



# TOWN OF WINTHROP ORDINANCE REVIEW COMMITTEE

Joseph A. Boncore, Esq. Chair

Michael Power

Heather A. Engman, Esq. Vice Chair

Thomas Reilly

Karin Chavis

David Stasio, Esq.

Jason Deeb

Paul Varone

Carla Vitale

## Minutes Tuesday, October 27, 2015

Chair Joseph Boncore opened the meeting at 7:08pm in the **Harvey Room – Winthrop Town Hall** and welcomed Committee Members. called the roll, a quorum was established by the following:

Chair Boncore – Present  
Vice Chair Engman- Present  
Karin Chavis – Present  
Jason Deeb- Absent Excused  
Michael Power-Present  
Tom Reilly-Absent Excused  
David Stasio- Present  
Councilor Varone- Present  
Carla Vitale- Present

### I. Minutes of September 22, 2015

Motion by Mike Power to accept the minutes of the September 22, 2015 meeting with amendments. Seconded by Karin Chavis. Voted 5-0 with two abstentions (Varone and Vitale)

### II. CORRESPONDENCE

- None received

### III. PUBLIC COMMENT

- Jo-Ann Schisler regarding Duck Hunting. Presented several questions to the committee.
  - Councilor Varone alerted the Committee that this issue had been raised several years ago

- Michael Power discussed that there were several issues (i.e. jurisdiction, licensing and conflict of Federal and Municipal law)
  - Ms. Schisler would like to see an ordinance putting a stop to duck hunting in close proximity to people. Stated ducks are friendly and come very close to people's homes.
  - She was made aware of the MGL and Town procedure to bring a petition to the Town Council. Carla Vitale said she would follow up with procedure in an email.
  - Mark Alberti (precinct 5) spoke in favor of Water fowl Hunting
    - Stated law does not allow prevention of fishing and hunting water fowl beyond the low water mark
    - stated it is enforced by the environmental police, state police and coast guard
    - spoke about Ms. Schisler's change.org petition having names of people not from Winthrop
    - hunting migratory water fowl they must be 500 feet from an occupied dwelling
      - question by Mr. Stasio as to whether that 500 feet was as 'the crow flies' and whether weapon must be discharged away from houses
- Mr. Alberti answered, yes as crow flies and explained how the ammunition that is used does not travel a distance greater than 150 feet.

### III. OLD BUSINESS

- Michael Power discussed that the AIR BNB question that had been previously discussed by the Committee had been referred to the planning board which will discuss in two further meetings on November 9th and 16th.
- Paul Varone made a motion to table any further discussion on AIR BNB, seconded by Karin Chavis. Vote was unanimous.

### IV. NEW BUSINESS

- Carla Vitale made a presentation on Title's 4 and 6. With accompanying handout.

#### **-Title 4 Revenue & Finance**

- Recommendations to change fees at 4.04.05, 04.04.10, 04.04.110, 04.04.12
- recommendations to change the words "MIS Director or his or her designee".
- Motion by Paul Varone to accept the recommendations of Carla Vitale as to Title IV Fees. Seconded by Karin Chavis.
 

Discussion: discussion of the Town Manager's schedule of fees and the process by which the Town Manager recommends fees and the Town Council sets the fees. There was no place in the Code in which the Town Manager's fees are set. Would this Committee be able to stream line fees into an ordinance housing the Town Manager's fee schedule?
- Based on the discussion and the need to further inquire as to some of these questions Paul Varone withdrew his motion and Karin Chavis withdrew her second.

- Motion by Michael Power to accept the recommendation of Carla Vitale to move MIS Department Fees into its own section of Title 4.

**04.04.115 MIS Department Fees.**

and to change any reference to an MIS Director in 04.04.115 to "MIS Director or the designee of the Town Manager."

Seconded by Carla Vitale. Discussion: None. Voted unanimous, so ordered. The committee will recommend the changes.

- Motion by Michael Power to table discussion on fees until **NOVEMBER 24, 2105** so further inquiry can be made into fee regulations. Seconded by Carla Vitale. Discussion: None. Voted and so ordered.

**Title V. Business Licenses and Regulation**

Carla Vitale made recommendations to change 5.28.080 (duration of license); (5.28.130 Taxi Cab Fares); 5.36.10 (remove sea worms from the schedule of fees); 5.28.30 (taxi cab licenses to expire annually on December 31, 2015)

-Motion by Carla Vitale to change:  
from 5.36.010 Schedule of Fees  
remove the category **Sea worms 25.00**

Seconded by Michael Power. Discussion: None. Voted: unanimous and so ordered.

-Motion by Carla Vitale to change the language in 5.28.030 Duration of Licenses.

b. Driver's licenses for taxicab or livery shall expire one date from the date of issue.

recommended change to:

b. Driver's licenses for taxicab or livery shall expire on December 31st, annually.

-Motion by Chairman Boncore to remove some of the language in 5.28.160 due to archaic nature of the same. Seconded for purposes of discussion by Paul Varone.

-Motion by Carla Vitale to table the same until November 24, 2015. Seconded by Heather Engman. Voted: Unanimous. Matter will be laid on the table until November 24, 2015

-Discussion on the Town Managers business handbook. Where a business owner would go if they wanted to start a business in Winthrop.

○ Motion to Adjourn – David Stasio, 2nd Karin Chavis. voted: unanimous.

Motion to adjourn at 8:50pm.

Respectfully Submitted.

Joseph A. Boncore, Chair.