

**AMENDED
TOWN COUNCIL MEETING MINUTES
SEPTEMBER 6, 2011**

Under the Rules and Procedures of the Winthrop Town Council, President Turco called the Town Council Special Meeting to order at 7:00 PM in the Joseph Harvey Hearing Room Councilor DelVento, Councilor Powers, Councilor Letterie, President Turco, Councilor Boncore, Councilor Sanford, and Councilor Maggio were present. Councilor Varone and Councilor Calla were absent, The Pledge of Allegiance was led by Councilor Maggio. President Turco announced that a quorum has been established.

MINUTES

July 19, 2011 – Not yet received from Town Clerk.
August 2, 2011 –
August 5, 2011 – Received/Tabled
August 16, 2011 –

PUBLIC COMMENT

Councilor Sanford requested that under New Business the Public Hearing for Petition for Designation of Overlay District – Temple Tifereth Israel be taken out of order.

**2nd by Councilor Powers
Vote passes unanimous.**

Representatives of Affirmative Investments included Attorney James Cipoletta, David Ennis, Tara Mizrahi and Adam Bermam. Attorney Cipoletta presented the Council a petition to amend the Zoning Map to reflect the redevelopment project of blending the Temple with the residential neighborhood and create an age restricted social security housing. He explained that in a study done in 2006 Shirley Street was targeted for redevelopment and the purpose of this project. His recommendation is for the Council to vote affirmatively on the new zoning laws. He stated that the project stills needs to go into details with the Planning Board and Public Hearings. David Ennis spoke on how temple would be a wonderful mix use, modern and efficient building and there would be 40 units for seniors similar to Chelsea Jewish. Adam Byrne addressed concerns about moving forward and how they plan on keeping the Temple open.

Council President Turco disclosed that he does work for Chelsea Jewish Nursing Home and asked Councilors, Town Manager, Representatives of Affirmative Investments and the Public if anyone felt there was a conflict of interest of his participation. There was no objection to President Turco participating in the vote.

President Turco asked for public comment of anyone in favor of designation:

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- Sandra Pelligrino, President of Temple and Maple Road resident commented that a lot of thought went into what would be put into the Temple. The Organization doing the project keeps well maintained buildings and this will improve the Shirley Street Area and also that the Temple will still be there.
- Barbara Survillis of Precinct 1 stated that this project would serve this community and improve our neighborhood.
- Police Chief Delehanty offered that he has visited the Admirals Hill facility run by the same company and that it is run professionally and urges that this project go forward.
- Gilda Richmond of Seal Harbor said it would be a wonderful asset to have an independent living facility in our community.

President Turco asked for public comment of anyone in opposition of designation:

- Guy Brandenstein offered that he is not so much an opponent but has concerns about the 3-4 possible stories of the new facility and would like to see the new building stay the same height as the other structures in the neighborhood.
- Councilor DelVento stated that there are restrictions in place as to how the new building can be built.
- Nina Wadkins of Shirley Street stated that she is not necessarily opposed but has questions about the footprint, height, parking and flooding.
- David Ennis and Tara Mizrahi of Affirmative Investments presented a diagram of how the finalized building may look.

Councilor DelVento had questions about funding and Town Manager James McKenna stated that North Shore Home Consortium has pledged funds to this group and they are very competitive and involved in this project.

President Turco spoke on behalf of Councilor Calla stating that she is strongly in favor of this proposal.

Councilor Maggio stated that the Temple was thoughtful and took their time making a decision that was best for the whole community.

Councilor Sanford is familiar with their facilities they very professionally run and he is in favor of this project.

Councilor Letterie asked about the approval process for Winthrop resident. There was a discussion from the Affirmative Investment representatives explaining how 70% of the units would be for local residents and there would be an ongoing lottery as done in other communities.

Councilor Boncore is in favor and believes it is an excellent project and should go forward.

Winthrop Assessor Peter Gill confirmed with the representatives of Affirmative Investments that since a portion of this property is not going to be a non-profit that

portion of the property would go back on Winthrop's tax rolls. Council President Turco also asked the representatives if the property would go back on the tax rolls and they all responded "yes".

Motion to amend to the Winthrop Town Ordinances the Winthrop Zoning Map so as to apply the provisions of Title 17, Section 17.48, Special Development Overlay District

Councilor Maggio – Yes; Councilor Sanford – Yes; Councilor Boncore – Yes; Councilor DelVento – Yes; Councilor Powers – Yes; Councilor Letterie – Yes; Council President Turco – Yes

In favor: 7 votes / Opposed: 0 votes

Motion passes

CORRESPONDENCE

President Turco referred to a letter from Attorney General's Office stating that proposed amendment to the Charter with respect to health insurance may not be included on the ballot for the upcoming election. All other questions that were submitted will be on the ballot.

Fire Chief Flanagan stated he has been having discussions with MWRA officials regarding an incident involving out of town fire trucks getting lost on their way to Deer Island. He is working out details with MWRA in evaluating emergency procedures in the future and which emergencies could be posted on the website and which emergencies would require using reverse 911 as ways to inform the public.

COMMITTEE REPORTS

Rules and Ordinances Committee

Councilor Boncore reported on:

1. TSAC recommendation for 4 additional parking spots on Terrace Avenue.
2. Planning Board Composition to be 5-9 Members Tabled.
3. To amend Changing of Rules of Town Council.

Health and Safety Committee

Councilor Maggio commended the DPW, the Housing Authority, the Police and Fire Departments for doing an excellent job during Hurricane Irene. She also thank the MRC and overall proud of the employees and people of this community during the storm.

Town Manager Evaluation

Councilor Letterie explained 10 Categories used for evaluating the Town Manager and the ranking system used of 1 to 5. The Town Manager received an overall score of 3.48 and overall the council believes he is doing a very good job. Town Manager James McKenna spoke about his evaluation and stated he is please with the process and believes it is healthy to have an ongoing evaluation, also it is important to him to meet

expectations of the council and to exceed them if possible. Mr. McKenna praised his team and although a lot to accomplish we are moving in the right direction.

Councilor Letterie stated all comments regarding the Town Manager's Evaluation are available online.

TOWN MANAGERS REPORT

Town Manager James McKenna report on:

- Supplemental funding in the amount of \$500,000.
- Formally on record and in process of pricing/requesting street light apparatus. National Grid will provide the Town a preliminary estimate.
- Mr. McKenna sent out Inspectional Services Team to report on parcels of land being used for auto storage. The Team notified these businesses of property violations and made owners aware they need to be compliant. They will be revisited in one week to ensure compliance.
- Chapter 90 Bid Street Project came in under what was estimated and the initial work to start in September.
- Town of Winthrop 4th in most improved MCAS scores.
- Ferry Terminal Project – one final meeting next week and there should be activity soon.

Councilor Maggio had questions about Short Beach Project and Mr. McKenna said they should be finishing up detail work.

Councilor Letterie had questions about the Bridge Project Police Detail. Police Chief Delehanty said it was originally scheduled for 1 detail officer, 1 on the Winthrop side and 1 on the Boston side, after 3 weeks the company reevaluated the detail and now only has one detail officer working only during construction time. Councilor Letterie feels that is dangerous not to have a police detail there constantly and Chief Delehanty agrees. Councilor Sanford stated he spoke with Guy Citron of the Bridge Project and he will come and give an update to the Council.

Councilor DelVento would like the road conditions of Terrace Avenue, Faun Bar and Cottage Hill to be addressed and Councilor Letterie had questions about potholes being fixed before the winter. Mr. McKenna said there is a list of projects with Steve Calla at the DPW.

OLD BUSINESS

Supplemental Transfer from School \$147K – Tabled.

Ordinance Review Committee Report and Recommendations

Note the following sections of the Town Council Meeting report are an Ordinance Review Committee ("ORC") Report. A final report will be made available on the Town Council Website.

Motion by Councilor Boncore to accept recommended changes to ORC Title 8: Health and Safety: Section: 8.08.020– 8.08.080; Regarding Office Hours of Cemetery, Funerals, Tombs, Holidays, Funeral Director Responsibilities, Burial Lots and Perpetual Care.

Motion Passes.

Motion by Councilor Delvento to Amend previous motion Section E and H from Cemetery Commissions to Director of Public Works

2nd by Councilor Letterie

Motion Passes.

Motion by Councilor Boncore to Amend previous motion Cemetery Office to DPW Office

2nd Powers

Motion Passes.

Motion by Councilor Boncore to approve ORC recommendations to Title 12: Streets, Sidewalks and Public Places: Sections 12.04.020-12.32.030 in its entirety.

Motion Passes with exception to Councilor DelVento wanting to vote on Flaggers Section separately.

Chief Delehanty stated he is averse to using flaggers. Councilor Powers also not a believer in Flagger. There was a discussion as to what flaggers can and can't do and the eight main streets in town require police details.

Motion by Councilor Maggio to eliminate the ordinance change Title 12: Section 12.08.080 Critical Work Areas use of Flaggers.

2nd Letterie: Councilor Maggio – No; Councilor Sanford – No; Councilor Boncore – Yes; Councilor DelVento – No; Councilor Powers – No; Vice President Letterie – No; President Turco – No.

Motion Fails.

Motion by Councilor Boncore to approve ORC recommendations to Title 13: Public Services: Section: 13.04.05-13.12.04 regarding Penalties, Fees, Water Rates & Interest, Alterations in Pipes and Fixtures, Fire Hydrants, Specifications and Acceptable Waste

Motion passes.

Motion by Councilor Boncore for Sewer Connections Section 13.08.050 to be consistent with current changes.

Motion passes.

Council President Turco requested that the Council Clerk send Section 17 from the Rules and Ordinance Book to Chairman Roach for review and recommendations.

Motion by Councilor Boncore for recommendation to Title 16 Subdivision: Sections 16.08.030- 16.16.010 regarding Procedures and Suitability of the Land, Required Improvements for how a road should be surfaced.

Motion Passes.

Motion by Councilor Boncore to table printing of Ordinance Review Committee changes until after the November 8, 2011 election in case any other changes.

2nd by Councilor Sanford

Motion Passes.

Council Rule Changes regarding 48 hours notice on language used to vote.

Tabled until next meeting.

Motion by Councilor Boncore to delete Rule 7 of the Rules for Executive Session and replace with new Rule 7 which is Rule 21 of Open Meeting Laws – 30A Section 21.

Motion Passes.

Council President Turco and Councilor Boncore discussed the TSAC Report recommending 4 additional parking spaces on Terrace Avenue. A Legal Notice will be in the Winthrop Transcript on September 8 and 15, 2011 announcing a public meeting scheduled for September 20, 2011.

Robert DiMento concerns about adding parking on Terrace Avenue.

Richard DiMento against additional parking on Terrace Avenue.

NEW BUSINESS

Committee Appointments – None

Request from the Harbor Management Committee – Regarding naming of the Ferry Terminal – Tabled.

Motion by Council President Turco for the Town of Winthrop Refunding Loan Order

Referred to Finance Committee.

Discussion with Mr. McKenna, President Turco and Finance Director Michael Bertino explaining how the Town could refinance long term debt and save on repayments.

Motion by Councilor Letterie to Eliminate Local Meals Tax

Referred to Finance Committee.

Gorman Fort Banks School Access Road Update – President Turco gave an update of the proposed access road. There will be a public meeting for the access road at the Fort Banks Gorman School Monday September 19, 2011 at 6:00.

Sidewalk Improvement Plan – Bids are due by the 21st for 300 feet of Sidewalk. Top priority and critical needs will be done first.

**Motion by Council President Turco for a 2% Increase in Pay for the Town Manager
2nd by Councilor Boncore**
Referred to the Finance Committee.

**Motion by Council President Turco for the Senior Center to be named after Robert
DeLeo
2nd by Councilor Sanford**
Motion Passes.

Council President Turco announced that Council on Aging Director Nancy Williams would plan a special event in the spring to honor Bob DeLeo.

PUBLIC COMMENT

Robert DiMento wanted to know if there is a list available regarding the sidewalks to be repaired. He was informed the DPW has the list.

ADJOURNMENT – Town Council Meeting Adjourned at 10:18

Documents used:

Ordinance Rule Committee - Final Report.

Letter from Attorney General's Office regarding Winthrop Charter Amendments.

Minutes from Rules and Ordinance Meeting of August 30, 2011.

Public documents used in this meeting are available upon request.

A CD of this meeting is available from WCAT.

Respectfully submitted,
Town Council Clerk
Kathleen S. Hickey