

**City Councillor
Joseph A. DelGrosso
City Council Chamber
March 11, 2013**

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

President Novoselsky presiding.

1. Salute to the Flag by the members of the Revere City Council and those in attendance.
2. Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and President Novoselsky present.
3. The Journal of the meeting held on March 04, 2013, was declared approved as presented.

Ordered received and placed on file.

Public Hearings

- 13-047A** 4. Hearing called as ordered on the proposed Bond Order to pay the costs of remodeling, reconstruction and making extraordinary repairs to Harry Della Russo Stadium in the amount of \$5,500,000.

Proponents

**Mayor Rizzo
Frank Stringi
Resident, Washington Avenue
Mike Hinojosa, Director Parks and Recreation
Shawn Hart
Kristen Marie Ternullo, 543 Mountain Avenue**

Opponents

Rob Selevitch, 11 Barrett Street

- (3) Residents in attendance

Hearing held.

Motion presented by the City Council:

**REMODELING, RECONSTRUCTING AND MAKING EXTRAORDINARY
REPAIRS TO HARRY DELLA RUSSO STADIUM**

ORDERED: That the City appropriates the amount of Five Million Five Hundred Thousand Dollars (\$5,500,000) for the purpose of paying costs of remodeling, reconstructing and making extraordinary repairs to Harry Della

Russo Stadium, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(25) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the City therefor. The amount authorized to be borrowed by this Order shall be reduced by any grants or gifts that the City may receive on account of this project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

In City Council March 11, 2013:

Ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and Council President Novoselsky voting "YES."

Councillor Reardon moved: suspension of rules for the purpose of filing reconsideration on the vote taken.

Reconsideration was declared Lost.

13-047B 5. Hearing called, as ordered, upon the proposed Bond Order to pay the costs of remodeling the current McKinley School in the amount of \$2,500,000.

Proponents

Mayor Rizzo
Paul Dakin, Supt. of Schools

Opponents

None

Ordered referred to Committee.

13-047C 6. Hearing called, as ordered, upon the proposed Bond Order to pay the costs of construction, originally equipping, and furnishing the Staff Sergeant James J. Hill School in the amount of \$42,402,396.

Proponents

Mayor Rizzo

Paul Dakin

Carol Tye

Elaine Moschella
50 Stevens Street

Ed Moccia, Apple Hill Road,
Peabody

Domenica Giordano
194 Vane Street

Robert Cataldo
7 Beechtree Circle
Wakefield, Ma.

Donna Wood Pruitt
172 Endicott Avenue

Ivy Beth Nelson
9 Genessee Street

Nancy Martel
50 Library Street

Elisa LaPlante
95 Ridge Road

Kimberly Rosales
85 Suffolk Avenue

Opponents

Rob Selevitch, 11 Barrett Street

Councillor Penta moved at this time, that the Loan Order be taken up and voted upon.

CONSTRUCTING, ORIGINALLY EQUIPPING AND FURNISHING THE STAFF SERGEANT JAMES J. HILL ELEMENTARY SCHOOL

ORDERED: That the City appropriates the amount of Forty-Two Million Four Hundred Two Thousand Three Hundred Ninety-Six Dollars (\$42,402,396) for the purpose of paying costs of constructing, originally equipping and furnishing the Staff Sergeant James J. Hill Elementary School, to be located on Park Street, in the location of the former Hill Park, in Revere, including the payment of all costs incidental or related thereto (the “Project”), which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the City may be eligible for a grant from the Massachusetts School Building Authority (“MSBA”), said amount to be expended at the direction of the School Building Committee. To meet this appropriation the City Treasurer, with the approval of the Mayor, is hereby authorized to borrow the sum of Forty-Two Million Four Hundred Two Thousand Three Hundred Ninety-Six Dollars (\$42,402,396) under and pursuant to Chapter 44, Section 7, Clause (3) of the General Laws, as amended and supplemented, or any other enabling authority, and to issue bonds or notes of the City therefor. The City acknowledges that the MSBA’s grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any Project costs the City incurs in excess of any grant approved by and received from the MSBA on account of the Project shall not exceed the lesser of (i) eighty percent (80%) of eligible approved Project costs, as determined by the MSBA, or (ii) the total maximum grant amount determined by the MSBA; and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement relating to the Project that may be executed between the City and the MSBA.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the “Commonwealth”) to qualify under Chapter 44A of the

General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

In City Council March 11, 2013:

Ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon and Zambuto voting "YES." Council President Novoselsky voting "NO."

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

Reconsideration was declared Lost.

Councillor Penta referred back to the regular order of business.

13-047D 7. Hearing called, as ordered, on the proposed Bond Order authorizing the acquisition of certain parcels of land required to construct the Staff Sergeant James J. Hill School and acquire land to be converted into parkland in the amount of \$3,000,000.00.

Proponents

Mayor Dan Rizzo

Paul Dakin

Julia DeMauro Doucette

**Patrick Keefe
44 Kilburn Street**

Opponents

None

Hearing held.

Bond Order is now before the Council for a vote

Amendment presented by Councillor Novoselsky: That the loan order be amended to exclude the taking at 40 Foster Street, with no change in finances.

Amendment was declared Lost on a Roll Call: Councillor Powers, and Council President Novoselsky voting "yes." Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Reardon and Zambuto voting "no."

Original loan order is now before the Council:

ACQUISITION OF CERTAIN PARCELS OF LAND BY PURCHASE, EMINENT DOMAIN OR OTHERWISE, APPROPRIATING FUNDS TO PAY COSTS OF SUCH ACQUISITION, AND AUTHORIZING THE BORROWING OF MONEY TO MEET SUCH APPROPRIATION

Section 1. The Mayor is authorized to acquire, on behalf of the City, by purchase, eminent domain or otherwise, for municipal purposes, the parcels of land described as follows:

<u>Street Address</u>	<u>Assessors' Map Description</u>
17 Fernwood Place	Map 24 Block 389 Lot 16
9-11 Fernwood Place	Map 24 Block 389 Lot 15
40 Fernwood Ave. (Unit #40)	Map 24 Block 389 Lot 14-40
42 Fernwood Ave. (Unit #42)	Map 24 Block 389 Lot 14-42
40 Foster St.	Map 21 Block 358 Lot 22

Section 2. The Mayor is authorized to acquire, on behalf of the City, by purchase, eminent domain or otherwise, for conservation and recreation purposes, the parcels of land described as follows:

<u>Street Address</u>	<u>Assessors' Map Description</u>
St. Mary's Way / 0 Wallace St.	Map 29-432 blocks 7-42; Map 29 block 432 lots 2-17
Brookdale and Wallace St.	Map 29 -432H-6-8 and map 29-432h-20a

Section 3. The sum of Three Million Dollars (\$ 3,000,000) is appropriated to pay all costs associated with the acquisition of the parcels of land described in Sections 1 and 2 above, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(3) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the City therefor.

Section 4. That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

13-047E 8. Hearing called, as ordered, upon the proposed loan order to pay the costs of park improvements at the former St. Mary's ball field site once acquired in the amount of \$2,100,000.

Proponents

**Mayor Dan Rizzo
Supt. Paul Dakin
City Planner, Frank Stringi**

Approximately 80 others

Opponents

Robert Selevitch, 11 Barrett Street

Hearing held.

Motion presented by Councillor Patch: That the proposed loan order be adopted:

PARK IMPROVEMENTS

ORDERED: That the City appropriates the amount of Two Million One Hundred Thousand Dollars (\$2,100,000) for the purpose of paying costs of making park improvements, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(25) of the General Laws, or pursuant to any other enabling authority and to issue bonds or notes of the City therefor. The amount authorized to be borrowed by this Order shall be reduced by any grants or gifts that the City may receive on account of this project.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the appropriate officials of The Commonwealth of Massachusetts (the "Commonwealth") to qualify under Chapter 44A of the General Laws any and all bonds of the City authorized by this Order, and to provide such information and execute such documents as such officials of the Commonwealth may require in connection therewith.

In City Council March 11, 2013:

Ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and Council President Novoselsky voting "YES".

Councillor Penta moved: immediate reconsideration on the vote taken, hoping it would not prevail.

Reconsideration was declared Lost.

Councillor Penta referred back to the regular order of business.

13-047F 9. Re: Transfer of Hill Parkland to the Revere School Department for the Staff Sergeant James J. Hill School Project.

AN ORDER APPROVING THE TRANSFER OF THE LAND COMPRISING HILL PARK TO THE CARE, CUSTODY AND CONTROL OF THE SCHOOL DEPARTMENT FOR SCHOOL PURPOSES, INCLUDING USE AS THE SITE OF THE NEW STAFF SERGEANT JAMES J. HILL ELEMENTARY SCHOOL, AND AUTHORIZING THE CITY TO PETITION THE GENERAL COURT FOR SPECIAL LEGISLATION TO APPROVE SUCH TRANSFERS.

**BE IT ORDERED, BY THE CITY COUNCIL OF THE CITY OF REVERE
AS FOLLOWS:**

1. That the land known as Hill Park in the City of Revere, and more formally described as (portion of Map 24-Block 389- Lot 001), is hereby transferred to the care, custody and control of the School Department for school purposes, including use as the site of the new Staff Sergeant James J. Hill Elementary School.

2. To effectuate the property transfers described in Sections 1, the Mayor, on behalf of the City of Revere, is authorized to petition the General Court for the passage of special legislation in substantially the form attached to this Order as Exhibit A, with such modifications as the Mayor shall approve, so long as such modifications are not inconsistent with the intent and purposes of this Order.

Ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon and Zambuto and Council President Novoselsky voting “YES”.

An Act Authorizing the City of Revere To Transfer Certain Parcels of Land and Validating an Order of the Revere City Council.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the mayor, with the approval of the city council, of the city of Revere, is authorized to take any and all action necessary or convenient to transfer to the care, custody and control of the Revere school department for school purposes, including use as the site of the new Staff Sergeant James J. Hill Elementary School, the land currently used for conservation and recreational purposes and more commonly known as Hill Park, and described as follows:

Beginning at the southerly corner of the parcel on the northerly side of Park Avenue; thence,

N 69°49’03” W along the northerly sideline of Park Avenue, a distance of nine hundred fifty-nine and thirteen hundredths feet (959.13) to a point; thence,

N 19°49’03” E a distance of three hundred nineteen and twenty-one hundredths feet (319.21) to a point; thence,

S 59°00’27” E a distance of five hundred sixty-two and twelve hundredths feet (562.12) to a point; thence,

S 39°57'47" W a distance of two hundred twenty-seven and nineteen hundredths feet (227.19) to the point of beginning.

Said parcel containing an area of 3.1820 acres more or less.

SECTION 2. The order of the city council adopted on March 11, 2013 approving the transfer of land described in section 1 is hereby ratified, validated and confirmed as if this act had been in effect on the date of adoption of such order.

SECTION 3. This act shall take effect upon its passage.

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

Committee Reports

The Committee on Public Works recommends that the following Motions be taken from the Committee and placed on file.

13-055 10. Re: Motion relative to examining guidelines for use for hiring plow drivers.

Ordered placed on file.

13-057 11. Re: Motion relative to the malfunction of tide gate that services the Eastern County Ditch.

13-028 12. Re: Pursuant to MGL c. 166, s. 22, Petition from Crown Castle NG East, Inc., for a permit to install conduit and fiber locations to existing streetlight poles on Franklin and Walnut Avenues.

Motion to grant permission was declared ORDERED on a roll call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and President Novoselsky voting "yes."

13. The Appointment sub-committee recommends confirmation of the following appointees:

13-048 Re: Appointment of Lauren D'Avella as a Constable

13-052 Re: Appointment of Anthony DelVecchio as a member of the Planning Board.

13-059
For reappointment to the Board of Assessors, for a new three year term expiring on Feb. 1st. 2016, Mr. John Verrengia.

For re-appointment to the Conversation Commission, for a new three year term, expiring on October 30, 2015, Mr. Daniel Blustein.

For re-appointment to the Health Board, for a new three year term, expiring in February 2016, Dr. Eric Weil.

For re-appointment to the Historical Commission, for new three year terms, expiring on July 1, 2015, Mr. Justin Capodilupo and Mr. Jeff Pearlman.

For re-appointment to the Parks and Recreation Commission, terms concurrent with the Mayor, Ms. Patti Braid.

For re-appointment to the Planning Board, for a new three year term, expiring January 2016, Mr. John Aragon.

For re-appointment to the Planning Board, for a new three year term, expiring January 2015, Mr. Paul Mazzone.

For re-appointment to the Revere Cultural Council, for new three year terms, expiring on March 1, 2016, Ms. Rose Napolitano, Ms. Annette Bornstein, Ms. Diane LeClair, Ms. Bebe Wunderlich, and Mr. Thomas Haney.

For re-appointment to the Revere Resident Employment Monitoring Committee, for a new two year term, expiring on April 12, 2014, Mr. Anthony Perrone.

13-63 For reappointment of R. Sasso and Sons Construction Co. as Licensed Drainlayers.

13-62 For reappointment of Raffaele Construction Inc, as a Licensed Drainlayer.

13-64 For reappointment of Geosearch, Inc., as a Licensed Drainlayer.

Motion to confirm appointees was declared Ordered on a roll call Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and President Novoselsky voting “yes.”

Communications

C-13-03 14. Communication from Site Plan Review Committee:

Please be advised that the Site Plan Review Committee has reviewed the above referenced site plan for a special permit to expand a nonconforming structure at 85 Broadway for the purpose of constructing a second floor addition and to change the use of the existing nonconforming structure to an afterschool program facility. The following findings and recommendations have been made with respect to this site plan:

- 1. A payment in lieu of taxes agreement must be executed with the City Assessor’s Office and City Treasurers Office and approved by the City Council.**

- 2. A traffic management plan must be approved by the Traffic Commission for the safe and efficient operation of drop off and pick up of students at the facility.**
- 3. The parking lot must be redesigned to allow for 11 parking spaces including 1 HP space with appropriate pavement markings and wheel stops for each parking space.**
- 4. All curbing within the site shall be either granite or precast concrete and all ramps and walkways shall be concrete.**
- 5. The parking lot must include a stormwater drainage system to be approved by the City Engineer.**
- 6. There shall be no outdoor dumpster within the site. All trash shall be stored within enclosed bins within a contained area within the building or attached to the building.**
- 7. A landscaping plan must be approved by the Site Plan Review Committee which includes a 3-ft. landscaped strip along the northerly property line and a minimum 6-ft. landscaped buffer area along the easterly property line between the parking lot and abutting residential property. Also, a 3-ft landscaped buffer strip shall be maintained along the southerly property line. All evergreen plantings shall be a minimum of 6-ft. in height and all trees planted within the site shall be a minimum of 2 ½" caliper.**
- 8. A 6-ft. high stockade cedar or PVC vinyl fence shall be constructed along the easterly property line abutting the adjacent residential property and a 5-ft. high fence shall be constructed along the southerly property line around the outdoor play area.**
- 9. All site lighting shall include box lighting with deflectors so not to provide glare onto abutting residential properties.**
- 10. All rooftop mechanical units shall include noise baffles and screens and shall be located the furthest point from abutting residential properties.**
- 11. The Fire Dept. shall review and approve all plans prior to the issuance of a building permit.**
- 12. A sewer and water connection permit must be obtained from the DPW. An additional water service line separate from the domestic service shall be installed for the proposed sprinkler system. Also, the integrity of the existing sewer service shall be inspected and televised for adequacy and replaced if found damaged or cracked with a new 6" PVC sewer.**
- 13. An environmental hazardous material assessment shall be performed on the building and filed with the Board of Health prior to the issuance of a building permit.**
- 14. A final as-built plan and landscaping plan must be filed with the Building Inspector and City Engineer prior to the issuance of an**

occupancy permit. The final as-built plan shall show the location of all utilities within the site including water, sewer and drainage.

Ordered received and made part of.

Ordered on a Motion of Councillor Zambuto: That the City Council now stands adjourned to meet on Monday, April 8, 2013 at 7:00 PM.

ORDERED ADJOURNED AT 9:40 p.m.

Attest:

City Clerk