

TOWN COUNCIL MEETING MINUTES OF OCTOBER 20, 2020

ROLL CALL

Present: Councilor Ruggiero, Councilor Flockhart, Councilor Demarco, Councilor Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Ferrino, Council Vice President Letterie, President Boncore

1. CALL TO ORDER

Council President calls meeting to order at 7:00 pm

Gives the Zoom information for the meeting details for any public comment.

2. PLEDGE OF ALLEGIANCE

Councilor DeMarco

3. MINUTES

4.a Approval of October 6, 2020 Minutes

Motion by Vice President Letterie

2nd by Councilor Rich Ferrino.

Approve: Councilor Stephen Ruggiero, Councilor Barbara Flockhart, Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, Council Vice President Jim Letterie, President Philip Boncore

Motion Passes 9-0

5. GENERAL INFORMATION & RECOMMENDATIONS

Council reflects on the current situation and the seriousness of the Covid in Winthrop.

Over weekend 13 new cases and today 7, 20 cases in past couple days. We need to make sure we are abiding by the CDC Guidelines and these will be enforced.

Flu Clinic on November 11, 2020

Halloween-If decide to go out trick or treating, do not go out in large groups, stay close and abide by CDC rules of Social Distance.

Anyone giving candy please do not do hand to hand, put on a table, and supervise kids taking it.

This is out 10th week in a row of Winthrop being in the RED with Covid.

6. PUBLIC HEARING

Karin Chavis (P2)-Public Service announcement of the WHS Fair, and it run by the HS Junior Class, this fair provides the bulk of this classes funding. This year's raffle is being replaced as an online version. Please help support the class of 2022. Winthrop High School country fair prize page.

Merissa Ferrara (P1)-Requests that the Covid information provided to the community includes certain information; age group, house groups, hospitalization within the last 30 days. Tracing cases and where they derive from? Approves the bus surplus for schools is funded to Viking Pride.

8. CORRESPONDENCE

All Correspondence is read and will be attached to the minutes as record.

Water Tower Hill neighborhood sent a petition on parking, Council president Boncore has referred to TSAC for the next Town Council Meeting.

9. COMMITTEE REPORTS

9.a Rules & Ordinance

Councilor Christopher reports on the Outdoor Dining Policy Chapter 5.40 to be amended to allow businesses to request a more permanent outdoor dining area.

9.b Finance Committee

Vice president reports on items on the Agenda and they will be submitted to the Town Council in old Business with a Positive Recommendation.

9.c Ordinance Review Committee

Councilor Ruggiero reports meeting and attendance of the Colins Center and Kopelman & Paige to discuss the Charter. The committee is reviewing how most professional can tackle the issues of the current Charter

9.d

Joint SBAC & MFC

Vice President Letterie reports on the current budgeting of this project.

Miller Field Discussion was on the Dog Park and the Golf Shed. Hoping to begin these projects this fall.

9.e

9.f. Public Safety Committee

Councilor Flockhart reports that after reviewing the current map of this access road it has determined that it is defined to town property. A preliminary estimated cost for a traffic study permit and design would be approx. \$385,000. An approx. cost to the road itself would be \$300,000- \$400,000. The Committee is waiting for further information on funding prior to continuing further.

10. TOWN MANAGER REPORT

Town Manager Faison reports on within the next two weeks, the new software for Inspectional Services will be made available online for all permit information.

Voting is very important. Town Hall business will be closed on election day and exercise their right to vote and hopefully volunteer time to the Clerk's Office. Early voting is allowed at Town Hall, information available on Town's Website, you can vote by mail and absentee voting. There are several options of voting to avoid long lines.

DPW Director gives update on CBD Property and current paving...Please see town website for all up to date information at <https://stories.opengov.com/winthropma/published/cqK8p3KPe>

Public Forum on Win2030, good discussion. There is a 2nd Community Service that Town Manager would like people to please take this survey. Where do you want to see this community in 10 years?

Please complete survey at <https://www.town.winthrop.ma.us/home/news/win2030-0>

Public Health Director gives a Covid Update: As of this afternoon 445 total cases. 26 isolated, 24 deceased, isolation 439.

Please see the Town Website for all up to date information at:

<https://www.town.winthrop.ma.us/home/news/town-winthrop-public-health-update>

Councilor DeMarco asks if any cases that have been directly tied to Ingleside park.

Meredith Hurley replies not currently. No cases linked to park activities.

Councilor DeMarco asks if most cases are occupational.

Meredith replies occupational/social.

Councilor Ferrino asks about Halloween and people leaving their guard down and since an such an upswing in cases in the last couple of weeks, asks if Halloween should be reconsidered.

Meredith Hurley replies that at the Board of Health meeting questions were asked should we be too constrained, should we give a little normalcy? In the next few weeks there will be an ample amount of information as to what should be done in most cases to avoid the spread of Covid.

Vice President Letterie reiterates that historically we have a certain amount of out of towners that visit our town for trick a treating. Is there any way we can prevent people from coming into our town?

There will be a super testing site located at Suffolk Downs in Revere. Winthrop is not in a super great spot; we are in the red and getting special attention from the Governors Office. Therefore, the citizens received a text of the severity of this situation. A lot of caution is personal responsibility and asks the community to take theirs seriously not only on Halloween but in everyday activities.

Councilor Honan reiterates that it is not wise to ask Meredith Hurley to make definitive statements about contact tracing and epidemiology which can be often inexact. There are so many contacts in everyone's lives, it is very hard to ask Meredith to do something that could be impossible.

Meredith agrees and unless it is definitive it can be very difficult to trace. What is shared sometimes must be very carefully examined.

Vice President Letterie talks of the early voting and the lines. Do we have a police detail at this location? Can we ask for one?

Town Clerk does not have it in her budget for police funding for early voting or daily during protests and voting being in the same day.

Councilor Flockhart was at early voting and states it was very orderly.

11. SCHOOL DEPARTMENT UPDATE

Council President reports that the School Committee met 10-16-20

Union discussion between teachers and cafeteria workers.

Stage 1 of brining in Special Needs Students has been brought into the schools. There were 19 eligible students in the Highs School with high needs and out of these only 9 came back to school, 10 stayed home. 7 in the Middle School and none came in.

People want kids back in school, but in the long run it is up to the Parents and some will still not their children back. Next week will be Stage 11 of high needs and there will be 38 that will be allowed back in schools.

The Superintendent had first hoped that a decision to come back into schools could be reviewed 11-23-20 but it looks as if at this time, this date will not happen.

12. OLD BUSINESS

12.a

Motion by the Finance Committee that the Town Council Vote to declare surplus for Winthrop Fire Dept. vehicle and pump.... Please see attached Motion

No 2nd Needed

Approve: Councilor Stephen Ruggiero, Councilor Barbara Flockhart, Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, Council Vice President Jim Letterie, President Philip Boncore
Motion Passes 9-0

12.c

Motion by Finance Committee that the Town Council vote to create a Special Article for the proceeds of the Sale of Buses...Please see attached Motion
No 2nd Needed

Motion to Amend by Vice President Letterie that the Town Council create a Special Article from Free Cash totaling no more than \$21,275 to be used for school purposes for activities concerning athletics or co-curricular activities

Main Motion as Amended

Approve: Councilor Stephen Ruggiero, Councilor Barbara Flockhart, Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, Council Vice President Jim Letterie, President Philip Boncore
Motion Passes 9-0

12.b

Motion by the Rules and Ordinance that Town Council vote to amend Town Ordinance to include Outside Dining.... Please see attached copy of Ordinance
No 2nd Needed

Council Christopher reads Chapter 5.40 Outdoor Use of Municipal Spaces in full to be heard in the record and recorded.

Motion by Councilor DeMarco to amend section 5.40.010 and change date of April 1 to October 31st. to April 1 through November 30th and section 5.40.030 change dates from November 1 to December 1 through March 30th

2nd by Councilor LoConte

Discussion

Motion by Councilor DeMarco to amend his amendment to November 15th
2nd by Councilor Ferrino

Discussion

Amended motion as Amended

Approve: Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, President Philip Boncore

Not Approve: Councilor Ruggiero, Councilor Flockhart, Vice President Letterie
Motion Passes 6-3

Main Motion as Amended

Approve: Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, President Philip Boncore

Not Approve: Councilor Christopher

Councilor Christopher corrects his vote to Yes

Motion Passes 9-0

13. NEW BUSINESS

13.a **Town Council transfer \$25,000 for the Dog Park Funding**
Council President Boncore refers this motion to the Finance Committee

13.b **OPEB Trust Fund Adoption**
Council President Boncore refers this motion to the Finance Committee

13.c Potential Public Safety Building

Town Manager Faison will review to be moved to a committee and Assistant Town Manager Freedman will review with Vice President Letterie funding and a committee concerning the finalizing the site location will be assigned.

Council President Boncore assigns to the Finance Committee and the Public Safety Committee

Town Manager will share all information with joint committee.

14. PUBLIC COMMENT

Chief Delehanty reviews the concern of a detail during the early voting be open on the weekends.

Also, on the Public Safety Building but must look to see what coming off exclusions and compare to what we are asking for, reauthorization and not more money.

Mike Diluio- Discusses that the Petition for Terrace Ave is on TSAC for tomorrow.

15. PUBLIC RELATIONS / UPCOMING EVENTS

Voting Day November 3, 2020.... PLEASE VOTE

Covid Careful on Halloween

16. ADJOURNMENT

Motion to adjourn by Councilor Ferrino at 8:43 PM

2nd by Vice President Letterie

Approve: Councilor Stephen Ruggiero, Councilor Barbara Flockhart, Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, Council Vice President Jim Letterie, President Philip Boncore

Motion Passes 9-0

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:

Handwritten Notes / Committee Openings Documents

Roll Call Log

Written Motions / Verbal Motions

Respectfully submitted,
Town Council Clerk
Denise Quist



TOWN OF WINTHROP

OFFICE OF THE TOWN MANAGER

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

Austin Faison
Town Manager

MOTION

Submitted by: Austin Faison, Town Manager

Date: October 1, 2020

TEXT OF MOTION

MOTION: I move that the Town Council declare as surplus the following:

Year	Make Model	VIN
1999	CHEVY TAHOE	1GNEK13XXR139968
1987	PIERCE PUMPER	1P9CT01D4HA040194

thereby authorizing the Treasurer Collector to post for sale through an approved auction site; or take any other action relative thereto.

10-6-20

Motion by Vice President Letterie to refer to the Finance Committee
2nd by Councilor Ferrino

Council President refers to the Finance Committee

10-20-20

Motion by the Finance Committee

No 2nd Needed

Approve: Councilor Stephen Ruggiero, Councilor Barbara Flockhart, Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, Council Vice President Jim Letterie, President Philip Boncore
Motion Passes 9-0



TOWN OF WINTHROP OFFICE OF THE TOWN COUNCIL

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-1742

MOTION

Submitted By: CFO, Anna Freedman

Date: 11-10-20

TEXT OF MOTION

Text of Motion

MOTION: I move that the Town Council amend the motion adopted at the October 20, 2020 Town Council meeting for a transfer of \$21,275 from Free Cash to strike that motion text and replace it with the following text: The Town shall transfer \$21,275 from Fund 853 Sale of Town Property Fund to a Special Article in the General Fund to be titled FY21 Bus Sale Supported Programs; or take any other action thereto.

Funding Details

Funding Source			Funding Destination		
Account	Description	Amount	Account	Description	Amount
853	Transfer Out	\$21,275	0196058-588xxx	FY21 Bus Sale Supported Programs	\$21,275

10-20-20

Motion by Finance Committee
No 2nd Needed

Motion to Amend by Vice President Letterie that the Town Council create a Special Article from Free Cash totaling no more than \$21,275 to be used for school purposes for activities concerning athletics or co-curricular activities

Main Motion as Amended

Approve: Councilor Stephen Ruggiero, Councilor Barbara Flockhart, Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, Council Vice President Jim Letterie, President Philip Boncore
Motion Passes 9-0



TOWN OF WINTHROP OFFICE OF THE TOWN COUNCIL

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1077 Fax: 617-846-1742

MOTION

Submitted By: Councilor Christopher

Date: 10-6-20

TEXT OF MOTION

MOTION:

That the Town Council amend our Town Ordinances to allow for outdoor dining; or take any other action relative thereto and refer to the Rules & Ordinance Committee
2nd by Councilor DeMarco

Council President refers to the Rules & Ordinance

10-20-20

Motion by the Rules and Ordinance that Town Council vote to amend Town Ordinance to include Outside Dining.... Please see attached copy of Ordinance

No 2nd Needed

Council Christopher reads Chapter 5.40 Outdoor Use of Municipal Spaces in full to be heard in the record and recorded.

Motion by Councilor DeMarco to amend section 5.40.010 and change date of April 1 to October 31st. to April 1 through November 30th and section 5.40.030 change dates from November 1 to December 1 through March 30th

2nd by Councilor LoConte

Discussion

Motion by Councilor DeMarco to amend his amendment to November 15th

2nd by Councilor Ferrino

Discussion

Amended motion as Amended

Approve: Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, President Philip Boncore

Not Approve: Councilor Ruggiero, Councilor Flockhart, Vice President Letterie

Motion Passes 6-3

Main Motion as Amended

Approve: Councilor Rob Demarco, Councilor Peter Christopher, Councilor Tracey Honan, Councilor LoConte, Councilor Rich Ferrino, President Philip Boncore

Not Approve: Councilor Christopher

Title 5 Chapter 5.40 - Outdoor use of Municipal Spaces

5.40.010 Allowed use of Sidewalks, Municipal Lots, Parks, Parking Spots

- I. Food and beverage service – Notwithstanding any other provisions of the Town of Winthrop Code of Ordinances, licensed food service establishments adjacent to a public way, a municipal parking lot, a public park, provided that such space does not restrict pedestrian movement on said space, shall be allowed, subject to the provisions below, the use of said areas to serve food and beverages from April 1 to November 15. Prior to use of the adjacent area, the establishment must complete a sidewalk placement notice as required by the Director of Public Works, who shall be responsible for enforcement of the provisions of this subsection. No sidewalk bond shall be required; however, the establishment must name the Town of Winthrop as an additional insured for general liability coverage in an amount of not less than \$1,000,000 for the seasonal period and provide proof of same. No permit holder shall obtain any property right in the continued private commercial use of the public way.

5.40.020 Permit required; purpose

- I. Establishments seeking the use of said adjacent sidewalk areas to serve food and beverages shall annually apply for and obtain a permit to be issued by the Licensing Board. No other permit or license from any other board, department or officer of the Town shall be required; however, any permit application shall be sent to the Board of Health, Building Inspector, DPW Director, Police Chief, Fire Chief and Town Manager within 5 days of the scheduled hearing for comment.
- II. The permit application shall include a description and diagram of the area where service will be provided, which shall include the number of tables, chairs, umbrellas, heat lamps and any barriers, railings or other temporary dividers to be used. Applicants shall also provide a certificate of insurance, which shall name the Town as an insured. Other information shall be provided as required by the Licensing Board to carry out the purpose of this article.
- III. The Licensing Board shall grant or deny the permit no later than 30 days from the date the application is received by the Licensing Board and, if no determination is made within that period by the Licensing Board, the permit shall be deemed to be allowed. If an establishment seeks to serve alcoholic beverages as a component of outdoor dining, the application for a permit shall be considered as required by the Licensing Board pursuant to the provisions of Massachusetts General Laws.
- IV. The purpose of this article is to promote and encourage outdoor dining throughout the Town and shall be interpreted in accordance with that intent. The Licensing Board may deny a permit only upon a finding that it would be detrimental to the public interest to have outdoor dining at the location applied for. In making such a determination, the Licensing Board may consider the following factors, among others:
 - A. Objections and/or concerns received from Board of Health, Building Inspector, DPW Director, Fire Chief, Police Chief and Town Manager.
 - B. Previous licensing, health or public safety complaints against the applicant.
 - C. The health and cleanliness of the establishment.
 - D. Excessive noise complaints or concerns, allowing for reasonable activity for the purpose of encouraging outdoor dining.
 - E. Violations of any other laws, rules, or regulations.
- V. The Licensing Board shall have the authority to deny, revoke or suspend the permit upon finding that any provision of this article, including the factors enumerated in

Subsection IV above, or condition of approval will be or has been violated. Prior to any action suspending or revoking a holder's license, the Licensing Board must hold a hearing on the matter. The Licensing Board shall give notice of any such action to the permit holder in writing stating the alleged violation(s), the date and time of the hearing on the matter and the reason therefore. The DPW Director, Fire Chief, Police Chief or Town Manager, may suspend the permit temporarily if the public interest requires the suspension or revocation of such permit for a public event, construction, repair, or any other purpose. In the event that any provision of this article shall be deemed illegal or otherwise unenforceable by a court of competent jurisdiction, then only that specific provision shall not be enforced and all other sections and provisions shall remain in full force and effect.

5.40.030 Furnishings

Only movable tables, chairs, umbrellas and heat lamps shall be used in the space. Awnings over the area may be used; however, no permanent roof or shelter over the area shall be erected. Barriers, railings or other temporary dividers may be used to designate the area where service will be provided. Should the permit holder not utilize the area as authorized for a period of 4 days or more, all the tables and materials shall be removed therefrom, including the period from November 1 to March 31.

5.40.040 Prohibitions

- I. No trash, garbage or refuse disposal shall be permitted to be maintained on the area at any time. Areas and all things placed there shall at all times be maintained in a clean and orderly condition. Sidewalk and flooring areas must be cleaned dally, including adjacent areas.
- II. No lighting or fixtures may be attached to public property.
- III. There shall be no smoking in the outdoor dining area.
- IV. At all times, the permit holder must be compliant with all applicable federal, state and local laws and regulation, including the Americans with Disabilities Act and the building and fire codes.

5.40.050 Hours of Operation

The use of licensed areas to serve food and beverages by establishments shall be limited to the hours of operation provided for by current state law, municipal ordinances or licensing provisions.

5.40.060 Pedestrian Access

Adequate room for passage by pedestrians on the remaining area of the sidewalk or public way shall be provided at all times. Food service establishments which are not located on a sidewalk of at least four feet in width or for which no sidewalk exists on a public way may be allowed to obtain a permit for outdoor dining upon a finding by the Licensing Board that the establishment of an outdoor dining area, as shown on the description and diagram of the area where service will be provided, will not impede the passage of pedestrian traffic and where public safety would not be jeopardized.

5.40.070 Music

Music is allowed to be played in spaces licensed under this Chapter between the hours of 11am until 10pm provided that the music does not violate any other current state law, municipal ordinances or licensing provisions.

Town Council Motion

October 15, 2020

Fiscal Year 2021

Motion Summary

Title: Dog Park Matching Funds
Motion ID: TCM21-004

Motion Details

Motion Type: Transfer from Reserve
Submitted by: Councilor Jim Letterie
Date Submitted: 10/15/2020

Text of Motion

I move that the Town Council transfer \$25,000 from the Capital Stabilization Fund to General Fund Special Article #019605-581XX FY20 Dog Park Matching Grant to provide a 20% funding contribution towards the Winthrop Foundation's awarding of a grant of \$100,000 (80% Winthrop Foundation / 20% Town of Winthrop) for a Dog Park; or take any other action thereto.

Funding Details

Funding Source			Funding Destination		
Account	Description	Amount	Account	Description	Amount
964	Capital Stabilization Fund	\$25,000	0196052-5881XX	FY20 Dog Park Matching Grant	\$25,000

Capital Stabilization Balance before pending Motions: \$ 2,390,966.03

Motion Pending: 25,000.00

Balance: \$ 2,365,966.03

10-20-20

Council President Boncore refers this motion to the Finance Committee



TOWN OF WINTHROP OFFICE OF THE TOWN MANAGER

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

Austin Faison
Town Manager

Town Council Motion

October 14, 2020

Fiscal Year 2021

Motion Summary

Title: OPEB Liability Trust Fund Adoption
Motion ID: TCM21-003

Motion Details

Motion Type: Adopt
Submitted by: Austin Faison, Town Manager
Date Submitted: 10/14/2020

Text of Motion:

RESOLVED: That, the Town of Winthrop hereby accepts the provisions of Chapter 32B, Section 20 of the Massachusetts General Laws, as amended by Chapter 218, Section 15 of the Acts of 2016 (the "Act"); and establishes an Other Post-Employment Benefits Liability Trust Fund (the "OPEB Fund");

RESOLVED: That, in accordance with the Act, the Town of Winthrop hereby designates the Treasurer of the Town of Winthrop to serve as Custodian of the OPEB Fund (the "Custodian");

RESOLVED: That the Treasurer/Custodian be designated as the Trustee of the OPEB Fund, with all the powers and responsibilities identified under the Act and this vote;

RESOLVED: That the Treasurer/Custodian, as Trustee, be authorized to employ investment consultant(s), as well as outside custodial service(s) to hold the monies in the Fund, and to pay for those services from the OPEB Fund;

10-20-20

Council President Boncore refers this motion to the Finance Committee