



CITY COUNCIL
Regular Meeting

City Councillor Joseph A. DelGrosso
City Council Chamber – 2nd Floor
Revere City Hall
Revere, MA 02151
Calendar

Monday, November 24, 2025, 6:00 PM

Spanish interpretation can be requested at least 48 business hours prior to the public meeting by emailing translation@revere.org. La interpretación en español puede solicitarse al menos 48 horas hábiles antes de la reunión pública enviando un correo electrónico translation@revere.org.

5:00PM Ways & Means Sub-Committee Meeting

5:30PM Appointments Sub-Committee Meeting

Salute to the Flag

1. **Roll Call of Members**

2. Approval of the Journal of the Regular Meeting of November 10, 2025

3. **25-293** The City Council will award Certificates of Commendation to the Revere Bocce Team in honor of their victory over their 'friendly' rivals in the Revere vs. Chelsea Bocce Tournament this past September.

4. **25-302** The Chief of Police to provide the City Council with an update on the use of body cameras for officers to include cost and expected start time.

5. **25-297** AFC Urgent Care located at 339 Squire Road will appear before the City Council to conduct a presentation on the healthcare needs and services provided.

Public Hearings

6. **25-304** Hearing called as ordered on the application of Shirley Avenue Realty Trust, Trustee James Perry, 65 County Road, Chelsea, MA 02150 requesting a special permit from the Revere City Council to allow the existing storefront and nine residential units to remain in place where City records indicate a storefront and six residential units at 85 Shirley Avenue, Revere, MA 02151.

Public Comment Pursuant to Chapter 402 of the Acts of 1965

Unfinished Business

7. **25-232** An Ordinance Repealing Section 9.12.030 Posting Political Signs of the Revised Ordinances of the City of Revere. - 3rd Reading

Ways & Means Sub-Committee Report

8. **24-257** Communication from the Chief of Planning & Community Development relevant to a proposed special act to support the family of Robert O'Brien.

9. **25-107** Motion presented by Councillor Guarino-Sawaya: That Mayor request the Department of Public Works to install appropriate signage and/or blinking lights ahead of all speed bumps to provide sufficient warning to drivers and improve roadway safety. Furthermore, that the Traffic Commission and Department of Public Works conduct a review of all existing speed bump locations to ensure proper signage is in place and report back to the City Council with its recommendations.

Appointments Sub-Committee Report

10. **25-276** Communication from the Mayor relative to the reappointment of Ellie Vargas to the Disability Commission.
11. **25-277** Communication from the Mayor relative to the appointment of Nicholas Gauvin to the Parks and Recreation Commission.
12. **25-278** Communication from the Mayor relative to the appointment of Jacklyn Damiano to the Parks and Recreation Commission.
13. **25-279** Communication from the Mayor relative to the appointment of Wilson Correa to the Parks and Recreation Commission
14. **25-280** Communication from the Mayor relative to the appointment of David Leary to the Parks and Recreation Commission.
15. **25-281** Communication from the Mayor relative to the appointment of Natalia Ardagna to the Parks and Recreation Commission.
16. **25-282** Communication from the Mayor relative to the appointment of John Shannon Bianchi to the Parks and Recreation Commission

Motions

17. **25-305** Motion presented by Councillor McKenna: That the Mayor request MassDOT to mark a "Don't Block the Box" on Bennington Street at the intersection of Crescent Avenue.
18. **25-306** Motion presented by Councillor McKenna, Councillor Cogliandro, Councillor Novoselsky: That the Mayor request MassDOT to mark a "Don't Block the Box" on VFW Parkway at the intersection of Beach Street.
19. **25-307** Motion presented by Councillor McKenna: That the Mayor request MassDOT to increase the timing of the traffic signalization on Winthrop Avenue for traffic headed West to Revere Beach Parkway and lower Winthrop Avenue. The current timing has traffic backed up to the intersection of Winthrop Avenue and North Shore Road during rush hour.

20. **25-308** Motion presented by Councillor Novoselsky: That the Mayor request the Department of Planning & Community Development to work with the DCR, MassDOT and the Traffic Commission to reduce the crosswalk at the intersection of Campbell Avenue and Revere Beach Parkway for the safety of pedestrians and traffic safety. Also, since there is a new opening at the median strip for the Revere Fire Department, the reduction will force cars to take a right onto the Parkway instead of crossing over to head to Beachmont or Suffolk Downs. This request was previously submitted in 2023 with no action.
21. **25-309** Motion presented by Councillor Guarino-Sawaya: That the Mayor request the Department of Planning & Community Development and the Emergency Management Director to begin the process of enrolling the City of Revere in FEMA's Community Rating System (CRS) program, if the City is not already enrolled, and to take all necessary steps to update floodplain-management practices to meet FEMA standards. Further, that the departments provide the Council with a report outlining required actions, recommended ordinance updates, and potential benefits to residents, including reductions in flood-insurance premiums.
22. **25-310** Motion presented by Councillor Guarino-Sawaya: That the Mayor request the City Solicitor to draft an ordinance establishing a Building Emissions Reduction & Disclosure (BERDO) program for the City of Revere, including: 1. Annual reporting of energy and water use for large buildings. 2. Phased emissions-reduction standards to meet climate goals. 3. Technical assistance for building owners, prioritizing low-income and Environmental Justice areas. 4. Enforcement for non-compliance and incentives for strong or early reductions. 5. A designated city office to run the program and a fund to support emissions-reduction projects. 6. Authority for the appropriate department to issue regulations.
23. **25-311** Motion presented by Councillor Kelley: That the Mayor request the Chief of Police to require Popeye's on Squire Road to provide a police detail for the grand opening of the establishment and continue throughout the following two-weeks of their opening in order to calm traffic and congestion in that area.
24. **25-312** Motion presented by Council President Silvestri: That the Mayor request the CFO to appear before the City Council to conduct a presentation on the local property tax exemptions for veterans.



CITY COUNCIL

Regular Meeting

City Councillor
Joseph A. DelGrosso
City Council Chamber
Journal
Monday, November 10, 2025

Regular Meeting of the City Council was called to order at 6:00 PM. Council President Marc Silvestri presiding.

Salute to the Flag

1 Roll Call of Members

Attendee Name	Title	Status	Arrived
Paul Argenzio	Councillor	Present	
Anthony Cogliandro	Councillor	Present	
Chris Giannino	Councillor	Present	
Angela Guarino-Sawaya	Councillor	Present	
Robert J. Haas	Councillor	Present	
Juan Pablo Jaramillo	Councillor	Present	
Michelle Kelley	Councillor	Present	
Joanne McKenna	Councillor	Present	
Ira Novoselsky	Councillor	Present	
Anthony T. Zambuto	Councillor	Present	
Marc Silvestri	Council President	Present	

2 Approval of the Journal of the Regular Meeting of October 27, 2025

RESULT: ACCEPTED

Late Communication

Council President Silvestri requested suspension of the City Council Rules of Order for the purpose of taking up a late communication from the Parking Director and a motion filed by Councillor Jaramillo.

On suspension of rules, all in favor.

3 25-301 **Communication from the Parking Director requesting approval of the annual Toys for Tickets Amnesty Program and the Stay and Shop Local Saturdays Program.**

"SHALL THE CITY COUNCIL APPROVE THE FOLLOWING PARKING INITIATIVES FOR THE MONTH OF DECEMBER 2025?"

Minutes Acceptance: Minutes of Nov 10, 2025 6:00 PM (Salute to the Flag)

UPON PAYMENT OF AN UNPAID PARKING FINE AND THE DONATION OF A NEW, UNUSED TOY OF SIMILAR OR GREATER VALUE FOR DONATION TO A WORTHY CHARITABLE PURPOSE, THE PARKING DIRECTOR, BEGINNING ON NOVEMBER 17, 2025, AND ENDING AT THE CLOSE OF BUSINESS ON DECEMBER 12, 2025, SHALL WAIVE UP TO \$30.00 DOLLARS PER TICKET, MAXIMUM FIVE TICKETS, IN UNPAID PARKING FINES, AS PROVIDED IN R.R.O. 10.48.160. NOTWITHSTANDING THE FOREGOING, THE PARKING DIRECTOR SHALL NOT WAIVE ANY SURCHARGE IMPOSED BY THE MASSACHUSETTS REGISTRY OF MOTOR VEHICLES IF THE PARKING DIRECTOR HAS NOTIFIED THE REGISTRY OF MOTOR VEHICLES OF AN UNPAID FINE AND A NON-RENEWAL OF LICENSE AND/OR REGISTRATION HAS BEEN RECORDED BY THE REGISTRY OF MOTOR VEHICLES.

PARKING METERS ON SATURDAY, DECEMBER 6th, DECEMBER 13TH, AND DECEMBER 20^h & DECEMBER 27th will be exempt from payment to promote local Holiday shopping.

RESULT: ORDERED - VOICE VOTE

Motion

- 4 25-300 Motion presented by Councillor Jaramillo: That the City Council award a Certificate of Commendation to Sebastian Agudelo Gomez for his exemplary contribution to educating and informing the residents of Revere and representing the Colombian-American community with integrity and distinction here in the largest Colombian-American community in the Commonwealth of Massachusetts.

The Council referred back to the regular order of business.

RESULT: ORDERED - VOICE VOTE

Presenation

- 5 25-284 **Mr. Vamshi Paili of revere.city to conduct a presentation on his AI-powered public data accessibility platform.**

RESULT: PLACED ON FILE

- 6 25-303 Motion presented by Councillor Kelley: That the Mayor be requested to investigate the feasibility of requesting an RFP for revere.city prototype.

RESULT: ORDERED - VOICE VOTE

Unfinished Business

- 7 25-232 **An Ordinance Repealing Section 9.12.030 Posting Political Signs of the Revised Ordinances of the City of Revere. - 3rd Reading**

Roll call on the 3rd and final reading: Councillors Argenzio, Cogliandro, Giannino, Guarino-Sawaya, Haas, Kelley, McKenna, Zambuto, and Council President Silvestri voting "YES". Councillor Novoselsky voting "NO". Councillor Jaramillo was absent.

RESULT: TABLED - OBJECTION 3RD AND FINAL READING Next: 11/24/2025 6:00 PM

Economic Development Sub-Committee Report

- 8 24-130 Motion presented by Councillor McKenna, Councillor Argenzio: That the Mayor request the Traffic Commission to assess the activation of the 15 minute grace period button on parking meters in the Broadway Central Business District. The activation of this feature will provide customers with free parking for 15 minutes to run quick errands without being penalized.

RESULT: ORDERED - VOICE VOTE

- 9 24-256 **A presentation by the Chief of Planning and Community Development and Jason Shreiber of Stantec on the Broadway Corridor Parking Study.**

RESULT: PLACED ON FILE

- 10 25-032 Motion presented by Councillor Novoselsky: That the Mayor request the City Solicitor to draft an ordinance regulating the placement, installation, and removal of satellite dishes.

RESULT: PLACED ON FILE

- 11 25-271 **Communication from the Chief of Planning & Community Development relative to ongoing economic development initiatives throughout the City.**

RESULT: PLACED ON FILE

Communications

- 12 25-296 **Communication from the City Assessor requesting a public hearing for the purpose of establishing the Minimum Residential Factor for Fiscal Year 2026.**

RESULT:	ORDERED TO PUBLIC HEARING - CC
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Next: 12/1/2025 6:00 PM

Motions

- 13 25-297 Motion presented by Councillor McKenna: That the City Council request AFC Urgent Care located at 339 Squire Road to appear before the City Council to conduct a presentation on the healthcare needs and services provided.

RESULT:	ORDERED - VOICE VOTE
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- 14 25-298 Motion presented by Councillor Cogliandro: That the City administration and School administration provide the City Council with a comprehensive written report detailing the jurisdictional responsibilities over school property, including the areas and matters under the control of the City, the areas and matters under the control of the School Department, and any other departments or entities that hold jurisdiction or authority over school property.

RESULT:	ORDERED - VOICE VOTE
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- 15 25-299 Motion presented by Councillor Haas: That the City Council award the Revere Jr. Patriots Flag Football team for its undefeated season, which concluded with a championship at the NCYFC 2025 Flag Football tournament on November 1st.

RESULT:	ORDERED - VOICE VOTE
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Late Motion

- 16 25-302 Motion presented by Council President Silvestri: That the Mayor request the Chief of Police to provide the City Council with an update on the use of body cameras for officers to include cost and expected start time.

RESULT:	ORDERED - VOICE VOTE
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Ordered adjourned at 7:08 PM.

Attest:

Minutes Acceptance: Minutes of Nov 10, 2025 6:00 PM (Salute to the Flag)

City Council – Regular Meeting**November 10, 2025**

City Clerk

Minutes Acceptance: Minutes of Nov 10, 2025 6:00 PM (Salute to the Flag)

C-25-14

PUBLIC HEARING NOTICE

Notice is hereby given in accordance with the provisions of Chapter 40A of the Massachusetts General Laws and Section 17.40.030 of the Revised Ordinances of the City of Revere that the Revere City Council will conduct a public hearing on Monday evening, November 24, 2025 at 6:00 P.M. in the City Councillor Joseph A. DelGrosso City Council Chamber, Revere City Hall, 281 Broadway, Revere, MA 02151 on the application of Shirley Avenue Realty Trust, Trustee James Perry, 65 County Road, Chelsea, MA 02150 requesting a special permit from the Revere City Council to allow the existing storefront and nine residential units to remain in place where City records indicate a storefront and six residential units at 85 Shirley Avenue, Revere, MA 02151.

A copy of the aforementioned application (C-25-14) is on file and available for public inspection in the office of the City Clerk, Revere City Hall, Revere, Massachusetts, Monday through Thursday from 8:15AM to 5:00PM and on Friday 8:15AM to 12:15PM. If unable to attend the public hearing, proponent/opponent testimony will be accepted in writing to amelnik@revere.org on or before November 18, 2025.

Attest:

Ashley E. Melnik
City Clerk

Revere Journal
Check attached #836
11/05/25
11/12/25

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

FORM B

APPLICATION NO. C-25-14DATE: 10/28/25CITY OF
REVERE

**Revere City Council
Application For
Special Permit**

All parts of this application and the attached documents shall be completed and submitted under the pains and penalties of perjury. Incomplete filings may be rejected. The applicant must be prepared to present data that tends to indicate that the public convenience and welfare will be substantially served by granting the exception or permission requested. That the exception or permission requested will not tend to impair the status of the neighborhood; that the exception or permission requested will be in harmony with the general purposes and intent of the Revised Ordinances of the City of Revere.

I hereby request a hearing before the Revere City Council for the following:

- A. Application for Planned Unit Development Title 17, Chapter 17.20, Section 17.20.010, 17.20.200 (Revised Ordinances of the City of Revere),
- B. **Application for Special Permit (Revised Ordinances of the City of Revere), Title 17, Chapter 17.40, §030 for Alteration or Expansion of a Nonconforming Structure. (See SPR Letter)**
- C. Application for Special Permit for Alteration and Extension of Nonconforming Uses (Revised Ordinances of the City of Revere), Title 17, Chapter 17.40, Section 17.40.020.

1. Applicant submitting this application is:

Name: Shirley Avenue Realty Trust, James Perry, Trustee

Address: 65 County Road, Chelsea, MA 02150

Tel. #: 617-378-2227

2. Applicant is: Owner

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

3. The following person is hereby designated to represent the applicant in matters arising hereunder:

Name: James J. Cipoletta, Esq.
Title: Attorney
Address: 5 Fremont Street, Suite 3, Winthrop, MA 02152
Tel. #: 781-289-7777
Email: jim@cipoletta.com

4. The land for which this application is submitted is owned by:

Name: Shirley Avenue Realty Trust
Address: 85 Shirley Avenue, Revere, MA 02151
Tel. # : 617-378-2227

5. The land described in this application is recorded in Suffolk County Registry of Deeds, Book 30795, Page 061.

6. Plans describing and defining the Exception to Use Regulations In Certain Districts, the Special Permit or Special Permit For Alteration and Extension of Nonconforming Uses are included herewith and made a part hereof and are titled and dated:

"Plan Prepared for James Perry, 85 Shirley Avenue, Revere, MA, 8/24/2025, Scale 1" = 20'

Lot # 1 on Plot Plan; Lots 27, 28, 29, 30 on 1895 Subdivision Plan; Sq. Ft. = 5,440

7. A map describing the land uses of adjacent and nearby properties is included and made a part of this application. YES. See Attached.

8. A locus map (8½" x 11") copy of City of Revere or USGS topographic sheet with site marked for which permit is requested is included and made a part of this application. YES. See Attached

9A. Is the site of this application subject to the Wetland Protection Act (M.G.L., Chapter 131, Sec. 40A or Chapter 130, Sec. 105)? NO

9B. Is the location of the site of this application within 100 feet of: a coastal beach; salt marsh; land under the ocean; NO.

10. Describe the property for which this application is being submitted (including dimensions of land, existing buildings, if any, availability of utilities, sewer, water, etc.):

The property consists of a single lot containing 5,449 square feet of land upon which there is a single building housing a retail store on the first floor and 9 residential apartments above. The locus lies within the General Business (GB) Zoning District which currently accommodates a number of various uses including mixed-uses, residential buildings, commercial establishments, retain space, and office facilities.

All utilities are in place and operational.

11. What is the nature of the exception or special permit requested in this application?

Currently, and since the Applicant purchased the property in 2003, the property has contained nine dwelling units within the footprint of the existing building. However, the city records indicate that there are six units existing.

The Applicant respectfully requests the City Council to grant a Special Permit to allow the present store and nine residential units to remain in place by way of a finding that the expansion or alteration of a pre-existing nonconforming structure is not substantially more detrimental to the neighborhood than the current structure and use in accordance with the provisions of G. L. c 40A, § 6.

When the Applicant purchased the property in 2003 the current configuration and use was in place. For instance, there are, and were, 10 utility meters installed. The Applicant further states that neither the footprint nor the interior living space has increased

Date of denial : See Site Plan Review Letter Attached.

Legal Analysis:

The requested Special Permit may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Revere Zoning Ordinance. It also is not substantially more detrimental than the existing structure and use that has existed without change for more than twenty years under the current ownership and for a long period of time prior to its conveyance.

An important factor is that although the city records the use as a six-unit building, recognizing the building as a nine-unit building does not increase the floor space or living space. Whether divided up into six units or nine units, the building will accommodate the same number of people and bedrooms without any extension of the interior or the footprint of the building from its present configuration.

In Massachusetts, the “not substantially more detrimental” standard is used when a zoning board or special permit granting authority such as the city council is considering whether to approve a special permit request. This standard typically comes into play in situations where the proposed use of land or structures deviates from the local zoning code but is protected as a pre-existing nonconforming structure or may be used by special permit as outlined in the table of uses. This standard is rooted in the idea that the project or use should not be more disruptive or harmful to the surrounding neighborhood than the existing use or structure. In other words, the council must determine whether the proposal will cause significantly greater negative impacts on things such as traffic, noise, environmental factors, or general aesthetics than what currently exists or could be allowed as a matter of right.

The Supreme Judicial Court has decided that G. L. C. 40A, §6 provides that the Special Permit shall be granted if there is a finding by the permit granting authority or the special permit granting authority (the council) that such extension, alteration, or use will not be substantially more detrimental than the existing nonconformity to the neighborhood. Shrewsbury Edgemere Assoc. Ltd. P'ship v. Bd of Appeals, 409 Mass 317, 318 (1991).

Further, in DeWolfe v. Zoning Board of Appeals of Stoughton, 401 Mass. 234 (1989) the SJC held that the decision to grant or deny a special permit should be based on whether the resulting use of the property or structure would be “substantially more detrimental” to the surrounding area than its existing use, adding that a granting authority had the discretion to evaluate the impacts of traffic, environmental conditions, and the aesthetic character of the neighborhood.

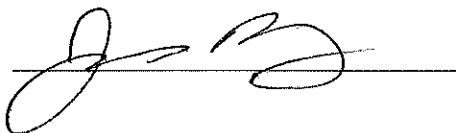
Furthermore, the Massachusetts Appeals Court held that special permit granting authorities must make a “**reasoned and fact-based judgement**” when determining whether the proposed result would be more detrimental. Wolfe v. Zoning Board of Appeals of Medford, 42 Mass. App. Ct. 902 (1996).

These cases collectively shape how Massachusetts courts and boards evaluate special permit requests and how they must assess an application to evaluate whether the result would be substantially more detrimental to the neighborhood.

Therefore, based on the facts, data, and analysis set out above, the Revere City Council should approve the application for special permit to alter or extend a pre-existing nonconforming structure or use as the continuation of the nine unit within the building is not tantamount to a substantially more detrimental condition,

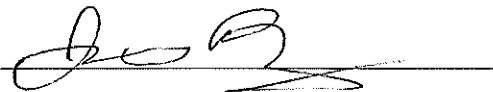
I hereby certify under the pains and penalties of perjury that the foregoing information contained in this application is true and complete.

Signature of Applicant



Date: 10/27/2025

Signature of Owner



Date: 10/27/2025

Signature of Designated Representative



Date 10/27/2025

Received from above applicant, the sum of \$ _____ to apply against administrative and mailing costs.

Attachment: PH. C2514.85 Shirley Avenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

General Disclosure of Constituent Information Relative to Applications Submitted to the Revere City Council For Authorizations, Permits, Special Permits, Licenses, Variances, Orders of Conditions, Approvals, Modifications and Amendments Which are Subject of Proceedings Before the Revere City Council

1. Name and residential address of party submitting application:

Name: Shirley Avenue Realty Trust, James Perry, Trustee

Address: 65 County Road, Chelsea, MA 02150

2. Name and residential address of each landowner on whose property subject matter will be exercised: (Attach additional pages, if necessary.) Name:

Address: **SAME**

3. If the party is a partnership, state the name and residential address of all partners within sixty (60) days of this application:

Partner's Name:

Address: **Not Applicable**

4. Name and residential address of each party to whom subject authorization will be issued:

Name: **James Perry, Trustee**

Address: **65 County Road, Chelsea, MA 02150**

5. If the party is a trust, provide the name and residential address of each trustee and beneficiary within sixty (60) days of this application:

Trustee's Name: **James Perry**

Address: **65 County Road, Chelsea, MA 02150**

The trust documents are on file at **Suffolk Deeds at Book 30795 , Page 056** and will be delivered upon request.

5. If the party is a joint venture, state the name and residential address of each person, form of company that is party to the joint venture within sixty (60) days of the filing of this application.

Joint Venture Name:

Address: N/A

A copy of the Joint Venture agreement is on file at _____ and will be delivered upon request.

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

General Disclosure Form 7

If the party is a corporation, provide the name and residential address of each officer, director and shareholder owning more than 50% of the interest in the Corporation within sixty (60) days of the date of this application:

Officer's Name: **Not Applicable**

Address:

Director's Name:

Address:

Shareholder's Name:

(50% or more) Address:

8. If the party is a General Partnership, provide the name and residential address of each partner in the partnership within sixty (60) days of the date of this application.

General Partner's Name: **Not Applicable**

Address:

9. If the party is a Limited Partnership, provide the name and residential address of each General Partner of the Limited Partnership within sixty (60) days from the date of this application.

General Partner's Name of Limited Partnership:

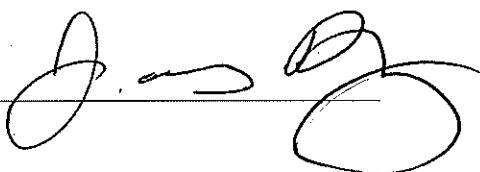
Address: **Not Applicable**

10. If the business is conducted under any title other than the real name of the owner, state the time when, and place where, the certificate require by Mass. General Law, Chapter 110, Section 5, is on file:

Not Applicable

The foregoing information is provided under the Pains and Penalty of Perjury.

Signature of each party and landowner:

X 

10/27/2026

Findings of Fact – Special Permit

Now comes the applicant *Shirley Avenue Realty Trust*, having applied to this Honorable City Council for a special permit for property located at *85 Shirley Avenue* and asks that said Council make the following findings of fact:

1. That the proposed use would be in harmony with the general purpose and intent of the Zoning Ordinance for the following reasons:

- (a) It will continue to encourage housing for persons of all income levels
- (b) It will conserve the value of land and buildings
- (c) It will encourage the most appropriate use of land

2. That the specific site is an appropriate location for such use for the following reasons:

- (a) It is located in the GB district and is surrounded by numerous residential and mixed use buildings containing as many and more residential units.
- (b) The use is compatible with the neighborhood which essentially is a walking neighborhood.
- (c) The site has been used in its present configuration for decades.

3. That the specific site has adequate public sewerage and water facilities and water systems for the following reasons:

(a) The building has maintained its current use connected to and utilizing existing utilities and infrastructure without placing a strain on either.

(b)

(c)

4. That the use as developed will not adversely affect the neighborhood, for the following reasons:

(a) The building footprint will not change.

(b) The interior liveable space will not change

(c) No exterior elements will be added to the building that would affect the nature and feel of the neighborhood.

5. That there will not be a nuisance or serious hazard to vehicles or pedestrians using Shirley Avenue for the following reasons: (streets)

(a) Traffic will not be increased from its present state.

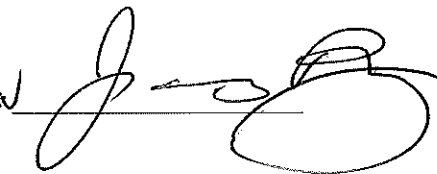
(b) No crowding of the building will result

(c) The store will remain in place to serve the neighborhood.

6. That adequate and appropriate facilities will be provided for the proper use, for the following reasons:

- (a) The building has housed the same number of units for decades, thus no change.
- (b) Fire safety and other code requirements are in place and operating.
- (c) Off-street parking is located in the rear of the building for those few who have cars.

Respectfully submitted by

A handwritten signature in black ink, consisting of a large, stylized 'J' followed by a horizontal line and a circular flourish.

Date: 10/27/2025

To: Director of Finance

From: Ashley E. Melnik, City Clerk

Subj: Review of Taxes, Assessments, Betterments and Other Municipal charges Relative to an
Application for a City of Revere License and/or Permit.

Date: _____

Requested Return Date: _____

Hearing Date: _____

In accordance with the provisions of Section 57(a), of Chapter 40 of the Massachusetts General Laws, and Title 3, Chapter 3.04, Section 3.04.020 of the Revised Ordinances of the City of Revere, I herewith request information relative to the payment of the City of Revere real estate taxes, assessments, betterments and other municipal charges concerning the following persons, corporations or business enterprises who have made application for a City of Revere license or permit or renewal thereof:

Name of Applicant: **Shirley Avenue Realty Trust**

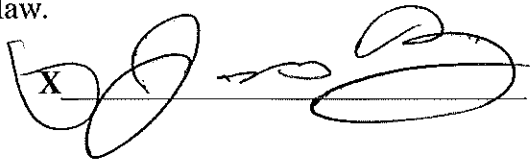
Address of Applicant: 65 County Road, Chelsea, MA

Location Address: 85 Shirley Avenue

Certification Pursuant to M.G.L. Chapter 62C, Sec. 49A:

I certify under the penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required by law.

Signature of Individual or Corporate Name by: X

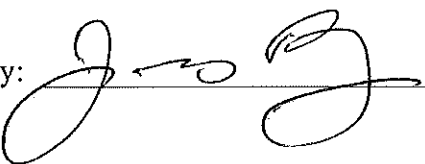


Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

**Certification Pursuant to G.L. Chapter 40, Sec. 57(a), and Title 3, Chapter 3.04,
Section 3.04.020 of the Revised Ordinances of the City of Revere, Massachusetts**

I hereby certify, under penalties of perjury, that I have paid all City of Revere real estate taxes, water and sewer assessments and any other municipal charges required under law.

Signature of Individual or Corporate Name

By:  _____, Trustee

Attachment: PH. C2514.85 Shirley Avenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

SITE PLAN REVIEW LETTER AND DENIAL

From: fstringi@revere.org
Sent: 03/26/2025 - 02:40 PM
To: tomperry56@gmail.com, amelnik@revere.org, lcavagnaro@revere.org
CC:
Subject: Application Review Comments

CITY OF REVERE APPLICATION REVIEW

City of Revere Site Plan Review Review Comments

From: Frank Stringi
Date: March 26, 2025
Application #: SPR25-000034
Address: 85 SHIRLEY AVE
Description: Change of apartments from 6 apartments and store front into a 9 apartments and store front
Review Status: Denied

Thank you for your recent permit application for Change of apartments from 6 apartments and store front into a 9 apartments and store front. I have completed my initial review and my comments are listed below, you can view marked up plans on our [CLICK HERE TO VIEW YOUR APPLICATION](#). Please note that you may receive additional comments from other city departments as your application is reviewed. You can follow the progress of your application by clicking on the link to the online portal above and signing into your account.

Reviewer: Frank Stringi, Community Development, Denied

1. This plan has been denied for the following reasons: In accordance with Section 17.40.030, the alteration and expansion of a nonconforming structure may only be allowed by special permit of the City Council

NOTE: If your application is marked "Resubmittal Required", you do not need to submit a new application. Log back into your account and edit either your Registration or Permit as requested in the comments.

Please do not reply to this automated email. All resubmittals should be done using our online portal at www.citizenserve.com/revere re-review. Furnishing the above requested information will help expedite the approval of your application.



Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

----- Forwarded message -----

From: <fstringi@revere.org>

Date: Wed, Mar 26, 2025 at 2:40 PM

Subject: Application Review Comments

To: <tomperry56@gmail.com>, <amelnik@revere.org>, <lcavagnaro@revere.org>

CITY OF REVERE APPLICATION REVIEW

City of Revere Site Plan Review Comments

From: Frank Stringi

Date: March 26, 2025

Application #: SPR25-000034

Address: 85 SHIRLEY AVE

Description: Change of apartments from 6 apartments and store front into a 9 apartments and store front

Review Status: Denied

Thank you for your recent permit application for Change of apartments from 6 apartments and store front into a 9 apartments and store front. I have completed my initial review and my comments are listed below, you can view marked up plans on our [CLICK HERE TO VIEW YOUR APPLICATION](#). Please note that you may receive additional comments from other city departments as your application is reviewed. You can follow the progress of your application by clicking on the link to the online portal above and signing into your account.

Reviewer: Frank Stringi, Community Development **Denied**

This plan has been denied for the following reasons: In accordance with Section 17.40.030, the alteration and expansion of a nonconforming structure may only be allowed by special permit of the City Council

NOTE: If your application is marked "Resubmittal Required", you do not need to submit a new application. Log back into your account and edit either your Registration or Permit as requested in the comments. Please do not reply to this automated email. All resubmittals should be done using our online portal at www.citizenserve.com/revere re-review. Furnishing the above requested information will help expedite the approval of your application.

PLOT PLAN

**PLAN SHOWING EXISTING PARKING
PREPARED FOR
JAMES PERRY
85 SHIRLEY AVENUE
REVERE, MASSACHUSETTS
AUGUST 24, 2025
SCALE: 1 INCH = 20 FEET**

JARVIS LAND SURVEY, INC
29 GRAFTON CIRCLE
SHREWSBURY, MA 01545
TEL. (508) 842-8087
FAX. (508) 842-0661
KEVIN@JARVISLANDSURVEY.COM

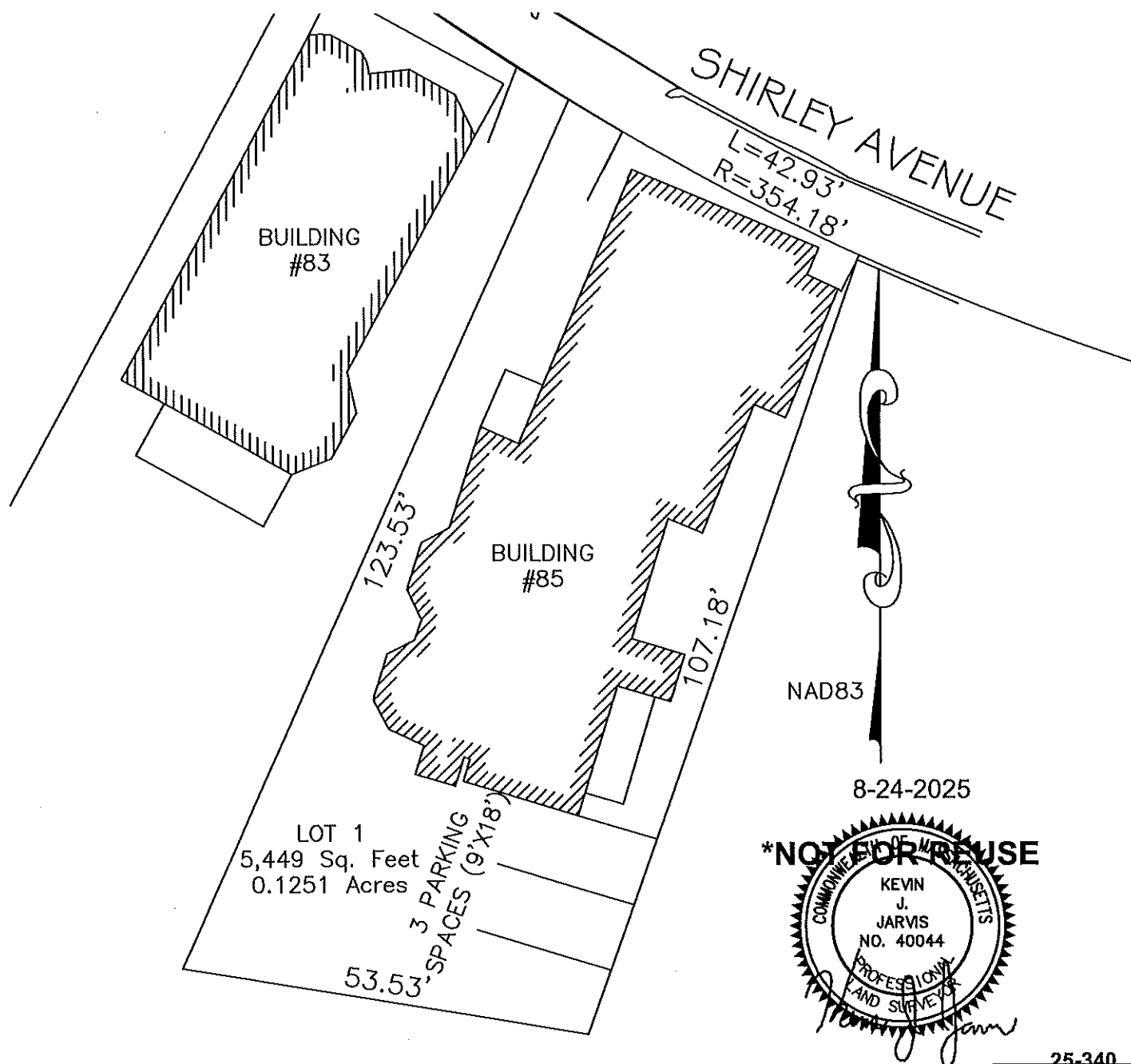
* THE SURVEYOR RETAINS COPYRIGHT TO THE PLAN OF SURVEY, AND RE-USE OF THIS PLAN IS NOT ALLOWED WITHOUT PERMISSION FROM THE SURVEYOR.

1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO THE FINDINGS SUCH A REPORT MIGHT DISCLOSE.

2. **THIS PLAN HAS NOT BEEN PREPARED FOR RECORDING PURPOSES.**

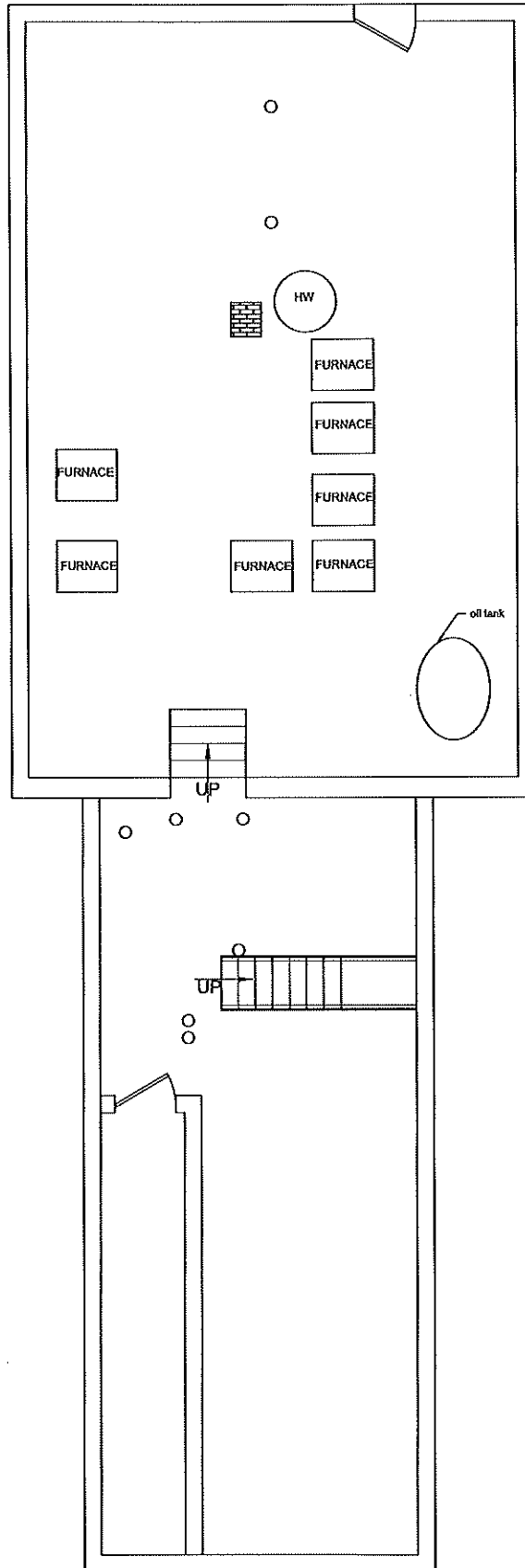
3. THE LICENSED MATERIAL CONTAINS VALUABLE PROPRIETARY INFORMATION BELONGING EXCLUSIVELY TO JARVIS LAND SURVEY, INC. THE LICENSED MATERIAL AND THE INFORMATION CONTAINED THEREON ARE COPYRIGHTED INSTRUMENTS OF PROFESSIONAL SERVICES AND SHALL NOT BE USED, IN WHOLE OR IN PART, FOR ANY PROJECT OTHER THAN THAT FOR WHICH THEY WERE CREATED, WITHOUT THE EXPRESS WRITTEN CONSENT OF JARVIS LAND SURVEY, INC. YOU AGREE NEVER TO REMOVE ANY NOTICES OF COPYRIGHT, NOR TO REPRODUCE OR MODIFY THE LICENSED MATERIAL.

**ASSESSORS MAP 8
LOT 132-9**



Attachment: PH. C2514.85 Shirley Avenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

EXISTING INTERIOR PLANS



BASEMENT PLAN
SCALE: $\frac{1}{4}" = 1'-0"$

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

FEBRUARY 1, 2025

PLANS PREPARED BY
DESIGN BY SAMI LLC.

81 OCEANSIDE DRIVE
SCITUATE, MA 02066

617-460-1041 - Sami@designbysami.com

SHEET 1 OF 4

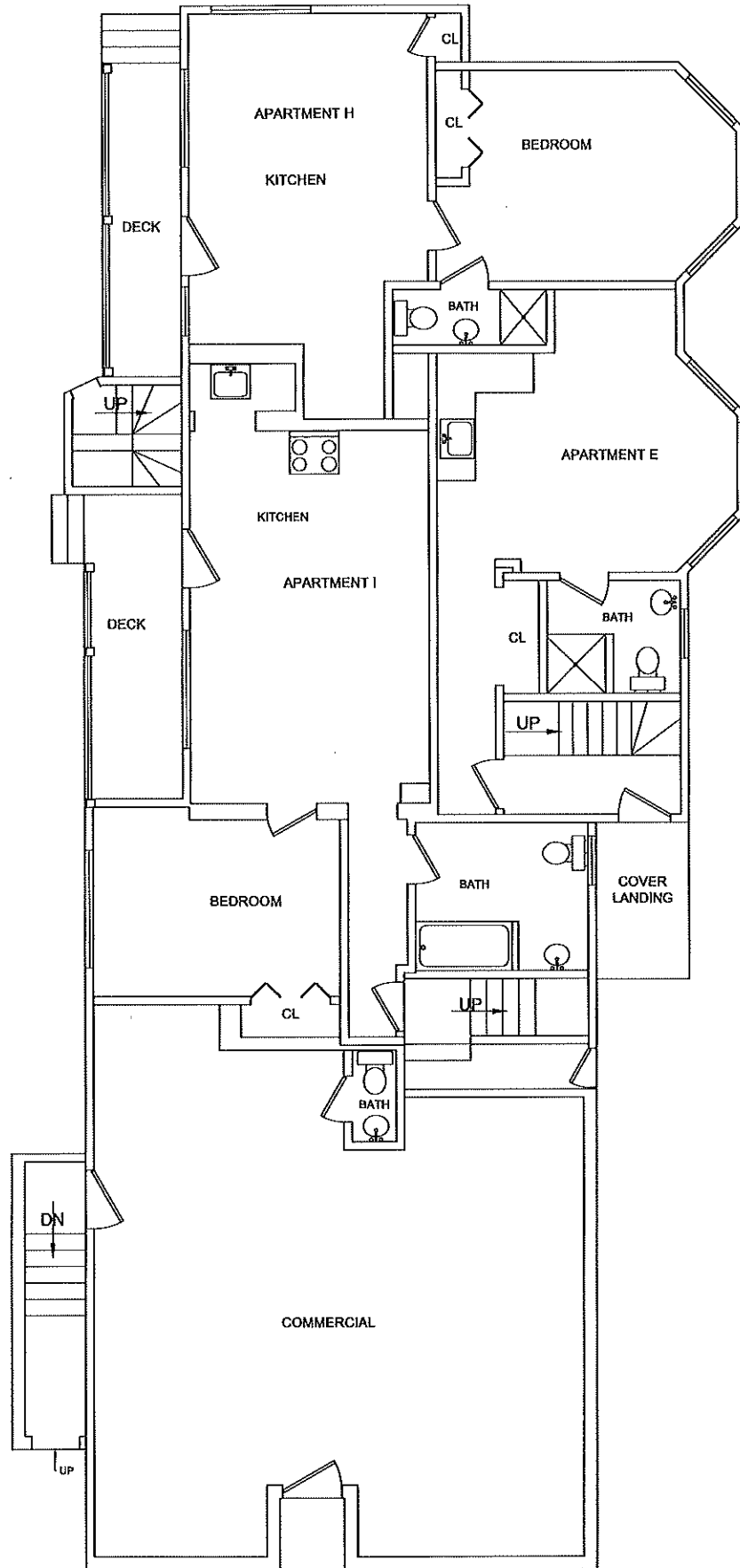
ISSUED FOR
CONSTRUCTION

PROJECT LOCATION
85 SHIRLEY AVENUE
REVERE, MA 02151

PROJECT TYPE
AS BUILT
FLOOR PLANS

DRAWN BY: SK
CHECKED: SK

Packet Pg. 31



Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

FEBRUARY 1, 2025

PLANS PREPARED BY
DESIGN BY SAMI LLC.

81 OCEANSIDE DRIVE
SCITUATE, MA 02066

617-460-1041 - Sami@designbysami.com

SHEET 2 OF 4

ISSUED FOR
CONSTRUCTION

FIRST FLOOR PLAN

SCALE: $\frac{1}{4}" = 1'-0"$

PROJECT LOCATION

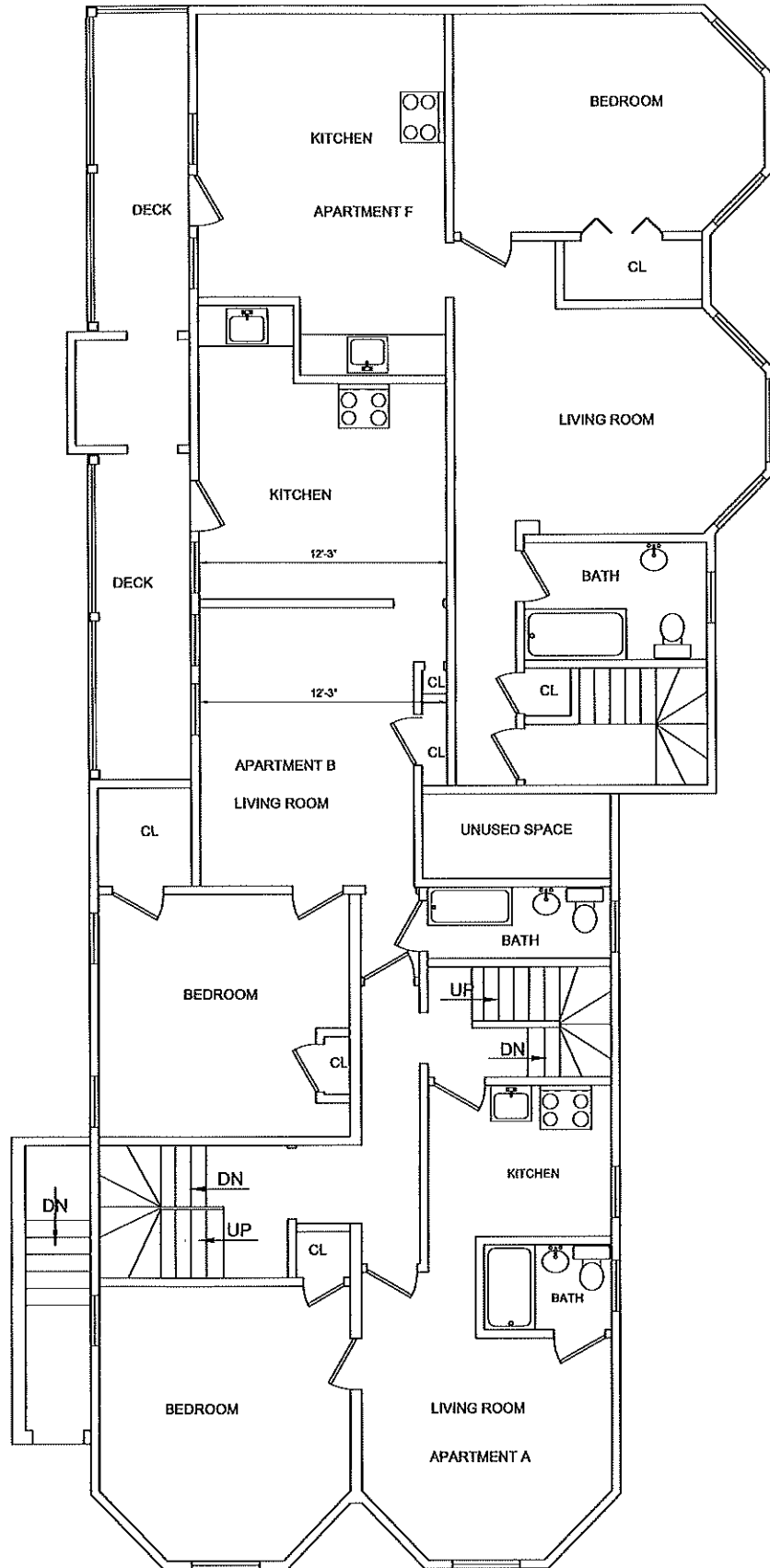
85 SHIRLEY AVENUE
REVERE, MA 02151

PROJECT TYPE

AS BUILT
FLOOR PLANS

DRAWN BY: SK
CHECKED: SK

Packet Pg. 32



SECOND FLOOR PLAN

SCALE: $\frac{1}{4}" = 1'-0"$

FEBRUARY 1, 2025

PLANS PREPARED BY
DESIGN BY SAMI LLC.

81 OCEANSIDE DRIVE
SCITUATE, MA 02066

617-460-1041 - Sami@designbysami.com

SHEET 3 OF 4

ISSUED FOR
CONSTRUCTION

PROJECT LOCATION

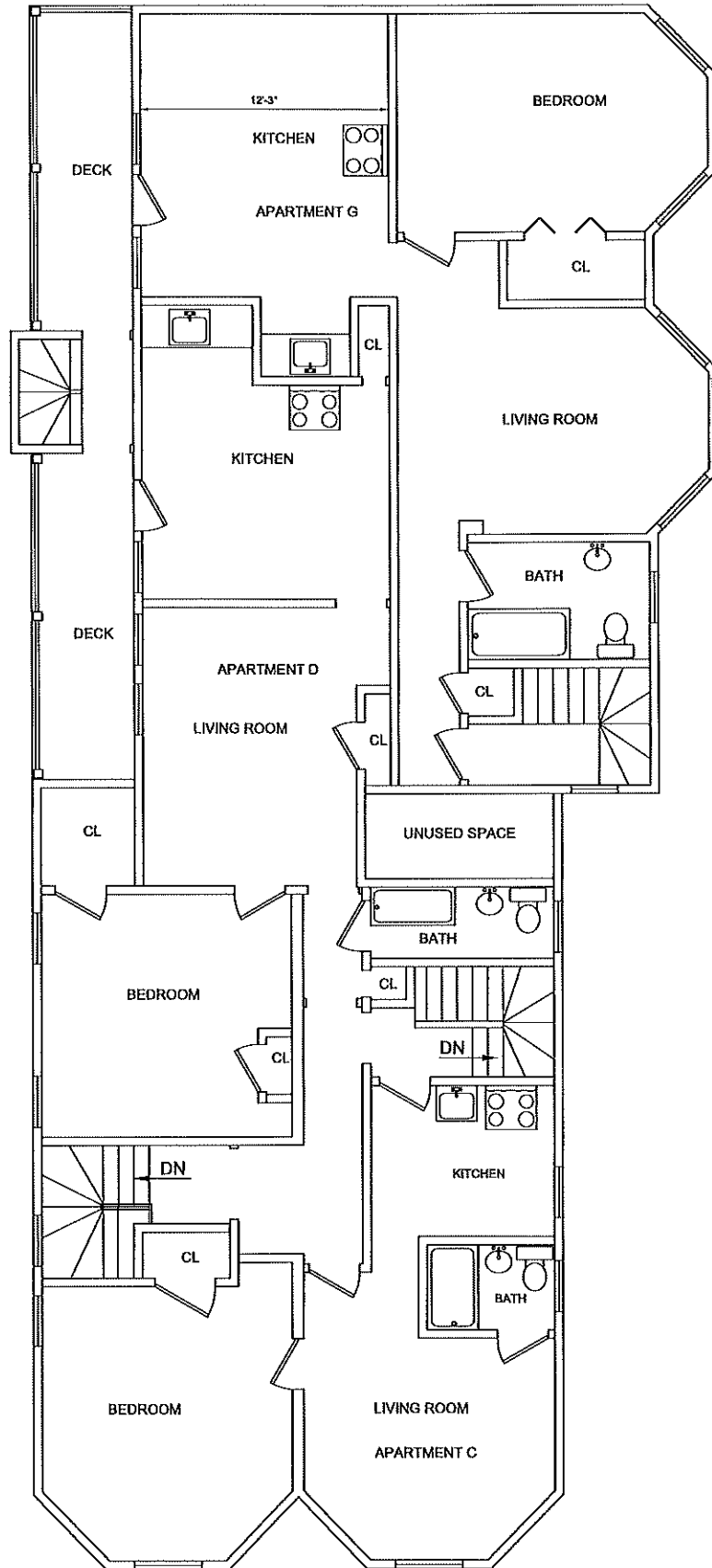
85 SHIRLEY AVENUE
REVERE, MA 02151

PROJECT TYPE

AS BUILT
FLOOR PLANS

DRAWN BY: SK
CHECKED: SK

Packet Pg. 33



THIRD FLOOR PLAN
SCALE: $\frac{1}{4}" = 1'-0"$

FEBRUARY 1, 2025

PLANS PREPARED BY
DESIGN BY SAMI LLC.
81 OCEANSIDE DRIVE
SCITUATE, MA 02066
617-460-1041 - Sami@designbysami.com

SHEET 4 OF 4

ISSUED FOR
CONSTRUCTION

PROJECT LOCATION
85 SHIRLEY AVENUE
REVERE, MA 02151

PROJECT TYPE
AS BUILT
FLOOR PLANS

DRAWN BY: SK
CHECKED: SK

Packet Pg. 34

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

ASSESSORS CARD



HOME

SEARCH

SUMMARY

INTERIOR

EXTERIOR

SALES

ABOUT

| Printable Record Card | Previous Assessment | Condo Info | Sales | Zoning | WebPro
Comments |

Card 1 of 1

Location 85 SHIRLEY AVE

Property Account Number 8/132/9/

Parcel ID 8-132-9

Current Property Mailing Address

Owner SHIRLEY AVENUE REALTY TRUST
PERRY JAMES S & ROBIN K TRUSTEE
Address 4220 PERTH CT

City NORTH FORT MYERS
State FL
Zip 33903
Zoning GB

Current Property Sales Information

Sale Date 3/7/2003
Sale Price 700,000

Legal Reference 30795-061
Grantor(Seller) BOCHETTI JOSEPH

Current Property Assessment

Year 2025

Land Area 0.125 acres

Card 1 Value

Building Value 1,168,000
Xtra Features Value 0
Land Value 265,000
Total Value 1,433,000

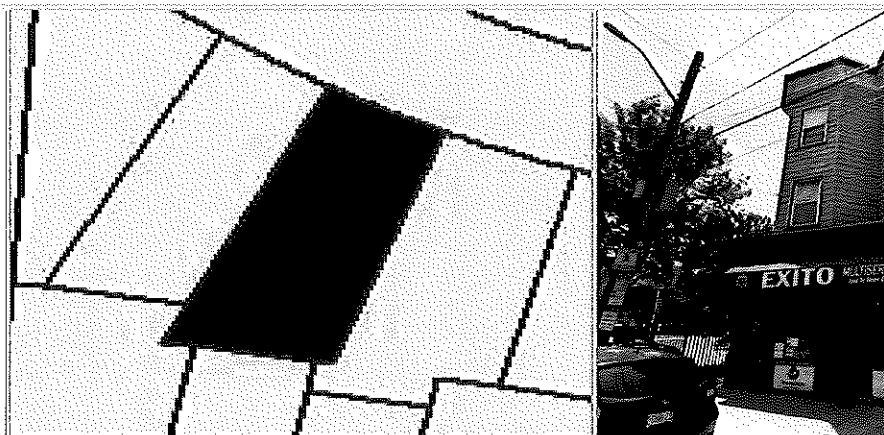
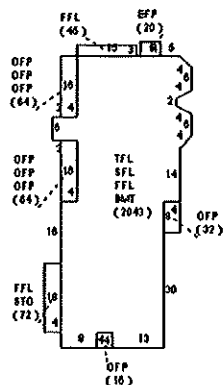
Narrative Description

This property contains 0.125 acres of land mainly classified as RES/COM with a(n) APT 4-8 style building, built about 1960, with CLAP exterior and TAR+GRAVEL roof cover, with 6 unit(s), 19 total room(s), 9 total bedroom(s), 5 total bath(s), 1 total h bath(s).

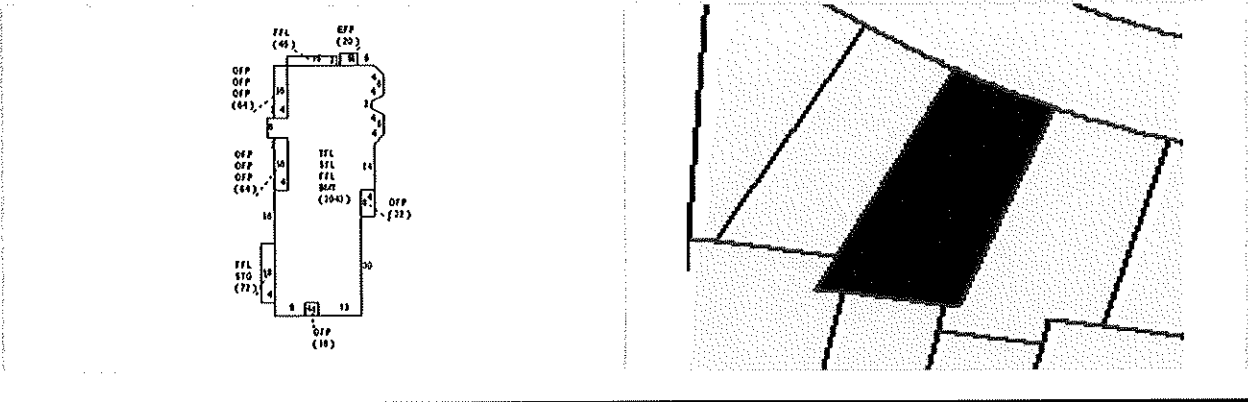
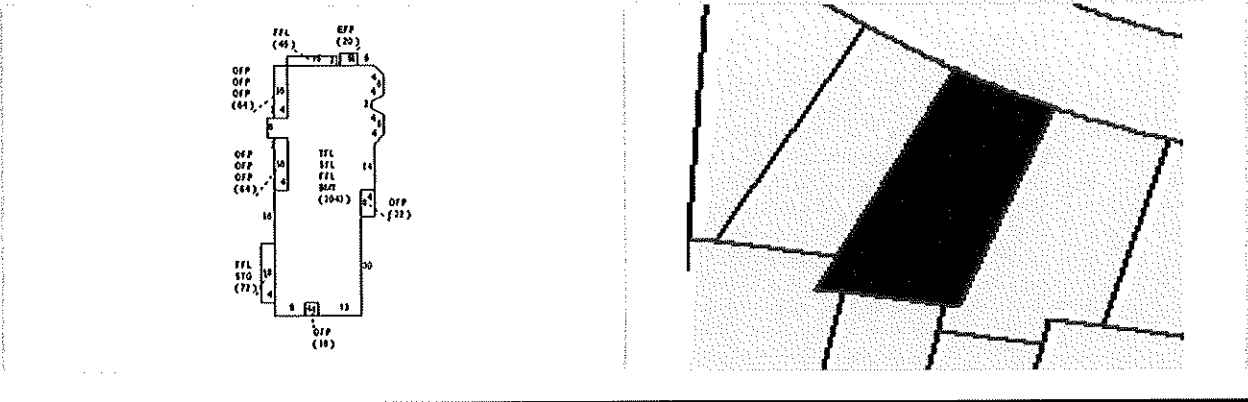
Legal Description

LOT C

Property Images



Attachment: PH. C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)





WebPro

- HOME
- SEARCH
- SUMMARY
- INTERIOR
- EXTERIOR
- SALES
- ABOUT

| Printable Record Card | Rooms and Bedrooms | Building Sq. Footage |

Card 1 of 1

Primary Interior Walls PLASTER	Electric TYPICAL
Second Interior Walls	Insulation TYPICAL
Primary Floor Cover CARPET	Heat Fuel GAS
Second Floor Cover LINO/VINYL	Heat Type FORCED H/W
Basement Floor CONCRETE	Fireplaces
# Basement Garages	Full Baths 5
Wood Stove Flues	Additional Full Bath
Solar Hot Water No	3/4 Bath
Central Vacuum No	Additional 3/4 Bath
Common Wall	1/2 Bath 1
Percent Sprinkled %	Additional 1/2 Bath
Heating Systems 1	Kitchens 5
Percent Heated 100%	Additional Kitchens
Air Conditioned %	Other Fixtures

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

PROPERTY DEED

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)



6.a

1045

LOCUS: 85-87 SHIRLEY AVE., REVERE, MA 02151

REC'D/ENTD & EXAM ATTEST
SUFFOLK REGISTRY
MAR 10 AM 2:44

For Title refer to Deed dated January 16, 1998, and recorded at Suffolk County Registry of Deeds, at Book 22084, Page 179.

BOSTON
 DEEDS REG 19
 SUFFOLK
 03/10/2019 12:45PM
 000000 000000
 01
 \$3192.00
 \$3192.00
 FEE
 CASH \$3192.00
 CANCELLED

JOSEPH M. BOCHETTI

MIDDLESEX ss. March 7, 2003

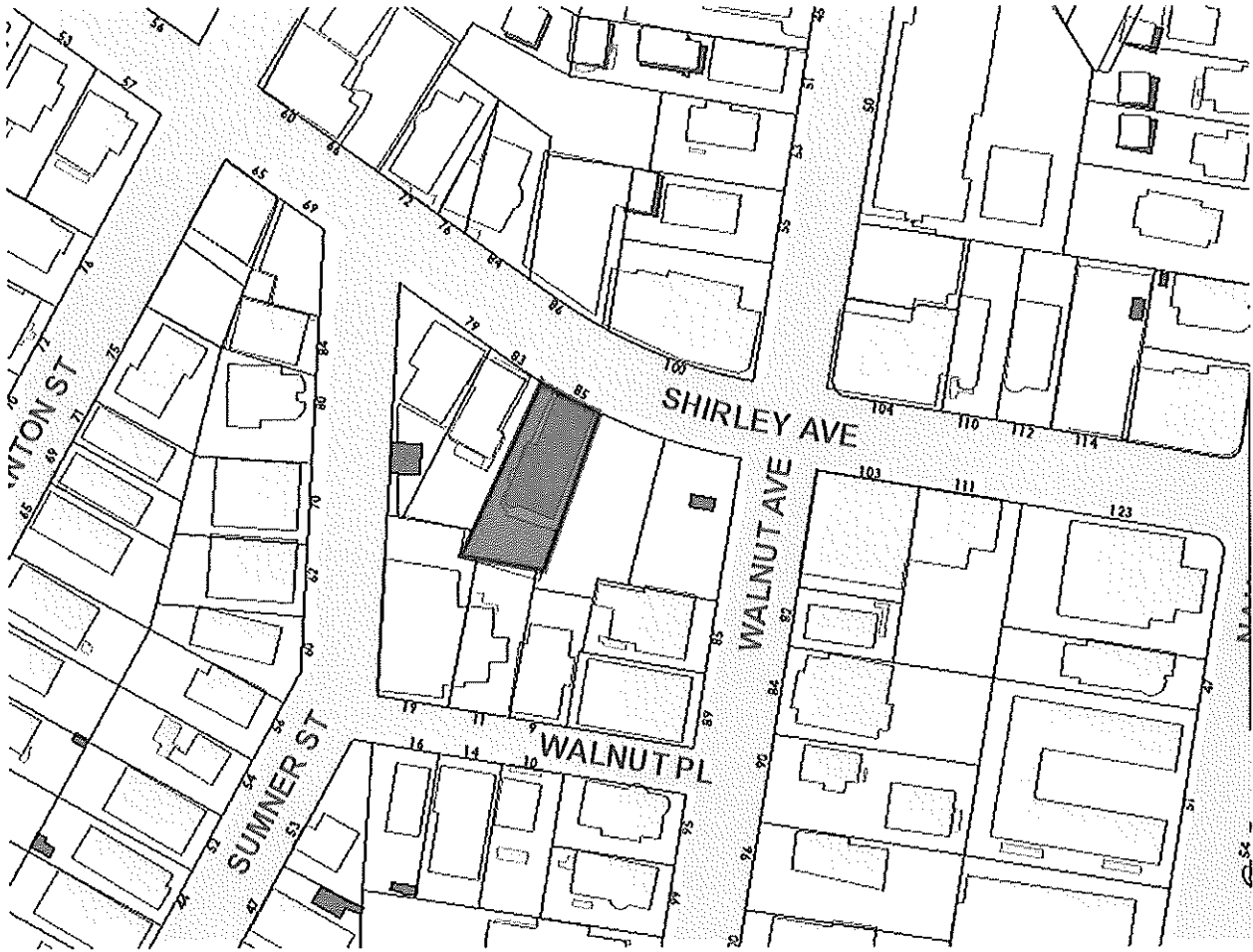
PAUL D. YAHODIK Notary Public - ~~K9364 KX KX KX KX~~
My commission expires 1/22/2010.

Packet Pg. 40

FORM 108 LAWYERS STATIONERY CO., INC. BOSTON, MA

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

REVERE GIS MAP

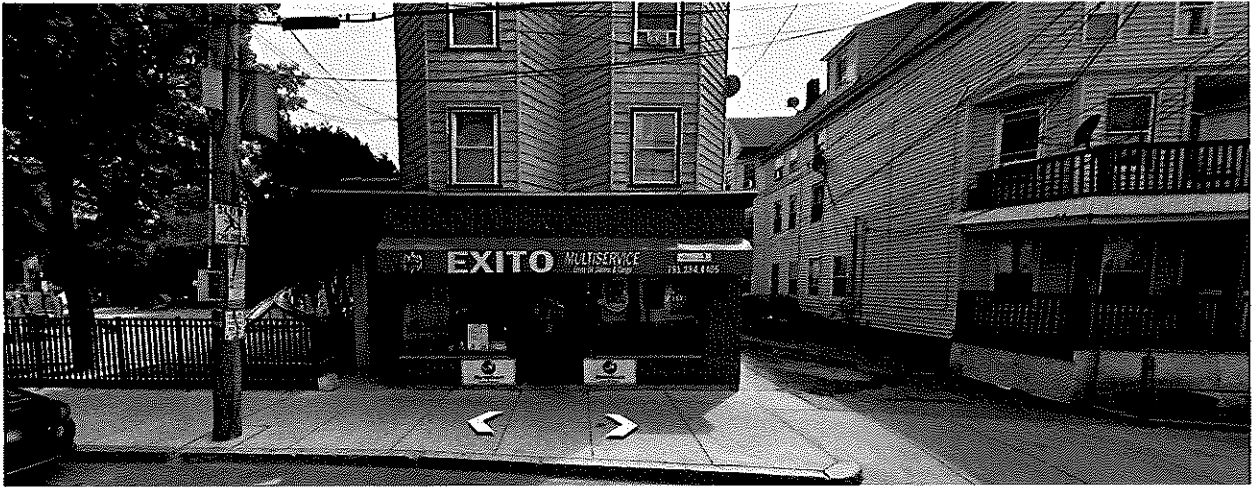


Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

PHOTOGRAPHS



Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)



← 87 Shirley Ave
Revere, Massachusetts





Patrick M. Keefe, Jr.
Mayor

City of Revere

BOARD OF ASSESSORS

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

Request for Abutters List

Date: 8/11/2025

Property Location: 85 Shirley Avenue

Map: 8 Block: 132 Parcel: 9 Unit:

Property Owner: Shirley Avenue Realty Trust

Is request for special permit or variance? YES: X NO:

If yes, then 300 Ft is required distance. If no, please indicate requested distance below:

Requested Distance:
Abutter - Abutter FT

Fee: \$ 80.00

Please make check payable to City of Revere

Requester Information:

Name: James Cipolletta

Address: 5 Fremont St
Woburn MA 02152

Telephone: 781 289 7777

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

INTERIOR INFORMATION				CALC SUMMARY			
Avg Ht/LISTD		Phys Cond: AV - Average	32	%	Additional:		
Prtn Int Wall: 2 - PLASTER		Functional:		%	Kitchen:		
Sec Int Wall:		Economic:		%	Baths:		
Partition: 7 - TYPICAL		Special:		%	Plumbing:		
Prtn Floors: 4 - CARPET		Override:		%	Electric:		
Sec Floors: 5 - LINOLINUM		Total:	32	%	Heating:		
				%	General:		
					Totals		
					5	19	9

[illegible]

MOBILE HOME		Make:	Model:	Serial #	Year:	Color:											
SPEC FEATURES/YARD ITEMS																	
Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	D/S	Dep	LUC	Fact	NB Ra	Appr Value	Good/Fact	Jurts. Value
<div> <div>More: N</div> <div>Total Yard Items:</div> <div>Total Special Features:</div> <div>Total:</div> </div>																	



70 SUMNER ST 8-130-4
LUC: 111

70-76 SUMNER STREET REALTY TRUST
GOLD MARVIN R TRUSTEE
70 SUMNER ST
REVERE, MA 02151

62 SUMNER ST 8-130-5
LUC: 111

62-69 SUMNER STREET LLC
94 WINSTON RD
NEWTON, MA 02459

60 SUMNER ST 8-130-6
LUC: 105

YANES JOSE
430 MERIDIAN ST
EAST BOSTON, MA 02128

53 SUMNER ST 8-131-28
LUC: 101

LIPMAN WILLIAM
53 SUMNER ST
REVERE, MA 02151

16 WALNUT PL 8-131-29
LUC: 101

CHACON ADILIA Y
77 RUMNEY RD
REVERE, MA 02151

14 WALNUT PL 8-131-30
LUC: 111

WALNUT PLACE LJS LLC
60 LEO M. BIRMINGHAM PKWY
BRIGHTON, MA 02135

10 WALNUT PL 8-131-31
LUC: 104

CHACON ADILIA
77 RUMNEY RD
REVERE, MA 02151

SHIRLEY AVE 8-132-1
LUC: 930

CITY OF REVERE
MAYORS OFFICE
CITY HALL
REVERE, MA 02151

SHIRLEY AVE 8-132-10
LUC: 930

CITY OF REVERE
MAYORS OFFICE
CITY HALL
REVERE, MA 02151

85 WALNUT AVE 8-132-2
LUC: 111

H&T REALTY LLC
56 COUNTY RD
CHELSEA, MA 02150

9 WALNUT PL 8-132-4
LUC: 111

LUBEC STREET TRUST
DICOSTANZO GIORGIO TRUSTEE
23 WINTHROP AVE
REVERE, MA 02151

11 WALNUT PL 8-132-5
LUC: 105

SHERPA NYIMDICKYI
DORJEE TENZING
22 WERTMAN LN
COLONIE, NY 12211

17 WALNUT PL 8-132-6
LUC: 112

COB REALTY LLC
C/O CLIFTON MANAGEMENT
280 LINCOLN ST
ALLSTON, MA 02134

79 SHIRLEY AVE 8-132-7
LUC: 111

HEAP MENG
32 WOODLAND RD
#2
AUBURNDALE, MA 02468

83 SHIRLEY AVE 8-132-8B
LUC: 111

GOOD STORY LLC
20 POWDER HOUSE RD EXT
MEDFORD, MA 02155

85 SHIRLEY AVE 8-132-9
LUC: 013

SHIRLEY AVENUE REALTY TRUST
PERRY JAMES S & ROBIN K TRUSTEE
4220 PERTH CT
NORTH FORT MYERS, FL 33903

103 SHIRLEY AVE 8-135-1
LUC: 325

CABRERA FRANCISCA H
103 SHIRLEY AVE
Revere, MA 02151

82 WALNUT AVE 8-135-16
LUC: 104

OSSORNO ZULY Y LOPERA
82 WALNUT AVE
REVERE, MA 02151

104 SHIRLEY AVE 8-146-5
LUC: 325

SHIRLEY AVENUE HOLDING LLC
104-108 SHIRLEY AVE
REVERE, MA 02151

WALNUT AVE 8-146-6
LUC: 970

REVERE HOUSING AUTHORITY
70 COOLEGE ST
REVERE, MA 02151

100 SHIRLEY AVE 8-147-1
LUC: 013

WALNUT SHIRLEY LLC
P O BOX 365
REVERE, MA 02151

86 SHIRLEY AVE 8-147-2
LUC: 326

86-92 SHIRLEY AVENUE LLC
86 SHIRLEY AVE
Revere, MA 02151

53 WALNUT AVE 8-147-21
LUC: 104

MARSHALL HERWINS REVOCABLE TRUST
HERWINS MARSHALL TRUSTEE
5 COPPER BEECH LN
NAHANT, MA 01908

53 A WALNUT AVE 8-147-22
LUC: 131

MARSHALL HERWINS REVOCABLE TRUST
HERWINS MARSHALL TRUSTEE
5 COPPER BEECH LN
NAHANT, MA 01908

55 WALNUT AVE 8-147-23
LUC: 112

55 WALNUT, LLC
PO BOX 365
REVERE, MA 02151

84 SHIRLEY AVE 8-147-3
LUC: 013

PLEASURABLE PROPERTIES LLC
343 WASHINGTON ST
SUITE 201
NEWTON, MA 02458

Attachment: PH.C2514.85ShirleyAvenue (25-304 : Special Permit, C-25-14, 85 Shirley Avenue)

THIS IS A TRUE & ATTESTED
COPY OF THE RECORDS OF THE
ASSESSOR'S OFFICE OF THE
CITY OF REVERE

DATE: 5/5/2015
Packet Pg. 50

Public Hearing

Notice is hereby given that the Revere City Council will conduct a public hearing on Monday evening, September 29, 2025 at 6:00 p.m. in the City Councillor Joseph A. DelGrosso City Council Chamber of Revere City Hall, 281 Broadway, Revere, Massachusetts relative to the following proposed amendment to the Revised Ordinances of the City of Revere:

AN ORDINANCE FURTHER AMENDING THE REVISED ORDINANCES OF THE CITY OF REVERE REPEALING THE POLITICAL SIGN ORDINANCE

Be it ordained by the City of Revere, MA as follows:

Section 1. Section 9.12.030 Posting political signs of the Revised Ordinances of the City of Revere is hereby deleted in its entirety.

A copy of the aforementioned proposed ordinance is on file and available for public inspection in the office of the City Clerk, Revere City Hall, Revere, Massachusetts, Monday through Thursday from 8:15AM to 5:00PM and on Friday 8:15AM to 12:15PM. If unable to attend the public hearing, proponent/opponent testimony will be accepted in writing to amelnik@revere.org on or before September 23, 2025.

Attest:

Ashley E. Melnik
City Clerk

Revere Journal
Bill to: amelnik@revere.org
9/3/25

City of Revere, Massachusetts

Tom Skwierawski

Chief of Planning and Community Development

Department of Planning and Community Development

281 Broadway, Revere, MA 02151 781. 286. 8181



Patrick M. Keefe Jr.

Mayor

TO: The Honorable Revere City Council

FR: Tom Skwierawski, Chief of Planning and Community Development

CC: Office of Mayor Patrick M. Keefe, Jr.

RE: **Home Rule Petition re: Special Act to support the family of Robert O'Brien**

DA: August 21, 2024

Esteemed Members:

I submit for your considering the following legislation:

AN ACT EXEMPTING ANNETTE V. O'BRIEN FROM BEING AWARDED A MEMBER-SURVIVOR ALLOWANCE AS SET FORTH IN CHAPTER 32, SECTION 12(2)(d)) OF THE GENERAL LAWS AND INSTEAD RECEIVE A ONE-TIME, LUMP SUM PAYMENT OF THE ACCUMULATED TOTAL DEDUCTION ACCOUNT OF ROBERT B. O'BRIEN ON FILE WITH THE REVERE CONTRIBUTORY RETIREMENT SYSTEM.

This legislation ensures that the spouse of the late Economic Development Director Robert (Bob) O'Brien receives the full retirement benefits afforded to Bob. Bob officially retired from the City at the end of 2023, and tragically passed away just weeks later. Bob's wife, Anette, is scheduled to receive nominal monthly benefits from the Revere Contributory Retirement System. Due to her age, this will likely amount to a number far less than the funding Bob contributed to the System.

Bob was a great man, and a mentor to me and many others in this building. He helped usher forward some of the most significant changes in the City's history, including the Suffolk Downs Master Plan and the revitalization of Revere Beach. Due to the untimeliness of his passing, the City wants to make every effort to ensure the support and comfort of his loved ones at this time. If you have any questions, please do not hesitate to ask.

Attachment: Memo_Bob O'Brien (24-257 : PROPOSED SPECIAL ACT TO SUPPORT THE FAMILY OF ROBERT O'BRIEN)

PROPOSED SPECIAL ACT TO SUPPORT THE FAMILY OF ROBERT O'BRIEN

ARTICLE

To see if the City will vote to authorize the City Council to petition the General Court for special legislation providing that Annette O'Brien, widow of Robert B. O'Brien, be exempt from the specific clause of Chapter 32, section 11(2)(c) of the General Laws that provides in pertinent part:

... Payment shall not be made under this subdivision if the deceased member is survived by a beneficiary appointed under option (d) of subdivision (2) of section twelve who is eligible to receive the allowance provided by said option, nor if the deceased member is a male and is survived by a person eligible to receive the allowance provided for in section twelve B, or is a female and is survived by a child eligible to receive the allowances provided for in section twelve B, unless the widow or person acting for such child elects, in lieu of receiving allowances provided for in said section twelve B, to have payment of any moneys due made in accordance with the provisions of this paragraph."

(emphasis added).

Provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the City Council approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the City Council to approve such amendments set forth below:

PROPOSED SPECIAL ACT

AN ACT EXEMPTING ANNETTE V. O'BRIEN FROM BEING AWARDED A MEMBER-SURVIVOR ALLOWANCE AS SET FORTH IN CHAPTER 32, SECTION 12(2)(d)) OF THE GENERAL LAWS AND INSTEAD RECEIVE A ONE-TIME, LUMP SUM PAYMENT OF THE ACCUMULATED TOTAL DEDUCTION ACCOUNT OF ROBERT B. O'BRIEN ON FILE WITH THE REVERE CONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same as follows:

WHEREAS, Robert B. O'Brien was employed as the City of Revere's Economic Development Director between August 18, 2016, and December 31,

PROPOSED SPECIAL ACT TO SUPPORT THE FAMILY OF ROBERT O'BRIEN

2023. During his employment with the City of Revere, Robert B. O'Brien accrued 6.4167 years of creditable service with the Revere Contributory Retirement System and contributed approximately \$79,724.03 into said Retirement System.

WHEREAS, while a member-in-service, Mr. O'Brien nominated Annette V. O'Brien as his member-survivor beneficiary pursuant to Chapter 32, section 12(2)(d) of the General Laws. That designation was never revoked by Robert B. O'Brien and remained on file at the Revere Contributory Retirement System until his death on February 19, 2024.

WHEREAS, staff at the Revere Contributory Retirement System have calculated Annette V. O'Brien gross monthly benefit to be \$81.76.

WHEREAS, Annette V. O'Brien is currently 81 years old.

SECTION 1. Notwithstanding the provisions of Chapter 32, section 11(2)(c) of the General Laws pertaining to the mandatory receipt of a member-survivor allowance when an eligible beneficiary has been nominated by a now deceased member, Annette V. O'Brien shall be issued a one-time, lump sum payment of monies paid into the Revere Contributory Retirement System by Robert B. O'Brien plus the statutory interest consistent with the other terms and conditions set forth in Chapter 32, section 11 of the General Laws.

SECTION 2. Once refunded, Annette V. O'Brien shall not be eligible for any additional benefits or payments by the City of Revere or the Revere Contributory Retirement System relative to Robert B. O'Brien's membership with the Revere Contributory Retirement System.

SECTION 3. This act shall take effect upon its passage.

END.



OFFERED BY **Division of Administrative Law Appeals**

DECISION

O'Brien v. Revere Ret. Sys., CR-24-0266

Notices & Alerts

DALA is excited to launch a new pro bono pilot program to connect unrepresented parties with volunteer legal counsel. | Updated Sep. 4, 2025, 10:04 am

We invite all Massachusetts lawyers to participate—no matter your level of experience or familiarity with DALA proceedings. This is a meaningful opportunity to support access to justice while developing your own skills.
(<https://www.mass.gov/info-details/pro-bono-opportunities-for-lawyers>)

DATE: 02/07/2025

ORGANIZATION: Division of Administrative Law Appeals

DOCKET NUMBER: CR-24-0266

Petitioner: Annette O'Brien

Respondent: Revere Retirement System

Appearance for Petitioner: Paul O'Brien, Esq.

Appearance for Respondent: Timothy J. Smyth, Esq.

Administrative Magistrate: Kenneth J. Forton

- > Summary of Decision
- > Decision
- > Conclusion
- > Downloads

Summary of Decision

While employed by the City of Revere, decedent Robert O'Brien designated his wife, Annette O'Brien, as his Option D beneficiary. Mr. O'Brien died after he resigned his position, but before retiring. Mrs. O'Brien requested that the City of Revere Retirement System allow her to waive the Option D allowance and instead return Mr. O'Brien's retirement contributions to her in a lump sum. Mrs. O'Brien is entitled to only an Option D allowance; the Board is not permitted to return Mr. O'Brien's deductions.

Decision

On February 19, 2024, Robert O'Brien died. His wife, Annette, requested that the Revere Retirement Board pay her Mr. O'Brien's total accumulated retirement deductions in one lump sum. On April 10, 2024, Revere denied her request and informed her that it must pay her the Option D allowance that her late husband had designated for her, even though, in her case, receiving a lump sum "may make better financial sense." On April 18, 2024, Ms. O'Brien appealed the Board's decision.

On April 24, 2024, DALA informed the parties that Ms. O'Brien's appeal appeared to be one that could be resolved on written submissions under 801 CMR 1.01(10)(c) and ordered them to submit legal memoranda and proposed exhibits. Neither

party objected to the magistrate's order. On July 12, 2024, Ms. O'Brien submitted her memorandum. She did not submit any proposed exhibits. On August 19, 2024, the Board submitted its memorandum and two proposed exhibits, which I now enter into evidence as marked. (Exs. A, B.) I have entered Ms. O'Brien's appeal letter as Exhibit C. On August 20, 2024, Ms. O'Brien submitted a reply memorandum.

FINDINGS OF FACT

Based on the documents presented by the parties, I make the following findings of fact:

1. Between August 18, 2016 and December 31, 2023, Robert O'Brien was employed by the City of Revere as its Economic Development Director. He was a member of the Revere Retirement System. (Ex. A.)
2. Mr. O'Brien married Annette O'Brien on September 18, 1965. At the time of his death, they were living together. (Ex. A.)
3. On September 19, 2018, Mr. O'Brien signed a valid Beneficiary Selection Form, which designated Mrs. O'Brien as his beneficiary under G.L. c. 32, § 11(2). On the reverse of the form, he listed her as his Option D beneficiary. The Option D portion of the form states Mrs. O'Brien would be entitled to "a benefit equal to the Option (C) retirement allowance which would otherwise have been payable to me in the event I die before retired." (Ex. A.)
4. On December 31, 2023, Mr. O'Brien voluntarily resigned his position with the City of Revere. (Stipulation.)
5. Over the period of his employment with the City of Revere, Mr. O'Brien made retirement contributions of \$79,724.03 to Revere. He accrued 6.4167 years of creditable service with the Board. (Ex. A.)
6. On February 19, 2024, Mr. O'Brien died. He did not apply to retire or withdraw his contributions from the retirement system before he died. This combination

of factors made him a member inactive on the date of his death. See G.L. c. 32, § 3(1)(ii). (Stipulation.)

7. On April 10, 2024, the Board notified Ms. O'Brien that she had been designated Mr. O'Brien's Option D beneficiary and that consequently she was entitled to a monthly Option D allowance of \$81.76 per month. (Ex. B.)
8. On April 18, 2024, Ms. O'Brien appealed the Board's decision. (Ex. C.)
9. After a series of emails and video calls, on May 16, 2024 the Board sought an advisory opinion from the Public Employee Retirement Administration Commission (PERAC) on whether the Board had the authority to distribute Mr. O'Brien's accumulated total deductions to Ms. O'Brien rather than paying her an Option D allowance. (Ex. B.)
10. PERAC responded on May 17, 2024. It declined to issue a formal opinion on the matter because of the pending appeal at DALA. However, PERAC attached a similar opinion letter dated February 9, 2023, that addressed what happens in certain circumstances when a member inactive dies before retiring. PERAC opined: "If there are no eligible beneficiaries, then the refund of the accumulated total deductions would be paid to the spouse. If the spouse was a nominated Option D beneficiary, then they must take the Option D allowance." (Ex. B.)

Conclusion

The dispute in this appeal is over whether a surviving spouse who has been designated an Option D beneficiary under G.L. c. 32, § 12(2)(d) is forced to take the Option D allowance, as opposed to a refund of the deceased retirement system member's annuity savings account, when the member has stopped working but has died before retiring.

The relevant law can be a bit convoluted. Under G.L. c. 32, § 11(2)(c), a member may designate a beneficiary to receive a return of his accumulated annuity savings deductions in his annuity savings account should he die before retiring. The

beneficiary designation is required to have been made in writing on a designated form filed with the retirement board prior to the member's death. Upon the death of the member prior to retirement, the beneficiaries designated under § 11(2)(c) receive the member's accumulated annuity savings deductions plus interest, unless the member had designated an eligible § 12(2) Option D beneficiary or a surviving spouse exercises his or her rights under Option D.

Under G.L. c. 32, § 12(2), at any time prior to death, a member may designate an eligible beneficiary as his Option D beneficiary. This designation must also be in writing, on a designated form, and filed with the retirement board prior to the member's death. There is no dispute that Mr. O'Brien designated his wife as his Option D beneficiary. The member may change or cancel the beneficiary designation at any time prior to death. There is also no dispute that Mr. O'Brien did not change or cancel his Option D beneficiary designation before he died. Under § 12(2)(d), upon the death of the member "before being retired," the Option D beneficiary receives the amount that the member would have received under Option C if the member had retired on the date of his death. There is no dispute that Mr. O'Brien died without retiring. Reading these provisions together yields the following result. Because Mr. O'Brien designated his wife as his Option D beneficiary and he stopped working and then died before he retired, the retirement board must pay an Option D allowance to Mrs. O'Brien.

Mrs. O'Brien argues that when Mr. O'Brien resigned from his position with the City of Revere on December 31, 2023, the Option D beneficiary designation became null and void and consequently his contributions should be paid out to his estate. Option D is only effective, she argues, while the member is still working his government job and is consequently a member in service. G.L. c. 32, § 3(1)(i). Because he left his contributions on account with the retirement system, Mr. O'Brien maintained his membership in the system, but as a member inactive.^[1]

Mrs. O'Brien does not cite any statute or regulation in support of her argument. She relies only on "common sense" and a page of the State Board of Retirement website that states that Option D "is only activated in the event the member dies while still employed for the Commonwealth (active service)."^[2] Now, based on Mr.

O'Brien's reliance on the State Board of Retirement website, she effectively argues that the Revere Board should be estopped from denying her request for a refund and an equitable remedy be fashioned by DALA. Neither the board nor this tribunal can grant such requests. DALA must follow only the law in deciding appeals. "Equitable considerations and the doctrine of estoppel do not alter the entitlements that an administrative agency must distribute under an unambiguous statute. The amount of the benefits is governed entirely by G.L. c. 32, and as such may not be enlarged by a [government employee's] error." *Leto v. State Bd. of Retirement*, CR-19-554, at *3 (DALA Nov. 19, 2021) (citations omitted).

Mrs. O'Brien alternatively contends that Mr. O'Brien's resignation from his position on December 31, 2023, was the same as retiring. This argument makes some colloquial sense, as Mr. O'Brien left his job at age 81. He retired from that job in the sense that he left it at an advanced age. But, he did not apply for a retirement benefit or ask for a return of his accumulated deductions. For purposes of the retirement law, he merely left his job; he did not retire. Chapter 32 draws precise distinctions between resigning and retiring. See G.L. c. 32, § 10(1) and (3) (if a member stops working and does not file for retirement within 60 days, he is entitled to a deferred retirement). DALA's decisions reflect this distinction: resignation does not equal retirement. See, e.g., *McDonough v. Quincy Ret. Bd.*, CR-06-1034 (DALA March 12, 2008), *rev'd* on other grounds (CRAB Nov. 3, 2009). This makes sense because a member who is still working and a member who has resigned are in the same position relative to benefits. Neither is collecting a benefit. Both merely have their accumulated contributions on account with the retirement system. It is reasonable to conclude that in drawing the line at retirement, and not resignation, the legislature wanted to protect members' ability to designate a beneficiary and thus leave a life-long benefit for the beneficiary; this policy goal requires treating active members and members who have resigned, but not yet retired, the same for purposes of Option D.

Finally, Ms. O'Brien urges that if her Option D beneficiary designation is effective, as I have ruled, she be allowed to waive her Option D allowance so that Mr. O'Brien's contributions can be paid out to his estate. Unfortunately for her, there are no exceptions in the statute that would allow her to waive the allowance and

instead ask that her late husband's retirement contributions be paid out to her instead of the Option D allowance. Mr. O'Brien designated Petitioner as his sole beneficiary to receive his accumulated total deductions in the event of his death (Option C) on the same form he designated her as his Option D beneficiary. The statute is clear, however, that "payment shall not be made under [§ 11(2)(c)] if the deceased member is survived by a beneficiary appointed under option (d) of subdivision (2) of section 12 who is eligible to receive the allowance provided by said option." G.L. c. 32, § 11(2)(c); see *Harrington v. Mass. Teacher's Ret. Sys.*, CR-13-376 (DALA Feb. 7, 2014) (an effective Option D beneficiary designation prevents a lump sum payment being made under § 11(2)(c)). Nothing prevents Ms. O'Brien's eligibility for an Option D allowance.

I admit that the application of the law in this appeal has had an anomalous result. Ms. O'Brien, an 81-year-old woman, is being forced to collect an extremely small Option D retirement allowance, when all good sense tells us that this would not be the result that her late husband intended. To the extent that he thought about it, it is likely he thought that his Option D allowance was null and void. Since he was not an attorney, he turned to the commonwealth's website for guidance. After all, the contributory retirement law is "notoriously complex." *Murphy v. Contributory Ret. Appeal Bd.*, 463 Mass. 333, 345 (2012) (citing *Namay v. Contributory Ret. Appeal Bd.*, 19 Mass. App. Ct. 456, 463 (1985)). Unfortunately, that guidance was incorrect. Therefore, I encourage Ms. O'Brien to seek special legislation permitting her to waive her allowance and collect her husband's remaining total accumulated deductions. The Revere Board does not oppose this relief, and PERAC has already offered its assistance in pursuing this option.

For the reasons stated above, the Revere Retirement Board's decision is AFFIRMED.

SO ORDERED.

Division of Administrative Law Appeals

/s/ Kenneth J. Forton

Kenneth J. Forton
Administrative Magistrate

DATED: Feb. 7, 2025

Downloads

O'Brien v. Revere Ret. Sys., CR-24-0266

<https://www.mass.gov/doc/obrien-v-revere-ret-sys-cr-24-0266/download>

(English, PDF 202.1 KB)

[1] G.L. c. 32, § 3(1)(ii) includes as members inactive “any member in service whose employment has been terminated and who may be entitled to any present or potential retirement allowance or to a return of his accumulated total deductions under the provisions of sections one to twenty-eight inclusive.”

[2] This advice is incorrect and should be changed as soon as practicable. The relevant portions of section 12 refer to “members,” not active members or members in service. G.L. c. 32, § 12(2). Section 12 refers to members in service only twice. Neither occasion is relevant to this case. The first allows the spouse of a member in service to select Option D if no beneficiary was named at the member’s death, and the second provides a minimum allowance if the member was in service at the date of his death. *Id.*

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COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Annette O'Brien,
Petitioner

v.

Docket No. CR-24-0266

Date: Feb. 7, 2025

Revere Retirement System,
Respondent

Appearance for Petitioner:

Paul O'Brien, Esq.
164 Dyckman Place
Basking Ridge, NJ 07920

Appearance for Respondent:

Timothy J. Smyth, Esq.
168 H Street, Suite #1
South Boston, MA 02127

Administrative Magistrate:

Kenneth J. Forton

SUMMARY OF DECISION

While employed by the City of Revere, decedent Robert O'Brien designated his wife, Annette O'Brien, as his Option D beneficiary. Mr. O'Brien died after he resigned his position, but before retiring. Mrs. O'Brien requested that the City of Revere Retirement System allow her to waive the Option D allowance and instead return Mr. O'Brien's retirement contributions to her in a lump sum. Mrs. O'Brien is entitled to only an Option D allowance; the Board is not permitted to return Mr. O'Brien's deductions.

DECISION

On February 19, 2024, Robert O'Brien died. His wife, Annette, requested that the Revere Retirement Board pay her Mr. O'Brien's total accumulated retirement deductions

in one lump sum. On April 10, 2024, Revere denied her request and informed her that it must pay her the Option D allowance that her late husband had designated for her, even though, in her case, receiving a lump sum “may make better financial sense.” On April 18, 2024, Ms. O’Brien appealed the Board’s decision.

On April 24, 2024, DALA informed the parties that Ms. O’Brien’s appeal appeared to be one that could be resolved on written submissions under 801 CMR 1.01(10)(c) and ordered them to submit legal memoranda and proposed exhibits. Neither party objected to the magistrate’s order. On July 12, 2024, Ms. O’Brien submitted her memorandum. She did not submit any proposed exhibits. On August 19, 2024, the Board submitted its memorandum and two proposed exhibits, which I now enter into evidence as marked. (Exs. A, B.) I have entered Ms. O’Brien’s appeal letter as Exhibit C. On August 20, 2024, Ms. O’Brien submitted a reply memorandum.

FINDINGS OF FACT

Based on the documents presented by the parties, I make the following findings of fact:

1. Between August 18, 2016 and December 31, 2023, Robert O’Brien was employed by the City of Revere as its Economic Development Director. He was a member of the Revere Retirement System. (Ex. A.)
2. Mr. O’Brien married Annette O’Brien on September 18, 1965. At the time of his death, they were living together. (Ex. A.)
3. On September 19, 2018, Mr. O’Brien signed a valid Beneficiary Selection Form, which designated Mrs. O’Brien as his beneficiary under G.L. c. 32, § 11(2). On the reverse of the form, he listed her as his Option D beneficiary. The Option D portion

of the form states Mrs. O'Brien would be entitled to "a benefit equal to the Option (C) retirement allowance which would otherwise have been payable to me in the event I die before retired." (Ex. A.)

4. On December 31, 2023, Mr. O'Brien voluntarily resigned his position with the City of Revere. (Stipulation.)

5. Over the period of his employment with the City of Revere, Mr. O'Brien made retirement contributions of \$79,724.03 to Revere. He accrued 6.4167 years of creditable service with the Board. (Ex. A.)

6. On February 19, 2024, Mr. O'Brien died. He did not apply to retire or withdraw his contributions from the retirement system before he died. This combination of factors made him a member inactive on the date of his death. *See* G.L. c. 32, § 3(1)(ii). (Stipulation.)

7. On April 10, 2024, the Board notified Ms. O'Brien that she had been designated Mr. O'Brien's Option D beneficiary and that consequently she was entitled to a monthly Option D allowance of \$81.76 per month. (Ex. B.)

8. On April 18, 2024, Ms. O'Brien appealed the Board's decision. (Ex. C.)

9. After a series of emails and video calls, on May 16, 2024 the Board sought an advisory opinion from the Public Employee Retirement Administration Commission (PERAC) on whether the Board had the authority to distribute Mr. O'Brien's accumulated total deductions to Ms. O'Brien rather than paying her an Option D allowance. (Ex. B.)

10. PERAC responded on May 17, 2024. It declined to issue a formal opinion on the matter because of the pending appeal at DALA. However, PERAC attached a

similar opinion letter dated February 9, 2023, that addressed what happens in certain circumstances when a member inactive dies before retiring. PERAC opined: “If there are no eligible beneficiaries, then the refund of the accumulated total deductions would be paid to the spouse. If the spouse was a nominated Option D beneficiary, then they must take the Option D allowance.” (Ex. B.)

CONCLUSION AND ORDER

The dispute in this appeal is over whether a surviving spouse who has been designated an Option D beneficiary under G.L. c. 32, § 12(2)(d) is forced to take the Option D allowance, as opposed to a refund of the deceased retirement system member’s annuity savings account, when the member has stopped working but has died before retiring.

The relevant law can be a bit convoluted. Under G.L. c. 32, § 11(2)(c), a member may designate a beneficiary to receive a return of his accumulated annuity savings deductions in his annuity savings account should he die before retiring. The beneficiary designation is required to have been made in writing on a designated form filed with the retirement board prior to the member’s death. Upon the death of the member prior to retirement, the beneficiaries designated under § 11(2)(c) receive the member’s accumulated annuity savings deductions plus interest, unless the member had designated an eligible § 12(2) Option D beneficiary or a surviving spouse exercises his or her rights under Option D.

Under G.L. c. 32, § 12(2), at any time prior to death, a member may designate an eligible beneficiary as his Option D beneficiary. This designation must also be in writing, on a designated form, and filed with the retirement board prior to the member’s

death. There is no dispute that Mr. O'Brien designated his wife as his Option D beneficiary. The member may change or cancel the beneficiary designation at any time prior to death. There is also no dispute that Mr. O'Brien did not change or cancel his Option D beneficiary designation before he died. Under § 12(2)(d), upon the death of the member "before being retired," the Option D beneficiary receives the amount that the member would have received under Option C if the member had retired on the date of his death. There is no dispute that Mr. O'Brien died without retiring. Reading these provisions together yields the following result. Because Mr. O'Brien designated his wife as his Option D beneficiary and he stopped working and then died before he retired, the retirement board must pay an Option D allowance to Mrs. O'Brien.

Mrs. O'Brien argues that when Mr. O'Brien resigned from his position with the City of Revere on December 31, 2023, the Option D beneficiary designation became null and void and consequently his contributions should be paid out to his estate. Option D is only effective, she argues, while the member is still working his government job and is consequently a member in service. G.L. c. 32, § 3(1)(i). Because he left his contributions on account with the retirement system, Mr. O'Brien maintained his membership in the system, but as a member inactive.¹

Mrs. O'Brien does not cite any statute or regulation in support of her argument. She relies only on "common sense" and a page of the State Board of Retirement website that states that Option D "is only activated in the event the member dies while still

¹ G.L. c. 32, § 3(1)(ii) includes as members inactive "any member in service whose employment has been terminated and who may be entitled to any present or potential retirement allowance or to a return of his accumulated total deductions under the provisions of sections one to twenty-eight inclusive."

employed for the Commonwealth (active service).”² Now, based on Mr. O’Brien’s reliance on the State Board of Retirement website, she effectively argues that the Revere Board should be estopped from denying her request for a refund and an equitable remedy be fashioned by DALA. Neither the board nor this tribunal can grant such requests. DALA must follow only the law in deciding appeals. “Equitable considerations and the doctrine of estoppel do not alter the entitlements that an administrative agency must distribute under an unambiguous statute. The amount of the benefits is governed entirely by G.L. c. 32, and as such may not be enlarged by a [government employee’s] error.” *Leto v. State Bd. of Retirement*, CR-19-554, at *3 (DALA Nov. 19, 2021) (citations omitted).

Mrs. O’Brien alternatively contends that Mr. O’Brien’s resignation from his position on December 31, 2023, was the same as retiring. This argument makes some colloquial sense, as Mr. O’Brien left his job at age 81. He retired from that job in the sense that he left it at an advanced age. But, he did not apply for a retirement benefit or ask for a return of his accumulated deductions. For purposes of the retirement law, he merely left his job; he did not retire. Chapter 32 draws precise distinctions between resigning and retiring. *See* G.L. c. 32, § 10(1) and (3) (if a member stops working and does not file for retirement within 60 days, he is entitled to a deferred retirement). DALA’s decisions reflect this distinction: resignation does not equal retirement. *See*,

² This advice is incorrect and should be changed as soon as practicable. The relevant portions of section 12 refer to “members,” not active members or members in service. G.L. c. 32, § 12(2). Section 12 refers to members in service only twice. Neither occasion is relevant to this case. The first allows the spouse of a member in service to select Option D if no beneficiary was named at the member’s death, and the second provides a minimum allowance if the member was in service at the date of his death. *Id.*

e.g., *McDonough v. Quincy Ret. Bd.*, CR-06-1034 (DALA March 12, 2008), *rev'd* on other grounds (CRAB Nov. 3, 2009). This makes sense because a member who is still working and a member who has resigned are in the same position relative to benefits. Neither is collecting a benefit. Both merely have their accumulated contributions on account with the retirement system. It is reasonable to conclude that in drawing the line at retirement, and not resignation, the legislature wanted to protect members' ability to designate a beneficiary and thus leave a life-long benefit for the beneficiary; this policy goal requires treating active members and members who have resigned, but not yet retired, the same for purposes of Option D.

Finally, Ms. O'Brien urges that if her Option D beneficiary designation is effective, as I have ruled, she be allowed to waive her Option D allowance so that Mr. O'Brien's contributions can be paid out to his estate. Unfortunately for her, there are no exceptions in the statute that would allow her to waive the allowance and instead ask that her late husband's retirement contributions be paid out to her instead of the Option D allowance. Mr. O'Brien designated Petitioner as his sole beneficiary to receive his accumulated total deductions in the event of his death (Option C) on the same form he designated her as his Option D beneficiary. The statute is clear, however, that "payment shall not be made under [§ 11(2)(c)] if the deceased member is survived by a beneficiary appointed under option (d) of subdivision (2) of section 12 who is eligible to receive the allowance provided by said option." G.L. c. 32, § 11(2)(c); *see Harrington v. Mass. Teacher's Ret. Sys.*, CR-13-376 (DALA Feb. 7, 2014) (an effective Option D beneficiary designation prevents a lump sum payment being made under § 11(2)(c)). Nothing prevents Ms. O'Brien's eligibility for an Option D allowance.

I admit that the application of the law in this appeal has had an anomalous result. Ms. O'Brien, an 81-year-old woman, is being forced to collect an extremely small Option D retirement allowance, when all good sense tells us that this would not be the result that her late husband intended. To the extent that he thought about it, it is likely he thought that his Option D allowance was null and void. Since he was not an attorney, he turned to the commonwealth's website for guidance. After all, the contributory retirement law is "notoriously complex." *Murphy v. Contributory Ret. Appeal Bd.*, 463 Mass. 333, 345 (2012) (citing *Namay v. Contributory Ret. Appeal Bd.*, 19 Mass. App. Ct. 456, 463 (1985)). Unfortunately, that guidance was incorrect. Therefore, I encourage Ms. O'Brien to seek special legislation permitting her to waive her allowance and collect her husband's remaining total accumulated deductions. The Revere Board does not oppose this relief, and PERAC has already offered its assistance in pursuing this option.

For the reasons stated above, the Revere Retirement Board's decision is
AFFIRMED.

SO ORDERED.

DIVISION OF ADMINISTRATIVE LAW APPEALS

/s/ *Kenneth J. Forton*

Kenneth J. Forton
Administrative Magistrate

DATED: Feb. 7, 2025



CITY OF REVERE

Patrick M. Keefe Jr.
Mayor

August 13, 2025

Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear members of the Honorable Revere City Council,

I write to inform you of my reappointment of Ellie Vargas to the Disability Commission, in accordance with MGL Chapter 40 Section 8J. I am reappointing Ms. Vargas to a three-year term that is set to expire in November of 2028.

The Disability Commission has successfully assisted many Revere residents with care and respect, and Ellie has proven her ability to continue to do so for a second term.

Regards,

Patrick M. Keefe Jr.



CITY OF REVERE

Patrick M. Keefe Jr.
Mayor

October 16, 2025

The Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear Honorable Members of the Revere City Council,
I write to inform you of my appointment of Nicholas Gauvin to the Parks and Recreation Commission in accordance with Chapter 2.57.060 of the revised Ordinances of the City of Revere. The terms of the commission members shall be coterminous with that of the Mayor.

Nicholas is a new member of our community and is eager to become more involved. His education, background and sports, and positive attitude will be an asset to this commission.

Regards,



Patrick M. Keefe Jr.

Nicholas Gauvin

ngaivin71@outlook.com | (860) 931 - 8597 | linkedin.com/in/nicholasbgauvin

Experience

WS Development Associates

Property Accountant - Boston Seaport & Fenway Corners

Boston, Massachusetts

April 2024 - April 2025

- Led GAAP reporting and budgeting for a \$2.87B portfolio, strengthening internal controls and mitigating cash flow and compliance risks.
- Built dynamic models to monitor acquisition, development, and OPEX risk, supporting strategic continuity planning across projects.
- Automated enterprise reporting workflows using analytics tools, improving accuracy and resiliency while boosting efficiency by 35%.
- Deployed AI-based solutions to detect control failures and reduce financial and regulatory exposure.
- Managed financial and regulatory reporting tied to lender requisitions, REIT compliance, and derivative instruments.
- Partnered with Canadian and EU-based investors to support cross-border compliance and operational continuity.

KPMG US, LLP

Audit Associate - Commercial Markets

Boston, Massachusetts

June 2022 - April 2024

- Led audit fieldwork for a diverse portfolio of clients, ensuring compliance with GAAP, internal policies, and regulatory frameworks.
- Managed 15 offshore audit staff, improving cross-border coordination and reducing reporting delays.
- Conducted operational walkthroughs and risk assessments to identify control gaps in procurement, grant spending, and revenue cycles.
- Evaluated control frameworks for commercial and grant-funded clients, mitigating process risk and improving reporting integrity.
- Advised on FX exposure and trade compliance for clients across North America, APAC, and the EU.
- Enhanced audit operations through SOP refinements and offshoring strategy, reducing cycle time and inefficiencies.
- Temporarily assisted internal procurement with vendor research, contributing to due diligence efforts and system optimization.
- Participated in firmwide operational inclusion and governance initiatives through internal board leadership.

Northeastern University

Global Security Consultant - Global Safety & Support Office

Boston, Massachusetts

December 2019 - June 2022

- Delivered travel risk plans across 3 global campuses to support academic continuity and international operations.
- Prepared executive briefings on geopolitical threats, guiding global crisis and incident response strategy.
- Managed student mobility via Airbridge, coordinating with global agencies to ensure continuity of operations.
- Liaised with CBSA to secure student reentry during COVID-19, enabling Canadian campus operations.
- Developed emergency protocols and support systems to enable program expansion in London.
- Conducted regional risk assessments for new campuses and programs, shaping leadership decisions on global site development.
- Advanced global inclusivity and compliance frameworks, enhancing safety and accessibility in risk-sensitive travel programs.

Community Service Officer - Northeastern University Police Department

June 2019 - June 2022

- Supported global emergency response and incident management as Dispatcher and French translator in Northeastern's GSOC.
- Delivered real-time support for high-risk student incidents, earning recognition from the Toronto regional campus.
- Supported NUPD Community Engagement Team in campus safety outreach and student relations.

Education

Northeastern University

Master of Art in Security & Intelligence Studies (In Process)

Boston, Massachusetts

- Concentration in Corporate Security and Business Continuity.

Bachelor of Science in Finance & Accounting Management (summa cum laude)

- Emphasis on global investment strategies, financial modeling, corporate accounting, automation, and systems management.

Certifications & Skills

Languages: French (Native), English (Native).

Travel Systems: SAP Concur, Egencia, CTM.

Risk & Emergency: Crisis24, CJIS, NamUs.

Analytics Tools: Power BI, Power Automate, Alteryx, SQL, Excel.

ERP & Finance Systems: NetSuite, Anaplan, Salesforce, K2.

Productivity: PowerPoint, Word, Outlook, Dynamics 365, Azure.



CITY OF REVERE

Patrick M. Keefe Jr.
Mayor

October 16, 2025

The Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear Honorable Members of the Revere City Council,
I write to inform you of my appointment of Jacklyn Damiano to the Parks and Recreation Commission in accordance with Chapter 2.57.060 of the revised Ordinances of the City of Revere. The terms of the commission members shall be coterminous with that of the Mayor.

As a parent who utilizes the resources at the Parks and Recreation Center, Jacklyn hopes to bring her perspectives to the commission to maintain the success of recreational events and opportunities in the City of Revere.

Regards,

Patrick M. Keefe Jr.

Jacklyn Damiano

172 Prospect Ave. Revere, Ma. 02151 | 857-869-4734 | Jacklyn87@icloud.com

Objective

- To obtain a position in which I can utilize my experience and skills in early childhood education to ensure quality and positive systems at an administrative level.

Education

MASTERS | 2016 | CONCORDIA UNIVERSITY

- Major: Education, Curriculum, and Instruction
- Minor: Inclusion Classroom

BACHELORS | 2011 | UMASS BOSTON

- Major: Psychology

ASSOCIATES | 2009 | BUNKERHILL

- Major: Early Childhood Education

Skills & Abilities

- EEC Director I and II certification.
- Experience with student teaching at a college level
- Experience with consulting other programs
- Experience working with Microsoft program
- Experience in creating plans and charts
- Strong Background in working with children and adults
- Experience working in large group, small group, and individual situations
- Experience writing and implementing IEP, ISP, and 504 plans
- Knowledge of grants
- Leadership skills
- Goal oriented
- Excel in mentoring and taking leadership roles
- Able to adapt in situations
- Able to multitask in a busy work situation

Experience

EDUCATIONAL SUPERVISOR | PATHWAYS FOR CHILDREN | SEPTEMBER 2022 - PRESENT

- Oversees the day-to-day operations of the Head Start Site where they are assigned, problem solve as necessary and work collaboratively with other center staff and administration to ensure compliance with all regulatory standards. Work in conjunction with the program administrator and educational manager to provide technical assistance and supervision to all program teaching staff as assigned. Ensure that all activities, materials, furnishings, and center arrangements in the classroom are compliant with OHS, and EEC standards and regulations to support developmentally appropriate and safe learning environments

for children. Ensure that all classrooms are appropriately staffed and in compliance with ratios at all times and that effective communication is maintained with parents, staff, and collateral organizations.

EDUCATIONAL COACH | PATHWAYS FOR CHILDREN | SEPTEMBER 2021 – SEPTEMBER 2022

- Work under the direction of the Education Manager and as part of the Education Team, to provide high-quality coaching, training and technical assistance to Head Start classroom teachers on best practices related to early learning standards. Work to maintain and/or improve program quality in classrooms by conducting observations, modeling, providing trainings, resources, and individualized professional development for teachers to support instructional outcomes and school readiness goals for children.

INFANT/TODDLER LEAD TEACHER | ETHOS EARLY LEARNING PROGRAM | SEPT. 2020 – SEPT. 2021

- Responsible for planning, implementing, and monitoring a safe and developmentally appropriate environment for children in the classroom. Work in conjunction with a teaching team to ensure compliance with all EEC regulations pertaining to early childhood Infant/Toddler classrooms.

DIRECTOR | YMCA OF METRO NORTH-LYNN | OCTOBER 2016 – MAY 2020

- Responsible for the administration and management of program operations of the Lynn Early Learning Program. Follow all standards and regulations from the Department of Early Education and Care (EEC) in accordance with YMCA policies. Ensure high quality service delivery for children and families by monitoring the health and safety of the program, ensuring adequate on site supervision and effective day-to-day program operations. Responsible for the administrative functions of the Early Learning Program. Work across divisions to support the administrative needs of YMCA, operations and fiscal.

ASSISTANT DIRECTOR | YMCA OF METRO NORTH-SAUGUS | MAY 2016 – OCTOBER 2016

- In classroom 50% of the time. Ensure high quality service delivery for children and families by monitoring the health and safety of the program site, ensuring adequate on site supervision and effective day-to-day program operations. Ability to perform responsibilities of the administrative functions for the Early Learning Program in the absence of the director.

LEAD TEACHER | C.A.P.I.C. HEAD START | AUGUST 2009 – MAY 2016

- Provide oversight and management to assure classroom operates according to best practice and standards. Supervise a team of teachers, floaters, volunteers and interns to create a therapeutic learning environment in which each child is supported and nurtured to their full potential. Provide oversight and management to assure the classroom operates according to best practice and standards set by Office of Head Start, Department of EEC, and the agency's policy and procedures.



CITY OF REVERE

Patrick M. Keefe Jr.
Mayor

October 16, 2025

The Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear Honorable Members of the Revere City Council,
I write to inform you of my appointment of Wilson Correa to the Parks and Recreation Commission in accordance with Chapter 2.57.060 of the revised Ordinances of the City of Revere. The terms of the commission members shall be coterminous with that of the Mayor.

Wilson is very involved in the community, especially at the Parks and Recreation Center. His passion for the livelihood of City of Revere will make him a great member of this commission.

Regards,



Patrick M. Keefe Jr.



CITY OF REVERE

Patrick M. Keefe Jr.
Mayor

October 16, 2025

The Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear Honorable Members of the Revere City Council,
I write to inform you of my appointment of David Leary to the Parks and Recreation Commission in accordance with Chapter 2.57.060 of the revised Ordinances of the City of Revere. The terms of the commission members shall be coterminous with that of the Mayor.

As the Head Coach of the Revere High School Boys Basketball Team, Mr. Leary has a clear passion for sports programming and youth involvement in the City of Revere, making him a great candidate for this commission.

Regards,



Patrick M. Keefe Jr.

David M. Leary

86 Keslar Ave.

Lynn, Ma. 01905

781-589-5658

Employment:

Maintenance Manager, Leahy Landscaping Inc. (Lynn, Ma) 2023-present

Operations Supervisor, Leahy Landscaping Inc. (Lynn, Ma) 2011-2023

Operations Supervisor, Lawn Pros Inc. (Saugus, Ma) 1999- 2011

Education:

Associates Degree NSCC 2015

Dom Savio High School 1993-1997

Coaching:

Revere High School Boys Basketball Head Coach 2016-present

Lynn Tech High School Boys Basketball Head Coach 2014-2016

Malden High School Boys Basketball Assistant Coach 2004-2014

Dom Savio High School Boys Basketball Assistant Coach 1999-2004

Email: davidleary930@verizon.net



CITY OF REVERE

Patrick M. Keefe Jr.
Mayor

October 16, 2025

The Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear Honorable Members of the Revere City Council,
I write to inform you of my appointment of Natalia Ardagna to the Parks and Recreation Commission in accordance with Chapter 2.57.060 of the revised Ordinances of the City of Revere. The terms of the commission members shall be coterminous with that of the Mayor.

Natalia is an active community member and is the Head Softball Coach at UMass Boston. Her knowledge and skillset make her a great fit for this commission.

Regards,

Patrick M. Keefe Jr.

Natalia Ardagna

Revere, MA

781-367-8670

nataliadags@gmail.com

Education:

Bridgewater State University

B.S., Criminal Justice/Sociology

Deans List

May 2004

Coaching Experience:

University of Massachusetts-Boston

Head Softball Coach

2007 – Present

- Responsible for all duties associated with leading a Division III Softball program including practice planning & organization, game strategy, recruiting, fundraising, supervision and administration
- Served on the NCAA Division III Regional Advisory Committee (2010-12)
- Appeared in 3 NCAA Regionals (2017, 2018 and 2025 and one NCAA Super Regional (2017)
- Developed and mentored:
 - 45 All conference Players
 - 3 LEC Player of the year (2017,2019, 2025)
 - 5 NFCA ALL Region Players
 - 2 academic All-Americans
 - 1 NCAA All -American
- Honored as the Little East Conference Coach of the Year 2024
- Created, implemented and carried out various fundraisers to supplement operating budget, generating over \$30,000 annually
- Pioneered various community outreach initiatives including TEAM Impact, elementary school mentoring, soup kitchen volunteering, and collaborating with ROTC, Buddy Walk, Pride games and cancer awareness
- Served on numerous hiring committees, project development, diversity equity and inclusion, as well as, coaches representative on administration team
- Successfully petitioned and negotiated the first Union contract for UMass Boston Coaches.

Simmons College – Boston, MA

Head Softball Coach

2006– 2007

- Responsible for all duties associated with leading a Division III Softball program
- Coordinated and scheduled practices, conditioning sessions, and traditional and non-traditional season games as well as regular season games within NCAA guidelines
- Organized all team travel including transportation, lodging, and meals
- Designed and successfully implemented fundraising initiatives, academic tracking programs including study halls and academic reports, and recruiting systems

Other Experience:

Fenway Park

Bartender/Manager for Aramark Concessions at Fenway Park

1998 - 2018

Assistant Coach

Simmons College

2004 - 2006

Certifications:

First Aid/CPR/AED (Recertified 2025)



CITY OF REVERE

Patrick M. Keefe Jr.

Mayor

October 16, 2025

The Honorable Revere City Council
Revere City Hall
281 Broadway
Revere, MA 02151

Dear Honorable Members of the Revere City Council,
I write to inform you of my appointment of John Shannon Bianchi to the Parks and Recreation Commission in accordance with Chapter 2.57.060 of the revised Ordinances of the City of Revere. The terms of the commission members shall be coterminous with that of the Mayor.

Mr. Bianchi has extensive experience in public service, and already has many goals he hopes to help bring to fruition through the commission. We are excited to see what his expertise can provide the City of Revere.

Regards,



Patrick M. Keefe Jr.

Shannon Bianchi
 14 Harbor View Rd. Nahant, MA 01908
 617-987-5490 ~ johnshannonbianchi@gmail.com

Paralegal with strong public service background seeks position with the City of Revere

Highlights of Qualifications

- Paralegal Certificate from North Shore Community College, 2013
- 8 years municipal service experience; Nahant Planning Board Secretary & Vice Chairman.
- Working knowledge of Massachusetts municipal and zoning laws.
- Excels with research, investigation, mapping, and creative solutions.
- Proficient with writing, editing, and proofreading legal documents, memoranda, meeting minutes, agendas, and zoning law.
- Excellent written and oral communication skills.
- Proven record of collaborative work in a team setting.
- Skilled at analyzing and organizing complex information and data.
- Public service oriented; good listener, concise problem solver.

Education

Paralegal Certificate, North Shore Community College's American Bar Association approved tract, Class of 2013. Key classes and focus: Legal Writing and Research, Family Law, Estates and Trusts, Litigation.

Bachelors of Arts, Sociology, University of North Carolina Asheville. Chancellor's Recommendation, Class of 2000. Key classes and focus: Critical Theory, Political Science, Urban Problems and Policies, Ethics, Psychology.

Work History

Town of Manchester-By-The-Sea, MA. Land Use Clerk, October 2024 to June 2025

Freelance Paralegal, 2013 to present

Vineyard Gazette. Legal Advertising Account Manager and Classifieds Manager, 2007 to 2010

Elmore, Elmore & Williams, PA and Roberts & Stevens, PA, File Clerk/Courier, 1996 to 1999

Gaps in work history: Full-time Father, part-time work and projects, 2010 to 2023

Public Service History

Appointed to the Nahant Open Space and Recreation Master Plan Committee 2017

- Served on the OSC with a focus to rewrite Nahant's Open Space Master Plan as it had not been updated in several years. Removed inaccurate historical analysis from the plan,

as it hindered the Town's ability to perform work in low lying areas. Removed divisive political language, and focused on scientific data and survey data to compile a citizen-first approach to the Open Space Master Plan.

Elected to the Nahant Planning Board 2018-2025

- Served as Secretary for the first two years, composing agendas and minutes for the Board. Learned Roberts Rules of Order and MGL Zoning laws. Worked on several high profile ANR applications, subdivisions, and site plan reviews. Spearheaded and led the Board through nearly 5 years of action steps to develop the Bear Pond Ecosystem Rehabilitation Plan, which cleared the way for the Select Board to implement a 2.3 million dollar project in cooperation with the Army Corp of Engineers and Mass Fish and Wildlife to rehabilitate nearly 50 acres of Town owned land that had been mismanaged for nearly 100 years. The plan identified a freshwater coastal lagoon, brook, and estuary that had been built over and slowly destroyed going back to the early 1600's. Research included historic maps, writings, ship captain logs, and other writings. The plan sought to correctly identify the ecosystem, eradicate invasive species, educate the community to my findings, and work to restore the system in hopes of helping bring back the endangered American Eel which once frequented Bear Pond on Nahant.
- Served as Vice Chair of the Board for two years. Wrote Nahant's marijuana bylaw, and Nahant's ADU bylaw, both which were approved by over 2/3 vote at Town Meeting.

Goals for Revere

- I hope to use the knowledge I've acquired to expand and improve Revere's parks and open space areas. I have already begun research into Oak Island Park, which is directly behind my condominium building. This area has been taken over by invasive species, and according to historic maps of Revere - at first glance - appears very similar to what I worked on with Nahant. I would love to help expand Oak Island Park, as well as others.
- I am passionate about golf. While working on the Bear Pond Ecosystem Rehabilitation Plan I learned about golf course design, putt putt course design, and began traveling the country to visit short courses and putting courses. Upon retirement, I hope to move to west Georgia, build my own short course, and donate it to Carroll County as a county park. I would like to bring golf to Revere in some way.

Professional and personal references:

Sheila Hambleton, Assessor, and Chair of Nahant Planning Board - 10 years
 Antonio Barletta, Town Administrator, Town of Nahant - 8 years
 Greg Federspiel, Town Administrator, Town of Manchester By The Sea - 1 year
 Michelle Maloney, Human Resources, Town of Manchester By The Sea - 1 year
 Nicole Bluefort, Attorney, Lynn & Boston - 12 years