



Town Council Meeting Minutes

February 16, 2010

Under the Rules and Procedures of the Winthrop Town Council, President Turco called the meeting to order at 7:10PM in the Joseph Harvey Hearing Room., Councilor Varone, Councilor Letterie, Councilor DelVento, Councilor Maggio, Councilor Sanford, Councilor Powers, and Councilor Boncore and Vice President Calla were present.

Councilor Boncore led the Council in the pledge of allegiance. Council President Turco asked the Council Clerk to call the roll for the record. He then asked 2009 Council members to vote on the minutes from meetings held in 2009. **Motion was made by Councilor Boncore, seconded by Councilor Letterie and passed thru a voice vote of the 2009 Councilors: Letterie, DelVento, Maggio, Sanford, Calla and Boncore to adopt minutes of November 10, 2009, December 1, 2009 and December 22, 2009.**

Motion made by Councilor Sanford, seconded by Councilor Varone to approve the minutes of January 26, 2010. Motion passed on voice vote.

Motion made by Councilor Varone, seconded by Councilor Powers to approve the minutes of February 2, 2010. Motion passed on voice vote.

Public Comment – none at this time.

Councilor Calla stated that there would be a Precinct Six Community Meeting on March 24, 2010 at the Senior Center at 7pm.

President Turco recognized the efforts of MWRA Board Member and Winthrop resident Marie Turner along with Guy Brandenstein for their diligent efforts advocating on the Town's behalf and in assisting in getting an unprecedented credit from the MWRA totally approximately \$167K charged in error due to increased census numbers that have recently been appealed.

Town Manager's Report

Town Manager McKenna reported on the following:

- North Suffolk Shared Services 2010 District Local Technical Assistance Project with the Metropolitan Area Planning Council and asked for the Council's input and support. This effort will allow the cities of Chelsea and Revere and the Town of Winthrop to evaluate how shared services and delivery of services can be combined to save the communities money. Services that will be evaluated may be

public health, library, planning, information technology, assessing, inspectional services, GIS, veteran's services and public works capital planning.

- Announcement of the Pre-Disaster Mitigation grant from FEMA for approximately \$500K to replace storm drains on Maryland Avenue and Townsend Street. Total cost of project is estimated to cost \$600K and other funding sources are being sought to cover the additional funds needed to complete the project.
- Read a letter from the Department of Revenue into the record. That letter is attached to these minutes.
- Discussed a necessary budget transfer and supplemental appropriation, stating that more in depth information will be made available tomorrow.
- Larsen Rink debt-service and financial projections for FY10 and FY11.
- Recommendation to create a committee to be charge with studying the redevelopment of the E.B. Newton School
- FY2011 appropriation request for the Walk Winthrop and HarborWalk project
- Presented the new Flood Map Revision letter and asked that it be put on the web
- Introduction of the Clear Point Application for the Water Tower
- Announced recently awarded Shannon Grant for public safety in the amount of \$9291 with a match requirement of \$2787.
-

The manager then took questions from the Council providing the following updates:

- Dalrymple developers were hoping for stimulus funds to pursue their project
- Golf Course lease will be up in 2012
- Openings on the Scholarship Committee
- Securing of funds for the landing building and ongoing contracts at that location
- Beach nourishment project – possible strategies going forward

President Turco explained that he and the Town Manager were recently at a comprehensive meeting with Speaker DeLeo and Senator Petrucci it was decided that Winthrop would pursue two options in the event that one fell through for any reason the Town would already have a back-up plan. The "Dump and Pump" plan would be to take sand from Maine and barge down to the Five Sisters with a back up plan being a Boston pipeline location that we may be able to dredge. The President explained that the Department of Recreation and Conservation was moving forward with the permitting of both of these projects.

Old Business

Motion proposed by the Rules & Ordinance Committee: 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.

Discussion

Councilor DelVento wanted it noted that this has gone through several hearings at the committee level as well as being advertised in the newspaper. The Council President thanked the committee and the Police Chief for their due diligence on this item.

**Councilor Varone asked that the Council move on the question before them.
Motion passed on a voice vote.**

Motion proposed by the Rules & Ordinance Committee: 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.

Discussion

Guy Brandenstein of Trident Avenue rose to voice concern with the proposed weapons listed and hopes to see balance in enforcement at the local level.

Police Chief Delehanty stated that he had the utmost confidence in his officers and did not see the ordinance as a problem but a tool and a course of action for these issues as they arise.

Motion passed on a voice vote.

New Business

Motion made by Councilor Powers, seconded by Councilor Varne: to create a three person Council Committee to create a three member Town Council Committee to study the effects on the people and Town of Winthrop of a proposed casino/slot machine parlor at Suffolk Downs.

Discussion

Councilor Maggio expressed serious concern over a “council only” committee. She states her interest in having a broad cross section of the community represented. Councilor DelVento expressed his interest in keeping the committee to only Council members so that the group could meet with other folks throughout the community and public meetings but still be able to keep the focus and direction of a small committee. Councilor Powers added that his intent was not to alienate other groups but to act as a liaison and a facilitator to gain information to bring back to the full council.

Motion made by Councilor Boncore, seconded by Councilor Sanford to close debate and move to a vote on the question before them. Motion passes on a voice vote.

Motion to now again vote on the creation of the Casino Study Committee. Motion passes on a voice vote.

Motion made by Councilor Letterie, seconded by Councilor DelVento to adopt and support the MOU regarding the MAPC North Suffolk Shared Services Project. Motion passes on a voice vote.

Motion made by President Turco, seconded by Councilor Sanford to create an E.B. Newton School Reuse Committee made up of a Town Councilor, a Planning Board member, a School Committee member, a Chamber of Commerce member, a member of the Historical Commission, a local architect and a citizen of Winthrop. Motion passes on a voice vote.

Motion by President Turco, seconded by Councilor Sanford to refer the transfers and supplemental appropriation brought forth by the Town Manager in his report to the Finance Committee for review. Motion passes on voice vote.

Motion made by Councilor Maggio, seconded by Councilor Letterie to create a Citizen’s Casino Advisory Committee in accordance with Section 2.10 (b) of the Charter, to be made up of five members, with one being a public safety officer. Motion passes on a voice vote.

President encouraged interested citizens to apply by forwarding a committee to his attention at the Town Clerk's Office.

Public Comment

Guy Brandenstein of Trident Avenue asked about the potential timing of the new beach plan. President Turco responded that it was his understanding it would take nine months to complete the studies and permitting process before moving forward.

Councilor Maggio again spoke on the importance of the H1N1 vaccination and other upcoming flu clinic dates.

Motion by Councilor DelVento, Seconded by Councilor Letterie: to adjourn for the evening at 9:30pm.

VOTE: Passed on Voice Vote.

Respectfully Submitted,

Carla Vitale