



Town Council Meeting
April 5, 2011
Cummings Multi-purpose Room

Under the Rules and Procedures of the Winthrop Town Council, President Turco called the meeting to order at 7:12PM in the Cummings Multi-purpose Room. Councilor Varone, Councilor DelVento, Councilor Powers, Councilor Boncore Councilor Sanford Councilor Calla, Councilor Maggio, and Council President Turco were present. Vice President, Letterie would be arriving late.

Councilor Varone was asked to lead the Pledge of Allegiance the President asked the Clerk to call the roll.

The President moved to take two items out of order.

With no objection from the Council the Chairman of the Ordinance Review Committee, Joseph Boncore, made a brief presentation. Through a series of meetings the Ordinance Review Committee has been working on an overlook of the Town's Ordinances and making recommendations which will be submitted to the Council Clerk next Monday. In addition the Committee will be reviewing the Town's Charter and have citizens come forward and make proposals for Charter changes. The Committee has taken a lot of public comment regarding the Charter and have comprised an 18 page report on all matters of the Charter which will be considered over the next 3 meetings which will take place on Apr 12, May 4 and May 10, 2011. Due to the short time the Committee was given the Chairman asked for leave of the Council to extend the deadline date of May 1, 2011 to May 15, 2011. With no objection from the Council the President granted the extension.

Second order of business being taken out of order Representatives of Massport is making a presentation regarding construction of runways at Logan Airport.

MASSPORT

Alaina Travaglini, Office of Government & Community Affairs stated the presentation involves the construction of runway 33 left it is part of Massport's Safety Area Improvement Program. The Deputy Director of Aviation and Security gave a brief overview of the project. The area around the runway is a safety area that wraps around the runway and it allows the aircraft to decelerate. It is a national standard every runway needs to have this area up to standard and as a result the FAA has a national program to bring runway safety area standards across the country including at Logan Airport. For this project working on two runway safety areas, runway 33L a mile away from Point Shirley and Court Road and runway 22 R by Bayswater Street in East Boston. Construction will begin June 1, 2011. Should be completed by 2013.

This runway is commonly used in winter months when there is a northwest wind. This will be mostly a summer project. For this year 2011 construction will begin June 1 and end November 20th. Next year will begin May 1, 2012 to November 20, 2012 when it will be completed. There will be a complete closure of this runway July 1 to September 30th for both years due to construction equipment at the end of the runway. Want to meet the FAA deadline of 2013 and want to minimize the time runway is down. Want to complete this project as quickly as possible. There will be no overnight construction. Daily restrictions 7am to 7pm on weekdays and some weekend work on Saturday and very limited on Sunday can take place between 9am to 6pm. Construction done by barges will be minimizing noise by using concrete piles, which reduces noise compared to steel on steel. Have asked the contractor to use a hydraulic driver instead of a diesel driver, which is quieter. Working closely with the tower to not fly the same configurations. Noise abatement 617-561-3333 Office community affairs 617-568-3711

Councilor Calla asked if there would be any interference with boating or accessing the harbor? Only going 500 feet offshore within the actual security perimeter. The President asked if the security zone would be extended? Need to look at regulations will not be more than 500 feet. Will not obstruct any boating. Security zone will not be expanded.

Councilor Maggio asked if there would be delays for passengers? Don't expect delays. Councilor Sanford asked if there would be any trucks or set up during non-construction hours? Massport learned from a previous project where this was a problem and would not set up during non-construction times.

Councilor Delvento: what is projected increase in flights? Based on wind and weather will be working with the tower to change up flight patterns so not to consistently use one particular runway.

Summertime flight configuration should not be any different than what we have been used to in the past because the runway under construction is typically used during the winter months.

The President asked Massport if at the end of 33 L, would this construction bump the buffer zone out beyond the extension. The answer can be given to the Town Manager.

Minutes March 29 2011

There was a request by Councilor Maggio to amend the minutes with the following: Councilor Maggio stated that many of the proposals that she presented to the Ordinance Review Committee were given to her by citizens of the Town and not necessarily from her personally.

Motion by Councilor Powers

2nd by Councilor DelVento to approve the minutes as amended

Approved

Councilor Maggio inadvertently voted on the minutes of March 15, 2011 would have abstained due to the fact she was not present at the March 15, 2011 meeting.

Public Comment

None

Correspondence none

Committee reports

Council Finance Committee met last week regarding the Town Manager's Consolidation Plan that was referred to the Committee. There are no minutes available yet but there are three motions as a result of that meeting.

President asked to hold for Old Business no objection

Councilor Maggio announced the Health & Safety Committee will meet April 13, 2011 6:30 discussion on the TSAC report on the Hermon Street bus route

Town Manager's Report

Have been in budget review discussions with Department Managers finalizing some detail with respect to the budget. Have submitted a draft summary of the budget to the Council. Have had a lot of cooperation with departments. Hopeful will submit a balanced budget by April 28th. Also is receipt of a school budget still under review for finalization. Mr. Rotondo should be commended for his work on the budget. Hopeful that despite a downward economy and cuts in local state aid and fixed costs rising that we are able to submit a balanced budget and provide level services with no layoffs delivered to this community. The budget potentially allows the Council to make decisions with the utilization of free cash which the Manager recommends be put in reserve to improve our overall reserves and a commitment to Capital Investment in terms of equipment and engineering analysis for an access road.

Copy of the Town Report requirement of reporting to the public can obtain copies at the Town Clerks office.

Looking for Council endorsement to celebrate the reuse of the EB Newton School as a Cultural Center. Hoping this event will become an annual fundraiser for the Center. A lot of response from volunteers working hard to bring the building up to where we would like it to be and to celebrate that goal we are looking to have this event on May 28th from 7:00-10:00PM a benefit for continued improvements to the Cultural Center. Tickets will be sold at \$25.00 per person.

Motion by Councilor Calla

2nd by Councilor Powers

to endorse the EB Newton School and Cultural Center 1st annual fundraiser gala event for Saturday May 28' 2011 from 7:00 to 10:00

Councilor Calla congratulated the Manager on the Center. The President thanked the Manager for his leadership and to all the volunteers that helped bring this project to completion.

Councilor Calla pointed out that this will be for 21 and older invitation only. Councilor Maggio asked about another open house for the general public. The Town Manager cannot announce one yet, but is hoping to have one.

Councilor Boncore asked about the goal and what the money will be used for? Manager McKenna will set up a trust fund specifically for this building. Developing a 501c3 for a proposed incorporation with a board of directors for the building. Additional resources are needed for the history room, the gallery, adult education classes all need funding. Want a lot of different uses with active participation as an amenity of the

community. Successful cultural centers need active participation such as in Yarmouth, the Cape Cod Cultural Center is a great example.

Councilor Maggio asked if grants have been looked into for the Center.

Yes, there are opportunities that will become available because being set up as a 501c3 and Mass Cultural Council looks to support these kinds of enterprises. Through Mass Historic have applied for the full grant program to see if can get the roof entirely fixed. Councilor Calla suggested a program that would be available that night to thank those that gave monetary donations and also provided services or donated food, flowers etc.

Motion approved

Submitted to the Council last week a detail regarding discussions hope to have finalized soon with Comcast and would like input from the Councilors.

Reported that have been discussing the access road with abutters in the Kennedy Drive area and doing some preliminary work that will be helpful to understand their concerns before we develop a plan for the access road.

At this time the Manager expressed a deep traffic concern for the upcoming bridge project. Need to discuss more fully and engage the appropriate sub committee of the Council to take a look at this. It will create a significant impact and feels the need to have more communication between our public safety officials and the City of Boston with the timing of lights and flow of traffic. The complete rebuild of the Orient Heights train station will also have an affect on traffic. Engaged TSAC and public safety officials to take a close look at the situation. Bridge project have hired a liason, Mr. John Vitagliano. There is a need to open up a new dialogue with the City of Boston to improve access for our emergency vehicles and commuters.

Councilor Sanford mentioned the economic impact this will have on our business's. Dave Hickey, DPW Director has attended meetings maybe he can make presentation before the Council. Will begin in May, Mr. Vitagliano said can't delay the project Councilor Delvento as an employee of Massdot made some suggestions on how to proceed. Chief Delehanty reported the schedule for construction and traffic pattern and flow has not been submitted, which has to be approved by the local Police.

Councilor Calla: Has there been an open meeting on the matter? The Town Manager has same concerns that a meeting or hotline has not been set up, looking for more outreach to the Community. Looking for answers particularly in respect to public safety.

The President thought should refer to the Public Safety Committee for a possible special meeting and have the Committee formally meet. The Council President will meet with Vice President Letterie and the Manager to see if can push further along. Could have a special meeting before the next Council meeting on April 26th to address specific concerns or if not a meeting will report back to the Council on what was discussed between the Council President and the Manager.

Councilor Calla suggested at the meeting include Mr. Hickey and public safety officials. The President pointed out that the ferry will coincide with these projects and hope commuters will take advantage of this. Informed the public and the Council that Revere changed the traffic plan at Short Beach and will not be able to take left at Cresent Ave. at the red light.

Former Councilor Ferrino Winthrop's representative to the MBTA Advisory Board will report back to the Council regarding changing the bus route during the upcoming construction.

The Northeast Vocational School will be having a meeting oApril 28th at 9:00 a.m. Someone from the Council Finance Committee will attend.

Vice President Letterie asked for an update on the low e ceiling at the rink. Bids received and reviewed the lowest bidder not sure they meet the full criteria. The next bidder are 20,000 over budget. The low bid is \$10,000 over budget. We are in the process of checking references. Building Inspector Soper has concerns whether the project will do what it is intended to do. Looking into whether it will save energy and checking to make sure it is a wise investment.

Councilor Calla asked the Manager about the contract with the Dalrymple School Project whether they have secured financing and if there is a closing date?

April closing date there are some issues to resolve but no reason we cannot close.

Anything more on the subject can be discussed in Executive Session.

Councilor Powers informed the Manager that people are expressing concern over the upcoming Urban Shield drill that is taking place the end of May. First weekend the ferry will be running and the town pier will be open. People who rent spaces will not get to their boat. Can we arrange access to the pier.

Chief Delehanty informed the Council that they will be closing landing later than earlier stated due to a wedding at the Yacht Club. Understand the issues will get back to the Council with more information.

March 22nd 2011 the Winthrop Chamber of Commerce expressed their support of an amendment chapter 17 issuance of a special permit to authorize bed and breakfasts in Winthrop. The President read the letter from Bernice McIntyre, President of the Chamber of Commerce.

Old Business

Petition for Designation of Overlay District stays on the table.

Councilor Sanford : Proposed date for meeting with the residents and developer is scheduled for April 20th received correspondence that the date is not good for some residents. Councilor Sanford will be contacting Attorney Lynds office and will try to reschedule. Will report to the Council President and Town Manager if the date is changed.

Consolidation in Finance Committee

Councilor Powers read the minutes of the meeting

Finance Committee Report

Had a public hearing people regarding consolidation. The meeting was well attended. Three separate motions came out of that committee. Decided to divide the plan into three areas, finance, MIS, and maintenance.

First Motion was to accept the Finance portion of the Managers plan.

Councilor DelVento sent email to Chairman School Committee The Council President read the email

After consulting with Attorney Lane the Council President explained the procedures allowable to go forward or stop the process. The Town Manager submits reorganization plan to Town Council and School Committee. Need a majority vote of both to go forward with the plan. If one Board decides to stop the plan they can do so by a majority vote. It takes two boards, the Town Council and School Committee to say yes to the plan and one board either the Town Council or School Committee to stop the plan. The President will make an Amendment to the Finance Committee's motion to accept the plan.

Amendment to the Motion by President Turco

Moved that the Town Council adopt the provisions of MGLc.71,s.37M thereby consolidating the financial functions of the Winthrop School Department with the Town of Winthrop Finance Department, subject to the statutory approval of the Winthrop School Committee and the presentation of an implementation plan by the Town Manager, after consultation with the Superintendent of Schools, at the April 26, 2011 Town Council meeting and at the next available meeting of the Winthrop School Committee and after a review of the implementation plan by the Citizen's Finance Advisory Committee.

Discussion:

Councilor DelVento had questions regarding the amendment to the motion.

The President explained, the Manager withdrew footnote in order to hear concerns of the Council. This amendment would allow the plan to go forward. People at the meeting wanted to see more detail on the implementation. The Council will vote to go forward or not tonight. The School Committee will vote on it on Thursday. The Manager will submit an implementation plan on the 26th of April.

The Town Manager understands the plan needs to be tweaked but the idea and concepts are solid. The proposal will then become the Council's and will become part of the budgeting process

2nd to the amendment

Councilor Varone

Discussion: Councilor Powers approval of the Town Manager's report as submitted is the concept, an acceptance of the concepts not as a written report.

Councilor Maggio brought up an email from Marylou Osbourne, Chairperson of the School Committee to have a study which is free to have a third party look at this even though not final document. Bring out pros and cons of consolidation. Councilor Maggio thought it was a reasonable request, asked if we could do this before vote taken.

Councilor Boncore spoke in favor of the Council President's amendment can send to third party before the 26th.

Councilor Sanford also agrees with the concept entirely. This is an opportunity to move forward.

Councilor Powers agrees with the intention of the Finance Committee to take a look at potential savings. This will allow the Manager to move forward.

Councilor Delvento was not sure what he was voting on wanted clarification. Concerned School Committee will be voting Thursday night.

The President expressed concern that if not done in a timely manner the School Committee will need to hire someone in the Business Manager position.

Councilor Boncore made a motion to move the question.

Amendment to the Finance Committee provision

Vice President Letterie read the finance amendment

Roll Call Vote on the Amendment to the motion

Councilor Varone	YES
Councilor DelVento	NO
Councilor Powers	YES
Councilor Boncore	YES
Councilor Sanford	YES
Councilor Calla	YES
Councilor Maggio	NO
Vice President Letterie	YES on the motion
President Turco	YES

Councilor Delvento offered an amendment to the motion that the Town Manager's implementation plan be reviewed by the Citizens Finance Advisory Committee 2nd by Vice President Letterie

Discussion: Councilor DelVento made it known he is a firm believer in the idea of consolidation but feels the Council is moving too quickly to meet deadlines. Just wants to insure that it is done properly. Also, thinks there should be public hearing.

There was more discussion on the procedure with respect to the amendment.

Councilor Maggio is voting no because there is missing material don't understand how can vote without all the information. Should be reviewed Citizens Finance Committee

Motion to send to Citizens Advisory Committee

Approved

Councilor Letterie spoke about his hesitation to vote and asked specific questions regarding the plan such as whether the Town has the resources to support the plan.

Councilor Powers: questions will be answered in the implementation plan. Need to give the Town Manager indication whether the Council will support the concept can't ask the Town Manager to spend time on an implementation plan with no indication the Town Council will support it.

Councilor Boncore made a motion to move the question

2nd by Councilor Varone closing the debate

Voice Vote:

Councilor Varone, Councilor Powers, Councilor Boncore, Councilor Sanford, Councilor Calla President Turco voted in the affirmative

3 nay votes Councilor Maggio and Councilor DelVento and Vice President Letterie

The motion to close debate and move the previous question passes.

Motion as amended:

Roll Call Vote

Councilor Varone	YES
Councilor DelVento	NO
Councilor Powers	YES
Councilor Boncore	YES
Councilor Sanford	YES
Councilor Calla	YES
Councilor Maggio	NO
Vice President Letterie	NO
President Turco	YES

vote is 6 to 3 in favor of the motion as amended passes

Councilor Powers made a motion from the Finance Committee to accept the Manager's MIS consolidation report

Motion to amend from President Turco Moved that the Town Council of Winthrop adopt the provisions of MGL c.71, s.37M thereby consolidating the MIS functions of the Winthrop School Department with the Town of Winthrop MIS Department, subject to the statutory approval of the Winthrop School Committee and the presentation of an implementation plan by the Town Manager, after consultation with the Superintendent of Schools, at the April 26, 2011 Town Council meeting and at the next available meeting of the Winthrop School Committee and after a review of the implementation plan by the Citizens Finance Advisory Committee.

2nd to amendment Councilor Powers

Discussion: none

2 nay votes Councilor DelVento and Councilor Maggio

I's have it 7-2 on the amendment.

Approved

discussion: Councilor DelVento support concept does not support the plan as submitted. Councilor Maggio its based on concept without details may not be a good thing can't vote on concept when don't know anything more about it

The President stated the Council is a policy making body. We vote for the policy then trust the policy details to the professionals to effectuate the decisions that are made.

There is nothing that prohibits the Council or the School Committee mid year to say they don't like it.

Voice Vote

Councilor Delvento nay

Councilor Maggio nay

I's have it

Motion as it relates to MIS passes

Councilor Powers, Motion out of Finance

Motion to accept the maintenance piece of the Manager's Consolidation Plan

Motion to amend by Council President Turo Moved that the Town Council of Winthrop adopt the provisions of MGL c.71, s.37M thereby consolidating the

Building/Maintenance functions of the Winthrop School Department with the Town of Winthrop Building/Maintenance functions, subject to the statutory approval of the Winthrop School Committee and the presentation of an implementation plan by the Town Manager, after consultation with the Superintendent of Schools, at the April 26, 2011 Town Council meeting and at the next available meeting of the Winthrop School Committee and after review of the implementation plan by the Citizen's Finance Advisory Committee

2nd by Councilor Sanford

Discussion on the amendment to the motion: none

Vote

Motion has been amended

Discussion on the motion as revised

Councilor DelVento expressed again the ambiguity of the vote.

Councilor Letterie has issue with this vote feels, it will create another layer of expense don't think it's warranted will vote no

Councilor Delvento: was the rink and library included in the plan?

Town Manager: Answers will be included in the implementation plan

Councilor Maggio stated she appreciates the work the Town Manager and Finance Committee have put into the plan.

Councilor Calla: Do the rink and library operate under the Town or School?

Town Manager: town

Councilor Sanford made his position known. If at anytime not comfortable with specifics of Consolidation Plan, will vote against it. Voting tonight to have it move forward.

All those in favor of the motion as amended

Voice Vote:

Councilor DelVento, nay

Councilor Maggio nay

Vice President Letterie nay

The I's have it 6 to 3

The motion as amended passes

Councilor Maggio announced the hearing date for Hermon Street bus route that stays in committee

Proposed Rental Unit Ordinance: Councilor Boncore is still waiting for a report from officials

TSAC issues: the Council President will ask the Town Clerk to meet the notice requirement for publication of the cab stand and stop sign. Will vote on those at the meeting of the 26th.

Councilor Boncore asked that there be a policy in who will be handling proposed Ordinance changes.

The Council President answered that any proposed Ordinance changes be submitted in writing to the Council Clerk who will then meet with the Town Clerk to file and make them official. The Town Clerk will handle any publish notices.

Bed and breakfast Ordinance: there was a discussion whether to send to Economic Development

Councilor Boncore suggested put the bed and Breakfast Ordinance with all the proposed Ordinances from the Ordinance Review Committee and have a hearing and vote one by one on all the proposed ordinances.

Councilor Sanford recommend that it goes to Rules & Ordinance

With no objection from any of the Councilors the President ruled to refer to Rules and Ordinance Committee

New Business

Councilor Varone made a Motion that the Town of Winthrop accept Clause 56 of Chapter 188, S42 of the Acts of 2010 authorizing an exemption from personal property and real estate taxes for National Guard members and Military Reservists deployed outside the United States, to be effective beginning in fiscal year 2012.

2nd by Councilor Sanford

discussion: Assessors put together the plan. Good for two years. Will have to be voted on in two years.

Refer to Finance Committee

President Turco brought to the Council's attention ongoing discussions with the Chairman of the License Board regarding transient license to sell food and drinks at the Landing Chairman Ogus permits limited to two zones the Landing not covered Atty Lane suggested refer to Planning Board to allow transient vendors.

Councilor Maggio asked if it had to be approved by health dept also? Town Manager: yes 2 license's Fire Department and Board of Health

No objection

Councilor Letterie made the motion to send transient license at the Landing to the Planning Board

2nd by Councilor Sanford

Approved

Refer to planning board

SDOD request forwarded from Town Clerk regarding Veterans Road and Shirley Street for Temple

Motion by Councilor DelVento

2nd by Councilor Calla

SDOD report refer to the Planning Board

Approved

Public comment

None

A motion to adjourn was made by Vice President Letterie
2nd by Councilor Calla

Approved

Meeting adjourned at 10:12

Respectfully submitted

Leighanne Strangie

Town Council Clerk

Documents on file in the Town Clerk's Office are as follows:
Chamber of Commerce letter from President Bernice McIntyre