the impacted area.

The following conditions are made advisory to the City Council and are preliminary conditions based on the special permit application and site plan submitted. These conditions do not reflect an approval or disapproval of the special permit application and are presented to the City Council as mitigation measures that may be used to minimize the impacts if a special permit is issued.

SITE PLAN REVIEW FINDINGS AND CONDITIONS

SITE PLAN:

1. The revised site plan dated September 23, 2011, prepared by Appledore Engineering, Inc. shall reference the conditions of the special permit if the special permit is successfully awarded. Further, the site plan shall be subject to additional revisions by the Site Plan Review Committee as may be required by the Massachusetts Department of Transportation, Massachusetts Environmental Protection Act Unit (MEPA), and Revere Conservation Commission. These additional revisions and conditions shall be incorporated into and made a part of the final site plan and special permit. The final site plan shall be recorded in the Suffolk County Registry of Deeds along with the special permit.

The final building plans must be submitted to the Fire Department for approval and compliance with fire safety codes.

The proposed residential development parking requirement is 522 parking spaces. The PUD site plan provides for only 280 parking spaces on the site of the residential component. An additional 242 parking spaces shall be designated on the BJ's site that are adjacent and accessible to the PUD residential component. These spaces shall be clearly marked for residential parking and an agreement shall be executed between BJ's and the Residences at Rumney Marsh which clearly designates the parking spaces to be provided for the Residences at Rumney Marsh prior to the issuance of a building permit.

TRAFFIC

Access to the proposed development shall be provided by four new driveways that will intersect the north side of Ward Street. These driveways must be a minimum of 24-feet in width, accommodating two-way travel, with vehicles exiting the development placed under STOP sign control with illumination provided.

Ward Street shall be realigned and widened between McCoba Street and Route 107 to accommodate two-way traffic on Ward Street. To improve visibility for traffic exiting the site, there shall be no parking allowed along the northerly side of Ward Street along the full frontage of the residential and commercial PUD up to Route 107.

A DO NOT ENTER sign shall be installed right after the most easterly first site drive on Ward Street coming from Route 107 to prevent cut through traffic onto Ward Street.

Route 107 is to accommodate an exclusive southbound right-turn deceleration lane onto Ward Street and an acceleration lane on to Route 107. The turning radii of the Ward Street intersection shall be increased to accommodate the additional turning movements in and out of Ward Street.

A flashing warning signal shall be installed on the southbound of Route 107 north of Ward St. to slow traffic approaching Brown Circle.

NO U TURN signage shall be placed on the north bound side of Route 107 at the guardrail opening north of Ward Street.

Truck routes shall be coordinated with the City of Revere Traffic Commission and MassDOT.

Ward Street at McCoba Street. An all way stop control shall be placed at the intersection of Ward Street and McCoba Street. In order to improve operating conditions and reduce vehicle queues on the McCoba Street approaches, the McCoba Street approach to Ward Street shall be restriped to provide separate left and right turn lanes for a distance of approximately 100 feet. As a result of this improvement, approximately 16 parking spaces may be lost along McCoba Street. The proponent shall make arrangements with the residences along McCoba Street to have these parking spaces replaced elsewhere or come up with an alternative plan for McCoba Street that preserves the on street parking.

Route 60 (Squire Road). Route 60 shall be widened to include three travel lanes in each direction from east of Charger Street to west of Sigourney Street.

Charger Street at Ward Street. In order to improve operating conditions and reduce vehicle queues on the Ward Street approach to this intersection, the Charger Street northbound approach is to be restriped to provide a through travel lane and right turn lane. A new STOP sign and STOP line shall be installed at the Ward Street approach to Charger Street.

Route 60 at Charger Street. This intersection shall be reconstructed so the Route 60 approaches to Charger Street shall be widened to provide three travel lanes approaching and departing the intersection. The traffic signal system at this intersection shall be upgraded and replaced as necessary to accommodate the recommended improvements. This traffic signal system must be interconnected and coordinated with the adjacent traffic signal system at the intersection of Sigourney Street and the Northgate Shopping Center driveway. Optimal traffic signal timing and phasing plans including

split phasing shall be developed for this intersection and shall include the weekday morning, weekday evening and Saturday midday peak periods. These traffic signal improvements shall include the installation of an emergency vehicle pre-emption system. Also, the median on the west side of Charger Street shall be reconstructed with concrete and granite curbing and be planted with Bradford Pear trees (minimum caliper of 2 ½”) to match the existing concrete median to the north.

Route 60 at Sigourney Street and the Northgate Shopping Center Driveway. The project proponent must design and implement an optimal traffic signal and timing and phasing plan including split phasing for this intersection and shall interconnect and coordinate the traffic signal system with the adjacent traffic control signal at the intersection of Route 60 at Charger Street and shall include the weekday morning, weekday evening and Saturday midday peak periods. The project proponent must provide a functional coordinated signal system in accordance with MassDOT standards. The traffic signal system improvements shall include the installation of an emergency vehicle pre-emption system.

Copeland Circle. The project proponent must design and implement a comprehensive upgrade of the signs and pavement markings approaching and within Copeland Circle, including the installation of signs and pavement markings consistent with the current installation requirements for a traffic circle as specified in the Manual on Uniform Traffic Control Devices. These improvements must be designed and implemented by the project proponent in close coordination with MassDOT.

Brown Circle. In order to improve traffic operations and safety at Brown Circle, the project proponent shall install and upgrade signs and pavement markings including crosswalks consistent with the current installation requirements for a traffic circle as specified in the Manual on Uniform Traffic Control Devices. The project proponent shall also undertake geometric improvements at the circle by extending existing islands and installing new islands to facilitate traffic flow in a safe manner. The plans for these improvements shall be approved by MassDOT. Also, the proponent shall work with MassDOT to provide conceptual plans for the reconstruction of the rotary.

Mahoney Circle. In order to improve operation and safety conditions within Mahoney Circle, the project proponent must design and implement an optimal traffic signal timing, phasing and coordination plan for this major intersection. The traffic system improvements must include the installation of an emergency vehicle pre-emption system. In addition to the traffic signal timing and coordination improvements, double yellow centerline pavement markings shall be installed along Everett Street for a minimum distance of 100 feet in advance of the intersection in order to separate the directions of travel approaching and departing the intersection, with a STOP line installed on the Everett Street approach to Mahoney Circle. Further, all signs and pavement markings within Mahoney Circle shall be upgraded and supplemented as necessary in order to improve motorist guidance and safety.

Route 60 at Revere Street. The project proponent must design and implement an optimal traffic signal timing and phasing plan for this intersection. The

traffic system improvements shall include the installation of an emergency vehicle pre-emption system.

Route 60 Eastbound at Patriot Parkway. A STOP line shall be installed on the Patriot Parkway approach to Route 60 to define the desired stopping point for vehicles on this approach.

The Sigourney Street and Charger Street approaches to Route 60 shall be resurfaced in conjunction with the planned improvements to be completed along the Route 60 corridor in conjunction with the project. In addition, the proponent shall evaluate and implement sidewalk improvements and traffic calming improvements along Sigourney Street, Charger Street, McCoba Street, and Patriot Parkway due to the proximity of these streets to the project and potential for increased use.

The location of a potential future bus stop shall be added to the site plan and approved by the traffic commission.

The project proponent shall implement an annual traffic monitoring and employee and resident survey program in order to evaluate the success and to refine the elements of the traffic mitigation plan and transportation demand management program. The monitoring program shall include obtaining traffic volume information for the driveways serving the development and an employee and resident survey of commuting modes. The results of the annual monitoring program shall be provided to the City of Revere Traffic Commission, MassDOT and the regional planning agency. The monitoring program shall commence one year after full occupancy of the project and shall continue for a period of 5-years thereafter.

The above stated traffic improvements shall be completed by the project proponent prior to the issuance of a Certificate of Occupancy for the project and subject to the receipt of the necessary state and local approvals.

SEWER, WATER, AND DRAINAGE

The project proponent must pay a sewer mitigation fee, which is based on 10 times the average daily wastewater discharge times \$1.30/gallon for the BJ's commercial component. The sewer mitigation fee for the residential component shall be based on 10 times 110 gallons/bedroom time's \$1.30/gallon. These sewer mitigation fees shall be utilized to remove inflow and infiltration from entering the sanitary sewer system and shall be paid to the City of Revere prior to the issuance of a building permit.

The project proponent shall be responsible for providing payment to the City for the cleaning and televising of the 24" sewer main along Ward Street from Charger Street to Naples Road.

Fire hydrant pressure and flow tests shall be undertaken along Ward Street to determine if adequate domestic and fire flow pressure exists at the site. Any improvements necessary to the water system to meet adequate pressure flow to the site shall be performed by the project proponent as required by the DPW and Fire Dept. Water service to the site shall be performed in accordance with DPW and Fire Dept. requirements.

Since construction activities involve disturbance of more than one acre, the project is subject to regulations under the NPDES storm water program. Therefore, the NPDES general permit must be filed with EPA/DEP for storm water management. The storm water drainage system within the site shall conform to the requirements of the City of Revere storm water management ordinance and be consistent with DEP storm water regulations. The storm water management measures outlined in the permit must be incorporated into the final site plan.

LANDSCAPING AND OPEN SPACE

A revised landscaping and open space plan for the PUD residential component shall be approved by the Site Plan Review Committee prior to a final site plan review submittal.

All curbing, walkways and sidewalks within the site shall be concrete and all landscaped islands shall be bordered by concrete curbing and include the planting of trees (minimum caliper of 2 ½”).

All landscaped and open space areas are to be maintained by the owner of the property and the owner must submit a yearly maintenance agreement/program to the Site Plan Review Committee and Department of Inspectional Services for execution. The annual landscape maintenance program shall include the replacement of all trees and shrubs which may be damaged within the project site, weed control, mulching, grass cutting, watering, and fertilizing. The owner of the property shall also be responsible for the removal of all litter within the site as well as along the edge of the Rumney Marsh bordering the site and along Ward Street that may be site generated. This shall also be included within the yearly maintenance agreement.

All landscaped areas shall be adequately irrigated by an automated irrigation system.

The project proponent shall install a permanent irrigation system within the Squire Road median strip from Brown Circle to Sigourney Street prior to the issuance of an occupancy permit.

The project proponent shall provide the first year of landscaping improvements and plantings as well as maintenance of the Squire Road median strip from Brown Circle to Sigourney Street.

A 5' vinyl-coated chain link fence shall be installed on both sides of the drainage ditch that splits the residential development from the BJ's Wholesale Club. The fence shall include two access gates for ditch maintenance that shall be installed on the easterly (BJ's) side of the ditch.

A minimum of a 4' high vinyl coated chain link fence shall be installed along the outside perimeter of the BJ's parking lot between the parking and driveway areas and the open space area bordering the marsh to prevent trash and litter as well as windblown debris from entering the marsh. There shall be at least two openings for pedestrian and viewing access along this fence. A

similar fence shall be installed along the border of the marsh embankment and the residential development to prevent windblown debris from entering the marsh.

In addition to the revised landscaping and planting plan dated April 2, 2007, the open space area along the border of the Rumney Marsh and project site, which is necessary to fulfill the 10% open space requirement shall be planted with natural vegetated species that are indigenous to the upland marsh area. The landscaping and plantings within this area shall be verified by an environmental consultant and approved by the Site Plan Review Committee and Conservation Commission. This designated open space area shall be preserved by a conservation restriction.

The planting of trees and evergreens along the easterly side of the drainage ditch shall be included with the planting of trees at the BJ's site prior to occupancy of the BJ's.

NOISE, LIGHTING AND AESTHETIC CONTROLS

The roof top mechanical units on the BJ's structure shall be located at the furthest point from abutting residential uses and the design criteria for all mechanical units shall include acoustical mitigation and baffle devices.

The site lighting scheme within the BJ's parking lot shall be subject to the approval of the Site Plan Review Committee and all lights shall provide screens/deflectors and soft lighting to minimize light being reflected on abutting residential properties. Lighting along the frontage of the residential and commercial properties shall be established by the installation of decorative light posts behind sidewalk within the open landscaped area.

Surveillance cameras shall be installed along the exterior perimeter of the BJ's building. The location of the surveillance cameras shall be approved by the Chief of Police.

COMMUNITY IMPROVEMENT TRUST FUND

The project proponent shall make a payment into the Community Improvement trust Fund in accordance with Section 17.47.010 of the Revised Revere Zoning Ordinance in two equal installments totaling (3%) of the total construction costs of the buildings within the PUD beyond which is allowed by right in the TED District. For the purposes of this special permit, the 3% of the construction costs shall be based on 90% of the construction of the proposed BJ's structure, 100% of the construction of the proposed BJ's fuel station, and 100% of the construction of the proposed residential condominium buildings.

The construction cost shall be determined by the Site Plan Review Committee. In determining the construction costs, the Site Plan Review Committee shall use the median square foot construction costs of an appropriate building category as noted in the most current Means Construction Cost Guide published by the Means Company.

The Community Improvement Trust Fund shall be established in the City Treasury in accordance with Section 17.47.020 of the Revised Zoning Ordinance of the City of Revere.

The Fund may be expended exclusively within the impacted area in accordance with Section 17.47.030 of the Revised Zoning Ordinances of the City of Revere.

In addition to the requirements of the Community Improvement trust Fund, the proponent shall make a commitment to construct the proposed commercial component of the development with 100% union forces.

This report is made advisory to the City Council for the purpose of complying with zoning, health and safety codes. All of the required permits and approvals noted in this report are to be made part of the site plan review and must be obtained prior to the final site plan approval.

Ordered received and made part of PUD-12-01.

12-225 17. Comm. from the Mayor:

Section 1. Title 8, Chapter 8.04 of the Revised Ordinances of the City of Revere is hereby amended by inserting a new section 8.04.080 as follows:

8.04.080 – Rodent Control

A. No permit shall be issued for any street opening work, and no building permit shall issue for any new construction, or for any work in which the displacement of earth requires a building permit, until the applicant provides evidence that the construction site area, including buildings or premises thereon, have been treated for, or are free from, insect and rodents in accordance with State Sanitary Code, 105 CMR, Section 410.550; except at the discretion of the health agent. The applicant shall be held responsible for corrective measure should his/her digging, construction, renovations, or conversions, cause, disturb, or create any infestation to immediate abutters or surrounding properties. Failure to comply with this provision may subject the applicant to fines of up to three hundred (\$300.00) dollars per day, per violation.

B. All dumpsters shall be permitted through a \$50 annual fee through the Department of Inspectional Services. Any persons or entity that stores refuse in such containers shall be required to clean and disinfect said containers three times a year on April 30th, July 30th, and October 30th. The owner of the business must submit a maintenance plan, provided to said owner by the City, for said dumpsters to the Health Department with said permit. Business owners must also keep maintenance records on hand for inspectors to review. Failure to do so will be punishable by a fifty (\$50.00) dollar fine, per day, per container. All such fees will go into a separate account to be used for rodent control measures. Dumpsters that are not in compliance could result in closure of the business. This sub-section shall take effect on January 1, 2013.

1. Maintenance shall include the following information:

above

- i. Cleaning and disinfecting per maintenance schedule listed

- ii. Covers and gates are operating properly if applicable

- iii. Baiting around the perimeter of dumpster when needed

C. Any agreement made between the City of Revere and any contractor shall be amended to include provisions for baiting 10 days before the start of, and 10 days after the completion of, or at the discretion of the health agent, any construction, renovation, development, or conversion projects, including, but not limited to, public works projects . Failure to do so will be punishable by a fine of two hundred fifty (\$250.00) per day, per contractor.

D. All fines and penalties associated with this section shall be subject to the provisions set forth in Chapters [1.12](#) and [1.16](#) of the Revised Ordinances of the City of Revere.

Section 2. Table 1 – Fee Schedule of the Revised Ordinances of the City of Revere is hereby amended by adding the following new fee:

Dumpster Permit, the fee for a dumpster permit issued by the Department of Inspectional Services in accordance with the provisions of Section 8.04.080 of the Revised Ordinances of the City of Revere shall be fifty (\$50.00) dollars.

Ordered referred to a public hearing.

12-226 18. Communication from the Mayor:

Re: Residency Waiver

Pursuant to the Revised Ordinances of the City of Revere, Title 2, Chapter 2.06, Section 2.06.060 (b). I am writing to request a waiver of the residency rule for the school nurse position at the Garfield Elementary School.

The position will be filled by Ashley Kelly, 3 Richardson Street, Unit F6, Wakefield, Ma. 01880. Ms. Kelly is a Registered nurse in the state of Massachusetts and has her Bachelor Degree in Nursing.

If you have any questions feel free to contact me.

Motion presented by Councillor Penta: In accordance with City of Revere Title 2, Chapter 2.06, Section 2.06.060 (B) that a residency waiver be granted to Ashley Kelly 3 Richardson Street Unit F6, Wakefield, Ma., for the School Nurse position at the Garfield Elementary School.

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

12-227 19. Communication 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 Ordinance of the City of Revere, as most recently amended, I hereby request that Leone Engineering Corporation, 136 Pembroke Ma., be reappointed as a licensed drainlayer,

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

Ordered referred to the Appointment sub-committee.

12-228 20. Communication from the Mayor: -

I am hereby requesting the City Council's confirmation of Philip J. Lyons, 4 Monfern Ave Revere, MA 02151 as a Constable for the City of Revere.

In accordance with the provisions of Chapter 41, Section 91 of Massachusetts General Laws, this appointment is granted for a period of three years, unless sooner revoked by the Mayor, Chief of Police, or the Honorable City Council.

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

Ordered referred to the Appointment sub-committee.

12-229 21. Communication from Katie Sugarman, Assistant Director of Revere CARES:

Each year, the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) declares September as Recovery Month across the United States. As you may recall, in September 2011, the Revere City Council supported Revere CARES' request to remember this important month and voted unanimously in support of establishing September 2011 as "National Recovery Month: Prevention Works, Treatment is Effective, People Recover." This year, the Revere CARES Alcohol Tobacco and Other Drug (ATOD) Task Force, along with the Revere Beach Memorial Planning Committee and members of the Power of Know Club at Revere High School respectfully ask you to once again proclaim September 2012 as National Recovery Month in Revere. This year, SAMHSA will celebrate the theme "Join the Voices for Recovery: It's Worth It."

Since 1997, Revere CARES has worked closely with the City of Revere to address substance abuse and addiction in our community. In 2004, the Revere CARES Opiates Task Force began to focus on the frightening rates of opioid overdose that have impacted many families in Revere. Since obtaining the MassCALL 2 grant in 2008 from the MA Department of Public Health, Revere has become a leading community in the state in addressing opioid overdose. The opioid overdose prevention trainings offered throughout the community, the Narcan carried by the Revere Fire Department, and the

Drop-In Center established at North Suffolk Mental Health Association are all ways in which Revere has made steps towards saving lives and supporting families in crisis. We ask that you continue to make our community a role model to the rest of the Commonwealth and proclaim September 2012 Recovery Month in the City of Revere.

RECOVERY MONTH PROCLAMATION: SEPTEMBER 2012

WHEREAS, behavioral health is an essential part of health and one's overall wellness; and

WHEREAS, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the Nation; and

WHEREAS, the benefits of preventing and overcoming mental and/or substance use disorders are significant and valuable to individuals, families, and the community at large; and

WHEREAS, people in recovery achieve healthy lifestyles, both physically and emotionally, and contribute in positive ways to their communities; and

WHEREAS, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, in 2010, 2.6 million people received specialty treatment for a substance use disorder and more than 31.3 million adults aged 18 or older received services for mental health problems, according to the *2010 National Survey on Drug Use and Health*. Given the serious nature of this public health problem, we must continue to reach the millions more who need help; and

WHEREAS, the sixth annual Revere Beach Memorial, which will take place on Sunday, September 23, 2012, remembers those whose lives have been cut short due to alcohol and other drugs and provides family members and friends with the opportunity to gain strength and support from other community members who have experienced a similar loss; and

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), the Revere CARES Coalition and the City of Revere invite all residents of Revere to participate in *National Recovery Month*; and

NOW, THEREFORE, BE IT RESOLVED, that we, the Revere City Council do hereby proclaim the month of September 2012 as *NATIONAL RECOVERY MONTH* in REVERE and call upon the people of REVERE to observe this month with appropriate programs, activities, and ceremonies to support this year's theme, "*Join the Voices for Recovery: It's Worth It.*"

This proclamation is given in the City Council Chamber of Revere City Hall this twenty-seventh day of August, in the year of Our Lord two thousand twelve, and of the Independence of the United States of America the two-hundred and thirty-seventh.

Addressing the Council on the Resolution were the following:

**JoAnne Pacheco
Julianne Hall
Jackie Noel**

Resident 19 Orchard Street

Resolution was adopted on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Novoselsky, Patch, Powers, Reardon, Zambuto and Penta voting “yes.”

Motions

12-209 22. Ordered on a Motion presented by Councillor Novoselsky: That the Mayor instruct all Boards and Commissions to submit, by e-mail or hard copies, agendas of upcoming meetings no less than 7 days prior to the meeting and minutes of all meetings no more than 7 days following meetings to the Revere City Council.

12-210 23. Ordered on a Motion presented by Councillors Arrigo, Haas, Powers and Novoselsky and Correggio: That the Mayor request the City Solicitor and Director of Finance to report back to the City Council on the feasibility of including the City's vehicular rental car surcharge to vehicles parked at off-site airport "stay, park and fly" shuttle lots within the City of Revere.

12-211 24. Ordered on a Motion presented by Councillor Correggio: That the Mayor request the Chief of Police to conduct speeding enforcement on East Mountain Avenue. Also, that East Mountain Avenue be added to the Capital Improvement List for sidewalk repairs.

12-212 25. Ordered on a Motion presented by Councillor Arrigo: That the Mayor request the Director of Finance to address the City Council at the next scheduled Council meeting (September 17th) with an update on the City's bond cap and bond rating and present the impact of what future publicly financed projects will be on the City's bond cap and bond rating.

12-213 26. Ordered on a Motion presented by Councillor Powers: That the Mayor request the Department of Planning and Community Development to include on the Capital Improvement Program sections of guardrail on Rice Avenue from Alden Avenue to Lancaster Avenue. This area was never completed when the original guardrail was installed on Rice Avenue.

12-214 27. Ordered on a Motion presented by Councillor Powers: That the Mayor request MassHighway to repair the guardrail on Oak Island Street at the intersection of North Shore Road.

12-215 28. Ordered on a Motion presented by Councillor Powers: That the Mayor request MassHighway to clean the weeds growing through the guardrails and on the median strip from Revere Street to the General Edwards Bridge on North Shore Road – Route 1A.

12-216 29. Ordered on a Motion presented by Councillor Patch: That the Mayor request NationalGrid to repair the sunken trench on Sargent Street near the Whelan School.

12-217 30. Ordered on a Motion presented by Councillor Novoselsky as amended: That the Mayor request the Director of Planning and Community Development not to release any funds that may be issued to Bay Cove through any grant programs by the City of Revere until such time all issues regarding 223 Walnut Avenue have been resolved, or until a permanent occupancy permit is issued.

12-218 31. Ordered on a Motion presented by Councillor Novoselsky: That the City Council award a Certificate of Appreciation to Michael D'Avanzo for his exorbitant efforts in beautifying, maintaining, and adopting Costa Park.

12-220 32. Ordered on a Motion presented by Councillor Powers: That the Mayor request the Department of Public Works to cut the overhanging bushes on the sidewalk at the corner of Robert Road and East Mountain Avenue. The sidewalk, in its present condition, makes it impossible for pedestrians with baby carriages or those in wheelchairs to navigate.

12-221 33. Ordered on a Motion presented by Councillor Powers: That the Mayor direct the Superintendent of Public Works and the City Engineer to make a determination as to what is causing water seepage into the basement of the home located at 17 Gilbert Avenue.

12-222 34. Ordered on a Motion presented by Councillor Powers: That the Mayor request the Health Department to make a determination as to the ownership of the property at the corner of Oak Island and Beverly Streets. Further, that the owner be requested to immediately cut the high grass on the lot. In its present condition, the lot constitutes a possible threat to the health and well-being of the Oak Island neighborhood. The owner shall be contacted by registered mail.

12-223 35. Motion presented by Councillors Powers and Haas: That the Mayor request the School Department to relocate the sports equipment container located at the Revere High School athletic fields to a more appropriate location as the container is directly abutting the property located at 140 East Mountain Avenue.

Ordered on a Motion of Councillor Penta: That the City Council now stands adjourned subject to the call of the chair.

Ordered adjourned at 8:35 PM.

Attest:

Ashley E. Melnik
City Clerk