

**City Councillor
Joseph A. DelGrosso
City Council Chamber
Calendar
November 28, 2016**

4:30 P.M. Committee of the Whole

5:00 P.M. Economic Development Sub-Committee Meeting

6:00 P.M. Salute to the Flag

Roll Call of Members

16-315 A Certificate of Appreciation will be awarded to Thomas Misci on the occasion of his retirement after serving as an educator in the Revere Public School System for over forty years.

16-307 A Certificate of Appreciation will be awarded to the Commodore and Officers of the Point of Pines Yacht Club for their offer of assistance to the City of Revere by opening the club to residents during the recent gas outage that affected the area.

16-316 A representative from Wheelabrator will appear before the City Council to discuss the loud noise coming from the Wheelabrator facility a few weeks ago.

Public Hearings

C-16-10 Hearing called as ordered on the application of Eastern Bank, 195 Market Street, Lynn, MA 01901 seeking permission from the Revere City Council to alter the use of a pre-existing nonconforming structure from a retail service to a bank with a drive thru ATM at Northgate Shopping Center, 339 Squire Road, Revere, MA 02151.

Application of Brianna Mann of Mann's Garden Center, LLC, 15 Citation Ave., Stoneham, MA requesting a Transient Vendors License to be used at 257 Washington Ave., Revere, MA for the purpose of selling holiday decorations: trees, wreaths, kissing balls, etc.

Committee Reports

Report of the Committee of the Whole

Report of the Economic Development Sub-Committee

Communications

Comm. from the Board of Assessors requesting a public hearing for the purpose of establishing the Minimum Residential Factor for FY2017.

- 16-297** **Comm. from the Mayor on a partial veto of Council Order 16-297 relative to conducting repairs on the Alden Mills Fire Station using monies from the Stabilization Fund or Free Cash.**
- Comm. from the Mayor requesting approval of a revolving account for the purpose administering future and current public records requests.
- Comm. from the Mayor requesting a public hearing on the consolidation of the bond authorizations for CWSRF Construction Project No. 3959 and CWSRF Construction Project No. 4052.
- 16-055** **Comm. from the Mayor providing a response to C.O. 16-055 relative to a final FY2016 spending report.**
- 16-099** **Comm. from the Mayor providing a response to C.O. 16-099 relative to the scope, role, and authority of all members of the Mayor's staff.**
- 16-288** **Comm. from the Mayor vetoing C.O. 16-288 relative to paving certain unaccepted public ways off of Broad Sound Avenue.**
- 16-298** **Comm. from the Mayor providing a response to C.O. 16-298 relative to HIPAA guidelines.**
- 16-306** **Comm. from the Mayor providing a response to C.O. 16-306 relative to litigation expenses.**

Motions

16-320 **Motion presented by Councillor McKenna: That the City Council award a Certificate of Appreciation to Bob Lospennato and Dave Colella for dedicating their time to run a highly successful Powder Puff football program at Revere High School for over 20 years.**

16-321 **Motion Presented by Councillor Rotondo: That the City of Revere denounce the prospect of a Muslim registry in the United States as proposed by President-Elect Trump as noted on several media outlets. Further, that if this absurd policy comes to fruition that we fight it together as a community.**

16-322 **Motion presented by Councillor Novoselsky: That the City Council Public Works Sub-Committee in cooperation with the Inspectional Services, DPW, EZ Disposal, the Mayor's Office and the Revere Beautification Committee begin immediate discussions to update Title 8 of the Revere Revised Ordinances - Health and Safety and any sections of the Revised Ordinances of the City of Revere dealing with the Revere Trash collection and storage to deal with the uncontrollable trash, type of trash barrels to be used, elimination of the so-called rodent-proof trash bags, rodents and any other issues that may come up during these discussions.**

16-323 Motion presented by Councillor Powers: That the Mayor request the MBTA to look into the feasibility of providing bus service from Carey Circle along the Boulevard to Wonderland.

16-079 Motion presented by Councillors McKenna and Giannino: That the following proposed ordinance is being reported out of the Parks and Recreation Sub-Committee for the purpose of being ordered to a public hearing:

Title 9, Chapter 9.08 of The Revised Ordinances of the City of Revere is hereby amended by the following new sections:

Section 9.08.110 Promotion of Clean and Healthy Parks

Whereas, there is no known safe level of exposure to secondhand smoke, and secondhand smoke exposure in certain outdoor areas have been found to pose a significant health risk; and

Whereas, protecting Revere's public parks as places for residents and visitors to be outside and active is critical to promotion of a healthier city; and

Whereas, it is critical to prevent the use of drugs, alcohol and weapons in our areas of recreation; and

Whereas, it is the goal of the City of Revere, through the Parks and Recreation Department and the Revere Police Department, to ensure that our places of recreation are safe, clean and healthy for all residents, particularly our children;

Section 9.08.112 Smoking Prohibited in Public Parks

A. No person shall smoke in any public park, or other public place under the control of the City of Revere.

B. For the purposes of this subsection, the term smoking shall include inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe, or other lighted or vaporized substance in any manner or form, including marijuana used for medical or recreational purposes.

Section 9.08.114 Alcohol and Controlled Substances Prohibited in Public Parks

A. No person shall sell, possess or consume any alcoholic beverage in any park, except under a license issued by the Revere License Commission subject to the provisions of M.G.L. Chapter 138, Sections 14 & 15F. Such license may include any conditions imposed by the License Commission and the discretionary judgment of the Revere Police Department in order to promote the preservation of public parks.

B. No person shall commit any of the following acts in a public park:

- 1.** Sell, distribute, make available or offer to provide a controlled substance or prescription drug to another;
- 2.** Package, possess or store a controlled substance;
- 3.** Transport a controlled substance or materials intended to be used in the packaging of a controlled substance;
- 4.** Solicit another to provide, make available, sell or distribute a controlled substance or prescription drug to any person
- 5.** With the intent to engage in any act prohibited by this Section, seek, meet, approach or encounter another.

C. Nothing in Sub-Section B of this Section shall prohibit the possession of medications prescribed to the person or to a person under that person's care, if and under such conditions as possession of such substance is otherwise lawful.

D. For purposes of this Section, "controlled substance" and "prescription drug" shall have the meaning as provided for in M.G.L. c. 94C § 1 (The Controlled Substances Act).

Section 9.08.116 Possession of Weapons

A. No person shall possess in any public park anything specifically designed for and presently capable of causing, or carried with the intent to threaten or cause, bodily harm to another. Items prohibited under this Section include, but are not limited to: any firearm, pellet gun, spring-loaded weapon, stun gun or taser, any knife having a blade that projects or swings into position by force of a spring or by centrifugal force, any knife with a blade longer than 2-½ inches, any dirk, dagger, ice-pick, sling shot, slungshot, metal knuckles, nunchaku, studded handcoverings, swords, straight razors, tear gas containers, saps, sap gloves, hatchets or axes. The prohibitions of this Section do not apply to individuals who are duly licensed under local, state, and/or federal guidelines to carry a firearm.

B. Any person to be in violation of this section shall be fined three-hundred (\$300.00) dollars per offense. Enforcement of this section shall be by noncriminal disposition as provided for in M.G.L. Chapter 40, Section 21D or by filing a criminal complaint at the appropriate venue.

Section 9.08.118 Public Park Hours and Designation

A. 6:00 am – 10:00 pm

B. All public parks shall be designated as "Alcohol, Drug, Tobacco, and Weapon Free Zones" and appropriate signage shall be installed at each park indicating such.

16-324 Motion presented by Councillor Powers: That the Mayor direct Inspectional Services Department to contact the owners of the commercial properties along North Shore Road from Shawmut Street to the traffic signal at Wonderland Dog Track to remove snow and ice in accordance with the provisions of Section 12.04.350 of the Revere Revised Ordinances. This motion is made in the interest of public safety. Properties to be notified include Wonderland Dog Track and Wonderland Convenience.

16-325 Motion presented by Councillor Powers: That the Mayor request the appropriate agency (DCR, MassDOT, or DPW) to make repairs to the catch basin on Oak Island Street. Its present condition constitutes a public safety hazard.

16-326 Motion presented by Councillor Keefe: That the Mayor request the Traffic Commission to review options on reducing the speed limit on the following streets to 20 MPH: Proctor Ave., Mountain Ave., Park Ave., and Fenno St. Each of these streets is thickly settled and have become major cut through streets in the City.

16-237 Motion by Councillors McKenna, Novoselsky, and Powers: That the Mayor contact MassDOT to review the pedestrian walking patterns at Bell Circle and create new crosswalks on VFW Parkway at Shirley Avenue, and at the traffic signal on American Legion Highway near the walking path. Students coming to and from Revere High School and the Rumney Marsh Academy are crossing inbetween the heavy flow of traffic on American Legion Highway. There are no guidelines to lead them in a safe direction towards the Revere Beach and Shirley Avenue neighborhoods which is creating a very dangerous situation.

16-238 Motion presented by Councillor Keefe: That the Mayor and City Solicitor be requested to evaluate the recently passed Question 4 (marijuana bill) and give guidance on best practice to opt out and/or overwhelmingly restrict in Revere.