

**City Councillor
Joseph A. DelGrosso
City Council Chamber
Calendar
November 14, 2016**

4:00 P.M. Zoning Sub-Committee Meeting

5:00 P.M. Appointments Sub-Committee Meeting

5:30 P.M. Public Safety Sub-Committee Meeting

6:00 P.M. Salute to the Flag

Roll Call of Members

Approval of the Journal of the meeting of October 24, 2016.

A Certificate of Appreciation will be awarded to Pamela M. Anderson for her extensive volunteerism and in depth community involvement serving the residents of Revere and surrounding communities.

12-022 Joint Utility Company meeting relative to double poles and trench work.

Unfinished Business

16-055 Motion presented by Councillor Rotondo: That the Mayor provide the City Council with what remains in free cash.

16-099 Motion presented by Councillor Rotondo: That the Mayor and City Solicitor appear before the Council to provide to provide the scope, role and authority of the position of Chief Administrative Officer.

16-124 Motion presented by Councillor Rotondo: That the Mayor provide the City Council with the amount of overtime dollars utilized for the months of August, April and December over the last two years as requested and agreed upon by Mayoral aide Omar Boukili during the March 22nd City Council meeting.

16-298 Motion presented by Councillor Rotondo: That the Mayor provide the City Council with a list of employees who are certified in dealing with HIPPA compliance and which employees to include the Mayor have been trained. Also, provide to the City Council the City of Revere's HIPPA Guidelines and training log.

Committee Reports

Report of the Zoning Sub-Committee

Report of the Appointments Sub-Committee

Report of the Public Safety Sub-Committee

Communications

Comm. from Yotam Zeira, Director for External Affairs at Roca, presenting an overview of Roca's programming and work in the City.

Motions

16-303 Motion presented by Councillor Morabito: That the Mayor abide by all sections of Revere Revised Ordinances Chapter 9.28 and establish an eleven (11) member Human Rights Commission. Each member to be known as a commissioner and each member appointed by the Mayor subject to confirmation by the City Council.

The commissioners shall each serve a term of three years; provided, however, that of the members first appointed to the commission, three shall be appointed for a term of one year, four shall be appointed for a term of two years, and four shall be appointed for a term of three years subject to confirmation by the city council. Thereafter the mayor shall appoint each successor to a term of three years subject to confirmation by the city council. Any vacancy shall be filled by appointment by the mayor subject to confirmation by the city council for the unexpired term.

Chapter 9.28 - *HUMAN* Rights Commission

Sections:

9.28.010 - Policy of the city of Revere.

A. It is the policy of the city of Revere, including its employees, agents and officials, to protect the constitutional, civil and *human* rights of all people within the city and to promote understanding among individuals and groups in the city through improving the quality of discourse and eliminating unlawful discrimination.

B. Nothing in this chapter shall be construed as supporting or advocating any particular religious or political view or lifestyle.

(C.O.94-160 (part))

9.28.020 - Establishment of a human rights commission.

A. There shall be in the city a commission known as the Revere *human* rights commission, hereinafter referred to as the commission.

B. Appointment and Terms of Office of Commission Members.

1. The commission shall be comprised of eleven members, each to be known as commissioner, each appointed by the mayor subject to confirmation by the city council. The commissioners shall each serve a term of three years; provided, however, that of the members first appointed to the commission, three shall be appointed for a term of one year, four shall be appointed for a term of two years, and four shall be appointed for a term of three years subject to confirmation by the city council. Thereafter the mayor shall appoint each successor to a term of three years subject to confirmation by the city council. Any vacancy shall be filled by appointment by the mayor subject to confirmation by the city council for the unexpired term.

2. If any commissioner misses three meetings of the commission during a calendar year, that position held by the commissioner shall be automatically vacated upon certification to the mayor by the commission.

3. The commission at all times shall strive to be representative of the diversity of the city.

4. At least eight of the eleven members of the commission shall be residents of the city at the time of their appointment and throughout their tenure.

C. Officers, Quorum, Budget and Adoption of Rules and Regulations.

1. The members of the commission shall annually elect a chairperson from among its members who shall not hold that office for more than three consecutive terms. The commission may elect additional officers as it deems necessary.
2. Six commissioners shall constitute a quorum for the purpose of conducting the business of the commission. Six votes shall be required to pass any commission decision.
3. The commission shall adopt rules and regulations which it deems necessary to the function of the commission; provided however, that all such rules and regulations shall for a thirty-day period following their adoption by the commission, be held for review and comment in an open public hearing.
4. The commissioners shall be classified special municipal employees for the purposes of Chapter 268A of the General Laws. The commissioners shall serve without compensation.
5. Subject to appropriation, a budget shall be provided to the commission for the reasonable expenses actually and necessarily incurred in the performance of the commission's duties.

D. Executive Director. There shall be an executive director who shall be appointed by the mayor subject to city council confirmation. The executive director shall receive and forward complaints and communications to the chairperson of the commission. The executive director shall be responsible for carrying out the policies and decisions of the commission.

9.28.030 - Functions, powers and duties of the commission.

The function of the commission shall be to implement the policy of this chapter by the exercise of the following powers and duties.

A. To initiate activities designed to educate and inform the city about the effects of prejudice, intolerance, and bigotry through the following actions:

1. To study the problems of discrimination in the city, to issue publications, results of research, and to make recommendations to the mayor and the city council as, in its judgment, will promote good will and minimize or eliminate prejudice, intolerance, bigotry, discrimination and disorder occasioned thereby,
2. To improve the life of the city by enlisting community-based groups in educational programs campaigns to increase mutual self-respect, harmonious inter-group relations, and the peaceful enjoyment of life,
3. To work with the municipal government agencies to increase compliance with local, state and federal laws and to raise the level of awareness and sensitivity to human and civil rights through workforce-wide required training programs,
4. To speak out with other city officials against all forms of discrimination, hate motivated violence or civil rights violations;

B. To attempt by mediation to resolve *human* or civil rights related disputes between residents of Revere or between any resident of Revere and its city, its employees, agents and officials that come before it and to recommend to all city agencies such action as it feels will resolve such disputes;

C. To refer individuals with complaints to the appropriate state or federal agency of any violations of:

1. The denial of equal access to and discrimination in housing, employment education, contracts, purchasing, public services or public accommodations (regardless of the public or private source of such denial or discrimination) where such denial or discrimination against a person is based on age, ancestry, disability, ethnicity, family/marital status, gender, military status, handicap, national origin, race, religion, sexual orientation or source of income,
2. Violation of the enjoyment and exercise by any person of her or his civil rights,
3. Any acts of prejudice, intolerance, bigotry, discrimination and the disorder occasioned thereby;

D. To raise funds for the use of the commission and to accept money, gifts, and services for its exclusive use and expend the same.

9.28.040 - Dispute resolution procedures.

A. Any resident seeking mediation assistance of the commission shall file a complaint which shall state the name and address of the person alleged to have committed the discriminatory practice and shall set forth in detail the particular circumstances.

B. The commission shall attempt to negotiate, if appropriate, resolution of all disputes that come before it and to refer the parties to the Massachusetts Commission Against Discrimination or other appropriate governmental and judicial bodies having jurisdiction of such action as it feels will resolve such disputes.

C. Complainant should be informed that any mediation services provided by the commission will not legally toll any applicable statute of limitations for a claim of discrimination or violation of civil *rights*.

9.28.050 - Construction of the chapter.

The provisions of this chapter shall be construed liberally for the accomplishment of the purposes hereof. Nothing herein shall be construed to limit the civil *rights* granted by the laws of the United States or the commonwealth of Massachusetts.

9.28.060 - Relations with city agencies.

A. So far as practicable and subject to the approval of the mayor, or in the case of the school department the school committee, the services of all city department, agencies and commissions shall be made available to the commission for the purpose of effectuating the policy of this chapter.

B. The city solicitor shall represent and advise the commission upon the commission's request.

9.28.070 - Effect of state and federal laws.

Nothing in this chapter shall be deemed to exempt or relieve any person for any liability, duty, penalty or punishment provided by any present or future law of the United States or the commonwealth of Massachusetts, other than any such law that purports to require or permit the doing of any act which would be unlawful under this chapter.

9.28.080 - Definitions.

As used in this chapter:

"Age" means any person at least forty years of age.

"Disability" means a condition which causes a physical or mental impairment which limits, or is regarded as limiting one or more major life activity.

"Marital status" means the actual or supposed condition of being or having been married, separated or divorced or the condition of being single.

"Military status" means the condition of being, or having been in the service of the military.

"Parental status" means the condition of having minor or disabled children.

"Person" includes one or more individual, partnerships, associations, corporations, agencies, legal representatives, trustees, trustees in bankruptcy and receivers; the city and all political subdivisions, boards and commissions; provided, however, "person" shall not be applied to an individual acting in a purely private transaction.

"Sexual orientation" means actual or supposed heterosexuality, homosexuality or bisexuality by orientation or practice, including but not limited to an orientation that may be presumed on the basis of mannerisms, physical characteristics, manner, dress or department.

"Source of income" means the manner or means by which an individual supports herself or himself and his or her dependents, except in this chapter it shall not include any criminal activity from which a source of income is derived.

16-304 Motion presented by Councillors Giannino and Patch: That the Mayor request the Traffic Commission to investigate the feasibility of

installing a “Stop” sign at the intersection of Hywood Street and Breedens Lane.

16-305 Motion presented by Councillors Rotondo and Keefe: That the Mayor reinstate the durable medical equipment loan bank to residents of the City and regionally if neighboring communities wish to participate. This is a program based on private donations of used equipment, supplies and loaning of said equipment. All equipment would be cleaned by DPH guidelines, assured of its integrity by a healthcare professional, and stored at the McKinley School. A liability waiver would be signed by the person using the equipment thus avoiding any legal issues. All that would be required by the City is some publicity, a room, several portable storage shelves, a laptop and magic marker to catalog. I would ask each Councillor to donate \$10,000.00.

16-306 Motion presented by Councillor Rotondo: That the Mayor provide the City Council with a breakdown of every litigation and labor negotiation that has occurred incurred since taking office. The breakdown shall include the cost of each process and the corresponding lawyer representing the City.

16-307 Motion presented by Councillor Powers: That the City Council issue a Certificate of Appreciation to the Commodore and Officers of the Point of Pines Yacht Club for their offer of assistance by opening the Point of Pines Yacht Club to residents during the recent gas outage that affected the entire area.

16-308 Motion presented by Councillor Powers: That the Mayor request the City Engineer and the DPW to examine the sewer cover directly in front of the driveway at 537 Revere Street. The resident at this location finds that the depression at the sewer causes the resident’s vehicle to bottom out when entering the driveway.

16-309 Motion presented by Councillor McKenna: That the Mayor be requested to utilize individuals who have received community service as part of their court sentencing to clean graffiti throughout the City. The graffiti problem is growing and can cause a decrease in property values, increase in crime, and affects the quality of life in neighborhoods overall.

16-310 Motion presented by Councillor McKenna: That the Mayor request the MBTA to investigate the feasibility of extending the Silver Line Bus Service to Revere. Currently the last bus stop is one half mile away at the Dollar Store in Chelsea. The extended service could help the revitalization of Broadway and be an asset for our residents going to and from Logan Airport and Boston.

16-311 Motion by Councillors McKenna and Powers: That the Mayor request the Traffic Commission to convert ten (10) parking spaces in the Central Parking Lot at the Sprague Street entrance into handicap parking spaces. This conversion will help provide senior citizens easier access to the Senior Center on Winthrop Avenue. Currently there are only four (4) handicap spaces out of the eighty (80) available spaces in the in the parking lot.

16-312 Motion presented by Councillors Rotondo and Patch: That the Mayor request the DPW to immediately cut the trees surrounding the street

lights on Gordon Street abutting the Revere Housing Authority property across from Glover Drive and Burnett Road.

16-313 Motion presented by Councillors Haas and Guinasso: That the Mayor request National Grid to install a new light on pole #4723 at the corner of Cushman Terrace and Cushman Avenue. This is the only pole in the area without a light and many area youths tend to loiter at this location.

16-314 Motion presented by Councillor Patch: That the Mayor have the Suffolk County Work Crew cut down the weeds and debris at the Malden Street Pump Station at St. Mary's. Further, that the drain pipe be cleared of any debris.

16-315 Motion presented by Councillor Zambuto: That the City Council award a Certificate of Appreciation to Thomas Misci on the occasion of his retirement after serving as an educator in the Revere Public School System for over forty years.

16-316 Motion presented by Councillor Powers: That the Mayor request representatives from Wheelabrator's Corporate Office and Plant Management to appear before the City Council on November 28, 2016 to discuss the recent problems at its facility.