

Zoom Information

Meeting
Passcode:
Phone:



WINTHROP TOWN COUNCIL

Town Council Members

Town Council President James Letterie

Precinct 1 Councilor Costigan

Precinct 2 Councilor Munson

Precinct 3 VP- Councilor Belcher

Precinct 4 Councilor Swope

Precinct 5 Councilor Aiello

Precinct 6 Councilor DaRos

Councilor at Large DeMarco

Councilor at Large Tassinari

MEETING AGENDA OCTOBER 29, 2024 TOWN COUNCIL MEETING 6:30 PM HARVEY HEARING ROOM

1. CALL TO ORDER

2. ROLL CALL TOWN COUNCIL

3. PLEDGE OF ALLEGIANCE

4. MINUTES

Approval of Minutes, October 15, 2024 as circulated

5. GENERAL INFORMATION AND RECOMMENDATIONS

6. PUBLIC HEARING

- That the order of the Town Council passed on June 21, 2022 authorizing a borrowing in the amount of \$1,633,750 for the PRV station project is hereby amended to increase the authorized borrowing amount for the project to \$2,194,250
- Petition of the *Winthrop Says No To 3A Committee* seeking to amend the Town of Winthrop Zoning Ordinance, Section 17, by adding proposed Section 17.04.060

7. PUBLIC COMMENT

8. CORRESPONDENCE

9. COMMITTEE REPORTS

Finance Committee

Public Works Committee

10. SCHOOL DEPARTMENT REPORT

11. TOWN MANAGER REPORT

12. COMMISSION OF DIVERSITY, INCLUSION AND COMMUNITY RELATIONS

13. UPDATE POLICY MAKING COMMITTEES

14. OLD BUSINESS

- Town Council vote to transfer \$400 from the Town Council Reserve line to the Library Materials Line
- That the order of the Town Council passed on June 21, 2022 authorizing a borrowing in the amount of \$1,633,750 for the PRV station project is hereby amended to increase the authorized borrowing amount for the project to \$2,194,250
- Release and abandonment of a Certain Right of Way (Summit Ave)
- Petition of the *Winthrop Says No To 3A Committee* seeking to amend the Town of Winthrop Zoning Ordinance, Section 17, by adding proposed Section 17.04.060

15. NEW BUSINESS

- Proclamation that October be Domestic Violence Awareness Month
- Appointment

16. PUBLIC COMMENT

17. PUBLIC RELATIONS / UPCOMING EVENTS

- Early Voting at Town Hall-Business Hours 10-19-24 through 10-31-24
- State Election 11-5-24 / Precincts 1-2-3-5-6 Vote at the Old Middle School Gym / Precinct 4 at Golden Dr. 7am-8pm

18. ADJOURNMENT



TOWN OF WINTHROP

OFFICE OF THE TOWN MANAGER

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

Anthony Marino
Town Manager

Town Council Motion

October 10, 2024

Fiscal Year 2025

Motion Summary

Title: Transfer – Library Budget Transfer
Motion ID: TCM25-004
Amount: \$400.00
Funding Source: Town Council Reserve

Motion Details

Motion Type: Budgetary Transfer
Submitted by: Anthony Marino, Town Manager
Date Submitted: October 10, 2024

Text of Motion

MOTION: I move that the Town Council vote to transfer \$400 from the Town Council Reserve line(current balance: \$40,000) to the Library Materials line, to increase the Library's overall budget for FY2025 and bring the Library into compliance with State minimum requirements for their budget or take any other action thereto.

Funding Details

Funding Source			Funding Destination		
Account	Description	Amount	Account	Description	Amount
0111057-578100	Town Council Reserve	\$400.00	0161055-558501	Library Materials	\$400.00



TOWN OF WINTHROP

OFFICE OF THE TOWN MANAGER

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

Anthony Marino
Town Manager

Town Council Motion

October 10, 2024

Fiscal Year 2025

Motion Summary

Title: Water Bonds Loan Order Amendment – PRV Station
Motion ID: TCM25-005
Amount: \$2,194,250

Motion Details

Motion Type: Loan Authorization
Submitted by: Anthony Marino, Town Manager
Date Submitted: October 10, 2024

Text of Motion

MOTION: I move that the Winthrop Town Council adopt the following order:

ORDERED: That the order of the Town Council passed on June 21, 2022 authorizing a borrowing in the amount of \$1,633,750 for the PRV station project is hereby amended to increase the authorized borrowing amount for the project to \$2,194,250, which amended order shall read as follows in its entirety: ORDERED: That the Town appropriates the sum of TWO MILLION ONE HUNDRED NINETY-FOUR THOUSAND TWO HUNDRED FIFTY DOLLARS (\$2,194,250) to pay costs of reconstructing and making extraordinary repairs to the Revere Street pressure regulating valve station, including the replacement of equipment at the station and all other costs incidental and related thereto; that to meet this appropriation, the Treasurer, with the approval of the Town Manager, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §8 and/or M.G.L. c.29C, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor; that the Treasurer, with the approval of the Town Manager, is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust (the "Trust") established pursuant to M.G.L. c.29C and in connection therewith the Treasurer is authorized to enter into a loan agreement with the Trust and the Town Manager is authorized to enter into a project regulatory agreement with the Department of Environmental Protection; and that the Town Manager is authorized to take any other action necessary or convenient to carry out this project.



TOWN OF WINTHROP OFFICE OF THE TOWN COUNCIL

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

MOTION

Submitted By: Council President Letterie

Date: 10-1-24

TEXT OF MOTION

- **MOTION:** That the Town Council hereby releases and abandons all of its right, title and interest in a certain right of way in and over Lot 27 and Lot 28 as shown on a plan recorded with the Suffolk County Registry of Deeds located at the real property address of 76 Summit Ave. Winthrop, MA. known as a public travel right of way which is no longer necessary as the path no longer provides access to the public

LAW OFFICES OF STEPHEN T. DAVID. P.C.

**601 HIGH STREET, SUITE 101
DEDHAM, MASSACHUSETTS 02026
TELEPHONE: 781-461-1060
FACSIMILE: 781-461-0286**

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Eugene J. Kucinski, Esq.
eugenekucinski@sdavidlaw.com

May 20, 2024

Town Council of Winthrop, Massachusetts
Town Hall
1 Metcalf Square
Winthrop, MA 02152

**RE: William P. Edgett, Jr. and Gina Edgett
76 Summit Avenue, Winthrop, MA**

Dear Members of Town Counsel,

This office has been retained by William P. Edgett, Jr. and Gina Edgett, the owners of the real property located at 76 Summit Avenue, Winthrop, Massachusetts ("the Property"), concerning the release of a certain right of way held by the City of Winthrop.

Mr. and Mrs. Edgett took title to the Property by deed dated January 17, 2020 and recorded with the Suffolk County Registry of Deeds in Book 62412, Page 71. The Property is their primary residence.

Upon the western boundary of their property is a 10 ft wide strip of land which is covered in concrete. Approximately five feet of this strip exists within the Property boundary, and the other five feet lies on the real property having the address of 70 Summit Avenue, Winthrop, Massachusetts. This can be seen various plans. See plans attached hereto as Exhibit I. This can also be seen by a bird's eye view of the property. See Google Map Image attached hereto as Exhibit II. This strip of land was present when my clients took title to Property. It appears that this strip of land has existed for some time.

It is my understanding that the strip of land is subject to a right of way in favor of the town of Winthrop. The lot which the Property is located was split from a common owner in 1902. The deeds make a reference to the right of way. See Deeds attached hereto as Exhibit III. The fact that the strip of land is paved, and my understanding of its former use for pedestrian access, further fortify my conclusion that Winthrop does indeed have interest in a right of way. Further, there appears to be no documented abandonment

and no taking by Winthrop. Therefore, it appears that Winthrop maintains this right of way in full force and effect to this day.

Upon information and belief, this strip of land formerly allowed pedestrian access to the "Highlands" train station, a stop on the former "Boston, Revere Beach & Lynn Railroad," from 1888-1940. See Historic Railroad Map attached hereto as Exhibit IV. The right of way is labeled as "Summit Ave Path" on this map. The train appears to have ceased operations in 1940. It does not appear that the path has provided any use or service to the public since that time.

My clients have consistently maintained this path since they moved into the Property. Unfortunately, the path has become of haven of homelessness and drug use. The path is consistently filled with garbage, needles, and other waste. These activities have spilled off the path and onto my clients' property. While my clients have used their best efforts to clean and maintain the path, they strongly object to the activities taking place. The situation has divulged into an unsustainable and dangerous state. This drug use, loitering, and garbage is bad for my clients, their neighbors, the neighborhood in general, and the entire Town of Winthrop.

This being said, my clients are requesting a release of the right of way. They, and their neighbor, seek to create a driveway to allow access to their respective properties.

As you are likely aware, M.G.L. c. 40, §15 provides a mechanism by which the applicable officers of a city or town may abandon an easement or right of way which is no longer required for public purposes. It is my clients' position that the right of way is no longer required for public purposes. Based on the railroad closing over eighty years ago, and the unproductive and undesirable uses since, this will benefit both the Town and my clients.

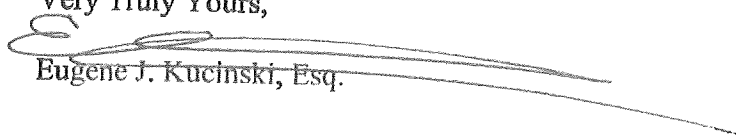
I have drafted a Release of Right of Way, as well as an Authorization to Waive/Abandon Rights in Real Estate. They are attached hereto. I am also happy to provide Microsoft Word versions of these documents should any edits be necessary. I am requesting that these documents be signed and recorded. My clients are willing to pay any necessary recording fees.

As stated, my clients desire to utilize the space in a practical and useful way. They intend to begin the process as soon as possible. I expect their eagerness to be met with expedient resolution by the town.

Should you have any questions or concerns, please do not hesitate to contact me.

Thank you for your time and attention to this matter.

Very Truly Yours,


Eugene J. Kucinski, Esq.

LAW OFFICES OF STEPHEN T. DAVID, P.C.

601 HIGH STREET, SUITE 101
DEDHAM, MASSACHUSETTS 02026
TELEPHONE: 781-461-1060
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2024 JUL 10 A 9:59

TOWN CLERK
WINTHROP, MASS.
Mena Curran, Paralegal
mena@sdavidlaw.com

Stephen T. David, Esq.
stephen@sdavidlaw.com

Eugene J. Kucinski, Esq.
eugenekucinski@sdavidlaw.com

July 8, 2024

Town Council of Winthrop, Massachusetts
Town Hall
1 Metcalf Square
Winthrop, MA 02152

**RE: William P. Edgett, Jr. and Gina Edgett
76 Summit Avenue, Winthrop, MA**

Dear Members of Town Council,

As you know, this office has been retained by William P. Edgett, Jr. and Gina Edgett, the owners of the real property located at 76 Summit Avenue, Winthrop, Massachusetts concerning the release of a certain right of way held by the Town of Winthrop.

On May 20, 2024, I sent a letter to the Town Council of Winthrop, Massachusetts. This letter introduced myself, my clients, and the history of my clients' property. This letter ultimately requested the release and/or abandonment of a certain right of way held by the Town of Winthrop. I further provided several documents establishing the history of the property and proposed documents to facilitate the release and/or abandonment of the right of way.

I have not yet received a response to this letter. I followed up via telephone with Town Hall sometime towards the end of June. At this time, I was informed that the letter was being reviewed. I am reaching out to follow up with you as to the status of my clients' request. I am further reaching out to offer my assistance with any questions or concerns which arise during review.

Please advise as to anything further which may be required of me. Please further advise as to the status of this matter.

Thank you for your time and attention to this matter.

Very Truly Yours,



Eugene J. Kucinski, Esq.

RELEASE OF RIGHT OF WAY

The Town of Winthrop, a municipal corporation having its executive offices at Winthrop Town Hall, 1 Metcalf Square, Winthrop, MA 02152, acting by and through its City Council, as the holder of a right of way upon certain parcels of land located on Summit Avenue in Winthrop, Suffolk County, Massachusetts,

For good and valuable consideration, the receipt of which is hereby acknowledged,

Hereby releases and abandons all of its right, title, and interest in that certain right of way in and over Lot 27 and Lot 28 shown on a Plan recorded with the Suffolk County Registry of Deeds at the end of Book 1873 that certain right of way being referenced in certain Deeds recorded with the Suffolk County Registry of Deeds, which deeds are attached hereto as Exhibit A.

For the authority to release and abandoned said right of way, see the vote and Order of the Winthrop Town Council, dated _____, a certified copy of which is attached hereto as Exhibit B.

CITY OF WINTHROP

,
President of City Counsel

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss

On this day of _____, 2024, before me, the undersigned notary public, personally appeared _____ on behalf of the Town of Winthrop, proved to me through satisfactory evidence of identification which was Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

INTRODUCED BY: TOWN COUNCIL

**TOWN OF WINTHROP
IN COUNCIL**

Order No.

May ____, 2024

Ordered:

AUTHORIZATION TO WAIVE/ABANDON RIGHTS IN REAL ESTATE

At the request of the Town Council of the Town of Winthrop, a municipal corporation having its executive offices at Winthrop Town Hall, 1 Metcalf Square, Winthrop, MA 02152, acting by and through its Town Council, acting in accordance with the provisions of M.G.L. c.40, §15, hereby authorizes the President of the Town Council to abandon/waive rights held by the Town of Winthrop, which rights were set out in certain deeds recorded with the Suffolk County Registry of Deeds, which Deeds are attached hereto as Exhibit A.

The reservation for public travel, the subject of the right of way, is no longer necessary, as the path no longer provides access to public transportation.

The Town Council authorizes the Town Council President to take such other and future action as is lawfully necessary to effectuate this abandonment/waiver.

Passed to be Ordained

May ____, 2024

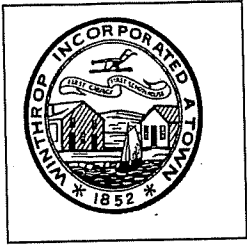
Attest:

Clerk of Council

Approved:

May ____, 2024

Council President



TOWN OF WINTHROP

OFFICE OF THE PLANNING BOARD

Town Hall, 1 Metcalf Square, Winthrop, MA 02152 Telephone: 617-846-1852

MOTION

Submitted by: Chris Boyce, Chair

Date: 10-23-24

TEXT OF MOTION

MOTION: That the Winthrop Planning Board, upon the petition of the *Winthrop Says No To 3A Committee*, recommend to the Town Council to amend the Town of Winthrop Zoning Ordinance, Section 17, by adding proposed Section 17.04.060 which reads:

"1. Any plan to considered and/or voted upon in order to comply with G. L. c. 40A, §3A and/or associated guidelines of the Executive Office of Housing and Livable Communities as currently in effect or as amended shall be voted upon by the registered voters in the Town of Winthrop by ballot question, and not by the Winthrop Town Council.

2. Any final approval of proposed change(s) to the current Winthrop zoning laws or districting in order to comply with G. L. c. 40A, §3A shall be a ballot question voted upon the registered voters of the Town of Winthrop."

A YES VOTE signifies that the Planning Board should Recommend that the Town Council **ACCEPT** this Petition to Amend the Current Ordinance by adding Section 17.04.060

A NO VOTE signifies that the Planning Board should Recommend that the Town Council **REJECT** the Petition to Amend the Current Ordinance by adding Section 17.04.060

	YES	NO	
Sarah Jane Fourness	___	___	LATE (ABSTAIN)
Alyssa Gamble	___	X	
Honor Merceret	___	X	
Jason Pollutro	___	X	
Chris Boyce, Chair	___	X	
TOTALS:	___	4	-1

Commonwealth of Massachusetts
Town of Winthrop

RECEIVED

2024 JUL 23 A 9 32

Suffolk, ss.

In Re:
Initiative Petition Against
MBTA Zoning Compliance

TOWN CLERK
WINTHROP, MASS.

To the Honorable, the Town Council of the Town of Winthrop:

Petition

Now comes the undersigned petitioners, under the authority of the Charter of the Town of Winthrop and other applicable legal authority, who move that the following initiative petition be adopted, as Section 17.04.060 of the Ordinances of the Town of Winthrop:

1. Any plan to considered and/or voted upon in order to comply with G. L. c. 40A §3A and/or associated guidelines of the Executive Office of Housing and Livable Communities as currently in effect or as amended shall be voted upon by the registered voters in the Town of Winthrop by ballot question, and not by the Winthrop Town Council.
2. Any final approval of proposed change(s) to the current Winthrop zoning laws or districting in order to comply with G. L. c. 40A §3A shall be a ballot question voted upon by the registered voters of the Town of Winthrop.

Said petition being subscribed to by at least 50 voters. The following individuals, being at least 10 in number and identified by name and address, are voters and shall constitute the petitioning committee.

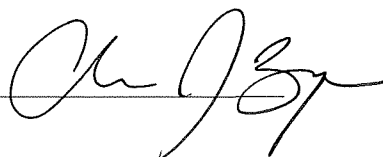
Petitioning Committee

Signature	Name	Address in Winthrop
✓ 1. <i>[Signature]</i>	Sheryl Huron	5 Emerson Rd
✓ 2. <i>[Signature]</i>	Kathleen D Cappuccio	49 Waldemar Avenue
✓ 3. <i>[Signature]</i>	DIANA C VIENS	61 Reed Street
N 4. <i>[Signature]</i>	Vasili Mallios	36 River Rd.
✓ 5. <i>[Signature]</i>	Diane Sands	20 Buckhorn Terrace

CERTIFICATION OF VOTE

I hereby certify that the vote recorded hereon was publicly taken at the close of the Winthrop Planning Board Public Hearing on October 23, 2024. I further certify that the information recorded hereon is true and accurate.

By: _____

A handwritten signature in black ink, appearing to be "Ch. J. Sp.", written over a horizontal line.

10/23/2024

Town Council Proclamation Domestic Violence Awareness Month

OCTOBER 2024

In the City of Winthrop in recognition of the important work done by survivors, HarborCOV, and other domestic violence and victim service providers, I urge all people in the community to actively work toward the elimination of intimate partner violence and be part of the community solution to end domestic violence.

WHEREAS, in just one day, across the U.S. and its territories, nearly 75,000 victims of domestic violence sought services from domestic violence programs and shelters. That same day, more than 9,000 requests for services, including those for emergency shelter, housing, transportation, childcare and legal representation, could not be met because programs lacked the resources to meet victims' needs;

WHEREAS, the impact of domestic violence is wide ranging, directly affecting individuals and society as a whole, and throughout the community;

WHEREAS, the need for safe housing remains survivors' most urgent need;

WHEREAS, [municipality] joins with others across Massachusetts and the nation in supporting victims of domestic violence, as well as local programs, state coalitions, national organizations, and other agencies nationwide who are committed to increasing public awareness of domestic violence and sending a clear message to abusers that domestic violence is not tolerated in [municipality]; and

WHEREAS, domestic violence impacts millions of people each year, but it can be prevented. Preventing domestic violence requires the collective voice and power of individuals, families, institutions, and systems – each whose voice individual actions add a valuable and powerful component to transforming our communities.

RESOLVED, the City of Winthrop through its Town Council and Town Manager's Office, does hereby recognize October as Domestic Violence Awareness Month, therefore encouraging its business, community-based non-profits, civic organizations, neighbors and all to join efforts locally and nationally to address domestic violence in all forms.

RESOLVED, to be part of the community solution to end domestic violence in the community, City of Winthrop through its city council and city administration, does hereby embrace an effort to end domestic violence by providing resources and support for domestic violence survivors by involving entire communities in recognizing, addressing and working to prevent domestic violence is one of the surest ways of eliminating it. To be optimally effective, community networks must integrate members from all sectors of the community: families; businesses; advocacy groups/civil society; public services such as police, fire fighters and medical examiners; social services such as welfare, unemployment, public housing and health; education; the media and officials from national, state/provincial and local/municipal governments. The city of [municipal] makes this commitment to provide support and resources to HarborCOV and all domestic violence survivors.

NOW, THEREFORE, I, James Letterie, Town Council President of the City of Winthrop

hereby do proclaim October 2024 as Domestic Violence Awareness Month.