

TOWN COUNCIL MEETING MINUTES OF APRIL 21, 2015

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 Boncore leads the Pledge of Allegiance

ROLL CALL

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

MINUTES

Motion by Councilor Sanford to accept the Town Council Minutes of April 7, 2015, as circulated

2nd. By Councilor Boyajian

Passed Unanimously

PUBLIC HEARINGS

Public Hearing Opened

National Grid – Underground Electrical Conduits -Middle/High School (See Attached Motion-read in full by President Gill)

Favor: Tim Leyford, National Grid Representative

Oppose: None

Councilor Boncore asks if Cross St. will be closed during the closing of Main St.

National Grid rep and rep from Skansa states only ½ of street will be closed, both realize Cross St. cannot be completely closed at same time Main St. is.

Public Hearing Closed

Public Hearing Opened

Transfer \$32,029.29 DPW (See Attached Motion-read in full by President Gill)

Favor: None

Oppose: None

Public Hearing Closed

Public Hearing Opened

Transfer \$42,000.00 from Recreation Retained Earnings (See Attached Motion-read in full by President Gill)

Favor: None

Oppose: None

Public Hearing Closed

Public Hearing Opened

Appropriate \$2,800,000 Replacement of aged water main and lead services

(See Attached Motion-read in full by President Gill)

Favor: DPW Director Steve Calla reiterates importance of this motion

Oppose: None

Public Hearing Closed

PUBLIC COMMENT

None

COMMITTEE REPORTS

Finance Committee-April 14, 2015 6:00 PM

- Transfer \$7,480.00 from Site Plan Review Offset Receipt
- Transfer \$6,910.00 from Fund 505 MWRA for FEMA Flood Map appeal
- Transfer \$32,029.29 from Town Manager Contract Settlements to DPW for the purpose of funding a Jr. custodian.
- Transfer \$42,000.00 from Recreation Retained Earning
- Appropriate \$2,800,000 for the purpose of financing the replacement of aged water main and lead services

All above motions were approved with positive recommendation from the Finance Committee

TOWN MANAGERS REPORT

Town Manager McKenna -Previous Commitment could not attend Town Council Meeting

CFO-Tim Gordon discusses the current foreclosure procedures and collections have been positive.

SCHOOL DEPARTMENT UPDATE

School Vacation this Week

Middle High School Top Off - April 28, 2015 at 1:00 PM

New High School principal, Matt Crombie

OLD BUSINESS

60 Hermon Street SDOD-Town Attorney opinion regarding reconsideration
(See Attached Motion-read in full by President Gill)

President Gill:

- Last Hermon St SDOD vote at April 7, 2015 Town Council meeting had been challenged by Councilor Varone and referred to Town Attorney for opinion
- President Gill reported our attorney verified that 75% of the vote was needed and that the motion could be reconsidered.
- President Gill states it is on tonight's agenda with the report it could be reconsidered.

Councilor Varone:

-Point of Order-

For over 10 years the Town Council has abided by Council rules and Roberts Rules of order, I don't think that this situation rises to the level of us going against our ten year tradition of abiding by this. In my opinion to reconsider we would have to make a motion to waive Council rules to waive Robert's Rules, to address this, as far as the town attorney weighing in. She did not cite any particular case law that has come up in the entire history of the Commonwealth of Massachusetts and I would not feel comfortable subjecting the town to that and if we were to continue on this track I am asking the Town Council to make a motion to the Attorney General's office for an opinion on how to proceed on this matter.

Comment:

-Councilor Boncore agrees with Councilor Varone on getting opinion from the Attorney General's office:

**-Motion by Councilor Boncore to continue this on the Agenda until the next Town Council Meeting
2nd by Councilor Boyajian**

Comment

President Gill: What if we don't have opinion by the 5th.

Councilor Boncore-Hopefully we do

President Gill-Have requested to AG already who has not responded

Councilor Sanford-It should be continued so we have a full council for vote

President Gill- It is important to continue as we don't have a full council tonight and it does require 75% of the full council to vote it, prefers not to have it contingent upon us having an opinion from the Attorney General, would you like to amend your motion?

-Motion by Councilor Boncore to amend original motion to continue this matter until have an opinion from the Attorney General's office

Councilor Varone would like the following and will make amendment if needed, to ask the Attorney General's office, because we have already taken it up for reconsideration, has this matter been properly disposed of?

-Councilor Varone:-The petition was emailed to the entire TC a couple of months prior to meeting.

-Councilor Boncore withdraws original motion and amendment

-Councilor Boyajian withdraws his 2nd

-Motion by Councilor Varone to postpone the matter until the AG renders an opinion as to whether or not the matter has been properly disposed of

2nd by Councilor Boyajian

Discussion

Whatever Attorney General decision is, it will satisfy Councilor Varone and he will abide by her decision

-With no objection from the Town Council, Attorney Lynds is allowed to speak:

-He wants on record to renew his objection to the adequacy and the genesis of the petition that has been presented to the council.

-He has a different opinion he will ask Attorney General, and will save for another day

-President Gill asks Attorney Lynds if no opinion on its credibility comes from the Attorney General and the council goes ahead and vote's it where do you stand?

Attorney Lynds states he is preserving that opinion

Motion by Councilor Sanford that the Town Council grant an easement authorizing National Grid....

(See Attached Motion-read in full by President Gill)

2nd by Councilor Boyajian

Passed Unanimously

Motion with a positive recommendation from the Finance Committee that the Town Council authorize a transfer of \$7,480.00 from Site Plan Review Offset Receipt Account....

(See Attached Motion-read in full by President Gill)

No 2nd Needed

Passed Unanimously

Motion with a positive recommendation from the Finance Committee that the Town Council authorize a transfer of \$6,910.00 from Fund 505 MWRA Assistance Unreserved Fund....

(See Attached Motion-read in full by President Gill)

No 2nd Needed

Passed Unanimously

Motion with a positive recommendation from the Finance Committee that the Town Council authorize a transfer of \$32,029.29 from the Town Manager Contract Settlements....

(See Attached Motion-read in full by President Gill)

No 2nd Needed

Passed Unanimously

Motion with a positive recommendation from the Finance Committee that the Town Council authorize a transfer of \$42,000.00 from Recreation Retained Earnings...

(See Attached Motion-read in full by President Gill)

No 2nd Needed

Passed Unanimously

PUBLIC RELATIONS

Month of April-Autism Awareness – Light it Up Blue

Month of April-Autism Awareness – Light it Up Blue

April 25, 2015 Beautification Committee Clean Up

April 25, 2015 Chamber of Commerce \$10,000 Event 7-9 PM Cottage Park Yacht Club

April 28, 2015 Top of Day Middle/High School 1:00pm

May 2, 2015 Yirrell Beach Clean- up-Rich Honan

May 3, 2015 Cinco de Mayo 3-6 PM French Sq. (Rain Date May 17, 2015)

May 6, 2015 Ordinance Review Committee Public Forum-DeLeo Sr. Center 7:00pm

ADJOURNMENT

Motion to Adjourn by Councilor Varone

2nd By Councilor Sanford

Passed Unanimously

Meeting Adjourned at 7:50 PM

A DVD of this meeting is available from WCAT / 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



TOWN OF WINTHROP

OFFICE OF THE TOWN COUNCIL

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

MOTION

Submitted By: Councilor Boncore

Date: 4/1/15

Motion: I move that the Town Council approve the Petition of Ocean City Development, LLC to amend the Town of Winthrop Zoning Map so as to include 60 Hermon Street, Winthrop within the SDOD Zoning or take any other action relative thereto

(See the Petition of Ocean City Development dated September 30, 2014, and Recommendation of the Winthrop Panning Board to the Winthrop Town Council dated January 5, 2015)

4-7-15

Motion by Councilor Boncore

2nd by Councilor Letterie

Discussion

Roll Call Vote:

Yes- 5

No- 3

Recuse- 1

Motion by Councilor Sanford to reconsider question

2nd by Councilor Calla

Passed Unanimously

Motion Reconsidered

Roll Call Vote:

Yes-6

No-2

Recuse-1

4-21-15

Motion by Councilor Varone to postpone this matter until the Attorney General renders an opinion as to whether or not this matter has been properly disposed of.

2nd by Councilor Boyajian

Discussion-Councilor Varone will accept Attorney General's opinion

Passed Unanimously



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MOTION

Submitted By: Councilor Letterie

Date: 4/1/15

Motion: I move that the Town Council grant an easement authorizing National Grid to construct a line of underground conduit under Cross Street to the property line of the Winthrop Middle/High School (see National Grid Petition dated February 27, 2015) or take any other action relative thereto

4-7-15

READING INTO RECORD, THERE WILL BE A PUBLIC HEARING ON THIS
MOTION 4-21-15

NO NEED TO REFER TO PUBLIC SAFETY

4-21-15

PUBLIC HEARING

DISCUSSION-CONCERNS THAT MAIN ST AND CROSS ST. NOT BOTH CLOSED
DURING THIS CONSTRUCTION

MOTION BY COUNCILOR SANFORD

2ND BY COUNCILOR BOYAJIAN

PASSED UNANIMOUSLY



TOWN OF WINTHROP

OFFICE OF THE TOWN MANAGER

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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/1/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$7,480.00 from Site Plan Review Offset Receipt Account 58752-596000 to the General Fund to fund the Special Article known as the Central Business District Masterplan; or take any action relative to thereto.

Vote: _____

Council President: _____

Date: _____

Town Manager: _____

CFO: _____

4-7-15

MOTION BY TOWN COUNCIL PRESIDENT GILL TO REFER TO THE FINANCE
COMMITTEE
PASSED UNANIMOUSLY

4-21-15

MOTION WITH POSITIVE RECOMMENDATION FROM THE FINANCE COMMITTEE
NO 2ND NEEDED
PASSED UNANIMOUSLY



TOWN OF WINTHROP

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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/1/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$6,910.00 from Fund 505-MWRA Assistance Unreserved Fund to 0196052-588056 for the FEMA Flood Map appeal; or take any action relative to thereto.

4-7-15

MOTION BY TOWN COUNCIL PRESIDENT GILL TO REFER TO THE FINANCE
COMMITTEE
PASSED UNANIMOUSLY

4-21-15

MOTION WITH POSITIVE RECOMMENDATION FROM THE FINANCE COMMITTEE
NO 2ND NEEDED
PASSED UNANIMOUSLY



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OFFICE OF THE TOWN MANAGER

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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/1/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$32,029.29 from the Town Manager Contract Settlements (0111252-511109) to DPW Building Maintenance Personnel lines for the purpose of funding the Junior Custodian and other related expenses; or take any action relative to thereto.

4-7-15

MOTION BY TOWN COUNCIL PRESIDENT GILL TO REFER TO THE FINANCE
COMMITTEE AND ADVERTISE FOR A PUBLIC HEARING
PASSED UNANIMOUSLY

4-21-15

MOTION WITH POSITIVE RECOMMENDATION FROM THE FINANCE COMMITTEE
NO 2ND NEEDED
PASSED UNANIMOUSLY



TOWN OF WINTHROP

OFFICE OF THE TOWN MANAGER

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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/2/15

TEXT OF MOTION

Motion: I move that Town Council authorize the transfer of \$42,000 from Recreation Retained Earnings to fund the balance of the recreation enterprise fund expenses through June 30, 2015;

; or take any action relative to thereto.

Vote: _____

Council President: _____

Date: _____

Town Manager: _____

CFO: _____

4-7-15

MOTION BY TOWN COUNCIL PRESIDENT GILL TO REFER TO THE FINANCE COMMITTEE AND ADVERTISE FOR A PUBLIC HEARING
PASSED UNANIMOUSLY

4-21-15

MOTION WITH POSITIVE RECOMMENDATION FROM THE FINANCE COMMITTEE
NO 2ND NEEDED
PASSED UNANIMOUSLY

4-7-15

MOTION BY COUNCILOR LETTERIE TO REFER THIS MOTION TO THE FINANCE COMMITTEE AND ADVERTISE FOR A PUBLIC HEARING

2ND BY COUNCILOR DELVENTO

PASSED UNANIMOUSLY

4-21-15

MOTION WITH POSITIVE RECOMMENDATION FROM THE FINANCE COMMITTEE
NO 2ND NEEDED

PASSED UNANIMOUSLY



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 thereto; 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 COUNCIL

MOTION

Submitted By: Town Manager McKenna

Date: 4-21-15

TEXT OF MOTION

That the Town Scholarship be known henceforth as the Rona Mael Town Scholarship in her memory and in recognition of Rona's dedication to raising scholarship funds for Winthrop High School students for decades as a long serving member and longtime chairperson of the Town Scholarship Committee.

4-21-15

MOTION BY COUNCILOR CALLA

2ND BY COUNCILOR BOYAJIAN

DISCUSSION-COUNCILOR MAEL THANKS THE SCHOLARSHIP COMMITTEE AS WELL AS THE TOWN COUNCIL FOR RECOGNITION OF HIS MOTHERS HARD WORK ON THIS COMMITTEE

PASSED UNANIMOUSLY



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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/14/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$288,506 from the General Stabilization Fund (932) to fund the Snow and Ice Budget due to deficits incurred during the winter storms of 2015; or take any action relative to thereto.

4-21-15

MOTION BY COUNCILOR VARONE TO REFER THIS TO THE FINANCE COMMITTEE
AND ADVERTISE FOR A PUBLIC HEARING

2ND BY COUNCILOR BOYAJIAN

PASSED UNANIMOUSLY



TOWN OF WINTHROP OFFICE OF THE TOWN MANAGER

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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/14/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$80,000 from Free Cash to a special article in the General Fund for the purpose of funding asphalt restoration resulting from winter storms; or take any action relative to thereto. Funding of this scholarship will continue to be from voluntary contributions from tax payers and residents.

4-21-15

MOTION BY COUNCILOR VARONE TO REFER THIS TO THE FINANCE COMMITTEE
AND ADVERTISE FOR A PUBLIC HEARING

2ND BY COUNCILOR BOYAJIAN

PASSED UNANIMOUSLY.



TOWN OF WINTHROP

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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/14/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$31,592.78 from Town Manager Contract Settlements 0111252-511109 to:

Town Council Personnel	0111051-511100	\$399.40
Town Manager Personnel	0111251-511100	\$4,667.41
Town Accountant Personnel	0113551-511100	\$5,799.82
MIS Department Personnel	0115551-511100	\$976.79
Town Clerk Personnel	0116151-511100	\$3,589.78
Conservation Commission Personnel	0117151-511100	\$883.74
Planning Board Personnel	0117551-511100	\$307.63
Dog Officer Personnel	0129251-511100	\$2,962.57
DPW Personnel	0142051-511100	\$6301.73
Cemetery Dept. Personnel	0149151-511100	\$3,420.00
Cemetery Dept. Overtime	0149151-513100	\$596.05
Council on Aging Personnel	0154151-511100	\$1,246.53
Veteran's Agent Personnel	0154351-511100	\$441.33

To provide for contract settlements for FY15 or take any action relative to thereto.

4-21-15

MOTION BY COUNCILOR SANFORD TO REFER THIS TO THE FINANCE COMMITTEE
AND ADVERTISE FOR A PUBLIC HEARING
2ND BY COUNCILOR BOYAJIAN
PASSED UNANIMOUSLY



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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/14/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$21,854 from General Insurance (0142552-521166) to North Shore Essex Agricultural and Technical School (0132152-532501) to fund the deficit caused by an additional student transferring in subsequent to the FY15 initial assessment.; or take any action relative to thereto.

4-21-15

MOTION BY COUNCILOR BOYAJIAN TO REFER THIS TO THE FINANCE COMMITTEE
2ND BY COUNCILOR BONCORE
PASSED UNANIMOUSLY



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James McKenna
Town Manager

MOTION

Submitted By: James McKenna, Town Manager

Date: 4/14/15

TEXT OF MOTION

Motion - I move that the Town Council authorize the transfer of \$3,090 from Town Council Reserve (0111052-576100) to a special article to fund costs associated with property foreclosures; or take any action relative to thereto.

MOTION TO REFER THIS TO THE FINANCE COMMITTEE
PASSED UNANIMOUSLY