

**City Councillor  
Joseph A. DelGrosso  
City Council Chambers  
April 28, 2014**

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

**President Zambuto presiding.**

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

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

**The Journals of the meeting held on March 31, 2014 were declared approved as presented.**

**Ordered received and placed on file.**

**12-022 1. Dan Cameron, Stan Usovich, and Tim Kelley appeared before the Council and presented an update relative to double poles and trenches.**

**Ordered received and placed on file.**

**Bob Button appeared before the City Council and presented an update on the Winthrop Avenue project.**

**Ordered received and filed.**

**The City Council now observed a moment of silence for Sal Ciampa, retired City Firefighter for the City of Revere.**

**Ordered on a Motion of Councillor Powers: That the City Council Rules of Order be suspended at this time for the purpose of taking up a late communication from Attorney Cipoletta.**

**PUD-14-01**

**14-016 2. Communication from Attorney Cipoletta:**

**For and on behalf of the applicant, leave is hereby requested to withdraw the application without prejudice with the potential to file a different plan in the future.**

**Motion to grant leave without prejudice was declared Ordered on a Roll Call: Councillors Giannino, Guinasso, Novoselsky, Patch, Penta and Zambuto voting "YES". Councillors Arrigo, Morabito and Powers voting "NO". Councillors Haas and Reardon absent.**

Councillor Penta moved for immediate reconsideration on the vote with the hope it would not prevail.

Reconsideration was declared Lost.

Councillor Penta moved at this time, while under the suspension of rules, that City Council now take up Calendar Item 17 as it relates to a memorial sign for William Johnson, a retired State Trooper.

**14-110      3.      Communication from Nicholas Bua:**

I have received a request from very close friend of William A. Johnson, to have a memorial square designated in his Honor. He wishes the Memorial Square pole to be installed on the corner of Bennington Street and Unity Avenue in Beachmont.

William (Billy) Johnson, Jr. lived at 1 High Street prior to entering the Army April 5, 1967, was a highly decorated Green Beret serving in Vietnam Veteran. Some of his decorations are the Gallantry Cross w/Palm, National Defense Service Medal, Vietnam Service Medal to name a few. He returned to Revere as a War Hero.

Mr. Johnson was also was a decorated Massachusetts State Trooper. The State of Massachusetts names him State Trooper of the Year Award.

It would be fitting to have a Memorial Square in Honor of Sgt. William A. Johnson, Jr., as Massachusetts State Trooper and War Hero.

I have a copy of his DD-214 on file.

Thank you for your attention in honoring a great hero of our community.

Motion to install a Memorial Square at Bennington and Unity Avenue, the same be and hereby is granted.

Addressing the City Council at this time is retired State Trooper, Ed O'Hara.

Motion to grant was declared Ordered.

**Public Hearings**

**14-092      4.      Hearing called, as ordered, upon the application National Grid for a permit to install conduits on Dix Street.**

**Proponents**

**Dan Cameron, National Grid**

**Opponents**

**None**

Hearing held, subject matter is now before the Council for a vote.

Motion presented by Councillor Patch: Shall the City Council approve the petitions of National Grid to install conduits on Dix Street for the purpose of providing electricity to the City of Revere pump station?

Motion to approve was declared Ordered on a Roll Call: Councillors Arrigo, Giannino, Guinasso, Morabito, Novoselsky, Patch, Penta, Powers, and Zambuto voting "YES". Councillors Reardon and Haas absent.

14-098 5. Hearing called, as ordered, upon the application National Grid for a permit to install conduits on North Marshall Street for the City of Revere pump station.

Proponents

Dan Cameron, National Grid

Opponents

None

Hearing held, subject matter is now before the Council for a vote.

Motion presented by Councillor Patch: Shall the City Council approve the petitions of National Grid to install conduits on North Marshall Street for the purpose of providing electricity to the City of Revere pump station?

Motion to approve was declared Ordered on a Roll Call: Councillors Arrigo, Giannino, Guinasso, Morabito, Novoselsky, Patch, Penta, Powers, and Zambuto voting "YES". Councillors Reardon and Haas absent.

C-14-04

14-097

6. Hearing called as ordered, upon the application of New Cingular Wireless PCS, LLC dba AT & T, 550 Cochituate Road, Framingham, Ma., seeking permission to modify an existing wireless facility by adding three (3) panel antennas and additional network upgrades at 427 Squire Road, Revere, MA

Proponents

Tim Green, AT&T  
157 Riverside Dr., Norwell, MA

Opponents

None

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

## Committee Reports

### 7. Report of the Appointments Sub-Committee

**14-093** Ms. Elizabeth Dixon, 54 Waitt Park, Revere, MA, appointment to the Election Commission.

**14-071** Re-appointment of Paul Pisano, 48 Princeton Street Danvers, MA as a Harbormaster for a three year term.

Motion to confirm appointments was declared Ordered on a Roll Call: Councillors Arrigo, Giannino, Guinasso, Morabito, Patch, Penta, Powers and Zambuto voting "YES". Councillors Haas and Powers absent.

**14-071** Re-appointment of Thomas Abate, 106 Squire Road, Revere, MA, as Assistant Harbormaster for a three year term.

Ordered remain in Committee.

**14-093** Re-appointment of Geosearch, Inc., 20 Authority Dr. Fitchburg, MA, as a licensed drainlayer for the City of Revere.

Ordered remain in Committee.

The following Committee Reports are being reported out pursuant to Rule 23 of the City Council's rules of order.

**14-012** 8. Re: Motion relative to restoring the Fiscal Year 2014 line item for Office Supplies to the FY 2009 level.

Ordered remain in Committee.

**14-021** 9. Re: ETP Fund Requests in the amount of \$60,784.39.

Motion presented by Councillor Novoselsky: That the following sum be and hereby is raised and appropriated by transferring said sums as follows:

<u>From</u>	<u>To</u>		
ETP \$60,784.39	Engineering – Upgrade and Advance Systems	\$ 2,500.00	
	RPSchools -Sr. Citizens IPAD Program	6,000.00	
	RPSchools, 7 Classroom Whiteboards	35,000.00	
	Revere Beach Partnership-Generator&PS system	4,500.00	
	Parks and Recreation-Projector for Outdoor Movie Screen	7,648.70	
	Parks and Recreation Computer Hardware/ Laptop	4,370.69	
	Parks and Recreation – Camera	765.00	

Motion to approve transfer was declared Ordered on a Roll Call: Councillors Arrigo, Giannino, Guinasso, Morabito, Novoselsky, Patch, Penta, Powers, and Zambuto voting "YES". Councillors Reardon and Haas absent.

**14-033**            **10. Re: Acceptance of the City of Revere Fraud, Waste and Abuse Policy.**

**Ordered remain in Committee.**

**Communications**

**PUD-14-01**

**14-016**            **11. Communication from Attorney Cipoletta:**

**Applicant's Motion to Amend P.U.D. Special Permit Application**

**Now comes the applicant in this matter and respectfully amends its application of a planned unit development by adding to section 11 of said application the following language:**

**10% of the units in the residential component of the P.U.D. shall be dedicated in perpetuity as affordable housing units eligible under the state's Subsidized Housing Inventory.**

**By incorporation 10% affordable units in perpetuity under the state's Subsidized Housing Inventory the project will be consistent with the state goal of 10% affordable housing for all cities and towns and will not cause Revere to suffer a decline in its Subsidized Housing Inventory which is now at 8.2%.**

**Legal Authority:**

**The content of an application may be amended during the course of review at the discretion of the council. See, *Shoppers World v. Beacon Terrace Realty*, 353 Mass. 63, 68 (1967). "In fact, amendments usually occur. As the hearing unfolds, criticism from abutters and information from experts may be incorporated into the plan voluntarily by the proponent, or mandated as conditions by the board." Bobrowski, Massachusetts Handbook of Land Use and Planning, Third Edition (2010) § 10.03(E).**

**Respectfully submitted,  
By applicant's attorney,  
James J. Cipoletta  
BBO# 084260**

**Ordered placed on file.**

**14-95**            **12. Comm. from the Mayor:**

**Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that Meninno**

**Construction Company, Inc., 76 Oakville Street Lynn, MA be reappointed as a licensed drain layer for the City of Revere.**

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

**Mr. Meninno has been advised that he will be contracted directly by the Appointment sub-committee with a date and time to appear before them concerning this reappointment.**

**Ordered referred to the Appointment sub-committee.**

**14-95**

**13. Comm. from the Mayor:**

**Please be advised that in accordance with the provisions of Title 13, Chapter 13. Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that J. J. Obrien and Sons, Inc., 5 Fern Street Waltham, MA 02454, Scott Falconer, be reappointed as a Licensed drainlayer for the City of Revere.**

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

**Mr. Falconer has been advised that he will be contracted directly by the Appointment sub-committee with a date and time to appear before them concerning this application for reappointment.**

**Ordered referred to the Appointment sub-committee.**

**14-96**

**14. Comm. from the Mayor:**

**Re: National Nurses Week – May 6<sup>th</sup> – May 12<sup>th</sup>**

**I am requesting to appear before the City Council on Monday, April 28, 2013, along with members of the nursing profession in support of the attached Proclamation regarding National Nurses Week.**

**Thank you for your courtesy and cooperation.**

**Proclamation**

***National Nurses Week***

**Whereas, the nearly 3.1 Million registered nurses in the United States comprise our nation's largest health care profession; and**

**Whereas, the depth and breadth of the registered nursing profession meets the different and emerging health care needs of the American Population in a wide range of settings; and**

**Whereas, the American Nurses Association, as the voice for the registered nurses of this country, we are working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care; and**

Whereas, a renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources; and

Whereas, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

Whereas, the demand for registered nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life – sustaining technology and the explosive growth of home health care services, and;

Whereas, that more qualified registered nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community, and

Whereas, the cost effective, safe and quality health care services provided by registered nurses will be an ever more important component of the U.S. health care delivery system in the future; and

Whereas, the City of Revere, along with the American Nurses Association has declared the week of May 6 – 12, 2014 as National Nurses Week with the theme Nurses; Leading the Way in Celebration of the ways in which registered nurses strive to provide safe and high quality patient care and map out the way to improve our health care system, Therefore Be It

Resolved, that I, Daniel Rizzo, Mayor, ask that all residents of this city join me in honoring the registered nurses who care for all of us, and be it further

Resolved, that the residents of Revere, Massachusetts celebrate registered nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's registered nurses not just during this week but at every opportunity through the year.

NOW THEREFORE, I Mayor Daniel Rizzo, Mayor of the City of Revere, do hereby proclaim May 6 12<sup>th</sup>, 2014 as *NATIONAL NURSES WEEK*, in the City of Revere.

**Ordered adopted.**

**14-111            15.    Comm. from Nicholas Bua:**

I have received a request from the family of Anthony Schena Jr., to have a Memorial Square designated in his honor. The family would like to have the Memorial Square Pole installed on the corner of Newman and Malden Streets.

Anthony Schena Jr., served from March 1, 1943 to December 28<sup>th</sup> 1945 and attained the rank of TSGt 5. He served in European, African, Middle Eastern Theaters. It would be fitting to honor Mr. Schena for his service to our great country. I have a copy of his DD-214 and his death certificate on file. Thank you for your immediate action honoring a great hero of our community.

Motion presented by Councillor Patch:-That upon the request to designate a memorial square at the corner of Newman and Malden Streets, the same be and hereby is granted.

**14-112            16.    Comm. from the Mayor:**

Attached is a revised resolution for the City of Revere to receive grant funds from the Executive Office of Energy and Environmental Affairs under

the Our Common Backyards Program in the amount of \$200,000. This revised resolution includes Language required by the Executive Office of Energy and Environmental Affairs which demonstrates that the City has the necessary funds to cover the full cost of the park improvements (\$250,000) Since this grant is a reimbursement to the City, the funds must be appropriated by the City up front. Therefore, the attached resolution identifies the funding sources that will be used to cover the grant will come from the stabilization account which will be reimbursed in full upon project completion in October 2014. The remaining funds which constitute the City's 25% required match will come from the Massachusetts General Hospital Determination of Needs funding (\$24,000) and the DPW Parks Budget (\$26,000).

Thank you once again for your prompt attention to this mater as the resolution must be passed prior to the City entering into a grant agreement with the Commonwealth.

**A RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE OUR COMMON BACKYARDS PROGRAM FOR IMPROVEMENTS TO LOUIS PASTEUR PLAYGROUND AND DI SALVO PARK PLAYGROUND**

**Whereas: The Louis Pasteur Playground and DiSalvo Park Playground are key community recreational assets and the preservation and improvements to these facilities are a City priority as evidenced in the most recent Open Space and Recreation Plan; and**

**Whereas: Louis Pasteur Playground and DiSalvo Park Playground are both dedicated to park and recreation purposes under MGL Chapter 45, Section 3; and**

**Whereas: The ultimate restoration and replacement of playground equipment at Louis Pasteur Playground and DiSalvo Park Playground will greatly enhance recreational opportunities in the Community; and**

**Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Our Common Backyards Program.**

**NOW THEREFORE, BE IT RESOLVED:**

- 1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs, and**
- 2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes and conditions of this grant to be administered by the Department of Planning and Community Development;**
- 3. That the amount of \$200,000.00 be appropriated from the stabilization account for the replacement of playground equipment at Louis Pasteur Playground and DiSalvo Park Playground to be**

reimbursed by the Executive Office of Energy and Environmental Affairs Our Common Backyards Program upon completion.

4. That the City of Revere dedicate \$24,000 of Determination of Needs funding from Massachusetts General Hospital as well as \$26,000 from the Department of Public Works parks budget for the renovation of DiSalvo and Louis Pasteur Playgrounds to fulfill the City's 25% contribution of the overall project costs.
5. That this resolution shall take effect upon passage.

Resolution was adopted.

**14-113**

17. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08. Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that Sean Farrell Excavating Inc., 53 Gilbert Street, Quincy, MA, be appointed as a licensed drain layer for the City of Revere.

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

Mr. Sean Farrell has been advised that he will be contained directly by the Appointment sub-committee with a date and time to appear before them concerning this appointment.

Ordered referred to the Appointment sub-committee.

**14-114**

18. Comm. from the Mayor:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08. Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that CRL, Inc., 33A Mystic Avenue, Medford, MA, 02155 be reappointed as a licensed drain layer.

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

Mr. Rob Celiberti has been advised that he will be contained directly by the Appointment sub-committee with a date and time to appear before them concerning this appointment.

Ordered referred to the Appointment sub-committee.

### Motions

**14-100**

19. Motion presented by Councillor Novoselsky: That Mayor request the Traffic Commission to conduct a public hearing to amend Schedule IV of Title 10 Isolated Stop Signs to provide for a "Stop" sign at the intersection of Shirley Ave. and Walnut Ave. for eastbound traffic.

**14-101**            20. Motion presented by Councillor Haas: That the City Council issue Certificates of Commendation to the officers involved with “Operation High Tide” leading to the arrest of twenty-six drug dealers.

Motion was tabled.

**14-102**            21. Motion presented by Councillor Haas: That the Mayor request the Director of Planning and Community to re-investigate the installation of a pier in Broad Sound at Revere Beach. A study was completed in the nineties and the City should revisit this project.

Motion was tabled.

**14-103**            22. Ordered on a Motion presented by Councillor Powers: That the Mayor request the Traffic Commission to convene a meeting for the purpose of discussing traffic flow on Shawmut Street.

**14-104**            23. Ordered on a Motion presented by Councillor Novoselsky: That the Mayor request the State Delegation to appropriate funds in the next budget for a plaque at the Rumney Marsh Burial Grounds, indicating its induction into the National Register of Historic Places on February 11, 2004.

**14-105**            24. Ordered on a Motion presented by Councillor Penta: That the City Council, in accordance with Section 5.04.090 of the Revised Ordinances of the City of Revere, revoke the special permit (C-14-02) for 765 Revere Beach Parkway granted on March 24, 2014 for failure to comply with the conditions set forth.

**14-106**            25. Ordered on a Motion presented by Councillor Penta: That the Mayor request CDM to provide the City Council with a list of all work that has been completed, all work that is still outstanding, and total amount monies appropriated to each of these projects.

Further that a copy of this motion be sent to Ways and Means.

**14-107**            26. Ordered on a Motion presented by Councillor Powers: That the Mayor make additional resources available to the Department of Public Works as soon as possible to deal with the pothole situation and unpaved trenches throughout the City.

**14-108**            27. Motion presented by Councillor Haas: That the following Special Legislation be forwarded to the State Delegation for approval:

**An Act Amending Chapter 134 of the Acts of 2004 Authorizing the City of Revere To Reduce Water and Sewer Fee Liability In Exchange For Volunteer Services By Persons Over Age 60.**

Section 1. Chapter 134, Section 1(a), of the Acts of 2004 is hereby amended by deleting the words, “No such person shall receive a rate of, or be credited with, more than the current minimum wage of the commonwealth per hour for services provided pursuant to such reduction, nor shall the reduction of the water and sewer bill exceed \$500 in a tax year.” and inserting in place thereof, “The reduction of the water and sewer bill shall not exceed \$750 in a tax year.”

**Motion was tabled.**

**14-109            28.    Ordered on a Motion of Councillor Powers: That the Mayor in the interest of public safety, request DCR to install crosswalks and appropriate signage from the intersection of Delano Avenue and the Lynnway over to the entrance of Gibson Park.**

**Ordered on a Motion of Councillor Patch: That the City Council now stands adjourned to meet on Monday, May 5, 2014.**

**Ordered adjourned at 7:40 P.M.**

**Attest:**

**City Clerk**