

## TOWN COUNCIL MEETING OF MARCH 20, 2012

Under the Rules and Procedures of the Winthrop Town Council, President Gill called the Town Council Meeting of March 20, 2012 to order at 7:00 PM in the Harvey Hearing Room.

### PLEDGE OF ALLEGIANCE

Councilor Sanford led the Pledge of Allegiance.

### ROLL CALL

Councilor DelVento	Present
Councilor Powers	Present
Councilor Letterie	Present
Councilor Boncore	Present
Councilor Sanford	Present
Councilor Calla	Present
Councilor Mael	Present
Vice President Varone	Absent
Council President Gill	Present

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### MINUTES

**Councilor Powers made a motion to accept the Minutes of February 21, 2012**

**2<sup>nd</sup> by Councilor Boncore**

*(Councilor Sanford and Councilor Mael recused themselves from the vote as they were absent February 21, 2012)*

**Motion Passes Unanimously**

### PUBLIC COMMENT

Gerry DeFronzo spoke on two Hearings he attended on the MBTA bus service.

### CORRESPONDENCE

President Gill stated for the record:

- Resignation Letter from Scott Bocchio.
- Two applications from the Council on Aging
- Application from Conservation Commission
- Letter from Dottie Donofrio nominating Chris Donnolly for the Freedoms Foundation Award, which is presented to those who go above and beyond the call of duty. President Gill asked if there was no objection that he will write a recommendation for Mr. Donnolly on behalf of the Council, there was no objection and the Council complimented Mr. Donnolly and his Program.
- A letter from Guy Brandenstein stating he will not longer able to be on the MWRA Advisory Board due to his new employment.

President Gill also stated there was a response from Kopelman and Paige regarding the Open Meeting Law Violation filed by Guy Brandenstein and he would take that up under Old Business.

## **COMMITTEE REPORTS**

Councilor Boncore gave a report on a Rules and Ordinances Committee Meeting held on March 13, 2012. Councilor Boncore reported on the two items posted noting that Peter Roche was in attendance.

- (1) Increase the Planning Board from 7 to 8 that recommendation was not taken.
- (2) Increase Harbor Management from 7 to 9 members, which was, recommend favorably. Councilor Boncore stated that no changes need to be made to the bylaws for this change because it was originally set up for no more than 9 members and no less than 5 members. Councilor Boncore also stated that they are one-year applications that expire on June 30, 2012 and that the Council should consider revising the expiration dates because every appointment on this Committee expires June 2012.

## **TOWN MANAGER'S REPORT**

Mr. McKenna spoke on:

- Proposed Fee Schedule which he requested be referred to Council Finance Subcommittee.
- Management of Public Records Request Processing – FOIA – Policy that he requested to be referred to Rules and Ordinances.
- Budget Update- Another year of fiscal challenge and difficulties with the budgets between the Town and School. It is our intent to submit a balanced budget. It will be challenge to do any Capital Improvements this year until we see new revenue. Mr. McKenna also spoke on the review of the Enterprise Funds, increase in Water/Sewer Rates and the Bond for Project 3 Contract.
- Parks and Recreation New Spring Calendar
- Improvement made to Town Hall stairway and railings on Hermon Street thanks to the help of Lee Dzedulionis and the Commission on Disabilities.
- Capic has agreed to come back to Winthrop and reestablish office hours and will be at the Senior Center two days a week.
- Boston Magazine mentioned Winthrop as a desirable community.
- Ferry Service stating we are entering another year in our Pilot Program and the Federal Government has agreed to let up go ahead and put out a RFP for us to get our own vessel. Mr. McKenna thanked Grant Director Peter Lombardi assisting in this.
- Survey handed out about Youth Risk Behavior regarding how the youth respond to issues they are facing. A meeting with Mr. McKenna and Superintendent John Macero is schedule for Thursday morning on how to develop strategies in dealing with the youth.
- MSBA had a project review meeting. The MSBA has requested information for services for the next stage of the feasibility study. Superintendent Macero stated most importantly they want to know what is the Education Plan for this building.
- Social Security Advocate will be at the Senior Center on April 19, 2012 at 7:00. Mr. John Rodius will give a presentation.

- DPW has started a Spring Cleanup. Mr. McKenna and DPW Director Steve Calla commend the department's hard work at Miller Field. Mr. Calla stated his concerns about the mild winter and keeping up with the cement work. Councilor Mael asked Mr. Calla about the Sponsorship Programs, which are a Barrel Program (in conjunction with the Chamber of Commerce), a Bench Program and Tree Program. Mr. Calla also stated that the compost is open on March 24 and March 31 and starting April 6 will start its regular schedule. Again, Mr. Calla commended his department and stated he is proud of their efforts.

### **OLD BUSINESS**

**Motion by Councilor Sanford to send to the Attorney General the response for the Open Meeting Violation from Kopelman and Paige**  
**2<sup>nd</sup> by Councilor Letterie**  
**Motion Passes Unanimously**

President Gill read into the record the Ordered Bond Issue Contract 3.

**Motion made by Councilor Boncore to move forward on this Ordered Bond Issue Contract 3 process**  
**2<sup>nd</sup> by Councilor DelVento**

*CFO Mike Bertino brought forward a Point of Information stating this needs to be a roll call vote.*

*There was a discussion amongst Councilor DelVento and the Town Manager regarding this vote stating it has been advertised and sent before the Town Council Finance Committee and it is back here as a cleanup effort to get the exact language to move forward.*

#### **Roll Call:**

<b>Councilor DelVento</b>	<b>Yes</b>
<b>Councilor Powers</b>	<b>Yes</b>
<b>Councilor Letterie</b>	<b>Yes</b>
<b>Councilor Boncore</b>	<b>Yes</b>
<b>Councilor Sanford</b>	<b>Yes</b>
<b>Councilor Calla</b>	<b>Yes</b>
<b>Councilor Mael</b>	<b>Yes</b>
<b>Vice President Varone</b>	<b>Absent</b>
<b>Council President Gill</b>	<b>Yes</b>

**8 Yea – 0 Nay**

**Motion Passes**

There was a discussion amongst the Town Manager and President Gill regarding the following redo of the following Loan Authorization stating it needs to be done over using the exact process.

President Gill read into the record the First Reading of Loan Authorization for Somerset Avenue, Bellevue Avenue, Eleanor Court and Nahant Avenue Water Systems Improvement Project.

**Councilor Boncore made a motion to refer this Loan Authorization for Somerset Avenue, Bellevue Avenue, Eleanor Court and Nahant Avenue Water Systems Improvement Project to the Finance Committee so they may make a report for the April 3, 2012 Council Meeting  
2<sup>nd</sup> by Councilor Sanford  
Motion Passes Unanimously**

*Councilor DelVento asked the Clerk to post this for a meeting for March 29, 2012 at 6:30 before the Spring Forum.*

**Council Boncore made a motion to adopt and accept the Preservation Restriction for the E.B. Newton School  
2<sup>nd</sup> by Councilor Powers  
Motion Passes Unanimously**

### **NEW BUSINESS**

#### **Appointments**

President Gill recommended Wayne George to the Conservation Commission.

**Motion made by Councilor DelVento to accept Wayne George to the Conservation Commission  
2<sup>nd</sup> by Councilor Letterie  
Motion Passes Unanimously**

President Gill referred to a letter from Superintendent John Macero to the Town Manager regarding the Supplemental Transfer Request to the School Committee of \$208,000 from free cash. President Gill is very concerned about this request and wants the request to be sent to the Citizens Finance Commission. President Gill also stated that Mr. Bertino stated at a School Committee Meeting that the \$208,000 was a budget strategy.

President Gill acknowledged that these bills need to be paid. However, he was concerned that a request is now coming to the council to transfer funds from free cash to pay them. The timing of this request is significant as we make difficult choices in the preparation of the FY13 Budget. We need to earn the trust and confidence of our fellow citizens making accurate and defensible budget predictions. The purpose of this type of request should be for unanticipated expenditures as were the two recent requests by the school committee which were approved by the council. President Gill does not feel comfortable voting for or recommending this transfer without specific, concise answers to clarify this request.

President Gill asked the Town Manager to prepare a report with the assistance of the appropriate parties to determine the following: (1) Was this SPED tuition an "unanticipated" expenditure? (2) In reference to this request, what was the "Budget Strategy" that was not carried through referred to by Mr. Bertino and Mr. Rotondo?; (3) When was this strategy proposed and by whom? (4) Why was the strategy not followed

through? (5) Who was aware of the strategy? (6) Is circuit breaker money to be used for SPED tuitions only? (7) Was circuit breaker money used to pay “other” expenses?

President Gill went on to say that he is speaking as a citizen as well as council member and a school committee member. He requests that the Finance Commission review the written report from the Town Manager and make a determination of proper action on this request. Further, that they make recommendations to prevent this scenario from happening in the future.

**President Gill made a motion for the transfer request to the School Committee of \$208,000 from free cash be referred to the Citizens Finance Commission.**

Councilor Powers agrees it should go to the Finance Commission but they cannot make a motion to the Town Council only a recommendation.

**Councilor Powers made a motion to amend President Gills request to send this to the Citizen’s Finance Commission for a recommendation and the Finance Committee will come back with a motion**

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

**Motion Passes Unanimously**

**Motion by Councilor Powers to send to the Finance Committee the Transfer Request to Unemployment \$11,811 from Council Reserve and an additional \$6,689 will come from the Unemployment Reserve**

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

**Motion Passes Unanimously**

**Motion by Councilor Letterie to send to the Finance Committee the transfer request to Sewer Contract Service \$8,600 from Sewer Reserve**

**2<sup>nd</sup> by Councilor Powers**

**Motion Passes Unanimously**

**Motion by Councilor Powers to send to the Finance Committee the transfer request to Assessor Contract Services \$9,000 from Council Reserve**

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

**Motion Passes Unanimously**

**Motion by Councilor Letterie to send to the Finance Committee the transfer request to Veterans Benefits \$10,350 from Council Reserve**

**2<sup>nd</sup> by Councilor Powers**

**Motion Passes Unanimously**

**Motion by Councilor Letterie to send to the Finance Committee the transfer request to Engineering Ft. Banks Access Road \$30,400 from Sale of Land Account**

**2<sup>nd</sup> by Councilor Boncore**

President Gill requested a written summary from the Town Manager to the Finance Committee that we have expended \$65,400 to date and that \$25,000 was appropriated and \$40,400 was not appropriated he also would like to get an opinion if it is legal to use sale of land funds for us to do engineer studies on property that we don't own.

**Motion Passes Unanimously**

**Motion by Councilor Powers for Public Records Request Processing to be referred to Rules and Ordinances**

**2<sup>nd</sup> by Calla**

**Motion Passes Unanimously**

**Motion by Councilor Sanford to refer the Public Fees Schedule to be referred to the Finance Committee**

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

Councilor Powers stated that he is not a believer in voting for increases unless they are necessary and should be backed up by data. Councilor Letterie asked if they could be taken in order of importance so as not to hold up the whole package.

**Motion Passes Unanimously**

Councilor Gill asked the Council Clerk to Post Vacancies.

President Gill commended the DPW, and Mr. Chris Donnelly for his program the Down Syndrome Walk Man of the Year Award.

Mr. Gill recognized the school events that have taken place over the past week including the Mock Trial Team Competition, Boys and Girls Hockey Teams, High School Drama State Competition, Cheerleaders State Competition and the donation from Mr. Russo of a new keyboard.

Councilor Letterie spoke of the MCAS rally at the Cummings School with Ellen O'Brien.

#### **PUBLIC COMMENT**

Guy Brandenstein spoke of the Winthrop Beach Project, the Animal Control Officer and the Fee Schedule. Chief Delehanty addressed the misconceptions made by Mr. Brandenstein regarding the Animal Control Officer.

**Motion to adjourn by Councilor DelVento**

**2<sup>nd</sup> by Councilor Powers**

**Motion Passes Unanimously**

Meeting Adjourned at 8:50PM.

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A DVD of this meeting is available from WCAT  
Public Documents used in this meeting are available in the Town Manager's Office.

Documents used in this Meeting:

Resignation Letter from Scott Bocchio  
Two applications from the Council on Aging  
Application from Conservation Commission  
Letter from Dottie Donofrio nominating Chris Donnolly for the Freedoms Foundation Award  
Guy Brandenstein Letter stating he will not longer able to be on the MWRA Advisory Board due to his new employment  
Information on the Sponsorship Programs can be obtained from the DPW  
Finance Committee Report  
Response from Kopelman and Paige regarding the Open Meeting Law Violation  
Town Manager's Report  
Bond Issue Contract 3 Order  
Loan Authorization Order  
Letter from John Macero  
Preservation Restriction for the E.B. Newton School Document

Respectfully submitted,  
Town Council Clerk  
Kathleen S. Hickey