

# **TOWN COUNCIL MEETING OF SEPTEMBER 2, 2014**

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

## **PLEDGE OF ALLEGIANCE**

Councilor Varone leads the Pledge of Allegiance  
Moment of Silence for Richard "Doc" Tacelli

## **ROLL CALL**

Councilor Calla	Present
Councilor Sanford-	Present
Councilor Boncore-	Present
Councilor Varone-	Present
Councilor Letterie-	Present
Councilor Boyajian-	Present
Councilor Mael-	Present
Vice President DelVento	Present
Council President Gill-	Present

## **MINUTES**

**Motion by Vice President DelVento to accept the Minutes of the August 19, 2014, as circulated 2<sup>nd</sup>. By Councilor Boyajian**  
**Passed 8-1 (Councilor Varone abstain)**

**August 19, 2014 Executive Meeting Minutes will be discussed in Executive Session**

## **PUBLIC HEARING**

Transfer \$37, 702.72 – Fire Chief to expend Insurance Fund Fire-Boat

Discussion-Positive

**Public Hearing Closed**

## **PUBLIC COMMENT**

Chief Flanagan comments positively on National Grid's response to the electric outage last week.

Tom Corridio (P4) -Discusses having National Grids outage phone number more available for information

## **CORRESPONDENCE**

Bed & Breakfast Petition signed by neighbors of 226-228 Cottage Park Rd. opposing this establishment.

Stephen Machcinski (P5)-Submits his correspondence in reply to this petition

President Gill comments that the building inspector has issued cease & desist orders for illegal Bed & Breakfast's.

**Motion by Councilor Mael to enter back into Public Comment**

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

**Passed Unanimously**

**Jim Rudser (P5)-Discusses concern on the Bed & Breakfast on Cottage Park Road**

**Stephen Machcinski (P5)- Discusses this is not a Bed & Breakfast but simply offers his home to family & friends**

**Rob Servino (P5)-Comments on the Ferry and requests information to be made public**

**Public Comment Closed**

## **COMMITTEE REPORTS**

### **Rules & Ordinance-August 28, 2014 Meeting**

Establishing a Limousine and Livery License-Amendments will be made

Winthrop Code of Ordinances-Amendments will be made and sent to Planning Board

### **Finance Committee-August 28, 2014 Meeting**

Prior Years Bills-Positive Recommendation

Transfer \$6,000 Joint Energy Manager Grant- Positive Recommendation

Transfer \$37,702.72-Fire Chief to expend Insurance Fund-Fire Boat- Positive Recommendation

Commends town staff and everyone included on the successful opening of schools during the new Middle High School Construction and the opening and re-organization of the rink since this summer's Parks & Rec. being in there.....  
Discusses meeting at Coughlin Park, positive input  
Town received \$200,000 grant from DCR for Coughlin Park improvements  
West Nile Virus-Winthrop has not tested positive but surrounding communities have, be aware!  
Work Shop 9-25-12 at the DeLeo Sr. Center, 7:00 PM to discuss the current houseboat issue  
Vice President DelVento comments on the schools opening and the anxiety with all that is going on, please be tolerant, give these changes a chance to make the proper adjustments.

### **OLD BUSINESS**

**Motion at the request of the Winthrop Board of License Commission...Limousine and Livery License....(See Attached Motion) will be amended:**

**Motion by Rules & Ordinance to amend Winthrop Code of Ordinances Title 5 , Chapter 5.28.030 by adding the following sentence....(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Motion by Rules & Ordinance to amend Chapter 5.28.120 B fees...(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Motion by Rules & Ordinance to amend 5.28.130 fares....(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Motion to refer the following motion to the Planning Board for their review:**

**Motion by Rules & Ordinance to delete Winthrop Town Ordinance 17.12.080 A...(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Motion by the Finance Committee to approve the Fire Chief to expend (\$37,707.72) from Insurance Recovery...(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Motion by the Finance Committee to transfer \$6,000.00 from Town Council Reserve to a Special Revenue Fund....(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Motion by the Finance Committee that the Town Council vote to approve the payment of prior year bills....(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**

**Shirley St./Cross St. Motion- Continued**

### **NEW BUSINESS**

**Motion by Vice President DelVento to refer to the Finance Committee that \$2,800,000.00 is appropriated for the purpose of financing the replacement of aged water main and lead services .....**

**(See Attached Motion)**

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

**Passed Unanimously**

**Motion by Councilor Letterie that the Town Council appoint Giusti, Hingston & Co. as the internal auditor....(See Attached Motion)**

**2<sup>nd</sup> by Vice President DelVento**

**Discussion**

**Passed Unanimously**

**Motion by Councilor Boyajian that the Town Council encourage the MWRA to establish a Citizen Advisory Committee...(See Attached Motion)**

**2<sup>nd</sup> by Vice President DelVento**

**Discussion**

**Motion by Councilor Letterie to take the prerogative to postpone until next Town Council Meeting**

### **PUBLIC COMMENT**

Councilor Mael comments on a leak reported on Bellevue Ave. It was confirmed it was not a leak on Town Property but an irrigation leak on residential property.

### **PUBLIC RELATIONS/UPCOMING EVENTS**

Those Who Can / Those In Need – September 6, 2014 Ingleside Park 10am-2pm

Open Meeting Law Seminar-September 16, 2014, DeLeo Sr. Center 7:00pm

Marie Petrilli Annual Walk September 13, 2014

Neil Shapiro Annual Walk September 20, 2014

**Motion by Vice President DelVento to enter in Executive Session to discuss strategy with respect to the Open Meeting Compliance and the pending police department litigation. Chair Discussion of these matters in an open meeting could have detrimental effect on the litigation and Open Meeting Compliance. (8:10 PM)**

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

### **ROLL CALL VOTE**

**Councilor Varone** Yes

**Councilor Boyajian-** Yes

**Councilor Letterie-** Yes

**Councilor Boncore-** Yes

**Councilor Sanford-** Yes

**Councilor Calla-** Yes

**Councilor Mael-** Yes

**Vice President DelVento** Yes

**Council President Gill-** Yes

**Passed Unanimously**

**Return to Open Session 9:10 PM**

### **ADJOURNMENT**

**Motion to Adjourn by Councilor Letterie**

**2<sup>nd</sup> By Vice President DelVento**

**Passed Unanimously**

**Meeting Adjourned at 9:11 PM**

A DVD of this meeting is available from WCAT / [www.youtube.com](http://www.youtube.com)

Public Documents used in the meeting are available at Town Managers Office.

### **Documents Used in this Meeting:**

Hand Written Notes

Committee Openings Documents

Roll Call Log

Written Motions / Verbal Motions

Respectfully submitted,  
Town Council Clerk  
Denise Quist



# TOWN of WINTHROP

## MOTION

Submitted By: Councilor Boncore

Date: September 2, 2014

Subject: Limousine & Livery License

## TEXT of MOTION

Motion by Rules and Ordinance to amend Winthrop Code of Ordinances Title 5 Chapter 5.28.030 by adding the following sentence to the end of the license requirement: Each vehicle must be registered and garaged in the Town of Winthrop and this business must operate from a location or office in a properly zoned business district.

**No 2<sup>nd</sup> Needed as Coming from Committee**

**Passed Unanimously**



# TOWN of WINTHROP

## MOTION

Submitted By: Councilor Boncore

Date: September 2, 2014

Subject: Limousine & Livery License

## TEXT of MOTION

Motion by Rules and Ordinance to amend Chapter 5.28.120.B fees by changing words from \$50.00 (fifty) to \$100.00 (one hundred)

Amend Chapter 5.28.120 C by adding words / livery between taxi cab and driver and by changing the words from \$10.00 (ten) to \$20.00 (twenty).

**No 2<sup>nd</sup> Needed as Coming from Committee**

**Passed Unanimously**



# TOWN of WINTHROP

## MOTION

Submitted By: Councilor Boncore

Date: September 2, 2014

Subject: Limousine & Livery License

## TEXT of MOTION

Motion by Rules and Ordinance to amend 5.28.130 fares, by adding word taxi between the words "for and transportation" in sections A1&A2.

Add new section 4, The minimum for Livery Service shall cost a minimum of \$35.00

**No 2<sup>nd</sup> Needed as Coming from Committee**

**Passed Unanimously**



## TOWN OF WINTHROP OFFICE OF THE TOWN MANAGER

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-5458

James McKenna  
Town Manager

### MOTION

Submitted By: James McKenna, Town Manager

Date: 6/12/14

### TEXT OF MOTION

Motion: I move that the Town Council vote to allow National Grid to install new Pole 302 on Shirley Street and install 2-5" Conduits encased in concrete from P302 to manhole #167 in order to refeed transformer in manhole from a Riser Pole instead of faulty underground switches; or take any other action relative thereto.

*MOTION BY VICE PRESIDENT DELVENTO TO POSTPONE  
2ND BY COUNCILOR BANCORE*

Vote: PASSED

Council President: \_\_\_\_\_

Date: 8-19-14

Town Manager: \_\_\_\_\_

CFO: \_\_\_\_\_

6-17-14

Motion by Councilor Letterie  
2<sup>nd</sup> by Vice President DelVento

Amendment to main motion that motion be contingent upon a satisfactory response to the DPW Director as to a need of a second pole and all effected sidewalks get full restoration.

Discussion

Motion withdrawn by Councilor Letterie

Councilor Varone exercises his right to postpone motion

TC-034



# TOWN of WINTHROP

## MOTION

Submitted By: Councilor Boncore

Date: September 2, 2014

Subject: Motor Vehicle Storage

## TEXT of MOTION

**Motion by Rules & Ordinance to refer to the Planning Board to delete Winthrop Town Ordinance 17.12.080.A and replace it with 17.12.080.A Storing Motor Vehicles Restrictions:**

**“No person shall have, keep or store more than one unregistered, uninsured or inoperable vehicle, boat, trailer, camper or recreational vehicle un-garaged or on his or her premises for more than seventy two (72) hours. Nor shall any unregistered, uninsured or inoperable motor vehicle, boat, trailer, camper or recreational vehicle be stored in the front yard of a residential or commercial business except lots duly licensed in accordance with Winthrop Ordinance 17.24.080 by the Winthrop Licensing Board, to be used for outdoor automobile rental, sales or storage for rental or sales.”**

**No 2<sup>nd</sup> Needed as Coming from Committee**

**Passed Unanimously  
9-2-14**

**Motion to refer the following motion to the Planning Board for their review:  
Motion by Rules & Ordinance to delete Winthrop Town Ordinance 17.12.080 A...(See Attached Motion)  
No 2<sup>nd</sup> Needed  
Passed Unanimously**





# TOWN OF WINTHROP OFFICE OF THE TOWN MANAGER

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-5458

James McKenna  
Town Manager

## ROLL CALL VOTE

Submitted By: Town Manager

Date: 8.13.14

## TEXT OF MOTION

**Motion:** I move that the Town Council approve the Fire Chief to expend from Insurance Recovery Fire Department Fund (712) up to \$37,707.72 for the purpose of procurement and outfitting the fire boat or take any other action relative thereto.

*MOTION BY COUNCILLOR KETTERIE TO REFER TO FINANCE & ADV.  
2ND BY VICE PRESIDENT DEWENTON*

Vote: PASSED

Council President: \_\_\_\_\_

Date: 8.19.14

Town Manager: \_\_\_\_\_

CFO: \_\_\_\_\_

9-2-2014

**Motion by the Finance Committee to approve the Fire Chief to expend (\$37,707.72)  
from Insurance Recovery...(See Attached Motion)**

**No 2<sup>nd</sup> Needed**

**Passed Unanimously**



# TOWN OF WINTHROP OFFICE OF THE TOWN MANAGER

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-5458

**James McKenna**  
Town Manager

## ROLL CALL VOTE

*Submitted By:* Town Manager

*Date:* 8.13.14

## TEXT OF MOTION

*Motion:* I move that the Town Council transfer \$6000.00 from Town Council Reserve to a Special Revenue Fund for the Town's portion of the joint Energy Manager grant, or take any other action relative thereto.

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Vote: \_\_\_\_\_

Council President: \_\_\_\_\_

Date: \_\_\_\_\_

Town Manager: \_\_\_\_\_

CFO: \_\_\_\_\_

**8-19-14**

**Motion by Vice President DelVento to refer to the Finance Committee**

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

**Passed Unanimously**

**9-2-14**

**Motion by the Finance Committee to accept original motion**

**No 2<sup>nd</sup> needed as coming from committee**

**Passed Unanimously by Town Council**



# TOWN OF WINTHROP

## OFFICE OF THE TOWN MANAGER

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-5458

James McKenna  
Town Manager

### MOTION

Submitted By: Town Manager

Date: 8.13.14

### TEXT OF MOTION

Motion: I move that the Town Council vote to approve the payment of prior year bills in the aggregate of \$801.91 from the current year budget for each department as noted:

Department	Type	Account	Total	Fiscal Year
COA	Utilities	0154152-521600	513.91	2014
DPW	Contract Services	0142052-544350	288.00	2013

or take any other action relative hereto.

*MOTION VICE PRESIDENT DEL VENTO REFER TO FINANCE  
AND COUNCILOR SANFORD*

Vote:

*PASSED*

Council President:

Date:

*8-19-14*

Town Manager:

CFO:

9-2-2014

Motion by the Finance Committee that the Town Council vote to approve the payment of prior year bills....(See Attached Motion)

No 2<sup>nd</sup> Needed

Passed Unanimously

9-2-2014

**Motion by Vice President DelVento to refer to the Finance Committee that \$2,800,000.00 is appropriated for the purpose of financing the replacement of aged water main and lead services .....**

**(See Attached Motion)**

**2<sup>nd</sup> by Councillor Varone**

**Passed 5-2-14**



## TOWN of WINTHROP

### MOTION

Submitted By: Town Manager

Date: 9/02/14

Subject: Cottage Hill and Pico Beach Areas Water Main Replacement Project  
Bond Issue

### TEXT of MOTION

That \$2,800,000 is appropriated for the purpose of financing the replacement of aged water main and lead services in the Cottage Hill surrounding area and Pico Beach surrounding area, including all costs incidental or related there-to; that to meet this appropriation the Treasurer with the approval of the Town Manager is authorized to borrow \$2,800,000 and issue bonds or notes of the Town under Chapter 44 of the General Laws; or any other enabling authority; that the Treasurer with the approval of the Town Manager is authorized to borrow all or a portion of such money from the Massachusetts Water Resources Authority (the "Authority") and in connection therewith to enter into a loan agreement/or financial assistance agreement with the Authority and otherwise to contract with the Authority with respect to such loan and for any grants or aid available for the project or for the financing thereof, which grants and/or aid shall be expended for the project in addition to the amount appropriated and to be borrowed under this order; and that the Town Manager is authorized to acquire by purchase, eminent domain or otherwise, such rights, titles and easements as they may be necessary for such purpose, to abandon such rights, titles and easements as are no longer required, to expend all funds available for the project and to take any other action necessary or convenient to carry out the project.



# TOWN OF WINTHROP OFFICE OF THE TOWN MANAGER

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-6458

**James McKenna**  
Town Manager

## MOTION

Submitted By: Town Manager

Date: 8.27.14

## TEXT OF MOTION

Motion: I move that the Town Council appoint Giusti, Hingston & Co. as the internal auditor in accordance with Sec. 2-8C of the Town of Winthrop Charter for a term to expire June 30, 2015 or take any other action relative hereto.

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Vote: \_\_\_\_\_

Date: \_\_\_\_\_

9-2-2014

**Motion by Councilor Letterie that the Town Council appoint Giusti, Hingston & Co. as the internal auditor....(See Attached Motion)**

**2<sup>nd</sup> by Vice President DelVento**

**Discussion**

**Passed Unanimously**

# TOWN of WINTHROP



## MOTION

Submitted By: Councilor Boyajian

Date: August 28, 2014

Subject: MWRA-Citizens Advisory Committee

## TEXT of MOTION

I move that the Town Council encourage the MWRA to establish a Citizens Advisory Committee and to meet with such committee on a regular basis to discuss areas of concern including both positive and negative effects of operations at Deer Island and the Town of Winthrop; or take any other action relative thereto

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9-2-2014

Vote: \_\_\_\_\_

**Motion by Councilor Boyajian that the Town Council encourage the MWRA to establish a Citizen Advisory Committee...(See Attached Motion)**  
**2<sup>nd</sup> by Vice President DelVento**

**Discussion**

**Motion by Councilor Letterie to take the prerogative to postpone until next Town Council Meeting**