



## **Town Council Meeting Minutes**

January 26, 2010

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

President Turco led the Council in the pledge of allegiance and asked the Council Clerk to call the roll for the record.

**MOTION:**by Councilor Maggio

**2<sup>nd</sup> by:** Councilor Letterie

**Voted:** to deviate from the Agenda to recognize the Winthrop Medical Reserve Corp for their dedicated service to our Town, especially with their assistance during the H1N1 clinics.

### **Public Comment**

Dave Osborne, Erma Levy and Brian Dalton spoke during public comment.

**MOTION:**by Councilor Letterie

**2<sup>nd</sup> by:** Councilor Sanford

**Voted:** to approve the minutes as prepared for the Town Council Meeting of January 5, 2010.

### **Committee Reports**

Councilor Boncore briefed the Council on the Rules & Ordinance meeting of January 25, 2010 and stated that there would be motions coming forward during New Business.

### **Town Manager's Report**

Town Manager McKenna briefly spoke on the following items:

- FEMA's alleged decision to reverse the recent flood zone map back to the flop map of 1992
- Ferry project update and funding
- MWRA census number adjustment and ongoing conversations with our liaisons at that agency
- Possible relocation of the School Department's Business Office to the Town Hall

- Hiring of Eric Moore to be the Public Health Administrator
- Winthrop Beach renourishment issue
- Dunkin Donuts at Main Street and ongoing zoning enforcement at that location
- Snake Island Survey by Army Corps of Engineers
- FY11 Budget as it relates to local aid
- Water meters and radio read opportunities
- Fee schedule update
- Contributory retirement report

### **New Business**

President Turco passed the gavel to Vice President Calla so that he may introduce a motion.

**MOTION:**by President Turco

**2<sup>nd</sup> by:** Councilor Sanford

**VOTED:** to direct the Town Manager, or his designee, to enter into discussions with the School Superintendent, or his designee, in order to develop and bring forward a written proposal for the Consolidation of administrative functions as authorized by MGL C.71, s.37M. to the Town Council and the School Committee not later than March 31, 2010.

**MOTION:**by Councilor Boncore

**2<sup>nd</sup> by:** Councilor Letterie

**VOTED:** to discharge the Rules & Ordinance Committee from further discussion of the recently proposed Sex Offender Ordinance.

**Motion proposed by the Rules & Ordinance Committee:** To delete Rule 2 of the Rules & Procedures of the Winthrop Town Council and put in place thereof Rule 2a which states “The Winthrop Town Council meetings shall be held on the first and third Tuesday of each month at 7:00 p.m. and at such other times as authorized by Section 2-6(c)(ii) of the Winthrop Town Charter.”

**Motion passed by voice vote of the Council.**

**Motion proposed by the Rules & Ordinance Committee:** to amend Rule 8 by deleting Section (g) and adding in place thereof Section (g) Committees and Commissions.

**Motion passed by voice vote of the Council.**

**Motion proposed by the Rules & Ordinance Committee:** to instruct the Town Clerk to publish notification that the following is up for consideration on February 16, 2010.

To amend Town Ordinances by adding under Title 9 a new section 9.20 that states the following.

**Prohibited Activity**

**§ 1** No person shall smoke, ingest or otherwise use or consume marijuana or tetrahydrocannabinol (as defined in G.L. c.94C Section 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public.

**Identification Required**

**§ 2** Any person smoking, ingesting or otherwise using or consuming marijuana or tetrahydrocannabinol in violation of Section 1 of this bylaw shall provide to a police officer so requesting personal identifying information, including their full legal name, and address. Failure to provide such identifying information upon request, or provision of false, incorrect or otherwise invalid identifying information, shall be considered a separate violation of this bylaw.

**Violations and Penalties**

**§ 3** This bylaw may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to G.L. c. 40, Section 21 or by noncriminal disposition pursuant to G.L. c.40, Section 21D by the Winthrop Police Department.

The fine for this violation of this bylaw shall be \$100 for the first offense, \$200 for the second offense, and \$300 for a third or subsequent offense. Any penalty imposed under this bylaw shall be in addition to any civil penalty imposed under G.L. c. 94C, Section 32L.

**Motion proposed by the Rules & Ordinance Committee:** to instruct the Town Clerk to publish notification that the following is up for consideration on February 16, 2010.

Motion: to prohibit the carrying of particular weapons or other objects that may be used as a weapon. No person, except as provided by law, shall carry on his person, or under his control in a vehicle, including those weapons and instruments mentioned in Chapter 269 of the General Laws of Massachusetts, Section 10, paragraph (b) and section 12, any weapon or object commonly called “nunchucks” of any substance or material, a shotgun having a barrel less than (18) inches in length, any saber, sword, machete, or weapon of like or similar nature; any knife having any type of blade in excess of six (6) inches, (except when actually engaged in hunting or fishing or in going directly to and/or returning directly from such activities, or any employment which requires the use of any type of knife), ice picks, dirks or similar weapons that are likely to penetrate through police officer’s ballistic vests, or other object or too so redesigned, fashioned, prepared or treated that the same may be used to inflict bodily harm or injury to another.

Violation of any provisions of this bylaw shall be subject to arrest and fine of not more than \$100 dollars for each offense. Violation of any provisions of this bylaw within a park, playground or on school property, shall be subject to arrest and fine of not more than \$300 dollars.

**Motion proposed by the Rules & Ordinance Committee:** to amend Rule 11 Section C. #1 to add the following “for five (5) minutes per person, per meeting. The Council President or upon the request of any Councilor may extend the per person, per meeting limitation.”

**Motion passed by voice vote of the Council.**

**Public Comment**

Dave Osborne of Pleasant Street, Guy Brandenstein of Trident Avenue and Lee Dzedulionis of Nahant Avenue all spoke.

**MOTION:**by Councilor Letterie

**2<sup>nd</sup> by:** Vice President Calla

**VOTED:** to adjourn for the evening at approximately 9:10PM.

Respectfully Submitted,

Carla Vitale