



Town Council Meeting Minutes

January 20, 2009

Under the Rules and Procedures of the Winthrop Town Council, President Reilly called the meeting to order at 7:00 PM in the Joseph Harvey Hearing Room. Councilor Calla, Councilor Maggio, Councilor Gill, Councilor DelVento, Councilor Sanford, Vice President Boncore and President Reilly were present. Councilor Ferrino and Councilor Letterie were absent.

President Reilly presented a Council Citation to Winthrop Resident Richard Honan for his tireless efforts on behalf of local area men and women in the armed forces. All the Councilors commented on Mr. Honan's good works and thanked him for caring so deeply about the men and women that serve our Country.

Councilor Calla then introduced a representative from the Mayor's Office in Malden, Ma to talk about Malden's Pay As You Throw (PAYT) program and how it has been implemented in nearby Malden. There was an in-depth presentation with the Council.

President Reilly then explained that the scheduled joint meeting with the Winthrop Housing Authority would have to be postponed because a quorum of Housing Authority members was not present.

Committee Reports

Councilor Gill reported that recently the Finance Committee met to discuss compensation for the Interim Town Manager, Larry Holmes.

Motion: by Councilor Gill

2nd by: Councilor DelVento

VOTED: the stipend be \$1225 per week while Mr. Holmes has the responsibility of Town Manager.

Councilor Boncore reported on the recent meeting of the Rules & Ordinance Committee and their discussions on the formation of a Harbor Committee.

Motion:by Councilor Boncore

2nd by: Councilor Calla

VOTED: to establish a Harbor Planning & Advisory Committee as outlined below:

Harbor Planning& Advisory Committee

A. Establishment – Powers & General Duties

There is hereby established the Harbor Planning & Advisory Committee hereinafter referred to as the “committee”. The committee shall prepare and as necessary revise a municipal harbor plan as provided in regulations of the Massachusetts Executive Office of Environmental Affairs (301CMR 23.00). The committee shall review and make recommendations to the Harbor Master, Town Manager and the Town Council on expenditures from the Harbor Enterprise Fund, waterways fees and the operation of the Harbor Management Department including the Town Pier and Public Landing. The committee shall prepare and submit an annual report to the Harbor Master, Town Manager and Town Council.

B. Membership

- a. The committee shall consist of no more than nine (9) or less than five (5) citizens of the Town.
- b. The committee shall be appointed by the Council President subject to Section 2-10 (b) of the Town Charter for staggered three-year terms.
- c. A member from both the Planning Board and Conservation Commission shall be part of the nine member committee.

Town Manager’s Report

Interim Town Manager Larry Holmes spoke on the following items:

- Water main break on Pleasant Street over the weekend
- Ice & Snow cost breakdown of the winter this far
- Dalrymple School sale update
- Hospital development status
- Comcast Cable agreement

Old Business

Motion:by Councilor Gill

2nd by: Councilor DelVento

VOTED: to transfer \$407, 770.75 from the Operational Stabilization Fund to the Northeast Regional Vocational School.

Motion:by Councilor Gill

2nd by: Councilor DelVento

VOTED: to transfer \$19,151 from the Town Council Reserve Fund to the Northeast Regional Vocational School.

Motion:by Councilor Boncore

2nd by: Councilor Calla

VOTED: to approve revisions to Town Ordinances as submitted in writing at this meeting.
Said revisions are attached to these minutes.

Public Comment

Patricia Milano spoke during public comment.

MOTION:by Councilor Gill

2nd by: Councilor Sanford

VOTED: to adjourn at 8:40pm.

Respectfully Submitted,
Carla Vitale



Carla Vitale
Town Clerk

TOWN OF WINTHROP OFFICE OF THE TOWN CLERK

Town Hall 1 Metcalf Square, Winthrop, MA 02152 Telephone 617-846-1742 Fax 617-539-5814

CERTIFIED COPY OF VOTE

At a legal meeting of the Town Council of the **TOWN OF WINTHROP**, held on January 20, 2009, in the Harvey Hearing Room of Winthrop Town Hall, the following business was transacted.

VOTED: to transfer \$407, 770.75 from the Operational Stabilization Fund to the Northeast Regional Vocational School.

In favor: 7 votes: Opposed: 0 votes

TOWN SEAL

A true copy, Attest:
Carla Vitale, Town Clerk



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1/5/09
revised

Revisions on the Town Ordinances

Resident Parking Sticker –

An update to the ordinance pertaining to seasonal residents receiving a parking sticker without their excise tax being paid in this town.

Records and Reports

Remove Annual reports of departmental heads Section 2.40.060 page 13

Every officer in charge of a department shall annually on or before the 21st day of December transmit to the advisory committee an estimate in detail of the appropriations required for ensuing financial year and shall transmit on or before the 10th day of January to the town council a report containing a statement of the acts and doings of such department for the last financial year, to be printed in the annual report as the town council may deem expedient.

Switch Report of accidents Section from 2.40.070 to 2.40.060

Drug-Free Workplace

Revise Intent Section 2.44.040 page 14

It is the intent of this (replace *board* with *Town Council*) to make every good faith effort to maintain a drug-free work environment for the town employees through implementation of this policy and other related awareness and education programs.

Inspector of Gas Piping and Appliances

Inspection and permit fees – Payment of inspector page 16

Remove section B of 2.52.030. *There is appropriated the sum of three hundred dollars (\$300.00) to pay for the services of the inspector of gas piping and gas appliances.*

Contracts, Purchase and Sales

Revise Pecuniary interest – Additional compensation. Section 4.12.020 page 27

Section B. No town officer, nor any salaried employee of the town, shall sell materials or supplies to the town nor receive any compensation or commission for services rendered by him or her for the town, except his or her official salary and fees allowed by law, without obtaining in each of the above cases the permission of the (remove Town Council and replace with *Town Manager*. End the sentence after Town Manager and drop the rest of the sentence.)

Taxicabs and Liveries

Fares – this has been updated Section 5.28.130 page 51

A. Fares for transportation shall be as follows:

1. *For transportation between one point in the town and another: \$3.00*
2. *For transportation between one point in the town and another for SENIORS only: \$2.00*
3. *For each passenger more than one, for each additional passenger on the same trip: \$.35*

4. For transportation from Deer Island gate: \$4.50

License Fees

Schedule of Fees Section 5.36.010 page 55

The following needs to be changed and added:

Laundromat: from \$100.00 to \$300.00 (already in effect)

Limousine: from \$55.00 to \$50.00 (already in effect)

Liquor License:

Package Store – from \$1500.00 to \$1650.00 (already in effect)

Restaurant – from \$1500.00 to \$1650.00 (already in effect)

Innkeeper – from \$1500.00 to \$1650.00 (already in effect)

Clubs – from \$1500.00 to \$1650.00 (already in effect)

Beer / Wine – from \$1200.00 to \$1320.00 (already in effect)

Seaworms: from \$10.00 to \$25.00 (already in effect)

Sidewalk or street excavation or obstruction and driveway aprons, application fee: from \$25.00 to \$175.00 (already in effect)

Livery - \$50.00 (in effect but needs to be added to the fare schedule)

Limousine - \$50.00 (in effect but needs to be added to the fare schedule)

Transient Vendors – from \$250.00 to \$100.00

Christmas Tree Permit: \$250.00 (already in effect but not listed in the fare schedule).

Fees that should be added:

Filing fee for ABCC applications

One day Liquor license fee

Misc Party Fee (graduations, weddings, etc.)

Entertainment Fee

Animal Control Code

Nuisance dogs – Vicious dogs – Potentially vicious dogs Section 6.04.090 page 59

D. Dogs who have violated any of the conditions of subsections A through C of this section can be declared to be a nuisance, vicious or potentially vicious by the (was town council being replaced with Town Manager) upon written complaint of a citizen or by the animal control officer, police department or other police safety agent.

lines?

Tanning Devices

The fees are \$50.00 for tanning establishment permit

Cemeteries

Office Hours Section 8.08.020 page 67

The following will be removed:

The office of the cemetery shall be open from eight-thirty a.m. to twelve noon and from one p.m. to four-thirty p.m., Monday through Friday inclusive, and closed all day Saturdays and holidays.

General Provisions

Annual traffic safety report Section 10.04.090 page 95

The chief of police shall include in his or her report to the *(was town council will be replaced with Town Manager)*;

Location of bus stops, taxicab stands and service zones. Section 10.08.080 page 98
The location of all bus stops, taxicab stands and service zones shall be specified by the *(was town council and will be replaced with Town Manager)* and in the case of taxicab stands, *(was town council and will be replaced with Town Manager)* shall designate who may use them as such.

Parking prohibited upon certain streets. Section 10.16.090 page 103

The following needs to be replaced in the grid:

Billows Ave East From the intersection of Billows Ave. and Triton Ave. to a point *(was 55 feet and will be replaced with 37 feet southerly)*.

Street Excavations

Insurance Section 12.08.030 page 134 and page 135

Before an excavation permit is issued, the applicant shall file with the *(was engineering department will be replaced with DPW)* an insurance certificate, acceptable to the town attorney, containing the following: insurance under which the town shall be named as an additional insured, carried with an insurance company licensed to write such insurance in the commonwealth of Massachusetts, against the following risks in not less than the amounts as indicated in this section.

Exemptions to filing insurance are usually made only to other government agencies of state and federal level. Exceptions may be made for other persons solely within the discretion of the *(was town council and will be replaced with Town Manager)*.

Street or Sidewalk Obstructions

Bond Section 12.12.030 page 140

The issuance of a permit shall be conditional upon the permittee filing with the (*was town council and will be replaced with Town Manager's*) office a satisfactory bond of a surety company authorized to do business in the commonwealth of Massachusetts in the sum of five thousand dollars (\$5000.00), conditioned substantially that the applicant shall faithfully perform such work in all respects.

Miscellaneous Street and Sidewalk Regulations

Section 12.24.010 page 145

Failure to remove (add "s" to now to make it snow) and ice from sidewalks – Penalty.

WaterWays Regulations

Definitions Section 12.32.020 page 148

"Mooring areas" means those portions of Winthrop waters which shall be designated as such by the (remove town council and/or) the Harbormaster.

Beaches

Throwing missiles – Possession or discharge of firearms or explosives – Fires. Section 12.36.060 page 151

No person in or upon any town beach shall throw any stone, ball or missile; or have possession of or discharge any destructive weapon, firearm, fireworks, torpedo or explosive; or make any fire except with the written approval of the chief (*remove engineer*) of the fire department as required by law.

Water Service System

Rules and regulations- (*remove authority of water commissioners.*) Page 159 and 160

The town (*remove council*) may make such rules and regulations for the management and control of the business of the water department as they deem judicious, not inconsistent with this code nor with the provisions of Chapter 477 of the Acts of 1905 and all other laws of the commonwealth.

Records Section 13.040.020

The (*remove Water Department and replace with DPW*) shall keep suitable books in which shall be entered the names of all water takers, the kind of building to which the water is supplied, the name and number of the street on which it is situated, the nature of its use and the number of faucets and fixtures and the amount charged therefore, which books shall be open to the inspection of the public.

Unauthorized use. Section 13.040.030

No water shall be furnished by any water taker to persons who are not entitled to its use, unless by permission of the (*remove water department and replace with DPW*).

Failure to pay water rates Section 13.04.050

If the occupant and owner of any premises furnished with water neglect or refuse to pay the water rates chargeable to such premises for more than fifteen days after the same are due and payable, the (*remove water department and replace with DPW*) shall proceed to collect such rates according to the provisions of Section 11 of Chapter 477 of the Acts of 1905, or they may cause the water to be shut off from the premises, and the water shall not be turned on again until the rates and the further sum of one dollar and fifty cents for shutting off and turning on the water are paid.

Fee for turning water on or off. Section 13.04.060

A charge of one dollar shall be made whenever the (*remove water department and replace with DPW*) for its representatives at the request of a water taker turn on or shut off the water in any service pipe.

Alteration in pipes or fixtures Section 13.04.070

No alteration shall be made in any of the pipes or fixtures inserted by the town, except by persons authorized by the (*remove water department and replace with DPW*).

Unnecessary waste – Right of entry to determine waste. Section 13.04.080

The (*remove water department and replace with DPW*) and (*remove its representatives*), shall be allowed to enter the premises supplied, examine the fixtures and ascertain if there is any unnecessary waste.

Temporary Shutoff. Section 13.04.090

The (*remove water department and replace with DPW*) may cause the water to be temporarily shut off from any street for any good cause, notice to be given of their intention so to do whenever practicable.

Use Regulations

Trailers and/or mobile homes. Section 17.12.070 page 192 - 194

Town Council will be replaced with Town Manager.

Uses permitted in a conservation district. Section 17.12.110

2. Reports by Other Boards. The conservation commission, (*removing Town Council*) and board of Health shall review the proof of suitability furnished by the applicant and report thereon to the planning board within thirty days of receipt of such proof.

Accessory uses. Section 17.12.120

3. Temporary yard, lawn or garage sales with a permit from (*replace Town Council with Town Manager*) not more than two days per year.

Environmental design review by planning board. Section 17.24.040 page 219

F. The planning board shall make copies of the site plan, the model, the application and any other supporting material immediately available to (*remove Town Council*), the Board of Health and the building inspector, and they shall have an opportunity to prepare written reports with recommendations to be submitted to the planning board before the public hearing.

Signs

Permitted Signs Section 17.32.050 page 230

Liability insurance in an amount specified by the (*replace Town Council with Town Manager*) shall be obtained before the erection of any projecting sign or a marquee, canopy or rigid awning which includes a sign.