



CITY COUNCIL

Regular Meeting

In accordance with Governor Baker's March 12, 2020 Executive Order, please be advised that this meeting of the Revere City Council will be held by remote participation only.

Spanish translation of this meeting is available through Zoom.

Join Meeting Using Link Below:

<https://us02web.zoom.us/j/84551861876>

Meeting ID: 845 5186 1876

Or Telephone: +1 312-626-6799

Calendar

Monday, November 9, 2020, 6:00 PM

5:00PM Legislative Affairs Sub-Committee Meeting

5:45PM Appointments Sub-Committee Meeting

Salute to the Flag

1. **Roll Call of Members**
2. Approval of the Journal of the Regular Meeting of October 26, 2020

Legislative Affairs Committee Report

3. **20-221** Proposed amendment to the Revised Ordinances of the City of Revere: Section 2.03.050 is hereby amended by inserting a new sub-section Section 2.03.050(E) as follows: E. All meetings of governmental bodies shall not commence before the hour of six o'clock PM on Monday through Friday or before ten o'clock AM on Saturday or Sunday.
4. **20-260** Proposed Ordinance Relative to the Human Rights Commission Section 1. 9.28.020(B)(1) Establishment of a Human Rights Commission is hereby amended by inserting the following sentence at the end of the sub-section, "Any commissioner appointed by the Mayor and confirmed by the City Council can be recalled by majority vote of the City Council." Section 2. 9.28.020(D) Establishment of a Human Rights Commission is hereby amended by inserting the following sentence at the end of the sub-section, "The Executive Director appointed by the Mayor and confirmed by the City Council can be recalled by majority vote of the City Council."
5. **20-308** Motion presented by Councillor Morabito: That the City of Revere implement a local eviction moratorium beginning October 17th until the COVID-19 pandemic subsides. This motion is being submitted because the City's unemployment rate is eight times higher than last year's rate and a moratorium will protect the City's most vulnerable citizens.

Appointments Sub-Committee Report

6. **20-359** Communication from the Mayor relative to the appointment of N&M Excavating as a Licensed Drain Layer.

Communications

7. **20-365** Communication from the Board of Assessors requesting that the City Council hold a public hearing for the purpose of establishing the Minimum Residential Factor for Fiscal Year 2021.

Motions

8. **20-366** Motion presented by Councillor Serino, Councillor McKenna: That the Mayor instruct the Parking Director to only enforce street sweeping in December of this year by giving out warnings, not fines. This will be the first year that the City has extended the street sweeping program by one month into December, and many people are just becoming aware.
9. **20-367** Motion presented by Councillor Serino, Councillor McKenna: That the Mayor instruct 311 to send out a robocall to all residents at the end of November to remind them that the street sweeping program has been extended by one month through the month of December.
10. **20-368** Motion presented by Councillor McKenna: That the Mayor approve the City Council's request to name the community garden in Beachmont to be located on Broadsound Avenue "The Corey Abrams Community Garden". Corey was a staple in Beachmont, always going above and beyond to help his neighbors. His generosity to people in need never went unnoticed. This is a wonderful tribute to an amazing young man.
11. **20-369** Motion presented by Councillor Serino: That the City Council present a Certificate of Commendation to State Representative RoseLee Vincent on the occasion of her retirement from the Massachusetts General Court. Vincent has served for six and one-half years as the State Representative for the Sixteenth Suffolk District. Prior to her tenure in the Legislature, she spent twenty-five years tending to the needs of Revere residents in the office of Revere's State Representative on Beacon Hill, and in addition to her professional career has given nearly fifty years of her life to dedicated service to the people of our city through her involvement with various community organizations over the years.
12. **20-370** Motion presented by President Keefe: That the City Council order to a public hearing on November 23, 2020 the following proposed ordinance (attached): An Ordinance Further Amending the Revised Ordinances of the City of Revere Relative to Transient Vendors, Door-to-Solicitors, and Canvassers.
13. **20-371** Motion presented by President Keefe: That the Mayor request the DPW and the City Engineer to amend the rules and regulations, in accordance with Section 2.63.070(B)(1) Public Way Disturbances and Occupancy Permits, so as to provide notification to and approval by the Ward Councillor prior to the issuance of a curb cut permit.



CITY COUNCIL

Regular Meeting

City Councillor
Joseph A. DelGrosso
City Council Chamber
Journal
Monday, October 26, 2020

Regular Meeting of the City Council was called to order at 6:00 PM. President Patrick M. Keefe presiding.

Salute to the Flag

1 Roll Call of Members

Attendee Name	Title	Status	Arrived
Jessica A. Giannino	Councillor	Present	
Arthur F. Guinasso	City Councillor	Present	
Joanne McKenna	Councillor	Present	
Steven Morabito	Councillor	Present	
Ira Novoselsky	Vice-President	Present	
John F. Powers	Councillor	Present	
George J. Rotondo	Councillor	Late	6:13 PM
Richard J. Serino	Councillor	Present	
Gerry Visconti	Councillor	Present	
Anthony T. Zambuto	Councillor	Present	
Patrick M. Keefe	President	Present	

In accordance with Governor Baker's March 12, 2020 Executive Order, this meeting was conducted using remote participation for the public. Councillor Novoselsky participated remotely.

2 Approval of the Journal of the Regular Meeting of October 5, 2020

RESULT: ACCEPTED

- 3 20-361 A Resolution of Condolence in honor and memory of former City Councillor and School Committeeman will be read into the permanent record of the Revere City Council.

A moment of silence was offered by Council President Keefe for former City Councillor Edward L. O'Hara who passed on October 23, 2020. Former Councillor O'Hara was a retired State Trooper and Suffolk Superior Court Officer. He also served for one term as a School Committeeman.

The following Resolution of Condolence was read into the record by Council President Keefe:

Resolution of Condolence

Whereas: Former City Councillor Edward L. O'Hara has rendered conspicuous, faithful and honorable public service to the citizens of the City of Revere in his duties as City Councillor and School Committeeman; and

Whereas: Almighty God in His infinite wisdom has called former City Councillor and School Committeeman Edward L. O'Hara to his eternal reward; and

Whereas: The sad calling from our midst of former City Councillor and School Committeeman Edward L. O'Hara leaves a vacancy in the official family of the City of Revere that will be difficult to fill, and a memory that will long be cherished;

Now, Therefore, Be It Resolved, that the members of the Revere City Council extend to the family of former City Councillor and School Committeeman O'Hara, on behalf of the Citizens of Revere, our heartfelt sympathy and sincerest regrets on their profound loss; and

Be It Further Resolved, that in recognition of former City Councillor and School Committeeman O'Hara's service to the citizens of the City of Revere that the City Council pays sincere tribute to his memory by spreading upon the official records of the Revere City Council, a copy of this Resolution of Condolence.

RESULT:	PLACED ON FILE
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| 4 | <u>20-362</u> | Councillor Guinasso offered a moment of silence for Joseph C. DiCarlo who passed on October 22, 2020. Joseph C. DiCarlo served in both the House of Representatives and the State Senate representing Revere and neighboring communities Winthrop, Saugus, and Everett. |
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RESULT:	PLACED ON FILE
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Communications

Council President Keefe requested suspension of the City Council Rules of Order for the purpose of taking communications out of order as department heads Diane Colella and Marc Silvestri were available at this time to address the City Council.

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| 5 | <u>20-347</u> | Communication from the Election Commissioner requesting approval of the Warrant for the State Election on Tuesday, November 3, 2020. |
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Diane Colella, Election Commissioner, addressed the City Council requesting approval of the Warrant for the State Election to be held on November 3, 2020.

RESULT:	ORDERED - VOICE VOTE
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| 6 | <u>20-348</u> | Communication from the Director of Veterans' Services requesting various Memorial Pole locations. |
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The City Council took a point of personal privilege to wish Marc and Nikki Silvestri a very happy anniversary!

Marc Silvestri, Director of Veterans' Services addressed the City Council on his request for several memorial pole locations.

"SHALL THE CITY COUNCIL GRANT MEMORIAL POLE LOCATIONS FOR THE FOLLOWING VETERANS?"

- **PFC George Tirro, WWII, decorated war veteran.**
- **SGT Albert D'Errico, WWII, decorated war veteran.**
- **Staff SGT Joseph "Red" Terrenzio, WWII, Silver Star Recipient**
- **SGT John J. Griffin, POW of Nazi Germany.**
- **Seaman Vincent F. Cammarata, WWII decorated Navy veteran.**
- **Lt. Frederick Cammarata, SR US C-47, WWII Naval Pilot.**
- **Cpl. Ronald Corbett, WWII, Normandy Rhineland.**
- **Seaman Joseph A. Molinaro, WWII, US Navy**
- **Seaman Peter Nunzio DiGulio, US Navy**
- **Lt. Frederick Delisio**
- **SFC Raymond W. Popp**
- **PFC John E. Bagnera**
- **Sgt. John Craig**

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Serino, Visconti, Zambuto, Keefe

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| 7 | <u>20-349</u> | Communication from the Director of Veterans' Services requesting that the City Council issue a Certificate of Appreciation to Olivia's Organics for their ongoing donation of salads to the Veterans' Food Bank in addition to their donation of 60 winter jackets to families in need. |
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RESULT:	ORDERED - VOICE VOTE
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Public Hearings

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| 8 | <u>20-346</u> | Hearing called as ordered on a joint petition submitted by National Grid and Verizon to install 1 jointly owned pole on North Shore Road, #3295-1 to accommodate for new services coming online at 177 Shirley Avenue and 1540 North Shore Road. |
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Proponents

Moses Okouro, National Grid

Opponents

None

“SHALL THE CITY COUNCIL GRANT THE JOINT PETITION OF NATIONAL GRID AND VERIZON TO INSTALL 1 JOINTLY OWNED POLE TO ACCOMMODATE NEW SERVICE AT 177 SHIRLEY AVENUE AND 1540 NORTH SHORE ROAD?”

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Serino, Visconti, Zambuto, Keefe

Ways & Means Sub-Committee Report

The Ways & Means Sub-Committee met on Monday, October 26, 2020 at 4:00PM. Committee members present were Councillors Giannino, McKenna, Morabito, Visconti, Zambuto, and Chairman Powers.

There were several council orders on the agenda for discussion:

20-061 Motion presented by Councillor Rotondo: That the City of Revere look into the feasibility of covering the cost of Narcan with any pharmacy in Revere under the following circumstance: If a patron is requesting Narcan to immediately resuscitate someone who has overdosed.

Councillor Rotondo was not present at the Ways & Means Committee to discuss his motion. The matter will remain in committee.

20-338 Motion presented by Councillor Zambuto: That the City Clerk be directed to place on the agenda for the next regular meeting on October 26, 2020, the communication dated September 29, 2020, written in the form of a memo, from the Mayor relative to the Fiscal Year 2021 budget concerning the restoration of certain salaries that were reduced during the City Council budget process. Further, that the Mayor be directed to justify the authority to make appropriations without approval of the City Council in accordance with the provisions of Massachusetts General Laws Chapter 44, Sections 32 and 33B. The City Council is the appropriating authority, not the Mayor.

Mayor Arrigo and Rich Viscay, Director of Finance addressed the City Council. Both the Mayor and the Director of Finance disagreed with the City Council’s interpretation of the laws governing the City Council’s appropriating authority in this particular case. The administration’s interpretation of the laws provide that the Mayor has the executive right to set salaries for particular positions in the municipal budget.

20-342 Motion presented by Councillor Rotondo: That the Mayor look into the feasibility of donating \$25,000 to the First Congregational church C/o Caring Heart Ministry. The purpose of this funding is to provide food, shelter and clothing to the homeless in Revere. The Caring Hearts Ministry provides to all people from all walks of life.

Mayor Arrigo provided an update for the sub-committee indicating that through Covid related

relief funds, organizations such as the First Congregation Church will be able to apply for grants for purposes such as Councillor Rotondo is requesting.

20-344 Communication from the Mayor relative to updates on the FY2021 Budget and CARES Act Funding.

The committee recommends that this communication be placed on file. In response to the Mayor's communication, Councillor Visconti presented the committee with the following motions and is seeking a favorable recommendation to be forwarded to the full City Council for consideration.

1. That the City Council request a written opinion from the Massachusetts Bureau of Municipal Finance Law, on the legality of certain appropriations relative to salaries made by the Mayor, in excess of what was approved by the City Council in the FY2021 Budget, without utilizing any of the provisions outlined in MGL Chapter 44, Sections 31, 32, 33A, and 33B.

This motion received a unanimous favorable recommendation from the Committee.

2. Motion presented by Councillor Visconti: That the Mayor request the Director of Finance to provide the City Council with a verification of available funds for appropriation and transfer detailing the following:

FROM: The accounts or funds containing the "federal, state, and local dollars" referred to in the Mayor's September 29th memo.

TO: The salary accounts that were reduced by the City Council during the Fiscal Year 2021 Budget process.

No vote was taken on this motion in sub-committee.

- 9 20-061 Motion presented by Councillor Rotondo: That the City of Revere look into the feasibility of covering the cost of Narcan with any pharmacy in Revere under the following circumstance: If a patron is requesting Narcan to immediately resuscitate someone who has overdosed.

Councillor Rotondo has requested that the City Solicitor provide a ruling on the legality and any City liability with regards to this motion.

RESULT:	REFERRED TO WAYS & MEANS
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- 10 20-338 Motion presented by Councillor Zambuto: That the City Clerk be directed to place on the agenda for the next regular meeting on October 26, 2020, the communication dated September 29, 2020, written in the form of a memo, from the Mayor relative to the Fiscal Year 2021 budget concerning the restoration of certain salaries that were reduced during the City Council budget process. Further, that the Mayor be directed to justify the

authority to make appropriations without approval of the City Council in accordance with the provisions of Massachusetts General Laws Chapter 44, Sections 32 and 33B. The City Council is the appropriating authority, not the Mayor.

RESULT: **ORDERED - ROLL CALL [UNANIMOUS]**
AYES: Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Serino, Visconti, Zambuto, Keefe

- 11 20-342 Motion presented by Councillor Rotondo: That the Mayor look into the feasibility of donating \$25,000 to the First Congregational church C/o Caring Heart Ministry. The purpose of this funding is to provide food, shelter and clothing to the homeless in Revere. The Caring Hearts Ministry provides to all people from all walks of life.

RESULT: **PLACED ON FILE**

- 12 20-344 Communication from the Mayor relative to updates on the FY2021 Budget and CARES Act Funding.

RESULT: **PLACED ON FILE**

- 13 20-363 Motion presented by Councillor Visconti: That the City Council request a written opinion from the Massachusetts Bureau of Municipal Finance Law, on the legality of certain appropriations relative to salaries made by the Mayor, in excess of what was approved by the City Council in the FY2021 Budget, without utilizing any of the provisions outlined in MGL Chapter 44, Sections 31, 32, 33A, and 33B.

RESULT: **ORDERED - ROLL CALL [10 TO 1]**
AYES: Giannino, Guinasso, McKenna, Morabito, Powers, Rotondo, Serino, Visconti, Zambuto, Keefe
NAYS: Novoselsky

- 14 20-364 Motion presented by Councillor Visconti: That the Mayor request the Director of Finance to provide the City Council with a verification of available funds for appropriation and transfer detailing the following:
 FROM: The accounts or funds containing the “federal, state, and local dollars” referred to in the Mayor’s September 29th memo. TO:
 The salary accounts that were reduced by the City Council during the Fiscal Year 2021 Budget process.

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Serino, Visconti, Zambuto, Keefe

Zoning Sub-Committee Report

The Zoning Sub-Committee met on Monday, October 26, 2020 at 4:30PM. Committee members present were Councillors Giannino, Guinasso, Morabito, Visconti, Keefe (ex-officio), and Chairman Zambuto.

There was one matter on the agenda:

20-244 Gunnar Holdings, LLC, 30 Railroad St., Revere, MA 02151 seeking permission from the Revere City Council to operate a commercial parking lot (220 parking spaces) on Lot A at 44 Railroad Street.

Attorney Lawrence Simeone who represents the applicant submitted a communication to the City Council requesting to withdraw the special permit application without prejudice which will be taken up at the regular City Council meeting to follow.

15 20-360 Communication from Lawrence Simeone requesting to withdraw without prejudice, special permit C-20-44/20-244.

"SHALL THE CITY COUNCIL GRANT THE REQUEST OF THE PETITIONER THAT THE WITHDRAWAL OF THE SPECIAL PERMIT APPLICATION C-20-44 BE WITHOUT PREJUDICE?"

RESULT:	ORDERED - ROLL CALL [UNANIMOUS]
AYES:	Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Serino, Visconti, Zambuto, Keefe

16 20-244 Gunnar Holdings, LLC, 30 Railroad St., Revere, MA 02151 seeking permission from the Revere City Council to operate a commercial parking lot (220 parking spaces) on Lot A at 44 Railroad Street.

RESULT:	WITHDRAWN
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Legislative Affairs Sub-Committee Report

The Legislative Affairs Sub-Committee met on October 26, 2020 at 5:00PM. Committee members present were Councillors Novoselsky, Powers, Serino, Zambuto, Keefe (ex-officio), and Chairman Morabito.

There were several matters on the committee's agenda for discussion:

- 20-123** Motion presented by Councillors Morabito and Keefe: That the Mayor be requested to approve the attached Resolution relative to vote-by-mail elections in the City of Revere due to the COVID-19 pandemic.

Chairman Morabito has recommended that this request be placed on file as this motion was submitted prior to mail in voting provisions being approved by the Governor.

- 20-221** An Ordinance Relative to Amending Meeting Times of Governmental Bodies.

The committee discussed several pros and cons regarding setting later meeting times for governmental bodies. Later start times would be beneficial to some Councillors with day jobs. Later start times could provide the potential for increased public participation, but on the other hand, later meetings may decrease viewership with seniors. Other boards may not be able to hold late meetings as members such as the Mayor, Police Chief or Fire Chief are not available due to conflicting schedules. There does not seem to be a one size fits all approach to setting meeting times for 6:00PM or later.

Ralph DeCicco, 49 Washington St., Revere, MA spoke as a proponent on the proposed ordinance.

Pat Melchionno, 420 Revere Beach Blvd., Revere, MA spoke as a proponent on the proposed ordinance.

- 20-260** An Ordinance Amending the Establishment of a Human Rights Commission.

Councillor Rotondo was not present at the Legislative Affairs Sub-Committee to discuss his proposed ordinance amendment. This matter will remain in sub-committee.

- 20-308** Motion presented by Councillor Morabito: That the City of Revere implement a local eviction moratorium beginning October 17th until the COVID-19 pandemic subsides. This motion is being submitted because the City's unemployment rate is eight times higher than last year's rate and a moratorium will protect the City's most vulnerable citizens.

Chairman Morabito has requested that the motion be forwarded to the City Solicitor for legal advice on the implementation of such a moratorium.

- 20-341** An Act Establishing Residency Requirements for the Offices of Mayor, City Council, and School Committee in the City of Revere.

It is noted that Committee member, Councillor Serino is recused from discussion on this motion. The committee offered a favorable recommendation to the full City Council for approval of the special legislation.

- 17 **20-123** Motion presented by Councillor Morabito, President Keefe: That the Mayor be requested to approve the attached Resolution relative to vote-by-mail elections in the City of Revere due to the COVID-19 pandemic. .

RESULT: PLACED ON FILE

- 18 20-221 Proposed amendment to the Revised Ordinances of the City of Revere: Section 2.03.050 is hereby amended by inserting a new sub-section Section 2.03.050(E) as follows: E. All meetings of governmental bodies shall not commence before the hour of six o'clock PM on Monday through Friday or before ten o'clock AM on Saturday or Sunday.

RESULT: REFERRED TO LEGISLATIVE AFFAIRS Next: 11/9/2020 6:00 PM

- 19 20-260 Proposed Ordinance Relative to the Human Rights Commission Section 1. 9.28.020(B)(1) Establishment of a Human Rights Commission is hereby amended by inserting the following sentence at the end of the sub-section, "Any commissioner appointed by the Mayor and confirmed by the City Council can be recalled by majority vote of the City Council." Section 2. 9.28.020(D) Establishment of a Human Rights Commission is hereby amended by inserting the following sentence at the end of the sub-section, "The Executive Director appointed by the Mayor and confirmed by the City Council can be recalled by majority vote of the City Council."

RESULT: REFERRED TO LEGISLATIVE AFFAIRS Next: 11/9/2020 6:00 PM

- 20 20-308 Motion presented by Councillor Morabito: That the City of Revere implement a local eviction moratorium beginning October 17th until the COVID-19 pandemic subsides. This motion is being submitted because the City's unemployment rate is eight times higher than last year's rate and a moratorium will protect the City's most vulnerable citizens.

The Legislative Affairs Sub-Committee has requested that Councillor Morabito's proposed motion be forwarded to the City Solicitor for legal advice.

RESULT: REFERRED TO LEGISLATIVE AFFAIRS Next: 11/9/2020 6:00 PM

- 21 20-341 Motion presented by Councillor Giannino: That the following special legislation be forwarded to the State Delegation for approval: An Act Establishing Residency Requirements for the Offices of Mayor, City Council, and School Committee in the City of Revere Section 1. No person shall be eligible for election to the office of Mayor, Councillor-at-Large, or School Committee unless at the time of such election he or she has been a resident of the City for at least one year preceding. Section 2. No person shall be eligible for election to the office of Ward Councillor unless at the time of such election he or she has been a resident of the Ward being sought for election for at least one year preceding. Section 3. This Act shall take effect upon its passage.

It is noted that Councillor Serino is recused from discussion and participation in this matter.

Eric Lampedecchio, 43 Tapley Avenue addressed the City Council on the special legislation citing concerns over redistricting and how this law would affect him.

Anthony Cogliandro, Revere resident, addressed the City Council on the special legislation also citing concerns of redistricting and how this law would affect him.

Councillor Novoselsky indicated that this year's redistricting would not affect the residents as when district lines are redrawn, they are not in effect until the following election cycle so the law would not affect potential candidates running for Ward Councillor during the 2021 local election.

An Act Establishing Residency Requirements for the Offices of Mayor, City Council, and School Committee in the City of Revere

Section 1. No person shall be eligible for election to the office of Mayor, Councillor-at-Large, or School Committee unless at the time of such election he or she has been a resident of the City for at least one year preceding.

Section 2. No person shall be eligible for election to the office of Ward Councillor unless at the time of such election he or she has been a resident of the Ward being sought for election for at least one year preceding.

Section 3. This Act shall take effect upon its passage.

RESULT:	ORDERED - ROLL CALL [10 TO 0]
AYES:	Giannino, Guinasso, McKenna, Morabito, Novoselsky, Powers, Rotondo, Visconti, Zambuto, Keefe
RECUSED:	Serino

Public Works Sub-Committee Report from October 22, 2020

The Public Works Sub-Committee conducted a meeting via remote participation on Thursday, October 22, 2020 at 4:30PM. Committee members in attendance were Councillors Guinasso, Keefe (ex-officio), and Chairman Novoselsky. Additional Councillors participating were Councillors Giannino, McKenna, and Powers.

The committee held an open discussion on the roll out of the new resident parking permit regulations. Department heads present were Jim Rose - Director of Parking, Frank Stringi - City Planner, and Paul Argenzio - Chairman, Traffic Commission and DPW Superintendent.

All Councillors present cited concerns of residents with vehicles registered to the City not being able to receive a parking sticker due to their residential address being located on a state controlled roadway, certain structures which do not qualify as they have been built by right with adequate parking or have a received a parking variance, and certain structures only qualifying for one permit per unit.

Chairman Novoselsky has submitted a motion for the regular meeting of October 26, 2020 requesting the Traffic Commission and City Council work to amend Sections F and G specifically in the new ordinance which will hopefully provide relief for those residents.

Motions

- 22 20-350 Motion presented by Vice-President Novoselsky: That the Mayor request the Commissioner of DCR to issue DCR Residential Parking permits for residents living on DCR roadways and having registered cars in Revere on Revere Beach Boulevard, Ocean Avenue, Broadsound Avenue, and Winthrop Parkway.

Councillor McKenna requested that several other DCR controlled roadways in Ward One be added to the motion. Councillor Novoselsky agreed to allow an amendment for only Broadsound Avenue and Winthrop Parkway.

RESULT: ORDERED AS AMENDED VOICE VOTE

- 23 20-351 Motion presented by Vice-President Novoselsky: That City Council and the Traffic Commission immediately address the Permit Parking sections F and G in Section 10 of the Revere City Ordinances.

RESULT: ORDERED - VOICE VOTE

- 24 20-352 Motion presented by President Keefe: That the Mayor request the DPW, through the Traffic Commission, to mark parking spaces across from Harry DellaRusso Stadium. The driveways in this area are being blocked frequently.

RESULT: ORDERED - VOICE VOTE

- 25 20-353 Motion presented by Vice-President Novoselsky: That the Mayor instruct the Revere Police Department to provide and install pole mounted solar speed machines on Standish Road near 48 Standish Road for eastbound traffic, and on Centennial Avenue for westbound traffic near 15 Centennial Avenue.

RESULT: ORDERED - VOICE VOTE

- 26 20-354 Motion presented by Councillor Serino: That the Mayor respectfully request the DCR to expand its "Greening the Gateway Cities Program" in 2021 to include the entire City of Revere. The "Greening the Gateway Cities Program" is designed to reduce household heating and cooling energy use by increasing tree canopy cover in urban residential areas. However, while most of the City of Revere is included and residents are eligible to receive trees for their properties, the West Revere

neighborhood, which is densely populated and does not have much green space/trees, is not.

RESULT: ORDERED - VOICE VOTE

- 27 20-355 Motion presented by Councillor Serino, Councillor Giannino: That the Mayor request Senator Boncore to direct MassDOT to clean-up Copeland Circle. Over the past few years, it seems MassDOT utilizes this rotary in our community sporadically as a staging area with piles of dirt and parking for heavy equipment. Copeland Circle is one of the first locations people see entering our city from points north, and as such this blight is unacceptable, especially for people who live in Ward Six and drive by it every day.

RESULT: ORDERED AS AMENDED VOICE VOTE

- 28 20-356 Motion presented by Councillor Serino: That the Mayor, when feasible, acquire two solar speed radar readers to be placed on Washington Avenue - one in the northerly direction opposite Amelia Place and one in the southerly direction in the vicinity of Washington Avenue and Bruno Street. Twice in a year, a motor vehicle significantly damaged property in the 450-500 block of Washington Avenue due to accidents caused by excessive speed. This would help to curb speeding in the area.

RESULT: ORDERED - VOICE VOTE

- 29 20-357 Motion presented by Councillor McKenna: That the Mayor direct the City Engineer to designate parcel ID 3-39-4 Crest Avenue as #29 Crest Avenue, Unit 1 and Unit 2.

RESULT: ORDERED - VOICE VOTE

- 30 20-358 Motion presented by Councillor Zambuto: AN ORDINANCE FURTHER AMENDING THE ZONING ORDINANCES OF THE CITY OF REVERE RELATIVE TO KENNELS Section 1. Title 17, Chapter 17.16, Section 17.16.205(A) Kennel is hereby amended by continuing the sentence after the word “district” and inserting in place, “,except when a kennel and residential use or residential district is separated by a highway.”

RESULT: ORDERED TO PUBLIC HEARING - CC

Next: 11/23/2020 6:00 PM

Late Communications

- 31 20-359 Communication from the Mayor relative to the appointment of N&M Excavating as a Licensed Drain Layer.

City Council – Regular Meeting**October 26, 2020****RESULT: REFERRED TO APPOINTMENTS****Next: 11/9/2020 6:00 PM**

Ordered adjourned at 7:35 PM.

Attest:

City Clerk

Minutes Acceptance: Minutes of Oct 26, 2020 6:00 PM (Salute to the Flag)

Ashley Melnik

From: Paul Capizzi
Sent: Wednesday, October 28, 2020 1:20 PM
To: Ashley Melnik
Subject: RE: Council Order 20-308, Request for Legal Advice/Opinion on Local Eviction Moratorium

Ashley,

Chapter 65 of the Acts of 2020, *An Act Providing for a Moratorium on Evictions and Foreclosures During the COVID-19 Emergency*, was signed into law on April 20, 2020. Chapter 65, enacted by the Senate and House of Representatives and signed by the Governor, temporarily suspended “non-essential evictions.” Accordingly, the eviction process and the rights of the parties involved are governed by state law. Only the state can suspend the enforcement and implementation of its own laws (which it did with Chapter 65). The city of Revere is subject to these laws and lacks the authority to waive, temporarily halt, or disregard their application.

Therefore, this matter falls under the exclusive authority of the Commonwealth.

Paul Capizzi
 City Solicitor
Office of the City Solicitor
Revere City Hall
281 Broadway
Revere, MA 02151
 781-286-8166
 pcapizzi@revere.org

From: Ashley Melnik <amelnik@revere.org>
Sent: Wednesday, October 28, 2020 9:17 AM
To: Paul Capizzi <pcapizzi@revere.org>
Subject: Council Order 20-308, Request for Legal Advice/Opinion on Local Eviction Moratorium

Hi Paul:

The City Council is requesting legal advice on the following motion currently in the Legislative Affairs Sub-Committee:

Motion presented by Councillor Morabito: That the City of Revere implement a local eviction moratorium beginning October 17th until the COVID-19 pandemic subsides. This motion is being submitted because the City's unemployment rate is eight times higher than last year's rate and a moratorium will protect the City's most vulnerable citizens.

Thank you,

Ashley

Attachment: CouncilOrder20.308.LocalEvictionSolicitorOpinion11092020 (20-308 : Local Eviction Moratorium)



CITY OF REVERE

Brian M. Arrigo
Mayor

October 23, 2020

The Honorable City Council
Revere City Hall
Revere, Massachusetts 02151

Dear Council Members:

Please be advised that in accordance with the provisions of Title 13, Chapter 13.08, Section 13.08.435 of the Revised Ordinances of the City of Revere, as most recently amended, I hereby request that N&M Excavating, 1250 Long Pond Rd., Brewster, MA 02631, be appointed a Licensed Drain Layer.

Please take careful notice that all drain layer licenses expire on April 1, annually, unless sooner revoked by the Mayor and the Council.

N&M Excavating has been advised that they will be contacted directly by the Appointment Sub-Committee with a date and time to appear before them concerning this appointment.

Regards,

Brian M. Arrigo
Mayor



The City of REVERE, MASSACHUSETTS

Water & Sewer Department
321R Charger Street, Revere, MA 02151
(781) 286-8149

DONALD P. CIARAMELLA
Chief of Infrastructure
& Public Works

To: Brian M Arrigo, Mayor

From: Donald P. Ciaramella, Chief of Infrastructure & Public Works

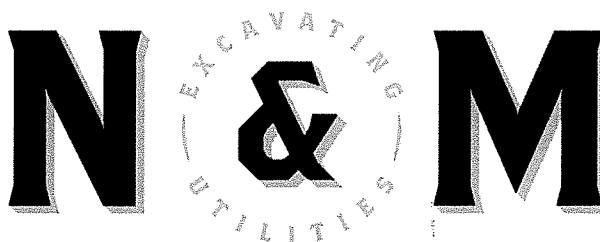
Date: October 22, 2020

RE: Drain Layer Approval

Attached please find a drain layer application N & M Excavating. I have reviewed the company's renewal application and I recommend acceptance of their drain layers license for the City of Revere.

Donald P. Ciaramella

Attachment: N&M Excavating (20-359 : N&M Excavating Drain Layer)



October 19, 2020

Subject: Drain Layers Application

To whom it may concern,

This letter is to ask permission for Robert Murray with N&M Excavating out of Brewster, MA be added to the Revere Licensed Drain Layers List. We are fully licensed, bonded, and insured.

Please feel free to reach out with any questions or concerns regarding this letter.

Respectfully,

Robert Murray
N&M Excavating
774-801-8478

Attachment: N&M Excavating (20-359 : N&M Excavating Drain Layer)



55 Walkers Brook Drive, Suite 100, Reading, MA 01867
Tel: 978.532.1900

Reference for N&M Construction:

I worked with both Dean and Bob from N&M Construction on a Sewer Rehab Project in North Attleboro, MA. They were responsible for the dig repairs on the project and were successful in completing 7 Point Repairs. Dean and Bob were very responsive in answering any calls and did a great job with accommodating anything the engineer wanted done.

Anthony Spirou, EIT

ENGINEER

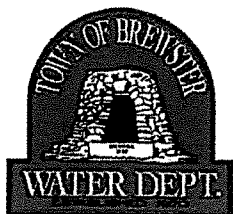
direct: 508.698.3034 ext. 2410

cell: 978-854-2236



Weston & Sampson
100 Foxborough Blvd, Suite 250 | Foxborough, MA 02035
tel: 508.698.3034

Attachment: N&M Excavating (20-359 : N&M Excavating Drain Layer)



TOWN OF BREWSTER
WATER DEPARTMENT
David Gage Station Operator
774-212-1928

Susan Brown
Cynthia Baran
Lemeul Skidmore
Board of Water Commissioners

October 20, 2020

To Whom It May Concern;

I recommend N & M Excavation for your site work. They have done several water service installations for the Town of Brewster Water Department and recently completed a drainage project for the Department of Public Works.

There work is done in a timely manner and always to satisfaction. If you have any questions please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink that reads "David M. Gage".

David Gage

dgage@brewster-ma.gov

Attachment: N&M Excavating (20-359 : N&M Excavating Drain Layer)



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

All departments 508-240-5900 • Fax 508-240-1291

www.eastham-ma.gov

October 20th, 2020

To Whom It May Concern:

N & M Excavating is an approved contractor for Town of Eastham water connections. To be an approved contractor you must keep up to date insurance information on file at the Town of Eastham. You also must attend or view a training workshop for water connections through the Town of Eastham. N & M Excavating remains in excellent standing with the Town of Eastham water connections. If you have further questions, please do not hesitate to contact me at any time.

Kim St. Aubin
Water Contracts Manager
Town of Eastham
555 Old Orchard Road
Eastham MA, 02642
508-240-5900 ext. 3244
Direct: 774-801-3244
waterclerk@eastham-ma.gov

Attachment: N&M Excavating (20-359 : N&M Excavating Drain Layer)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/09/20

6.a

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ATLANTIC INSURANCE GROUP, AGENCY, INC. 245 WILLARD STREET, SUITE 200 QUINCY, MA 02169	CONTACT NAME:		
	PHONE (A/C No. Ext): 617-698-2200 FAX (A/C, No): 617-696-7775 E-MAIL ADDRESS: LORI@ATLANTICQUOTES.COM		
INSURED Niezgoda & Murray Excavation 1250 Long Pond Road Brewster, MA 02136	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : WESTERN WORLD INSURANCE COMPANY		
	INSURER B :		
	INSURER C :		
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			NPP1551254	07/02/20	07/02/21	EACH OCCURRENCE \$ 1,000,000
			DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$ 1,000,000				
						GENERAL AGGREGATE \$ 2,000,000	
						PRODUCTS - COMP/OP AGG \$ 2,000,000	
							\$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
							\$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
							\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

EXCAVATION:

CERTIFICATE HOLDER CITY OF REVERE 281 BROADWAY REVERE, MA 02151	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE LORI MCLOUGHLIN
--	---

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/09/2020

6.a

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER ATLANTIC INSURANCE GROUP AGENCY INC 245 Willard Street Suite 200 Quincy MA 02169	CONTACT NAME: Lori McLoughlin PHONE (A/C, No, Ext): (617) 698-2200 E-MAIL ADDRESS: lori@atlanticquotes.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: AIM MUTUAL INS CO INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	NAIC # 33758
INSURED NIEZGODA MURRAY EXCAVATING LLC 1250 LONG POND RD BREWSTER MA 02631		

COVERAGES **CERTIFICATE NUMBER:** 583606 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		N/A			EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		N/A			COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$		N/A			EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N N/A	N/A	N/A	VWC10060247022020A 03/07/2020 03/07/2021	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
			N/A			

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Workers' Compensation benefits will be paid to Massachusetts employees only. Pursuant to Endorsement WC 20 03 06 B, no authorization is given to pay claims for benefits to employees in states other than Massachusetts if the insured hires, or has hired those employees outside of Massachusetts.

This certificate of insurance shows the policy in force on the date that this certificate was issued (unless the expiration date on the above policy precedes the issue date of this certificate of insurance). The status of this coverage can be monitored daily by accessing the Proof of Coverage - Coverage Verification Search tool at www.mass.gov/lwd/workers-compensation/investigations/.

CERTIFICATE HOLDER

CITY OF REVERE
281 BROADWAY

REVERE

MA 02151

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Daniel M. Crowley
Daniel M. Crowley, CPCU, Vice President - Residual Market - WCRIBMA

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ISSUED THROUGH

A. A. DORITY COMPANY

STREET PERMIT BOND

KNOW ALL MEN BY THESE PRESENTS, That we Niezgoda & Murray Excavation, LLC,
of 1250 Long Pond Rd; Brewster, MA 02631,

hereinafter referred to as **Principal**, and **NGM Insurance Company**

a corporation organized and existing under the laws of the State of Florida

and authorized to do business in the Commonwealth of Massachusetts, as **Surety**, are held

and firmly bound unto City of Revere, hereinafter referred to as **Obligee**,

in the sum of Ten Thousand dollars (\$10,000.00)

lawful money of the United States of America, to the payment of which sum, well and truly to be made, we bind ourselves, our executors, administrators, successors and assigns, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the Principal has made application for a license or permit to the Obligee for the purpose of opening and/or occupying a public way.

NOW, THEREFORE, if the Principal shall faithfully comply with all ordinances, rules and regulations which have been or may hereafter be in force concerning said License or Permit, and shall save and keep harmless the Obligee from all loss or damage which it may sustain or for which it may become liable on account of the *issuance of said license or permit to the Principal, then this obligation shall be null and void; otherwise, to remain in full force and effect.*

THIS BOND WILL CONTINUE IN FULL FORCE UNTIL CANCELLED BY THE SURETY. The Surety may at any time terminate its liability by giving thirty (30) days written notice to the Obligee, and the Surety shall not be liable for any default after such thirty day notice period, except for defaults occurring prior thereto.

SIGNED, SEALED AND DATED October 9th, 2020.

By: 

Niezgoda & Murray Excavation, LLC

NGM Insurance Company

Bond No. 566069

By: 

Jeffrey W. Crawford

Producer: A. A. DORITY Company, Inc.
226 Lowell Street, Suite B-4;
Wilmington, MA 01887
(617) 523-2935



Attachment: N&M Excavating (20-359 : N&M Excavating Drain Layer)



NGM INSURANCE COMPANY
A member of The Main Street America Group

POWER OF ATTORNEY

06-03071707

KNOW ALL MEN BY THESE PRESENTS: That NGM Insurance Company, a Florida corporation having its principal office in the City of Jacksonville, State of Florida, pursuant to Article IV, Section 2 of the By-Laws of said Company, to wit:

"Article IV, Section 2. The board of directors, the president, any vice president, secretary, or the treasurer shall have the power and authority to appoint attorneys-in-fact and to authorize them to execute on behalf of the company and affix the seal of the company thereto, bonds, recognizances, contracts of indemnity or writings obligatory in the nature of a bond, recognizance or conditional undertaking and to remove any such attorneys-in-fact at any time and revoke the power and authority given to them."

does hereby make, constitute and appoint **Philip B Crawford, Richard W Crawford, James M Crawford, Katie E Connor, Jeffrey W Crawford** _____

its true and lawful Attorneys-in-fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed, bonds, undertakings, recognizances, contracts of indemnity, or other writings obligatory in nature of a bond subject to the following limitation:

1. No one bond to exceed Five Million Dollars (\$5,000,000.00)

and to bind NGM Insurance Company thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of NGM Insurance Company; the acts of said Attorney are hereby ratified and confirmed.

This power of attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Directors of NGM Insurance Company at a meeting duly called and held on the 2nd day of December 1977.

Voted: That the signature of any officer authorized by the By-Laws and the company seal may be affixed by facsimile to any power of attorney or special power of attorney or certification of either given for the execution of any bond, undertaking, recognizance or other written obligation in the nature thereof; such signature and seal, when so used being hereby adopted by the company as the original signature of such office and the original seal of the company, to be valid and binding upon the company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, NGM Insurance Company has caused these presents to be signed by its Vice President, General Counsel and Secretary and its corporate seal to be hereto affixed this 7th day of January, 2020.

NGM INSURANCE COMPANY By:

Kimberly K. Law

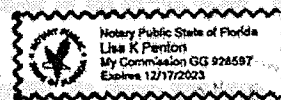
Kimberly K. Law
Vice President, General
Counsel and Secretary



State of Florida,
County of Duval.

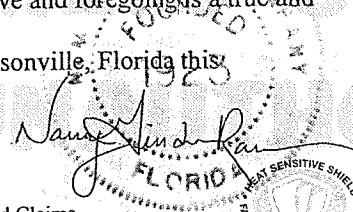
On this 7th day of January, 2020, before the subscriber a Notary Public of State of Florida in and for the County of Duval duly commissioned and qualified, came Kimberly K. Law of NGM Insurance Company, to me personally known to be the officer described herein, and who executed the preceding instrument, and she acknowledged the execution of same, and being by me fully sworn, deposed and said that she is an officer of said Company, aforesaid: that the seal affixed to the preceding instrument is the corporate seal of said Company, and the said corporate seal and her signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said Company; that Article IV, Section 2 of the By-Laws of said Company is now in force. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Jacksonville, Florida this 7th day of January, 2020.

Lisa K. Penton



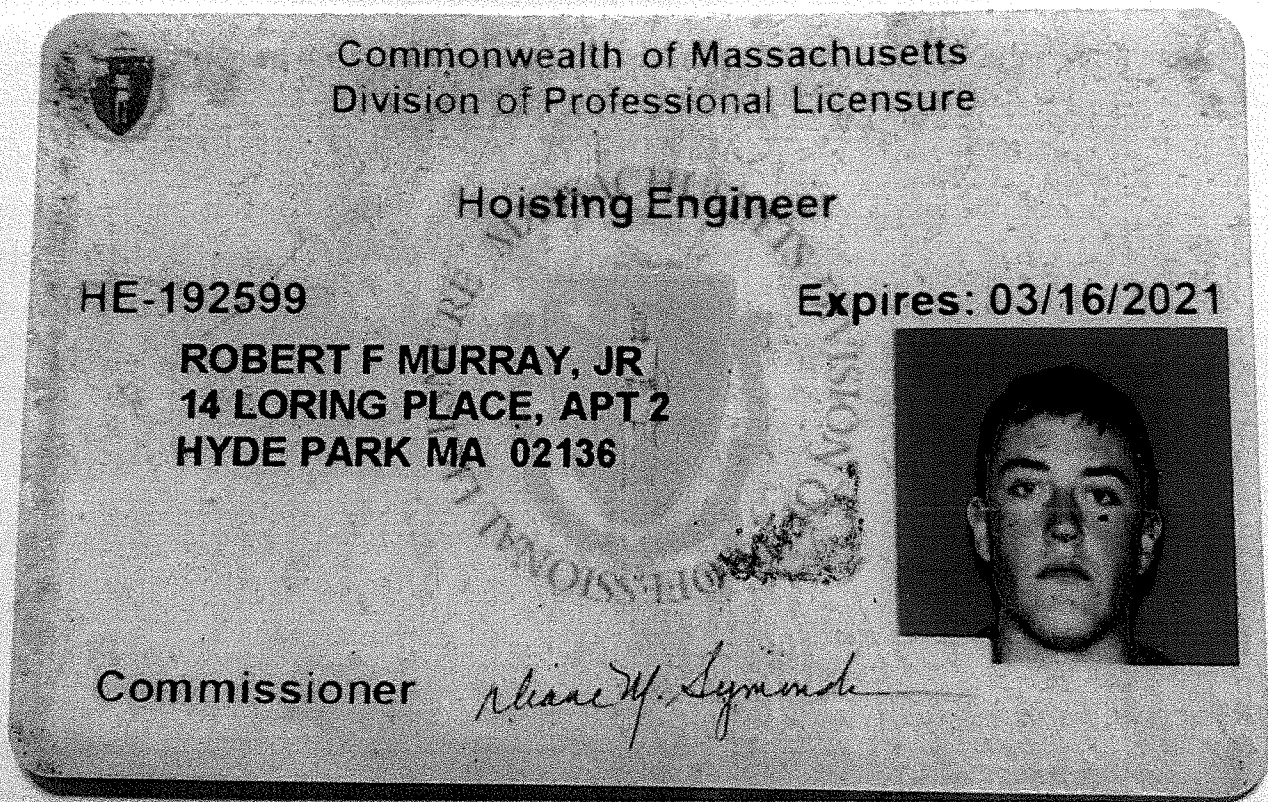
I, Nancy Giordano-Ramos, Vice President of NGM Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney executed by said Company which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company at Jacksonville, Florida this 9 day of October, 2020.



WARNING: Any unauthorized reproduction or alteration of this document is prohibited.
TO CONFIRM VALIDITY of the attached bond please call 1-800-225-5646.

TO SUBMIT A CLAIM: Send all correspondence to 55 West Street, Keene, NH 03431 Attn: Bond Claims.
DocuGard #04546 contains a security pantograph, blue background, heat-sensitive ink, coin-reactive watermark, and microtext printing on border.





Brian M. Arrigo
Mayor

The City of REVERE, MASSACHUSETTS

7.a

BOARD OF ASSESSORS

Dana E. Brangiforte
John J. Verrengia
Mathew M. McGrath

Honorable City Council

October 30, 2020

C/o Ms. Ashley Melnik

281 Broadway

Revere, Ma. 02151

Dear Honorable Revere City Council,

In accordance with the provisions of Section 56 of Chapter 40 of the Massachusetts General Laws, the Revere Board of Assessors request that your Honorable City Council conduct a public hearing for the purpose of establishing the Minimum Residential Factor, so the Revere Board of Assessors may proceed with the establishment of the tax rate for Fiscal Year 2021.

Sincerely,

Dana Brangiforte, Chairman

Revere Board of Assessors

John J. Verrengia, Member

Revere Board of Assessors

Mathew McGrath, Member

Revere Board of Assessors

Cc: Mayor Brian Arrigo

Mr. Richard Viscay---Director of Finance

**AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF
REVERE RELATIVE TO TRANSIENT VENDOR LICENSES, DOOR-TO-SOLICITORS, AND
CANVASSERS**

Section 1. Chapter 5.12 Transient Vendors is hereby deleted in its entirety and inserted in place thereof the following new Chapter 5.13 Transient Vendors

Section 5.13.010 Definitions.

As used in this article, the following words and phrases shall have the meanings ascribed to them in this section:

- A. *Transient vendor* means any person who engages in a "temporary or transient business" selling goods, wares or merchandise, either in one locality or in traveling from place to place.
- B. *Temporary or transient business* means any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least 12 consecutive months.

Section 5.13.020 Transient vendor licenses.

- A. Every transient vendor, before making any sale of goods, wares or merchandise in the city, shall apply to the city council for a license and shall accompany such application with a license fee of five hundred dollars as listed in Table I – Fee Schedule. Such application shall be filed with the city clerk.
- B. No license shall be granted under this section until the applicant has complied with the provisions of Chapter 101, Section 3 of the General Laws and has exhibited to the city clerk a license issued by the director of standards of the commonwealth.
- C. If, after review of said application, it appears that the applicant is a person of good repute as to morals and integrity and he or she is a person of responsibility and business acumen, the city council may authorize the city clerk to issue a city license to the applicant. Upon order of the city council and proof of payment of all license fees the city clerk shall issue the city license endorsed upon the state license "local license fees paid" and shall affix thereto his or her official signature and date of such endorsement.

Section 5.13.030 Expiration of license.

The city transient vendor license shall remain in force so long as the licensee shall continuously keep and expose for sale such stock of goods, wares and merchandise but not later than the first day of January following its date.

Section 5.13.040 Licenses for nonprofit organizations.

The city council may, under such conditions as they may deem proper, grant to any organization engaged in charitable work or to a post of any incorporated organization of veterans who served in the military or naval service of the United States in time of war or insurrection a special license authorizing it, for a particular time period to be stated in such license, and for a charitable purpose stated in such license, to conduct under their

control a temporary or transient business, provided that no person under 16 years of age shall be accredited as an agent of the license holder. The exercise of the license hereby provided for shall be subject to the provisions of all statutes, ordinances, rules and regulations not inconsistent herewith.

Section 5.13.050 Display of license.

Every transient vendor shall exhibit his or her state and city licenses when the same are demanded of him or her by a councillor or sealer or deputy sealer of weights and measures or member of the police department of the city.

Section 5.13.060 Additional city permits.

Should a license be issued pursuant to this article, the licensee shall be responsible for obtaining and maintaining any and all other relevant licenses, permits and seals, including, but not limited to, health department and fire department permits, and seals from the sealer of weights and measures.

Section 5.12.070 Revocation of license.

Any transient vendor license granted by the city council may be revoked by the city council for good cause after reasonable notice to the licensee and a hearing upon the grounds for revocation.

Section 5.13.070 Bond or insurance required.

No transient vendor shall sell goods, wares or merchandise in the city unless such transient vendor has posted a bond with, or has provided a certificate of liability insurance naming the city as an "additional insured" to, the city clerk in the amount of five thousand dollars, and has signed an agreement providing for indemnification of the city against any loss which may arise by way of any suit, action or proceeding against the city as a result of any act or failure to act on the part of such transient vendor while operating within the territorial limits of the city. This indemnification agreement shall be in a form approved by the city solicitor.

Section 5.13.080 Minimum age.

No person under 18 years of age shall receive a license as a transient vendor.

Section 5.13.090 Additional restrictions.

The terms of every transient vendor license issued pursuant to this article shall be subject to such further restrictions and regulations as the city council shall impose.

Section 5.13.100 Penalties.

Any transient vendor who violates any provision of this chapter shall be punishable in accordance with the provisions of Chapter 1.16 of the Revised Ordinances of the City of Revere by a fine of three hundred (\$300.00) dollars, or be subject to arrest as provided for by Chapter 101, Section 32 of the General Laws.

Section 5.13.110 Conflict with state license.

Nothing in this article shall be construed as conflicting with any license duly issued under the laws of the commonwealth.

Section 2. Title 5 of the Revised Ordinances of the City of Revere is hereby amended by inserting a new Chapter 5.12 Door-to-door Solicitors and Canvassers:

Chapter 5.12 Door-to-door solicitors and canvassers.

Section 5.12.010 Definitions.

The terms "soliciting" and "canvassing" means and includes any one or more of the following activities:

- A. Seeking to obtain the purchase, or the orders for the purchase, of goods, wares, merchandise, foodstuffs, services, of any kind of consideration whatever; or
- B. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers, and every other type or kind of publication; or
- C. Seeking to obtain gifts or contributions of money, clothing or any other valuable thing for the support or benefit of, or seeking to gain membership in or volunteers for, any charitable or nonprofit association, organization, corporation or project.

The provisions of Sections [5.12.010](#) through [5.12.080](#) shall not apply to those who are operating validly as hawkers or peddlers or open air vendors, or to officers or employees of the city, county, state or federal government, or any subdivision thereof, when on official business, or to the city of Revere neighborhood youth and students who solicit for the shoveling of snow or cutting of lawns, or in connection with fundraising activities or city of Revere senior citizen fundraising activities, or to milkpersons, bakery persons, insurance agents, laundry persons, and ice, oil and coal dealers, nor shall it be construed to prevent route salespersons or other persons having established customers to whom they make periodic deliveries from calling upon such customers.

If any solicitor or canvasser is under the age of eighteen years and is selling goods or periodicals for a commercial purpose, the provisions of M.G.L. Chapter 101, Section 34 shall apply.

5.12.020 Registration required.

It is unlawful for any person to solicit or canvass, for him or herself or for another person, or organization, by foot, automobile or any other type of conveyance, from place to place, house to house or street to street, calling at residences without the previous consent of the occupant, without first having registered with the chief of police.

5.12.030 Application for certificate of registration.

- A. Application for a certificate of registration shall be made upon a form provided by the police department.
- B. An authorized representative of the sponsoring organization shall apply to the chief of police of his designee either personally, between the hours of nine a.m.

and two p.m. from Monday through Thursday excluding holidays, or by mail, and truthfully state in full the information requested on the application, to wit:

1. Name, address and telephone number of the sponsoring organization;
 2. State and/or federal tax identification number or tax exempt number of the sponsoring organization;
 3. Name, residential address, telephone number, social security number and date of birth of each representative of sponsoring organization who will be soliciting or canvassing in the city;
 4. Period of time for which the certificate is applied (i.e., the dates on which the soliciting or canvassing will take place);
 5. Any convictions for a violation of a felony or crimes against the person under the laws of the commonwealth or any other state or federal law of the United States within five years of the application, by the sponsoring organization or any of its representatives who will be soliciting or canvassing in the city;
 6. Signature of authorized representative of the sponsoring organization.
- C. A photograph or an acceptable copy of a photograph of each representative of the sponsoring organization who will be soliciting or canvassing in the city must be attached to the application.
- D. If the sponsoring organization is required by M.G.L.A. Chapter 68, Section 19, to register as a charitable organization with the commonwealth, a copy of said registration must be attached to the application.
- E. All statements made by the application upon the application or in connection therewith shall be under oath.
- F. No certificate of registration shall be issued to any person who has been convicted of the commission of a felony or crime against the person within five years of the date of the application; nor to any person whose certificate of registration issued hereunder has previously been revoked as provided herein.
- G. The chief of police shall cause to be kept in his office an accurate record of every application received and acted upon together with all other information and date pertaining thereto and all certificates of registration issued under the provisions of Sections [5.12.010](#) through [5.12.080](#), and of denial of applications. Fully completed applications for certificates, shall be acted upon within three days of receipt. The original copy of the application shall be given to the applicant and a duplicate copy shall be retained on file in the office of the chief of police.
- H. When approved, each solicitor or canvasser shall be issued a certificate of registration and shall at all times while soliciting or canvassing in the city carry upon his/her person the registration certificate and the same shall be exhibited by such registrant whenever he or she is required to do so by any police officer or by any person solicited. The certificate of registration shall state the expiration date thereof.
- I. An administration fee of ten dollars shall be charged for each certificate of registration issued.

- J. Soliciting and canvassing may be conducted Monday through Saturday between the hours of nine a.m. and eight p.m., and Sundays between the hours of twelve p.m. and six p.m., excluding major holidays on which retail stores and businesses (except for local convenience stores, restaurants and other food establishments) are closed.

5.12.040 Deceptive practices.

No solicitor or canvasser may use any plan, scheme or ruse which misrepresents the true status or mission of the person making the call in order to gain admission to a person's home, office or other establishment.

5.12.050 - Duty of solicitors and canvassers.

It shall be the duty of every solicitor and canvasser going onto any premises in the city to first examine whether there is a notice stating that no solicitors are welcome; if such notice is present then the solicitor or canvasser shall immediately and peacefully depart from the premises.

Any solicitor or canvasser who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

5.12.060 - Revocation of certificate.

Any certificate of registration issued hereunder shall be revoked by the chief of police if the holder of the certificate is convicted of a violation of any of the provisions of Sections [5.12.010](#) through [5.12.080](#) or has made a false material statement in the application or otherwise becomes disqualified for the issuance of a certificate of registration under the terms of said sections. Immediately upon such revocation, written notice thereof shall be given by the chief of police to the holder of the certificate in person or by certified United States mail addressed to his or her residence or organization address set forth in the application.

Immediately upon the giving of such notice the certificate of registration shall become void.

5.12.070 - Solicitation of donations upon the public ways.*

No person, individually or on behalf of any organization, shall at any time, solicit donations of any kind from any operator or occupant of a motor vehicle upon the public way.

5.12.080 - Penalty for violations.

Any violation of the provisions of this title shall be punishable in accordance with the provisions of [Title 1, Chapter 1.16](#) of the Revised Ordinances of the city of Revere by a fine of three hundred dollars.

Section 3. Table I – Fee Schedule of the Revised Ordinances of the City of Revere is hereby amended deleting the words, “Section 5.12.020 of this revision, is two thousand dollars” and inserting in place thereof, “Chapter 5.13.020, is five hundred dollars”.

Section 4. This ordinance shall take effect on January 1, 2021.