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REGULAR MEETING OF THE BOARD OF ALDERMEN, MONDAY, JUNE 14, 2010, 7:00 PM, PETER J. MCCARREN MEMORIAL CHAMBERS, EVERETT, MA

COMMUNICATIONS FROM HIS HONOR THE MAYOR

- 1. A0165-10 Order/s/Alderman Robert J. Van Campen, as President**
To accept the donation of \$100.00 from Patricia King, in memory of Helen Calderone, to the Office of Human Services. This donation will be deposited to the Office of Human Services - Emergency Services Account. (Passed sent down for concurrence)
- 2. A0166-10 Order/s/Alderman Robert J. Van Campen, as President**
To accept the donation of \$20.00 from Honey Mandolese in memory of Joseph DeCato to the Department of Veteran Services Gift Account. (Passed sent down for concurrence)
- 3. A0167-10 Order/s/Alderman Robert J. Van Campen, as President**
To accept the donation of \$50.00 from Mr. and Mrs. Eloy Sierra, Jr. in memory of Joseph DeCato, to the Department of Veterans Services Gift Account. (Passed sent down for concurrence)
- 4. A0169-10 Order/s/Alderman Robert J. Van Campen, as President**
Subject to confirmation by the Honorable Board of Aldermen, and in conformity with Massachusetts General Law, Chapter 41, Section 85, and pursuant to Section 29 of the Everett City Charter, I hereby appoint Jerome K. Bowen, Jr. and eighteen (18) listed others, to be Sworn Weighers for Distrigas of Massachusetts Corporation at 18 Rover Street, for an unpaid term of one (1) year, expiring June 14, 2011.
- 5. A0170-10 Order/s/Alderman Robert J. Van Campen, as President**
Subject to confirmation by the Honorable Board of Aldermen, and in conformity with M.G.L., Chapter 41, Section 85, and pursuant to Section 29 of the Everett City Charter, I hereby appoint Officer Joseph Gaff as a Sworn Weigher for the City of Everett. This appointment shall be for an unpaid term of one (1) year, expiring June 14, 2011.
- 6. A0171-10 Order/s/Alderman Robert J. Van Campen, as President**
Subject to confirmation by the Honorable Board of Aldermen, and in conformity with the Everett City Charter, Section 29, the Revised Ordinances of the City of Everett, Section 2-32 and Section 11 Board of Appeals, I hereby appoint Mario Cornelio to the Zoning Board of Appeals to fill a recent vacancy that will expire on September 8, 2011.
- 7. A0172-10 Order/s/Alderman Robert J. Van Campen, as President**
Subject to confirmation by the Honorable Board of Aldermen, and in conformity with the Everett City Charter, Section 29, the Revised Ordinances of the City of Everett, Section 2-32, and Section 11 Board of Appeals, I hereby appoint Richard Zullo to the Zoning Board of Appeals to fill a recent vacancy that will expire in March 2012.
- 8. A0173-10 Order/s/Alderman Robert J. Van Campen, as President**
To authorize Mayor to apply for and accept the Public Works Economic Development Grant from the Massachusetts Department of Transportation (Mass. DOT), to be used for transportation infrastructure improvements on Airforce Road to stimulate economic

development within West Everett. (Passed sent down for concurrence)

9. **A0174-10 Order/s/Alderman Robert J. Van Campen, as President**
In accordance with M.G.L., Chapter 41, Section 91, the Mayor and the Police Chief recommend revocation of the constable license of Mr. Tracy Tinkham due to gross misconduct.
10. **A0175-10 Order/s/Alderman Robert J. Van Campen, as President**
Subject to confirmation by the Honorable Board of Aldermen, in conformity with M.G.L., Chapter 10, Section 58 and Section 29 of the Everett City Charter, I hereby appoint Jeffrey McCabe of Everett to the Everett Cultural Council to fill an unexpired term ending March 31, 2012.
11. **A0176-10 Order/s/Alderman Robert J. Van Campen, as President**
Subject to confirmation by the Honorable Board of Aldermen, in conformity with M.G.L., Chapter 10, Section 58 and Section 29 of the Everett City Charter, I hereby appoint Keith Spencer of Everett to the Everett Cultural Council to fill an unexpired term ending March 31, 2012.

PAPERS FROM THE COMMON COUNCIL

12. **C0091-10 Order/s/Councilor Rosa DiFlorio, as President**
To accept the donation of \$75,000.00 from Exxon Mobil Foundation to the Mayor's Summer Youth Work Program Account.
13. **C0092-10 Order/s/Councilor Rosa DiFlorio, as President**
That the Chief Procurement Officer is hereby granted permission to accept and dispose of the following equipment:
1996 Woodchuck Chipper W/C 17-4, VIN 1W9N71218TX200779
Estimated Value - \$2000.00.
14. **C0094-10 Order/s/Councilor Rosa DiFlorio, as President**
That the City of Everett accept the provisions of Chapter 43D of the Massachusetts General Laws as amended pursuant to Section 11 of Chapter 205 of the Acts of 2006, and approve the filing of an application with the Interagency Permitting Board for the designation of land at 62 Tremont Street MAP D00003 - Parcel 000030, also known as the Rivergreen Technology Park, as a Priority Development Site or take any other action in relation thereto.
15. **C0096-10 Order/s/Councilor Rosa DiFlorio, as President**
To transfer intra-departmentally \$24,997.00 from the Library Salary Account to the following Library Accounts:
Books/Magazines \$7,000.00
Non Print \$12,150.00
Noble Network \$5,847.00
This will enable the Library to meet their certification requirement to spend 13% of the budget appropriated by the City on materials (books, audio, databases) this year and help meet the requirement next year when the resources that we use to supplement the budget lines will be reduced.
16. **C0097-10 Order/s/Councilor Rosa DiFlorio, as President**

To change the line item for Veteran's Department City Flags for the Fiscal Year 2011 from \$4,000.00 to \$6,000.00. Mr. Hickey explained, several departments in the City request flags and the demand for cemetery placement for both Veterans Day and Memorial Day increases each year.

17. C0098-10 Order/s/Councilor Rosa DiFlorio, as President

To accept the donation of \$40.00 from Donna Hoffman and Roseann McDermott in memory of Joseph Decato, to the Dept of Veteran Services Gift Account.

18. C0099-10 Order/s/Councilor Rosa DiFlorio, as President

To accept donation of \$50.00 from Marina Mandolese in memory of Joseph Decato, to the Department of Veterans Services Gift Account to supplement the Veteran's Department gift account.

19. C0100-10 Order/s/Councilor Rosa DiFlorio, as President

To accept the donation of \$400.00 from the Decato Family in memory of Joseph Decato, to the Department of Veteran Services Gift Account.

20. C0101-10 Order/s/Councilor Rosa DiFlorio, as President

To accept the donation of \$35.00 from Rita Decato in memory of Joseph Decato, to the Department of Veterans Services Gift Account to supplement their gift account.

21. C0102-10 Order/s/Councilor Rosa DiFlorio, as President

To accept the donation of \$25.00 from Mr. and Mrs. John Phillips in memory of Joseph Decato, to the Department of Veterans Services Gift Account, to supplement their gift account.

22. C0103-10 Order/s/Councilor Rosa DiFlorio, as President

To accept the donation of an additional \$20.00 from Rita Decato, in memory of Joseph Decato, to the Department of Veterans Services Gift Account, to supplement their gift account.

23. C0095-10 Order/s/Councilor Rosa DiFlorio, as President

Subject to confirmation by the Honorable City Council, and in conformance with Massachusetts General Laws, Chapter 121B, Section 5, I hereby appoint Wayne Matewsky to the Everett Housing Authority Board for a term to end March 1, 2013.

24. C0105-10 Resolution/s/Councilor Rosa DiFlorio, as President

That the City of Everett honor Captain Norman Solari due to his courageous behavior at the Bow Street Fire.

25. C0106-10 Resolution/s/Councilor Rosa DiFlorio, as President

That the City of Everett honor Fire Fighter Michael Baldwin due to his courageous behavior at the Bow Street fire.

26. C0107-10 Resolution/s/Councilor Rosa DiFlorio, as President

That the City of Everett honor Deputy Chief John Berghello due to his courageous behavior at the Bow Street fire.

27.

C0108-10 Resolution/s/Councilor Rosa DiFlorio, as President

That the City of Everett honor Fire Fighter Robert Colameta on his Firefighter Instructor

of the Year Award.

- 28. A0149-10 Ordinance/s/Alderman Robert J. Van Campen, as President**
To delete Chapter 9, Section 9.5 of the Revised Ordinances of the City of Everett, "Basis for Establishing areas of special flood hazard" and replace it with new to be in compliance with Massachusetts State Law, and suggested by Department of Conservation and Recreation to ensure the city's compliance.
- 29. A0150-10 Ordinance/s/Alderman Robert J. Van Campen, as President**
To amend Chapter 9, Section 27(d)(1) of the Revised Ordinances of the City of Everett by deleting "Massachusetts Division of Water" and replace with "Massachusetts Department of Conservation and Recreation".
- 30. A0151-10 Ordinance/s/Alderman Robert J. Van Campen, as President**
To amend Chapter 9, Section 27 of the Revised Ordinances of the City of Everett by adding new section 9-27(f) Floodway Data, to be in compliance with Massachusetts State Law, and suggested by Department of Conservation and Recreation.
- 31. C0082-10 Ordinance/s/Councilor Rosa DiFlorio, as President**
That Chapter 7, Section 7-164 of the Revised Ordinances of the City of Everett is hereby amended by deleting section 164 in its entirety and adding new, authorizing the salary ranges of administrative officers effective July 1, 2010.
- 32. C0084-10 Order/s/Councilor Rosa DiFlorio, as President**
To appropriate \$120,000.00 from the General Fund's Budgetary Fund Balance to the Police Department's Overtime Account to maintain a full compliment of officers during required shifts. Also, to offset overtime costs associated with community impacting incidents. (Amended by striking out word "appropriate" and insert word "transfer" in its place, passed as amended, sent down for concurrence on the amendment) (Amended by striking out word "transfer" and re-insert word "appropriate").
- 33. JC001-10 Order/s/Committee of Whole on 2011 Budget**
Committee of Whole on Budget 2011 Report and Order on the Mayor's Annual Appropriation Bill

PETITIONS AND LICENSES

- 34. A0163-10**
Petition from Planet Tran, LLC for renewal and expansion of livery garage licenses to 25-50 vehicles for Planet Tran's all-hybrid livery fleet at 3 Charlton Place.

COMMITTEE REPORTS

- 35. A0051-10**
Committee on Licenses Report on Petition and communication from Assistant City Clerk Ellen Carr extending the Lodging House License from Joseph's Lodge at 312-314 Broadway for lodging house/room rental until December 31, 2010.

36. A0144-10

Committee on Licenses Report on Petition from Joseph P. Marchese, Esquire, with a certified plot plan in support of Supreme Cars' petition to increase the number of cars on its license from 15 to 21.

37. A0157-10

Committee on Licenses Report on Petition from Attorney Joseph P. Marchese, Jr. with request to amend the Junk Dealer license issued May 17, 2010 of Wentworth Precious Metals, LLC of 0 Terminal Street and 431 Second Street to include in addition and in conjunction thereto materials recovery facility and materials recycling facility.

38. A0004-10 Ordinance

Joint Convention/Public Hearing Report On Ordinance offered by Aldermen Michael K. Marchese - To add new subsections to the Zoning Ordinances, Appendix A, Section 21A. Adult Entertainment Land Use , (b) Definitions, by inserting the following: (6) Pawn Shops, (7) Piercing, (8) Check-cashing, (9) Tattoo Parlors and (10) Gun Shops; to restrict the locations of these establishments thereby promoting the safety and welfare of the City's inhabitants, and to enhance attractive business areas in the City; referred favorably to the Board of Aldermen.

UNFINISHED BUSINESS

39. A0119-10 Resolution/s/Alderman Joseph McGonagle and Alderman Robert Van Campen

To revisit issues in the vicinity of Corey Street, including municipal parking lot, that is, speeding, barriers, fence and loud noises.

40. A0143-10 Resolution/s/Aldermen Robert Van Campen and Michael Marchese

That the Mayor of the City of Everett appear this meeting of the Board of Aldermen to provide an update on the status of ongoing efforts toward modernizing and upgrading the City's large commercial water meters.

41. A0145-10 Resolution/s/Alderman Robert Van Campen

That the Mayor of the City of Everett appear this meeting of the Board of Aldermen to disclose and discuss the Administration's recent feasibility study/analysis of all City-owned buildings under the care and control of the City of Everett. (Laid on table to this meeting and to invite Mayor and Purchasing Agent to attend on the matter.)

42. A0158-10 Resolution/s/Alderman Michael K. Marchese

That the City consider playing Police and Fire Dispatches on our ECTV channels during down times, especially at night. Quincy and Salem Mass presently do this. (Communication received from ECTV Director Alyson Dell Isola stating she will be in attendance to follow up and answer any questions on the matter.)

43. A0148-10 Order/s/Alderman Robert Van Campen, as President

That the Board of Aldermen suspends their meetings in the summer session 2010 for the entire month of July, and the first meeting in August, which is the August 9th meeting, due to many members on vacation, which accounts for a lack of quorums, and is unfair to members who make the effort to attend. (To validate in accordance with Rule 79 of the Board of Aldermen)

NEW BUSINESS

44. A0164-10 Resolution/s/Alderman Robert J. Van Campen

That the Executive Director of City Services, and a representative of Capitol Waste, appear at this meeting of the Board of Aldermen to explain why trash pickup in Everett now occurs at later hours during the day.

45. A0168-10 Resolution/s/Alderman Michael K. Marchese

That the Mayor and City Services consider taking down the basketball court at the park located at the corner of Lynn and Fuller Street and return it to an all tot lot, at the request of area residents.