

**City Councillor
Joseph A. DelGrosso
City Council Chamber
Journal
May 13, 2013**

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

Council President Novoselsky presiding.

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

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

3. Approval of the Journal of the meeting of April 22, 2013.

The Journal of the meeting held on April 22, 2013, was declared approved as presented.

Ordered received and placed on file.

4. A Certificate of Commendation will be presented to Rita Singer, in honor of her birthday and her Public Service to the City of Revere, as the one of first and longest serving female City Councillors.

Ordered received and placed on file.

5. Mayor Rizzo and the Revere Police Department will address and submit a Resolution to the Council relative to National Missing Children's Day.

Re: National Missing Children's Day Proclamation

I would like to present the attached Proclamation to be presented at the City Council Meeting on Monday May 13, 2013, at 6:00 P.M. Members of the Revere Police Department, as well as myself, will be present to speak on behalf of National Missing Children's Day.

**Revere
National Missing Children's Day
May 25th – A Proclamation**

Whereas, an estimated 800,000 children are reported missing to law enforcement every year; and

Whereas, that yearly figure amounts to more than 2,000 reported missing children per day and;

Whereas, while many of these children are quickly recovered, there are many who never return home; and

Whereas, in order to ensure that these missing children remain in the hearts and minds of the public, former Council President Ronald Reagan in 1983 declared May 25th as National Missing Children's Day; and

Whereas, May 25th serves as a time to renew efforts to reunite missing children with their families, remember those who are still missing, and make a child safety a national priority; and

Whereas; to commemorate this day, the National Center for Missing and Exploited Children (NCMEC) launched Take 25 a national grassroots campaign encouraging parents, guardians, communities, and others to take twenty five (25) minutes to talk to children about safety, with a focus on prevention; and

Whereas, the City of Revere, in conjunction with the Revere Police Department, support NCMEC's take 25 campaign and join the communities who will be participating.

Now Therefore, I Mayor Daniel Rizzo, do hereby proclaim May 25, 2013 as National Missing Children's Day in Revere Massachusetts and urge all our citizens to take part in Take 25 Events to prevent a child from going missing and to remember those who have gone missing.

Dated this 13th day of May, 2013, at the Joseph A. DelGrosso City Council Chambers in Revere, MA.

Ordered adopted.

Committee Reports

6. Report of the Ways and Means Sub-Committee

The Committee on Ways and Means recommends adoption of the following Committee Report:

13-086 7. Re Establishment of a revolving account for the new community Schools Program.

Ordered on a Motion of Councillor Haas: That the City Council move to establish a revolving account for the new Community Schools Program.

13-088 8. Re: Robert T. Mahoney, 2 Paul Street, Revere, Massachusetts, to convey two lots of land owned by Rowe Contracting Lots 229 Ossen Street (a paper street) containing 2,783 s.f. and Lot 232 Ossen Street (a paper street)

Containing 2,783 s.f. for a total of 5,566 s.f. to the City of Revere in exchange for a lot owned by the City of Revere, Lot 7 Grandview Avenue containing 5,250 s.f.

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

9. The Committee on Zoning recommends adoption of the following committee report:

C-13-03

13-51 10. Re: Kids Only Afterschool, seeking a special permit to construct a second floor addition and to change the use of the existing structure to enable the appellant to operate an afterschool program facility on Lots 66C and Lot 67 at #85 Broadway, Revere, MA.

Motion to grant relief requested to the petitioner for a special permit to change the use of existing structure to enable the appellant to operate an afterschool program facility on Lots 66 C and Lot 57 at #85 Broadway, Revere, be GRANTED, subject to the following conditions set forth below:

1. A traffic management plan must be approved and submitted by the Traffic Commission for the safe and efficient operation of drop off and pick up of students at the facility.
2. 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.
3. All curbing within the site shall be either granite or precast concrete and all ramps and walkways shall be concrete.
4. The parking lot must include a stormwater drainage system to be approved by the City Engineer.
5. 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.
6. 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.
7. 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.
8. All site lighting shall include box lighting with deflectors so not to provide glare onto abutting residential properties.

9. All rooftop mechanical units shall include noise baffles and screens and shall be located the furthest point from abutting residential properties.
10. The Fire Dept. shall review and approve all plans prior to the issuance of a building permit.
11. 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.
12. 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.
13. 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.

Motion to Grant was declared Ordered on a Roll Call: Councillors Arrigo Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, and Zambuto voting "YES." Councillor Reardon voting "no." Council President Novoselsky voting Present.

Councillor Haas moved – suspension of rules for the purpose of filing immediate reconsideration on the vote taken.

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.

C-13-05

13-103 11. Re: Louis Rubino, Trustee, Rubino Family Realty Trust c/o One Sprague St., Revere, MA 02151 seeking permission from the Revere City Council to convert an existing mixed use residential/retail nonconforming structure to a mixed residential/restaurant use to enable the appellant to operate a bistro style pizzeria with take-out at 744 Broadway, Revere, MA 02151.

Motion to grant relief requested to the petitioner was declared Ordered with conditions.

Motion presented by Councillor Guinasso: That upon the application presented by Louis Rubino, Trustee of Rubino Family Trust Company One Sprague Street, Revere, Ma., 02151, for a special permit for a take-out restaurant at 744 Broadway, Revere, the same be granted subject to the following conditions set forth below:

1. The Fire Department shall review the plans for compliance with fire safety and suppression codes.
2. The Building shall be brought into compliance for handicapped accessibility.
3. The Building shall be limited to one exterior sign to be illuminated from the top by gooseneck lighting overhanging the sign and the sign material shall be comprised of High Density Urethan (HDU) or similar composite that provides a wood appearance.

Motion to grant the relief requested subject to conditions to was declared Ordered with conditions on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and Council President Novoselsky voting “YES”.

Councillor Guinasso moved – suspension of rules for the purpose of filing immediate reconsideration on the vote taken.

Councillor Guinasso moved – immediate reconsideration hoping it would not prevail.

Reconsideration declared Lost.

Councillor Guinasso referred back to the regular order of business.

C-13-08

13-106 12. Paul Buonfiglio, 245 Revere St., Revere, MA 02151 seeking permission from the Revere City Council to convert a pre-existing nonconforming structure from four (4) residential units and one (1) commercial unit to five (5) residential units and one (1) commercial unit on Lot 7 at 245 Revere St., Revere, MA 02151.

Motion to grant relief requested to the petitioner was declared Ordered.

Motion presented by Councillor Guinasso: That upon the special permit application of Paul Buonfiglio, 245 Revere Street, Revere, Ma., for a special permit to convert a preexisting nonconforming structure from four residential units and one commercial unit to five residential units and one commercial unit on Lot 7 at 245 Revere Street, Revere, Ma., be granted.

Motion to grant was declared ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and Council President Novoselsky voting “YES”.

CZ-13-01

13-107 13. Black Marble Motorcycles, LLC, 1760 Revere Beach Parkway, Everett, MA 02149; Squire, LLC, 84 Clifton St., Belmont, MA 02478; and Wesley, LLC, 84 Clifton St., Belmont, MA 02478 seeking to amend the zoning ordinances of the City of Revere as follows:

“Section 1. Title 17, Chapter 17.16, Section 17.16.040 Generally – Table of Uses of the Revised Ordinances of the City of Revere, Sub-Section D – Business Uses and Consumer Services is hereby amended by adding Class I and Class II motor vehicle sale use as available uses by special permit in the Industrial Park (IP) zoning district.”

Subject matter was Ordered to a second reading.

Subject matter was Ordered on a second reading.

Subject matter was Ordered to a third and final reading.

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

C-13-09

13-101 14. Re: Van Wagner Communications, LLC, a Special Permit to modify nonconforming use an existing billboard on Lot I at 40 Lee Burbank Highway, Revere, Ma.

Motion to grant relief requested to the petitioner was declared Ordered.

Motion presented by Councillor Reardon: That upon the special permit application of Van Wagner Communications, LLC, for a special permit to modify nonconforming use at an existing billboard on Lot I at 40 Lee Burbank Highway, Revere, the same be granted.

Motion to grant was declared ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and Council President Novoselsky voting “YES”.

C-13-10

13-102 15. Re: Van Wagner Communications, LLC, a special permit to modify a nonconforming use, an existing billboard on Lots 1 and 4 at 1141 Revere Beach Parkway, Revere, Ma.

Motion to grant relief requested to the petitioner was declared Ordered.

Motion presented by Councillor Reardon: That upon the special permit application of Van Wagner Communications, LLC, for a special permit modify a non conforming use at an existing billboard on Lots 1 and 4 at 1141 Revere Beach Parkway, Revere, Ma., the same be and hereby is granted.

Motion to grant the relief requested was declared Ordered on a Roll Call: Councillors Arrigo, Correggio, Giannino, Guinasso, Haas, Patch, Penta, Powers, Reardon, Zambuto and Council President Novoselsky voting ‘YES.’

Communications

13-117 14. Comm. from Doreen DiRenzo:

My name is Doreen DiRenzo, I am the owner of the Revere Karate Academy, This summer from August 1, 3 the Revere Karate Academy and Middleton Karate Academy will host the 2013 International Karate Championships in Revere, Massachusetts. I am writing to you so that I may be given the opportunity to make a short presentation regarding this event to the City Council on May 13, 2013.

Ordered received and filed.

**CZ-13-01
13-107**

15. Comm. from Eugene McKenna:

Re: Class 1 and Class 2 Zoning Amendment in Industrial Park District:

Pursuant to Section 17.56.050 of the Revised Zoning Ordinance, the Planning Board at a regular meeting held on April 23, 2013 subsequent to a public hearing held on April 23, 2013, voted to favorably recommend to the City Council a proposed zoning amendment to allow Class 1 and Class 2 motor vehicle sale use by special permit in the Industrial Park (IP) zoning district.

Ordered received and made part of.

13-119 16. 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 amended, I hereby request that C. J. Doherty, Inc., 173 Woburn Street Medford, Ma. 02155, be appointed 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.

Mr. C. J Doherty has been advised that he will be contacted 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.

13-118 17. Comm. from the Mayor:

In accordance with the vote of the ETP Committee at its April 9, 2013 meeting, I am writing to request that the City Council approve the attached expenditures from the ETP Account. The total amount of requests is \$166,933.16.

The Auditor's verification of funds is attached.

Motion presented by the Correggio: That the sum of be appropriated by transferring said sum as follows:

From

To

ETP

RHS Scholarships for (4) Students

\$8,000.00

\$8,000.00

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

13-120A Motion presented by Councillor Correggio: That the sum of \$158,933.16, be appropriated by transferring said sum as follows:

FROM

TO

ETP

\$158,933.16

**SBA IEnsembles and Differentiate
Inst. \$4,903.29**

**Parks and Recreation – Computer
Replacement \$4,653.03**

**City Hall – City Council \$36,376.84
ChambersA.V upgrade**

**RPS – Flipped Classrooms – 1:1 Learning
Unit \$112,000.00**

**Beautification Committee – Laptop
Replacement \$1,000.00**

\$158,933.16

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

13-121 18. Comm. from the Mayor:

I have attached a Proclamation declaring Saturday May 18, 2013, National Kids to Parks Day.

National Kids to Parks Day: Saturday, May 18, 2013

A Proclamation

WHEREAS, May 18th, 2013 is the third National Kids to Parks Day organized and launched by the National Park Trust; and

WHEREAS, National Kids to Parks Day empowers kids and encourages families to get outdoors and visit America’s parks; and

WHEREAS, it is important to introduce a new generation to our nation’s parks because of the decline in Park attendance over the last decades; and

WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

WHEREAS, National Kids to Parks Day is open to all children and adults across the country to encourage a large and diverse group of participants; and

WHEREAS, National Kids to Parks Day will broaden children's appreciation for nature and the outdoors; and

NOW THEREFORE, (I/WE) of (City/Town) (State) do hereby proclaim to participate in National Kids to Parks Day. (I/WE) urge residents of (city) to make time May 18th, 2013 to take the children in their lives to a neighborhood, state or national park.

Proclamation was adopted.

13-116 19. Comm. from the Mayor:

Re: *City Hall Unit A, B, and C – Local 22 Contracts*

After many months of negotiations, Units of A, B and C of the Local 22 have agreed to a three year contract that is effective July 1, 2012 and ends on June 30, 2015. Unit C has agreed on a one year contract that is effective on July 1, 2012 and ends on June 30, 2013. The reason for the one year contract is the anticipated implementations of the regionalized Emergency Call Center (RECC) for the Police and Fire Dispatch with the Town of Winthrop.

The terms of the agreement for Units A and B are:

- 1. Annual Percentage Raises:**
Effective July 1, 2012 – 2% raise
Effective July 1, 2013 – 2% raise
Effective July 1, 2014 – 2% raise
- 2. Travel/Gas Allowance:**
\$75.00 travel/gas allowance for the MIS Director and the Veteran's Affairs Agent. (Monthly)
\$150.00 Parks and Recreation Director. (Monthly)
- 3. Longevity :**
Base increase of \$500.00. This brings them in parity with the other Unions.

Terms of the agreement for Unit C

- 1. Compensation:**
Effective July 1, 2012 – June 30, 2013, 2% raise
- 2. Longevity:**

Base increase of \$500.00

3. Sick Leave Incentive for:

**Fire Department full-time call takers.
(Police Department full-time call takers already receive this incentive)**

4. Bereavement Leave: for part-time employees.

I have attached the Memorandum of Agreement for each Unit for you to review. I respectfully request that the City Council approve the proposed agreement.

- **A copy of the attachment has been made part of the official documents of the Revere City Council.**

Motion presented by the Revere City Council: That the City Council hereby ratifies the Memorandum of Agreement between the City of Revere and Massachusetts Laborers' District Council City Hall Local 22- Unit A covering the period from July 1, 2012, through June 30, 2015.

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

Motion presented by the Revere City Council: That the City Council hereby ratifies the Memorandum of Agreement between the City of Revere and Massachusetts Laborer's District Council City Hall local 22 Unit B covering the period from July 1, 2012, through June 30, 2015.

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

Motion presented by the Revere City Council: That the City Council hereby ratifies the Memorandum of Agreement between the City of Revere and Massachusetts Laborer's District Council City Hall local 22 Unit c covering the period from July 1, 2012, through June 30, 2015.

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

Motions

13-113 20. Ordered on a Motion of Councillor Patch as amended by Giannino: That the Chief of Police request the Traffic Division to increase enforcement of the one way portion of Lantern Road (after Steeple Street) and further, to erect signage indicating one way.

Further, that Derby Road be included.

13-114 21. Ordered on a Motion of Councillor Reardon: That at the request of certain residents of Page and Olive Streets, the Traffic Commission consider the adoption of resident parking during the evening hours on both

streets and that the Commission hold a public hearing regarding the matter to allow input of all residents on the issue.

13-115 22. Ordered on a Motion of Councillor Patch : - That the Mayor request Inspectional Services and the Fire Department to notify Stop and Shop on Squire Road to repair the damaged fence (destroyed by fire) and to clean and maintain the grass along Marble Street.

Late Communications

13-122 23. Comm. from the Mayor:

Re: Increase in Compensation

I am writing to request that the City Council amend an Ordinance Relative to Certain Persons Not Represented Under M.G.L., Chapter 150E, Section 10.

Be It Ordained By the City Council of the City of Revere as follows:

Section 1. Division 1, Table III, Section H, Schedule A-1, Section I, Schedule A-2-A, and Section J, Schedule A-2-B of the Appendix of the Revised Ordinances of the City of Revere are hereby amended by changing the compensation rates to ensure that those employees identified in such sections who are not entitled to collective bargaining representation under M.G.L. c. 150E, 10 shall receive the same percentage increases in compensation negotiated by the City and City Hall Union Units A, B, and C for Fiscal Years 2012, 2013 and 2014.

Section 2. Division 1, Table III, Schedule I, A-2-A, of the Appendix of the Revised Ordinances of the City of Revere, is hereby amended effective July 1, 2012 as follows: The Director Finance /City Collector and City Treasurer, One Hundred and Fifty Thousand, Public Works/ Super/Pks/Maint Director, Ninety Nine Thousand Nine Hundred and Ninety, City Solicitor, Eighty Two Thousand Four Hundred and Sixty Eight, City Clerk, Ninety Eight Thousand Four Hundred and Twenty Seven.

The Director of Finance/City Collector and City Treasure shall also perform functions of the Director of Workers Compensation, Director of Labor Management Relations, Supervisor of Municipal Insurance & Benefits and Director of Performance Based Budgeting.

Section 3. This Ordinance shall take effect on July 1, 2012.

Ordered referred to a Public Hearing.

13-123 24. Comm. from the Mayor:

Loan Order for Collection System Improvements

MassDEP CY-2013 – CWSRF 3832

I am writing to request a public hearing for one new Loan Order for borrowing under the Massachusetts Department of Environmental Protection's (MassDEP's) Calendar Year 2013 (CY-2013) Clean Water State Revolving Fund ("CWSRF"). The CWSRF was established to provide a low-

cost funding mechanism to assist municipalities in complying with federal and state water quality requirements. In this round, the City is seeking to borrow funding for construction of the following project:

- CWSRF Construction Project No. 3832 - \$9,450,000 for construction of stormwater and wastewater collection systems capital improvements..

This CWSRF loan received initial approval by DEP. (See MassDEP's Final CY-2013 CWSRF Intended Use Plan, pertinent portions of which are attached.)

As was the case last year, in order to take advantage of these 2% low interest loans and potential principal forgiveness again this year, the City must complete two steps: first – approve a Resolution expressly authorizing the Mayor to file all applications and execute documents necessary for the loans; and second – approve Loan Orders for the balance of each project. In accordance with Federal funding requirements, the CWSRF program includes an additional loan subsidy provided by MassDEP again this year. *Additional subsidy* is defined by Congress as principal forgiveness, grants or negative interest loans. The City of Revere has been determined to qualify for additional subsidies under the Environmental Justice and Green Project categories based on applications prepared and submitted to MassDEP for the City by CDM Smith. I have attached copies of the required Resolutions and Loan Orders.

The City Council should recognize that these significant borrowings within the City's Water & Sewer Enterprise Fund will likely be a regular annual event during the course of the next decade. The construction work proposed with this new fund, as well as similar work necessary in future years, will be required commitments of the City's Consent Decree with the U.S. Dept. of Justice, to remedy historic violations of the Federal Clean Water Act.

Specifically, the work proposed under the CY-2013 CWSRF funding will accomplish the following. The \$9.45 million in construction funds will be utilized for three categories of work:

- (1) To rehabilitate sewer pipelines and manholes to reduce inflow into the wastewater system;
- (2) To rehabilitate storm drains to improve flood control and/or to reduce the amount of stormwater entering the wastewater system;
- (3) To complete the capital improvements to stormwater and wastewater pump stations throughout the City; and
- (4) To remove sump pumps identified through the sump pump amnesty program or through house to house inspections.

I ask that the City Council approve the Resolutions and move this Loan Order to a public hearing at its earliest opportunity. In advance of the public hearing, I will arrange for the City's consultants, CDM Smith, to provide the City Council with an update on the status of the previous and ongoing work

completed within our sewer and stormwater systems to meet the demands of the EPA, the U.S. Justice Dept. and the Consent Decree. This background should assist the Council as it deliberates on this most recent funding request.

CY-2013 CWSRF CONSTRUCTION PROJECT No. 3832

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, May 20, 2013 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts to consider the following:

That \$9,450,000 be appropriated for the purpose of financing the construction of Stormwater and Wastewater System Improvements and Sump Pump Removal Program including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78; that to meet this appropriation the Treasurer with the approval of the Mayor be authorized to borrow \$9,450,000 and issue bonds or notes therefore under G.L. c.44 or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c. 78; that the Treasurer with the approval of the Mayor be authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (the "Trust") established pursuant to Chapter 29C or the Massachusetts Water Resources Authority (the "Authority") and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Trust, the Authority, the Department of Environmental Protection or any other federal or state entity with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and that the Treasurer be authorized to file an application with the Municipal Finance Oversight Board to qualify under G.L. c.44A any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

Ordered referred to a public hearing.

25. Comm. from the Mayor:

CY-2013 CWSRF PLANNING PROJECT No. 3831

Re: *Loan Order for Collection System Improvements*

MassDEP CY-2013 – CWSRF 3831

I am writing to request a public hearing for one new Loan Order for borrowing under the Massachusetts Department of Environmental Protection's (MassDEP's) Calendar Year 2013 (CY-2013) Clean Water State Revolving Fund ("CWSRF"). The CWSRF was established to provide a low-cost funding mechanism to assist municipalities in complying with federal and state water quality requirements. In this round, the City is seeking to borrow funding for planning of the following project:

- CWSRF Planning Project No. 3831 - \$1,500,000 for Field Investigation, Illicit Discharge Detection and Elimination, SSES Phase V Investigations, and implementation of a house to house inspection program to identify sump pumps.

This CWSRF loan received initial approval by DEP. (See MassDEP's Final CY-2013 CWSRF Intended Use Plan, pertinent portions of which are attached.)

As was the case last year, in order to take advantage of these 2% low interest loans and potential principal forgiveness again this year, the City must complete two steps: first – approve a Resolution expressly authorizing the Mayor to file all applications and execute documents necessary for the loans; and second – approve Loan Orders for the balance of each project. In accordance with Federal funding requirements, the CWSRF program includes an additional loan subsidy provided by MassDEP again this year. *Additional subsidy* is defined by Congress as principal forgiveness, grants or negative interest loans. The City of Revere has been determined to qualify for additional subsidies under the Environmental Justice and Green Project categories based on applications prepared and submitted on the City by CDM Smith. I have attached copies of the required Resolutions and Loan Orders.

The City Council should recognize that these significant borrowings within the City's Water & Sewer Enterprise Fund will likely be a regular annual event during the course of the next decade. The planning work proposed with this new fund, as well as similar work necessary in future years, will be required commitments of the City's Consent Decree with the U.S. Dept. of Justice, to remedy historic violations of the Federal Clean Water Act.

Specifically, the work proposed under the CY-2013 CWSRF funding will accomplish the following. The \$1.5 million in planning funds will be utilized for two categories of work:

- (1) To investigate and eliminate illicit discharge connections and to investigate SSES in requiring additional study areas; and
- (2) To develop and implement a house to house inspection program for the purpose of identifying sump pump for removal or re-direction.

I ask that the City Council approve the Resolutions and move this Loan Order to a public hearing at its earliest opportunity. In advance of the public hearing, I will arrange for the City's consultants, CDM Smith, to provide the City Council with an update on the status of the previous and ongoing work completed within our sewer and stormwater systems to meet the demands of the EPA, the U.S. Justice Dept. and the Consent Decree. This background should assist the Council as it deliberates on this most recent funding request.

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, May 20, 2013 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts to consider the following:

That \$1,500,000 be appropriated for the purpose of financing the planning of Field Investigation, Illicit Discharge Detection and Elimination, and SSES Phase V Investigations and required house to house inspections including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78; that to meet this appropriation the Treasurer with the approval of the Mayor be authorized to borrow \$1,500,000 and issue bonds or notes therefore under G.L. c.44 or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c. 78; that the Treasurer with the approval of the Mayor be authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (the "Trust") established pursuant to Chapter 29C or the Massachusetts Water Resources Authority (the "Authority") and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Trust, the Authority, the Department of Environmental Protection or any other federal or state entity with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and that the Treasurer be authorized to file an application with the Municipal Finance Oversight Board to qualify under G.L. c.44A any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

Ordered referred to a public hearing.

26. **RE: CY-2013 DWSRF PLANNING PROJECT No. 3852**

Re: *Loan Order for Collection System Improvements*

MassDEP CY-2013 – DWSRF 3852

I am writing to request a public hearing for one new Loan Order for borrowing under the Massachusetts Department of Environmental Protection's (MassDEP's) Calendar Year 2013 (CY-2013) Drinking Water State Revolving Fund ("DWSRF"). The DWSRF was established to provide a low-cost funding mechanism to assist municipalities in complying with federal and state water quality requirements. In this round, the City is seeking to borrow funding for planning of the following project:

- **DWSRF Planning Project No. 3852 - \$550,000 for a Water Distribution System Study and Hydraulic Model.**

This DWSRF loan received initial approval by DEP. (See MassDEP's Final CY-2013 DWSRF Intended Use Plan, pertinent portions of which are attached.)

As was the case last year, in order to take advantage of these 2% low interest loans and potential principal forgiveness again this year, the City must complete two steps: first – approve a Resolution expressly authorizing the Mayor to file all applications and execute documents necessary for the loans; and second – approve Loan Orders for the balance of each project. In accordance with Federal funding requirements, the DWSRF program includes an additional loan subsidy provided by MassDEP again this year. *Additional subsidy* is defined by Congress as principal forgiveness, grants or negative interest loans. The City of Revere has been determined to qualify for additional subsidies under the Environmental Justice and Green Project categories based on applications prepared and submitted for the City by CDM Smith. I have attached copies of the required Resolutions and Loan Orders.

The City Council should recognize that these significant borrowings within the City's Water & Sewer Enterprise Fund will likely be a regular annual event during the course of the next decade. The planning work proposed with this new fund, as well as similar work necessary in future years, will be required commitments of the City's Consent Decree with the U.S. Dept. of Justice, to remedy historic violations of the Federal Clean Water Act.

Specifically, the work proposed under the CY-2013 DWSRF funding will accomplish the following. The \$550,000 in planning funds will be utilized to conduct a water distribution study, develop a water system hydraulic model and develop a uni-directional flushing program.

I ask that the City Council approve the Resolutions and move this Loan Order to a public hearing at its earliest opportunity. In advance of the public hearing, I will arrange for the City's consultants, CDM Smith, to provide the City Council with an update on the status of the previous and ongoing work completed within our sewer and stormwater systems to meet the demands of the EPA, the U.S. Justice Dept. and the Consent Decree. This background should assist the Council as it deliberates on this most recent funding request.

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, May 20, 2013 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts to consider the following:

That \$550,000 be appropriated for the purpose of financing the planning of Water Distribution System Improvements including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78; that to meet this appropriation the Treasurer with the approval of the Mayor be authorized to borrow \$550,000 and issue bonds or notes therefore under G.L. c.44 or any other enabling authority; that such bonds or notes shall be general

obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c. 78; that the Treasurer with the approval of the Mayor be authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (the "Trust") established pursuant to Chapter 29C or the Massachusetts Water Resources Authority (the "Authority") and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Trust, the Authority, the Department of Environmental Protection or any other federal or state entity with respect to such loan and for any federal or state aid available for the project or for the financing thereof; that the Mayor be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and that the Treasurer be authorized to file an application with the Municipal Finance Oversight Board to qualify under G.L. c.44A any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

27. CY-2013 CWSRF PLANNING PROJECT No. 3817

Re: *Loan Order for Collection System Improvements*

MassDEP CY-2013 – CWSRF 3817

I am writing to request a public hearing for one new Loan Order for borrowing under the Massachusetts Department of Environmental Protection's (MassDEP's) Calendar Year 2013 (CY-2013) Clean Water State Revolving Fund ("CWSRF"). The CWSRF was established to provide a low-cost funding mechanism to assist municipalities in complying with federal and state water quality requirements. In this round, the City is seeking to borrow funding for planning of the following project:

- **CWSRF Planning Project No. 3817 - \$300,000 for Capacity, Management, Operations, and Maintenance.**

This CWSRF loan received initial approval by DEP. (See MassDEP's Final CY-2013 CWSRF Intended Use Plan, pertinent portions of which are attached.)

As was the case last year, in order to take advantage of these 2% low interest loans and potential principal forgiveness again this year, the City must complete two steps: first – approve a Resolution expressly authorizing the Mayor to file all applications and execute documents necessary for the loans; and second – approve Loan Orders for the balance of each project. In accordance with Federal funding requirements, the CWSRF program includes an additional loan subsidy provided by MassDEP again this year.

***Additional subsidy* is defined by Congress as principal forgiveness, grants or negative interest loans. The City of Revere has been determined to qualify for additional subsidies under the Environmental Justice and Green Project categories based on applications prepared and submitted to MassDEP by the City. I have attached copies of the required Resolutions and Loan Orders.**

The City Council should recognize that these significant borrowings within the City's Water & Sewer Enterprise Fund will likely be a regular annual event during the course of the next decade. The planning work proposed with this new fund, as well as similar work necessary in future years, will be required commitments of the City's Consent Decree with the U.S. Dept. of Justice, to remedy historic violations of the Federal Clean Water Act.

Specifically, the work proposed under the CY-2013 CWSRF funding will accomplish the following. The \$300,000 in planning funds will be utilized to develop and implement an improved CMOM program.

I ask that the City Council approve the Resolutions and move this Loan Order to a public hearing at its earliest opportunity. In advance of the public hearing, I will arrange for the City's consultants, CDM Smith, to provide the City Council with an update on the status of the previous and ongoing work completed within our sewer and stormwater systems to meet the demands of the EPA, the U.S. Justice Dept. and the Consent Decree. This background should assist the Council as it deliberates on this most recent funding request.

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, May 20, 2013 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts to consider the following:

That \$300,000 be appropriated for the purpose of financing the planning of the Capacity, Management, Operation, and Maintenance (CMOM) Program including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws, as most recently amended by St. 1998, c. 78; that to meet this appropriation the Treasurer with the approval of the Mayor be authorized to borrow \$300,000 and issue bonds or notes therefore under G.L. c.44 or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C, as most recently amended by St. 1998, c. 78; that the Treasurer with the approval of the Mayor be authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust (the "Trust") established pursuant to Chapter 29C or the Massachusetts Water Resources Authority (the "Authority") and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and a loan agreement and/or financial assistance agreement with the Authority and otherwise to contract with the Trust, the Authority, the Department of Environmental Protection or any other federal or state entity with respect to such loan and for any federal or

state aid available for the project or for the financing thereof; that the Mayor be authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and that the Treasurer be authorized to file an application with the Municipal Finance Oversight Board to qualify under G.L. c.44A any or all of the bonds and to provide such information and execute such documents as the Board may require for these purposes.

Proposed Loan Orders were Ordered to a public hearing.

13-124 28. Communication from Recyclebank:

Recyclebank is the recycling rewards program that currently rewards Revere residents for their recycling efforts. Per Mayor Rizzo's request, we would like to present an Annual Review at the council meeting being held on May 20, 2013. We would like to take thirty (30) minutes to do so. At that time, we will review the Recyclebank program for those unfamiliar and show how Revere residents have been taking advantage of all the great offerings Recyclebank provides. We will also take any questions regarding this program.

Ordered received and placed on file.

Ordered on a Motion of Councillor Zambuto: That the City Council now stands adjourned to meet on Monday, May 20, 2013, at 6:00 P.M.

Ordered adjourned at 7:13 P.M.

Attest:

City Clerk