



AGENDA PACKET

**REGULAR MEETING OF THE CITY COUNCIL
MONDAY, JULY 11, 2022 7:00 PM**

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149**



AGENDA

REGULAR MEETING OF THE CITY COUNCIL MONDAY, JULY 11, 2022 7:00 PM

**EVERETT CITY HALL, 484 BROADWAY, CITY COUNCIL CHAMBERS, 3RD FLOOR
EVERETT, MA 02149**

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

1. C0343-22 Public Hearing/s/ Councilor John F. Hanlon, as President

A petition from Comcast requesting to install a new underground conduit to 305-321 Broadway in Everett

2. C0344-22 Public Hearing/s/ Councilor John F. Hanlon, as President

A petition from Astound Broadband requesting to place a new underground conduit on Carter Street & West Street

PUBLIC PARTICIPATION

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Minutes of the Legislative Affairs & Elections Committee Meeting of 06/27/2022

COMMUNICATIONS FROM HIS HONOR THE MAYOR

3. C0340-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending the acceptance of funds totaling \$84,652.00 from the Massachusetts Health Officers Association on behalf of the Massachusetts Department of Public Health to support COVID-19 public health response.

4. C0341-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending the acceptance of a grant from the Massachusetts Gaming Commission in the amount of \$122,600.00 for the Everett Fire Department to

purchase radios to improve interoperability between the GEU and the Everett Police.

5. C0342-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending the acceptance of a grant from the Massachusetts Gaming Commission in the amount of \$100,000.00 for the Industrial District Design Guidelines study.

PETITIONS AND LICENSES

6. C0339-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting the renewal of a class two motor vehicle dealer license for BFW INC. at 153 Ferry Street

UNFINISHED BUSINESS

7. C0271-22 Ordinance/s/ Councilor Stephanie Martins

An ordinance adding a new section 3-35 (Emergency Animal Control Calls)

8. C0291-22 Resolution/s/ Councilor Richard J. Dell Isola, Jr.

That the Planning & Development Director appear to discuss the recent purchase of the Exxon Mobil property in Everett by the Davis Companies of Boston and to explain the development of this property going forward.

9. C0327-22 Resolution/s/ Councilor Jimmy Le

That the Transportation Department consider moving the Blue Bikes station on Broadway at Werner Park off of the street and into the park or on sidewalk.

NEW BUSINESS

10. C0345-22 Resolution/s/ Councilor Richard J. Dell Isola, Jr.

That the City of Everett consider dedicating a bench in honor of former City Clerk & Common Council member Michael Matarazzo

11. C0346-22 Resolution/s/ Councilor Michael K. Marchese

That the Traffic Commission considers eliminating on-street parking from the lot line after 73 Clarence Street to the corner of Woodlawn Street in the name of public safety

12. C0347-22 Resolution/s/ Councilor Michael K. Marchese

That the Mayor's Office and the City Engineer consider reducing the width of the sidewalks on Elm Street to five feet on both sides of the street, with hope being that such reduction would allow for two-sided parking and the introduction of metered parking in business areas of the street

13. C0348-22 Order/s/ Councilor Michael K. Marchese, Councilor Wayne A. Matewsky, Councilor Richard J. Dell Isola, Jr.

An order recommending that the City Council explores options for a more structured

usage of their meetings' public participation periods.

ADJOURNMENT

www.cityofeverett.com

(All agendas and reports can be obtained on City of Everett Website)

Respectfully submitted:

Michael J. Mangan

Legislative Aide
Everett City Council Office



C0343-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: July 11, 2022

Agenda Item:

A petition from Comcast requesting to install a new underground conduit to 305-321 Broadway in Everett

Background and Explanation:

Attachments:



Comcast
David R. Flewelling
Specialist 2 Construction
9 Forbes Road, Suite 9B
Woburn, MA 01801
Cell – 617-279-7864
dave_flewelling@cable.comcast.com

June 22, 2022

Mr. Sergio Cornelio
City Clerk
Everett City Hall
484 Broadway, Room 10
Everett, MA 02149

RE: 305 Broadway Everett
Grant of Location-Petition

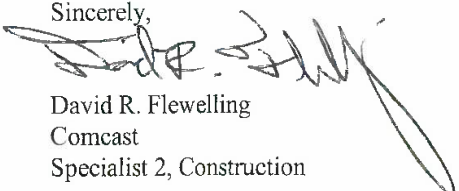
Dear Mr. Cornelio:

Enclosed please find materials supporting Comcast request for a grant of location from the City of Everett. The work associated with the attached petition is for the purpose of installing a new underground conduit to 305-321 Broadway in Everett. For a more detailed description of the work please refer to the attached construction plan.

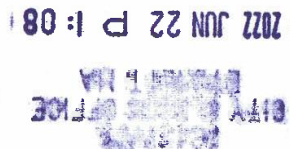
I look forward to the opportunity to address this matter in further detail at the next Everett City Council Meeting.

Should you have any questions or concerns, please feel free to contact me at (617) 279-7864.

Sincerely,


David R. Flewelling
Comcast
Specialist 2, Construction

Enclosure (13)



ORDER FOR CONDUIT LOCATION

In the City Council for the City of Everett, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast Cable Communications Management, LLC., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated June 22, 2022

Broadway: Starting at the existing Verizon Manhole excavating to place (2) 4" PVC Conduits 162'+/- and (2) 17"x 30" vaults. From the newly placed vaults, excavating to place (1) 2" PVC Conduits 24'+/- to provide Comcast Service to number 305 through 325 Broadway.

Substantially as shown on plan marked - Proposed Comcast Underground, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$75,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Everett, Massachusetts, held on the _____ day of _____ 2022.

(over)

City Clerk

We hereby certify that on _____, 2022, at _____ o'clock _____ M., at Everett, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

Everett City Council; Everett, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Everett, Massachusetts, on the _____ day of _____ 2022, recorded with the records of location orders of said City, Book _____, Page _____. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

 City Clerk

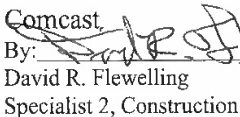
PETITION OF COMCAST FOR LOCACTION FOR CONDUITS AND MANHOLES

To the City Council for the City of Everett, Massachusetts:

Respectfully represents Comcast Cable Communications Management, LLC. a company incorporated for the distribution of Broadband Services that it desires to construct a line for such Broadband under the public way or ways hereinafter specified.

Broadway: Starting at the existing Verizon Manhole excavating to place (2) 4" PVC Conduits 162' +/- and (2) 17"x 30" vaults. From the newly placed vaults, excavating to place (1) 2" PVC Conduits 24' +/- to provide Comcast Service to number 305 through 325 Broadway.

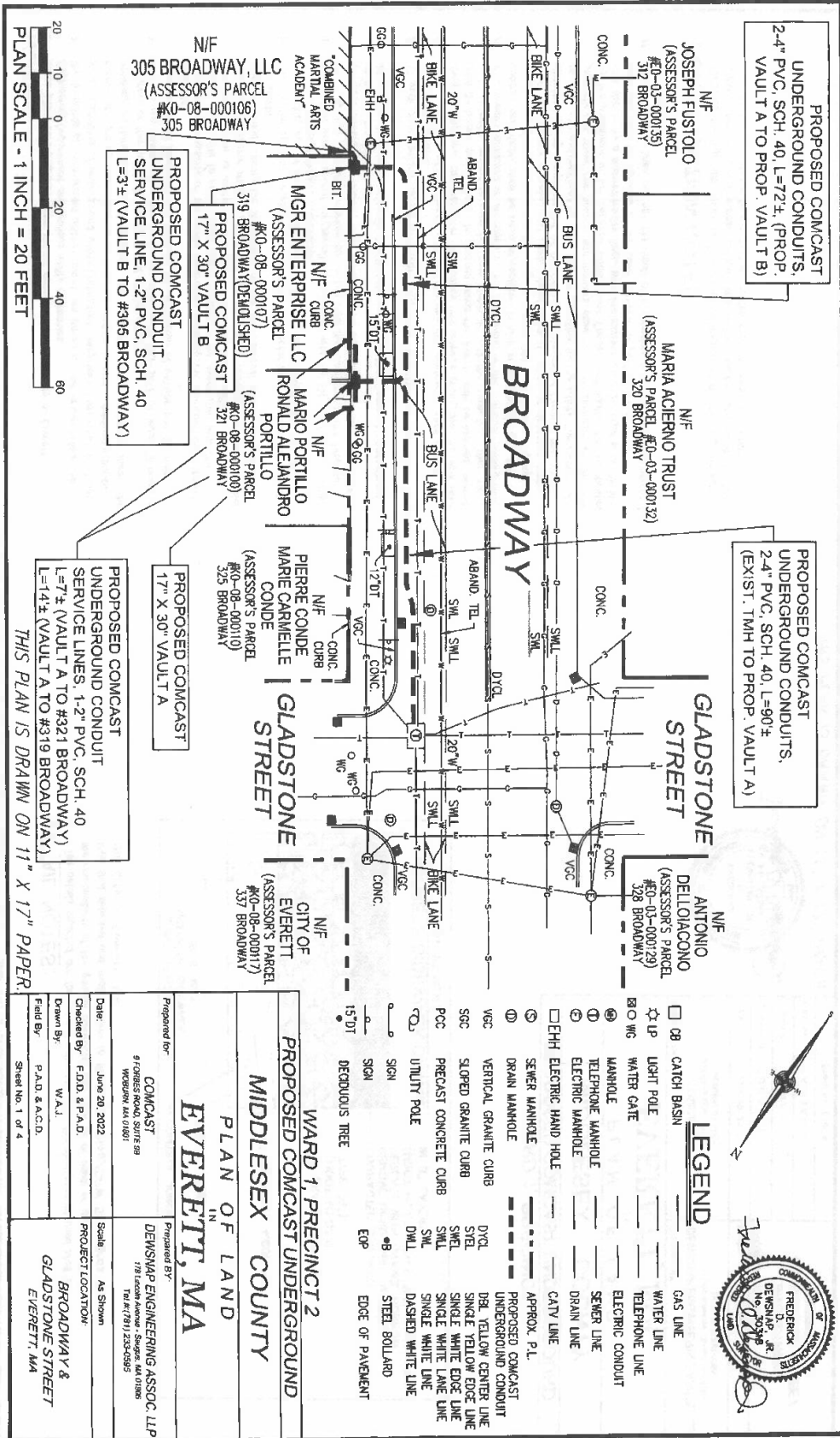
Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by Dewsnap Engineering Dated June 20, 2022 and filed here with, under the following public way or ways of said City of Everett.

Comcast
By: 
David R. Flewelling
Specialist 2, Construction

Dated this June 22, 2022

City of Everett Massachusetts

Received and filed _____, 2022



NOTES:

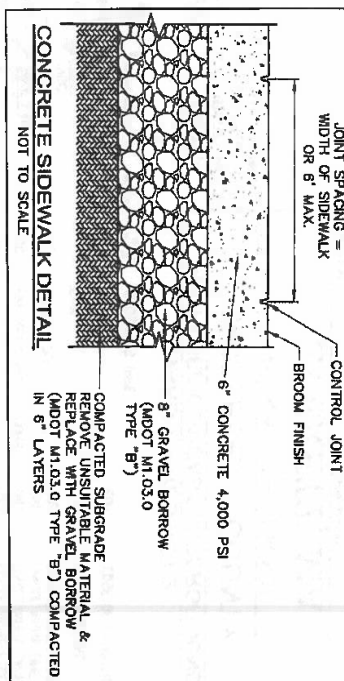
1. These plans were prepared from record data on file at the City of Everett Engineering Department and various utility companies.
2. The locations of underground utilities shown are based on the above referenced data. Locations of underground utilities/structures may vary from location shown herein and are not warranted to be accurate and/or correct. Additional buried utilities/structures may be encountered. No excavations were performed during the progress of this survey to locate buried utilities/structures.
3. Prior to any construction the Contractor shall notify DIC-SAFE at least 72 hours in advance at 811 (National Call Number) for verification of utilities and for field locations.
4. It is the responsibility of the utility contractor installing the Comcast underground conduit and vaults to notify those utility companies not associated with the DIC-SAFE system to verify the locations of their respective utilities. Also, the installing contractor shall be responsible for repairing or replacing any traffic signal loops damaged during the installation of the new Comcast underground conduits and vaults.
5. Prior to the start of construction, the Utility Contractor shall confirm the number of conduits, size of the conduits and number and size of vaults for this project with the Comcast Project Coordinator.
6. These plans were prepared for permitting purposes with the City of Everett. After all utility lines have been marked out in the field the locations of the Proposed Comcast Underground Conduit and Vaults may be adjusted to fit with the existing utilities in the field.
7. All work to be performed is for the installation of the New Comcast underground conduit, and vaults.
8. All work shall conform to the Engineering/DPW Standards for the City of Everett, MA.
9. Upon completion of the trench work for the day, the contractor shall backfill, compact and pave the trench in all roadway and sidewalk areas and the work area shall be broom swept clean. In grassed areas the trench shall be loamed, seeded and hay mulch spread to keep the area stabilized until the grass has taken hold.
10. All sidewalks disturbed or damaged by the placement of the Comcast Underground Conduit and Vaults shall be repaired/replaced in kind in accordance with the Engineering/DPW Standards for the City of Everett, MA. All Curbing, Signage, Road and Parking Striping and traffic signal conduits, wiring or detection loops disturbed during the placement of the Comcast Underground Conduit and Vaults shall be restored/replaced to their original condition by the Utility Contractor. All property and street line bounds and markers expected to be damaged or disturbed by the placement of the Comcast Underground Conduit and Vaults shall be located and tied in by a Massachusetts Registered Professional Land Surveyor prior to the work and shall be replaced by the Land Surveyor as part of the project.
11. Street/Property lines are not the result of a boundary survey and are considered to be approximate.

CONSTRUCTION NOTES:

1. Following the Dig-Safe "mark out" and field verification of the existing underground utilities, the Proposed Comcast Conduits and Vaults shall be adjusted in the field by the utility contractor to avoid being located over any existing utilities.

DETAIL NOTES:

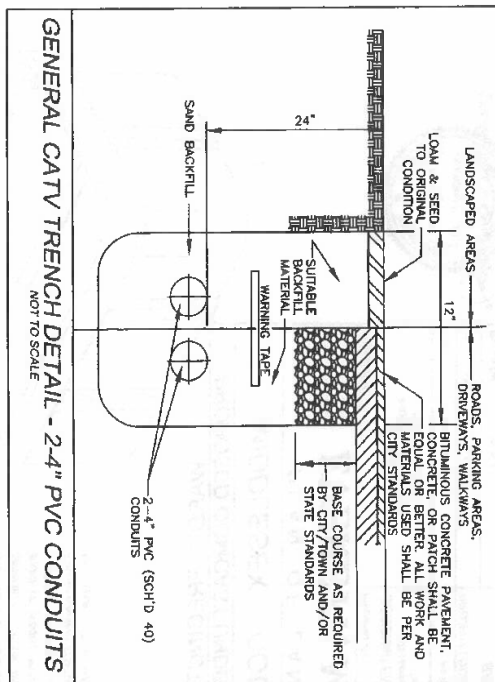
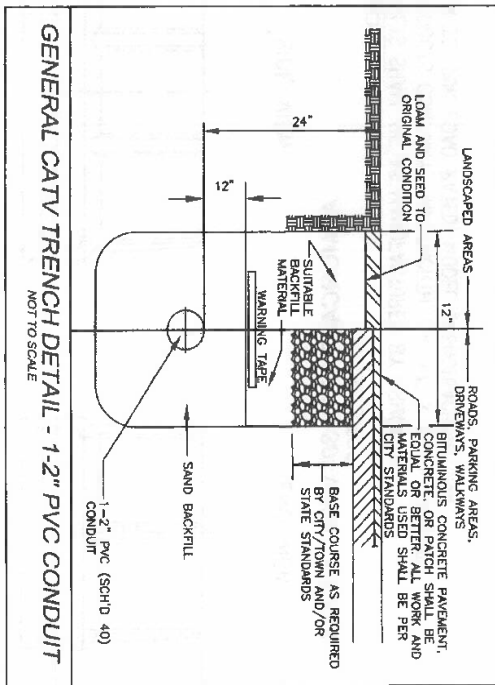
1. The details depicted are for general reference only. The final product used shall be the responsibility of the general contractor and shall be of equal or greater material than that depicted and shall conform to the Engineering/DPW Standards for the City of Everett, MA.



THIS PLAN IS DRAWN ON 11" X 17" PAPER.

| | | | | | |
|-----------------------------------------------------------------------------------|--|------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------|--|
| WARD 1, PRECINCT 2 PROPOSED COMCAST UNDERGROUND | | PLANNED BY: COMCAST 970885 NORTOL SUITE #6 WILSON, MA 01891 | | PREPARED BY: DEMUSAP ENGINEERING ASSOC. LLP 178 Union Street Tel #617 234-0995 | |
| MIDDLESEX COUNTY PLAN OF LAND IN EVERETT, MA | | DATE: June 20, 2022 | | SCALE: As Shown | |
| CHECKED BY: F.D.D. & P.A.D. | | PROJECT LOCATION: BROADWAY & GLADSTONE STREET EVERETT, MA | | | |
| DRAWN BY: P.A.D. & A.C.D. | | SHEET NO. 2 of 4 | | | |





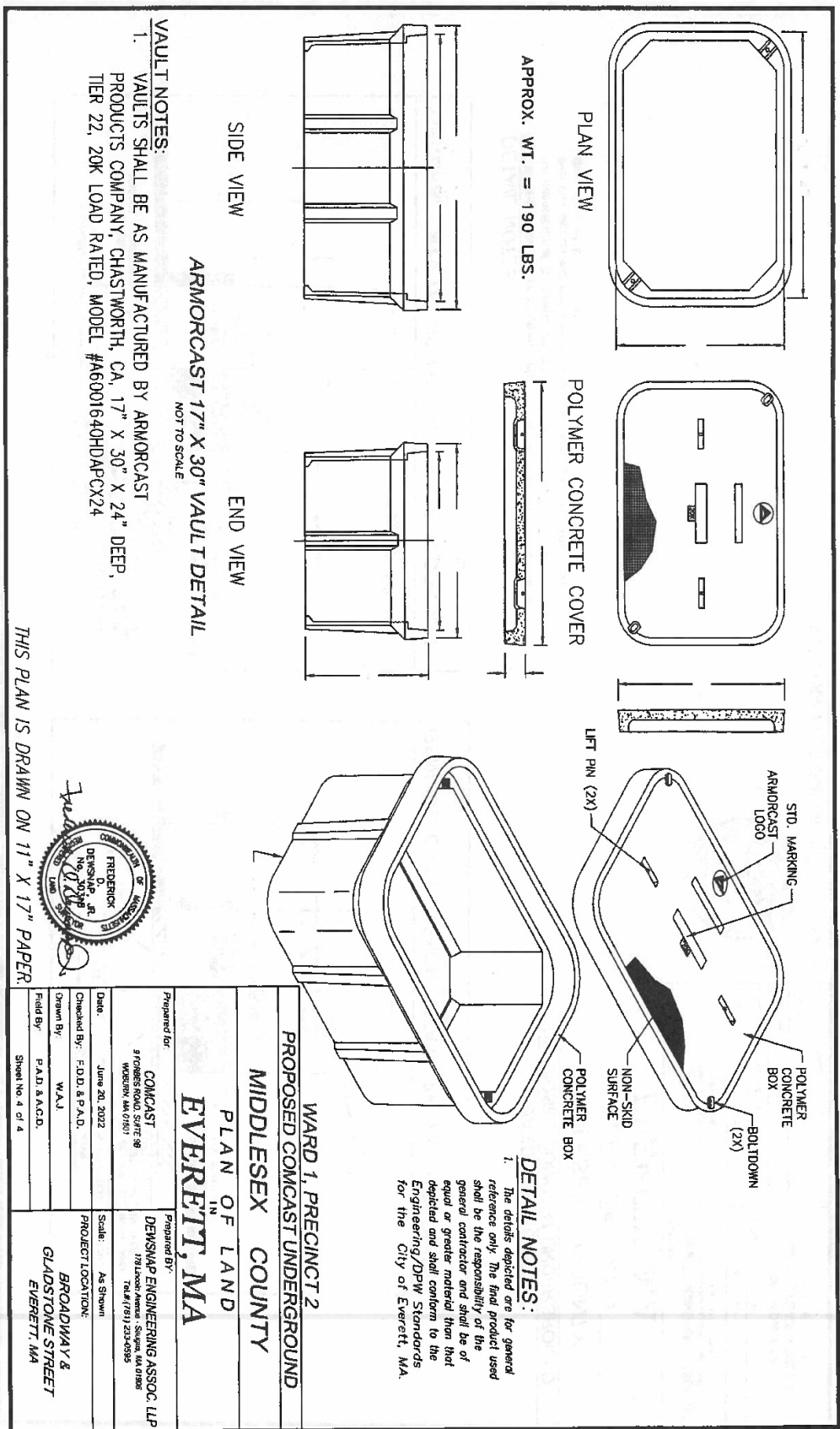
DETAIL NOTES:



1. The details depicted are for general reference only. The final product used shall be the responsibility of the general contractor and shall be of equal or greater material than that depicted and shall conform to the Engineering/DPW Standards for the City of Everett, MA.

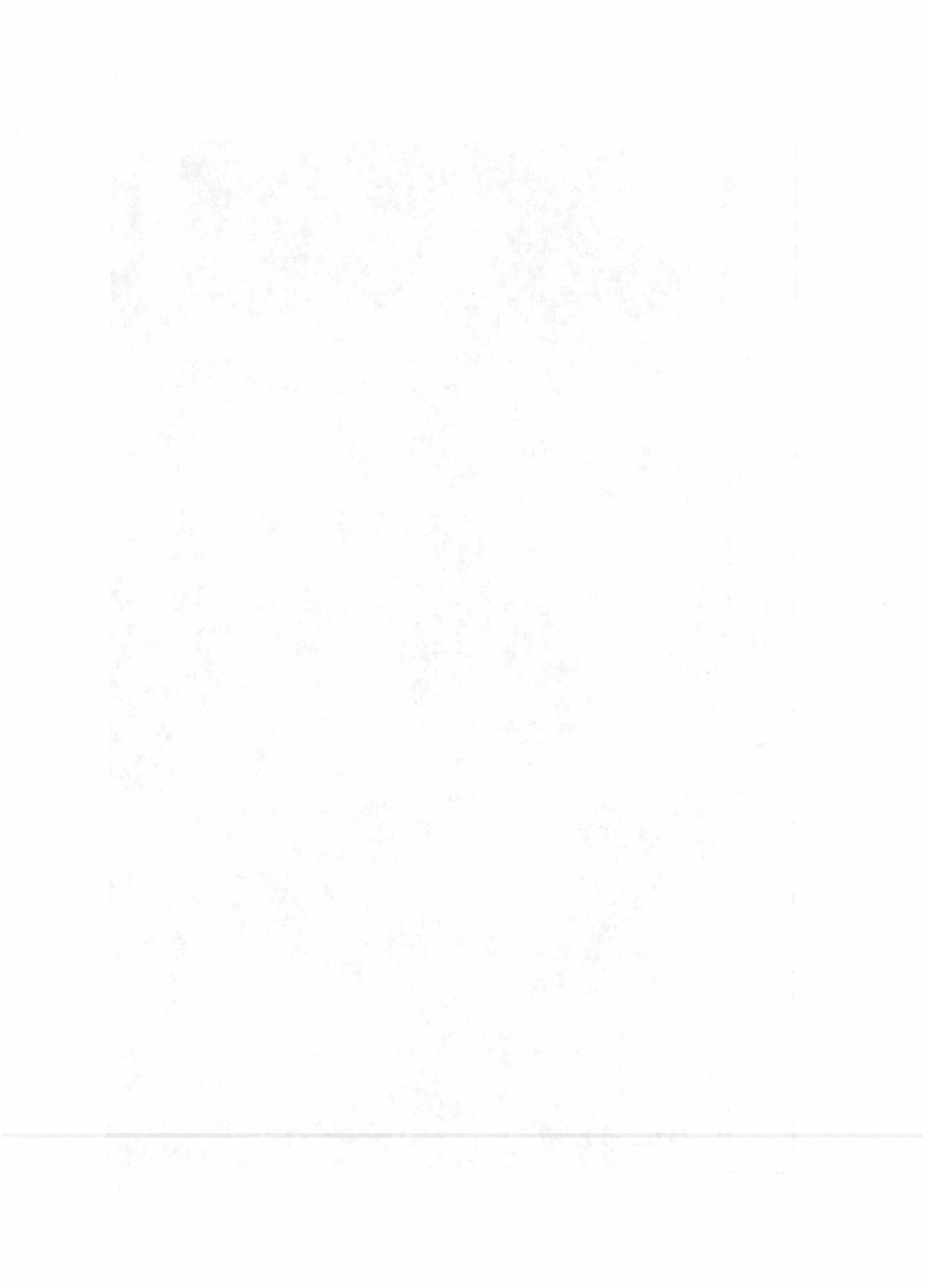
THIS PLAN IS DRAWN ON 11" X 17" PAPER.



| | |
|-------------------------------------|--------------------------------|
| WARD 1, PRECINCT 2 | |
| PROPOSED COMCAST UNDERGROUND | |
| MIDDLESEX COUNTY | |
| PLAN OF LAND | |
| IN | |
| EVERETT, MA | |
| Prepared for: | COMCAST |
| 9 ROBES ROAD, SUITE 48 | |
| WOBURN, MA 01801 | |
| Prepared By: | DEWSNAP ENGINEERING ASSOC. LLP |
| 178 Union Avenue, Suite 200 | |
| Everett, MA 01937 | |
| Date: | June 20, 2022 |
| Checked By: | F.D.D. & P.A.D. |
| Drawn By: | W.A.L. |
| Field By: | P.A.D. & A.C.D. |
| Scale: | As Shown |
| PROJECT LOCATION: | BROADWAY & GLADSTONE STREET |
| | EVERETT, MA |
| Sheet No. 3 of 4 | |



| | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <div>VISI-FLASH TRAFFIC SAFETY www.visiflash.com</div> | | 31 Pleasant St. West Bridgewater MA 02379 TEL: 508-583-9100 FAX: 508-583-9300 | |
| Drawn by: Steve Doyle ATSSA Certified Traffic Control Design Specialist Date: 5/8/2022 Contractor: | | Comcast | |
| JOB TYPE | | Underground Utility | |
| LOCATION | | Broadway @ Gladstone St Everett, MA | |
| SHEET NUMBER | | 1 |  |
| TOTAL SHEETS | | 1 | |
| COMMENTS All Seepage Channeling Devices and Distances Conform to Chapter 6 of the MUTCD 2003 Edition Diagrams Plan is not Drawn to Scale | | | |
| <div><div><div><div><div></div><div>36' Traffic Core</div></div><div><div></div><div>Sign</div></div><div><div></div><div>Work Zone</div></div><div><div></div><div>POLICE DETAIL</div></div></div></div></div> | | | |





C0344-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: July 11, 2022

Agenda Item:

A petition from Astound Broadband requesting to place a new underground conduit on Carter St, & West St.

Background and Explanation:

Attachments:



Powered by  RCN

950 Massachusetts Ave. Arlington, MA 02476

June 21, 2022

City Council
City of Everett
484 Broadway
Everett, MA 02146

RE: Grant of Location – Petition

Dear City Council Members:

Please see the attached documents supporting RCN's request for a Grant of Location from the City Council. The Grant of Location Petition is to place a new underground conduit on Carter St and West St.

I look forward to the opportunity to address this matter in further detail at the next City Council Hearing.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Ryan Weaver

Ryan Weaver
MDU Project Manager
Tel. (781)-844-1119
Ryan.Weaver@astound.com

PETITION OF RCN FOR LOCATION FOR CONDUITS AND MANHOLES

To the City Council for the City of Everett, Massachusetts:

Respectfully represents **RCN Telecom Services, LLC.**, a company incorporated for the distribution of telecommunications services, that it desires to construct a line for such telecommunications under the public way or ways hereinafter specified.

West Street and Carter Street: From Utility Pole #1614 on Carter St place (1) 4" PVC Communication Conduit 250' +/- in a southerly direction to Utility Pole #1251 on West St.

Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made for RCN, dated June 16, 2022, and filed here with, under the following public way or ways of said City of Everett:

RCN Telecom Services, LLC

By: *Ryan Weaver*

Ryan Weaver
MU Project Manager

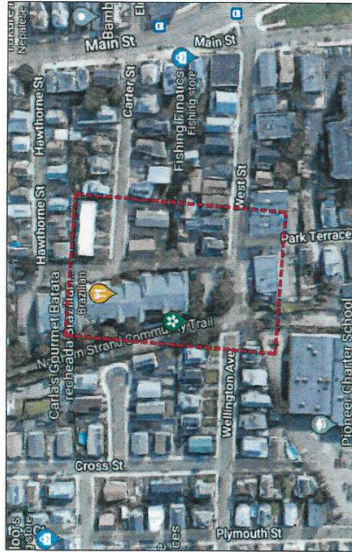
Dated this June 21, 2022

City of Everett, Massachusetts

Received and filed _____, 2022



PROPOSED CONDUIT INSTALLATION
AT
38 CARTER ST
EVERETT, MA



LOCUS
N.T.S

INDEX OF DRAWING

| SHEET NO. | DESCRIPTION |
|-----------|-------------------------------|
| - | COVER SHEET |
| 01 | PROPOSED CONDUIT INSTALLATION |

AXIS
ENGINEERING GROUP
201 Boston Post Rd West - Suite 100
Malden, MA 02148
(781) 556-2924 www.axisgroup.com

June 16, 2022

#1 – C0300-22

Legislative Affairs & Election Committee
June 27, 2022

The Committee on Legislative Affairs & Elections met on Tuesday, June 27, 2022 at 6:00pm.

Members present were Councilor Michael Marchese, presiding, Councilors Al Lattanzi, Stephanie Smith and Darren Costa

The Committee considered an Order offered by John F. Hanlon
An order further amending the City Council's Legislative Code

Councilor Smith explained that this code was amended several times and the purpose of these amendments was to add a new position in the City Council Office and to add Juneteenth as a legal holiday.

Councilor Smith made a motion for favorable action and was seconded by Councilor Lattanzi. The motion was referred back to the City Council with all members voting in the affirmative.

Michael J. Mangan
Legislative Aide

#2 – C0309-22

Legislative Affairs & Election Committee
June 27, 2022

The Committee on Legislative Affairs & Elections met on Tuesday, June 27, 2022 at 6:00pm.

Members present were Councilor Michael Marchese, presiding, Councilors Al Lattanzi, Stephanie Smith and Darren Costa

The Committee considered an Ordinance offered by Stephanie Martins
An ordinance amending the residency requirement when filing a vacancy in the City Clerk's Office

Councilor Martins was invited up to speak and asked that the candidates outside of Everett be able to apply in order to get a more diverse pool of candidates. Councilor Smith did not think it was the right time to do this because the process had already started on the reappointment. Councilor Costa asked when the process started and was provided the information from Clerk Mangan. Councilor Lattanzi asked if the position had to be an Everett resident. Councilor Smith had stated that she got an opinion from outside legal council stating that they could choose a non Everett resident if the candidates were not qualified. Councilor Marchese stated that he believed that all full time positions should go to Everett residents.

Councilor Smith made a motion to refer this item back to sponsor and was seconded by Councilor Costa. This item was referred back to the City Council to refer this item back to sponsor, with all members voting in the affirmative.

Michael J. Mangan
Legislative Aide

#3 – C0271-22

Legislative Affairs & Election Committee
June 27, 2022

The Committee on Legislative Affairs & Elections met on Tuesday, June 27, 2022 at 6:00pm.

Members present were Councilor Michael Marchese, presiding, Councilors Al Lattanzi, Stephanie Smith and Darren Costa

The Committee considered an Ordinance offered by Stephanie Martins
An ordinance adding a new section 3-35 (Emergency Animal Control Calls)

Councilor Smith & Animal Control Officer Stacia Gorgone were invited up to speak on this item. Officer Gorgone explained that she receives a stipend to be on call. She also explained that in the past that she was always called in to handle a lost pet, but was not being called in recently. Councilor Lattanzi asked if another Animal Control Officer is needed, and she stated that another ACO is not needed. ACO Gorgone was looking for more in writing explaining the process. The ACO stated that she is guaranteed four hours if she is called in for overtime. Councilor Costa asked the ACO how many times she gets called in for overtime, and she stated at least one or two times a week. The ACO also informed Mr. Costa that there was no policy change. Chairman Marchese asked if she had a stipend, and she replied that she did. Chief Mazzie was then invited up to speak. Councilor Smith asked the chief to give his input on the subject. Chief Mazzie explained the statue on animal control. He stated that other officers handle animal control issues when the ACO is not on duty. He also stated that the Police Department is well funded when it comes to animal control. He explained also several items including the ACO's equipment are part of the budget. He stated that he submitted a policy back in August of 2021 to the ACO's union, and was waiting for them to sign off on it. Councilor Smith if we need more training when it comes to handling animals. Chief Mazzie stated that he was not in favor of this ordinance. Councilor Costa asked if there was any retrospect done on the policy. The Chief stated that he would send out the policy to the members. Councilor Costa if there was training gap, and the Chief stated that emergencies are taken on a case by case basis. Councilor Martins was invited back up to speak. She stated the council has the authority to write policy. Chief Mazzie stated that this was a personnel issue. Both guests were then excused. Councilor Smith asked that this matter be laid over until September, in order to review the policy, and that the Chief talk to the members to explain the situation. Councilor Smith made a motion, and was seconded by Councilor Costa to refer out to the City Council with no recommendation, in hopes that this item be brought up at a council meeting this summer to be further discussed.

Michael J. Mangan
Legislative Aide



C0340-22

To: Mayor and City Council

From: Councilor John F. Hanlon

Date: July 11, 2022

Agenda Item:

An order recommending the acceptance of funds totaling \$84,652.00 from the Massachusetts Health Officers Association on behalf of the Massachusetts Department of Public health to support COVID-19 public health response.

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

June 29, 2022

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept funds totaling \$84,652.00 from the Massachusetts Health Officers Association on behalf of the Massachusetts Department of Public Health (DPH) to support COVID-19 public health response.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor



June 29, 2022

City of Everett, Massachusetts

CITY COUNCIL

Offered By:

Councilor John Hanlon, as President

Bill Number:

Bill Type: Order

Be it

Ordered: BY THE CITY COUNCIL OF THE CITY OF
EVERETT,

ORDERED:

to accept funds totaling \$84,652.00 from the
Massachusetts Health Officers Association on behalf of
the Massachusetts Department of Public Health (DPH)
to support COVID-19 public health response.



C0341-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: July 11, 2022

Agenda Item:

An order recommending the acceptance of a grant from the Massachusetts Gaming Commission, in the amount of \$122,600.00 for the Everett Fire Department to purchase radios to improve interoperability between the GEU and the Everett Police.

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

June 29, 2022

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept a grant from the Massachusetts Gaming Commission, in the amount of \$122,600.00 for the Everett Fire Department to purchase radios to improve Interoperability between the GEU and the Everett Police.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor



June 29, 2022

City of Everett, Massachusetts

CITY COUNCIL

Offered By:

Councilor John Hanlon, as President

Bill Number:

Bill Type: Order

Be it

Ordered: BY THE CITY COUNCIL OF THE CITY OF
EVERETT,

ORDERED:

to accept a grant from the Massachusetts Gaming
Commission, in the amount of \$122,600.00 for the
Everett Fire Department to purchase radios to improve
Interoperability between the GEU and the Everett
Police.



C0342-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: July 11, 2022

Agenda Item:

An order recommending the acceptance of a grant from the Massachusetts Gaming Commission in the amount of \$100,000.00 for the Industrial District Design Guidelines study.

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

June 30, 2022

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept a grant from the Massachusetts Gaming Commission, in the amount of \$100,000.00 for the Industrial District Design Guidelines study.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor



June 30, 2022

City of Everett, Massachusetts

CITY COUNCIL

Offered By:

Councilor John Hanlon, as President

Bill Number:

Bill Type: Order

Be it

Ordered: BY THE CITY COUNCIL OF THE CITY OF
EVERETT,

ORDERED:

to accept a grant from the Massachusetts Gaming
Commission, in the amount of \$122,600.00 for the
Industrial District Design Guidelines study.



C0339-22

To: Mayor and City Council
From: Councilor John F. Hanlon
Date: July 11, 2022

Agenda Item:

A petition requesting the renewal of a class two motor vehicle dealer license for BFW INC. at 153 Ferry St.

Background and Explanation:

Attachments:



C0271-22

To: Mayor and City Council
From: Councilor Stephanie Martins
Date: May 23, 2022

Agenda Item:

An ordinance adding a new section 3-35 (Emergency Animal Control Calls)

Background and Explanation:

Attachments:

ENROLLED ORDINANCE

*PUBLISHED PURSUANT TO CHAPTER 1 SECTION 4.5 OF THE REVISED ORDINANCES
OF THE CITY OF EVERETT AND IN COMPLIANCE WITH MASSACHUSETTS GENERAL
LAWS Chapter 43, Section 23.*

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo.

IN THE YEAR TWO THOUSAND AND TWENTY TWO

**AN ORDINANCE ADDING A NEW SECTION 3-35 ‘EMERGENCY ANIMAL
CONTROL CALLS’**

Councilor/s/ Stephanie Martins

Whereas: Unexpected Animal Control calls may occur during off-work hours; and

Whereas: Such calls escalate especially during the summer months; and

Whereas: Emergencies involving animals require immediate attention from the Animal Control Officer for the safety of the animals and as a service to the public;

Now, therefore, by the authority granted to the City Council of the City of Everett, Massachusetts to make ordinances:

Be it Ordained by the City Council of the City of Everett, Massachusetts that the Revised Ordinances of the City of Everett be amended as follows:

Chapter 3 Animal Control is hereby amended by adding new subsection 3-35 Emergency Animal Control Calls;

Section 3-35 Emergency Animal Control Calls

The Animal Control Officer must be called on an emergency response basis to respond to emergency animal control calls.

Emergency calls include and are not limited to:

- (a) An injured animal in need of emergency medical treatment;
- (b) Found animals including abandoned animals reported by residents, city departments, or animal organizations for surrender to be picked up, scanned, and transported to kennel;
- (c) A canine bite or mauling in progress;
- (d) Animals attacking each other;
- (e) Animals in traffic flow;
- (f) Animals in distress in a vehicle;
- (g) Animals found in home during a fire;
- (h) Animals found in hoarding situations where the Inspectional Services Department declares an unsafe and unsanitary condition.

This ordinance shall take effect upon passage by the City Council and subsequent approval by His Honor the Mayor.



A true copy attest

A handwritten signature in black ink that reads "Sergio Cornelio". The signature is written in a cursive, flowing style.

Sergio Cornelio, City Clerk

#3 – C0271-22

Legislative Affairs & Election Committee
June 27, 2022

The Committee on Legislative Affairs & Elections met on Tuesday, June 27, 2022 at 6:00pm.

Members present were Councilor Michael Marchese, presiding, Councilors Al Lattanzi, Stephanie Smith and Darren Costa

The Committee considered an Ordinance offered by Stephanie Martins
An ordinance adding a new section 3-35 (Emergency Animal Control Calls)

Councilor Smith & Animal Control Officer Stacia Gorgone were invited up to speak on this item. Officer Gorgone explained that she receives a stipend to be on call. She also explained that in the past that she was always called in to handle a lost pet, but was not being called in recently. Councilor Lattanzi asked if another Animal Control Officer is needed, and she stated that another ACO is not needed. ACO Gorgone was looking for more in writing explaining the process. The ACO stated that she is guaranteed four hours if she is called in for overtime. Councilor Costa asked the ACO how many times she gets called in for overtime, and she stated at least one or two times a week. The ACO also informed Mr. Costa that there was no policy change. Chairman Marchese asked if she had a stipend, and she replied that she did. Chief Mazzie was then invited up to speak. Councilor Smith asked the chief to give his input on the subject. Chief Mazzie explained the statue on animal control. He stated that other officers handle animal control issues when the ACO is not on duty. He also stated that the Police Department is well funded when it comes to animal control. He explained also several items including the ACO's equipment are part of the budget. He stated that he submitted a policy back in August of 2021 to the ACO's union, and was waiting for them to sign off on it. Councilor Smith if we need more training when it comes to handling animals. Chief Mazzie stated that he was not in favor of this ordinance. Councilor Costa asked if there was any retrospect done on the policy. The Chief stated that he would send out the policy to the members. Councilor Costa if there was training gap, and the Chief stated that emergencies are taken on a case by case basis. Councilor Martins was invited back up to speak. She stated the council has the authority to write policy. Chief Mazzie stated that this was a personnel issue. Both guests were then excused. Councilor Smith asked that this matter be laid over until September, in order to review the policy, and that the Chief talk to the members to explain the situation. Councilor Smith made a motion, and was seconded by Councilor Costa to refer out to the City Council with no recommendation, in hopes that this item be brought up at a council meeting this summer to be further discussed.

Michael J. Mangan
Legislative Aide

ANIMAL CONTROL OFFICER (ACO) POLICY

| | |
|------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|
| EVERETT POLICE DEPARTMENT POLICY & PROCEDURE NO. 1.30 | ISSUE DATE: August 2, 2021 |
| | EFFECTIVE DATE: August 2, 2021 |
| MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: 1.2.2; 1.3.10; 16.3.1; 22.2.5, 33.3.2; 33.7.2; 81.2.6 a b; | REVISION DATE: _____ |

I. GENERAL CONSIDERATIONS AND GUIDELINES

Most calls concerning complaints of animals do not require the dispatching of a police officer to the scene. The Animal Control Officer (ACO) is a civilian employee of the Everett Police Department (EPD) and responsible for the handling and processing of all complaints received involving animals. If there is imminent danger to the public, a police officer shall be dispatched to the scene until the ACO can be contacted and arrive to take control of the incident pursuant to Standard Operating Procedures or Incident Command System Procedures. 16.3.1

II. POLICY

It shall be the policy of the Everett Police Department to protect the health, safety, welfare and property of all individuals who reside or frequent the City of Everett. Further, it is the purpose of this policy to prevent the needless health hazards and nuisances caused by animals, upon public and private properties. The ACO shall be contacted during normal business hours, whenever a complaint is received involving animals and on a *recall basis when an emergency situation is involved after normal business hours.

***Recall Basis: Only the Officer in Charge (OIC) or other ranking Superior Officer may authorize the emergency recall of the ACO on an overtime basis.**

Everett Police Department

III. PROCEDURES

ACO SUPERVISION:

General supervision of the Animal Control Officer is provided by a Captain assigned to the Support Services Division of the police department with other possible direction provided by other chain of command supervisory officers (i.e., OIC, Patrol Supervisor, etc) if necessary.

1. ACO FIELD DUTIES:

The Animal Control Officer shall perform field duties* including, but not limited to the following:

- The ACO patrols the streets of Everett in a city owned marked motor vehicle designed for transporting animals;
- Utilize appropriate EPD radio communications procedure;
- Wear a modified department issued uniform and maintain a neat appearance; 16.4.3, 22.2.5
- investigate complaints relating to animal nuisances or dog bites, and attempt to locate such animals;
- issues citations for failure to comply with state laws and city ordinances
- captures suspected rabid and/or unrestrained vicious animals;
- retrieves sick or injured animals from public property;
- transports animals to designated animal shelters;
- investigates reports of neglect and cruelty to animals;
- cleans equipment and maintains animal cages;
- responds to and provides proper disposition of cases regarding animal complaints;
- may testify in court or at other formal hearings as required regarding enforcement of state laws, citations and/or City Ordinances and disposition of complaints.
- Perform other duties as assigned;

* SPECIAL NOTE: (Department of Public Works (DPW) is responsible for the removal and disposal of a dead animal from public property or public ways.)

2. ACO ADMINISTRATIVE FUNCTIONS:

The Animal Control Officer shall perform administrative functions including, but not limited to the following:

Uniforms and Equipment

3

- courteously answer or return incoming telephone calls regarding animal control matters and assist callers with appropriate service information or referrals;
- explains city ordinances and procedures to the public;
- writes complete, legible, and accurate incident reports on the department's Crime Track System;
- enters data, retrieves information, and fills out appropriate written logs and standardized forms;
- maintains files and records;
- promotes positive and effective working relationships with the public, other city departments (e.g., DPW, ISD, Fire, School, etc.) elected officials, and other agencies and community organizations.
- research and organize information from various sources;
- read and understand directives and orders;
- read fine print on written documents, and computer monitors;

3. ACO JOB QUALIFICATIONS:

- The ACO shall possess a valid active Massachusetts Registry of Motor Vehicles driver's license and shall maintain a satisfactory driving record as determined by the Chief of Police;
- Have a basic knowledge of the City of Everett, its landmarks, boundaries and layout of city streets;
- Basic species breed identification, and behavior of a variety of domesticated and non-domesticated animals;
Including proper care and handling non-domesticated animals;
- Knowledge of state and local laws and cases governing the proper care and control of animals;
- Symptoms and behaviors associated with animal diseases;
- Handle, capture and control of animals in a safe and humane manner sometimes under emergency circumstances;
- care for animals and administer first-aid;
- assess animal behavior and/or illness and make effective decisions regarding the handling, capturing and/or euthanizing of the animal; employ safe working practices;
- Careful operation of department motor vehicle on a daily basis;
- work without close supervision and use discretion in making decisions;
- be flexible and adapt to changing conditions;
- work effectively with the public using tact and good judgment under sometimes tense and emotionally charged situations;
- Work with members of the public who may be very critical and verbalize their disagreement with the assigned duties;
- exemplify an enthusiastic, resourceful, and effective customer service attitude.

Police Department

- Work under adverse conditions such as heat, cold, rain, and alone at night or in confined areas;
- work a scheduled shift and emergency overtime, as needed;
- does not possess any severe allergic reactions to animals.

4. SPECIAL REQUIREMENTS:

- Essential duties require the mental and/or physical ability to: safely lift and maneuver animals weighing up to 100 pounds several times a day;
- Ability to reach, bend, and stretch;
- converse in person, by telephone, or issued portable radio and be heard and clearly understood; and
- Ability to work in an environment which has exposure to animal wastes, animal bites, and various cleaning and disinfecting chemicals.

5. TRAINING:

The ACO shall receive initial ACO academy training and be certified as an Animal Control Officer. The ACO shall additionally receive in-service training annually equivalent to that required for Animal Control Officers performing like functions. 33.3.2

6. CALL PRIORITIZATION: (EMERGENCY VS. NON-EMERGENCY CALLS)

When a citizen notifies the Everett Police Department with a complaint involving animals, Emergency Communications (EOC) personnel will ascertain if it is an emergency or non-emergency incident. 81.2.6 a. b

1. Calls that will be defined as an emergency are as follows:
 - a. Any imminent threat to life or danger of serious physical injury; and/or
 - b. The situation suggests a threat to public safety or that one may develop.

Police Department

Uniforms and Equipment

5

- c. Any legal entry into a property by EPD where animals may be located and protective of that facility.
- 2. Examples of calls defined as an **emergency** would include:
 - a. A canine bite or mauling in progress;
 - b. A potential rabid animal;
 - c. An injured animal;
 - d. Animals attacking each other;
 - e. Animals in traffic flow; and/or
 - f. Any other call which requires immediate ACO response.
- 3. Calls that will be defined as **non-emergency**:
 - a. A call for service to take a report; and/or
 - b. Information regarding licensing of city regulations.
- 4. Examples of **non-emergency** calls would include:
 - a. A barking dog complaint;
 - b. A lost animal;
 - c. City Ordinance violations;
 - d. **Dead animals on roadways (notify DPW via EOC);**
 - e. Unwanted pets;
 - f. Nuisance complaints; and/or
 - g. Any other complaint received which does not require the immediate notification and response of the ACO.

7. **EMERGENCY COMMUNICATION ROLE AND RESPONSIBILITY**

Upon receiving an animal *complaint 911 Emergency Communication personnel shall:

Police Department

1. Ascertain if the call is of an **emergency** or **non-emergency** in nature;
2. Obtain the name, address or location and telephone number of the complainant;
3. During off duty hours the 911 dispatcher shall contact the on-duty OIC or street supervisor requesting they authorize the emergency recall of the ACO for immediate response. Standard Operating Procedure (SOP) during off duty hours is for the OIC or his designee to contact the ACO with instructions;
(See Section II. POLICY, Note:)

Extended Unavailability of the ACO during vacation or training periods, it is the responsibility of the ACO to notify all Divisions and Emergency Communications (911) in writing, who will be the fill in ACO (usually from a neighboring city or town) with emergency contact numbers.

4. All calls during normal business hours will be processed by contacting the ACO by cell phone or contacting him/her directly by police radio;
5. A police officer will be dispatched to the scene if an emergency situation exists and stand by pending the arrival of the ACO;
6. **Non-emergency calls received when the ACO is not on duty will be recorded by sending an email message to the ACO with the complainant's name, address and telephone number as well as the nature of the complaint and placed in the ACO electronic mailbox for the next business day service.**

REMINDER: (DPW) is responsible for the removal and disposal of a dead animal from public property or public ways.)

8. ASSIGNED ANIMAL CONTROL VEHICLE

The ACO will have a City of Everett vehicle assigned to carry out job related duties. The vehicle should be properly outfitted with necessary equipment, paperwork etc as needed to carry out all the duties of an ACO. It is the responsibility of the ACO to ensure the vehicle is taken to City Services for maintenance on a regular basis. The vehicle is to be parked at Police Department HQs when the ACO is off duty and the spare key left in the OIC box in case of emergency situations.

Police Department



C0291-22

To: Mayor and City Council

From:

Date: June 13, 2022

Agenda Item:

That the Planning & Development Director appear to discuss the recent purchase on the Exxon Mobil property in Everett by the Davis Companies of Boston. and to explain the development of this property going forward.

Background and Explanation:

Attachments:

CITY OF EVERETT
Office of the Mayor

Carlo DeMaria
Mayor



Everett City Hall
484 Broadway
Everett, MA 02149-3694
Phone: (617) 394-2270
Fax: (617)381-1150

July 6, 2022

Honorable City Council
484 Broadway
Everett, Massachusetts 02149

RE: C0291-22 Resolution/s/ Councilor Richard J. Dell Isola, Jr.

That the Planning & Development Director appear to discuss the recent purchase of the Exxon Mobil property in Everett by the Davis Companies of Boston and to explain the development of this property going forward

Dear Honorable Council Members:

The aforementioned resolution was referred to my office at the City Council's regular meeting on June 27, 2022.

Please be advised that I have shared this request with representatives from The Davis Companies. They will be pleased to appear before the City Council at its August 8, 2022 to provide an overview of the preliminary plans for future development opportunities at the current ExxonMobil parcel in Everett. Providing this presentation to the City Council is part of the community information and outreach efforts that The Davis Companies have undertaken given the significance of this development opportunity.

We request the opportunity for this presentation be placed on the agenda for the Council's August 8, 2022 meeting.

Respectfully submitted,

Carlo DeMaria
Mayor



C0327-22

To: Mayor and City Council

From: Councilor Jimmy Le

Date: June 27, 2022

Agenda Item:

That the Transportation Department consider moving the Blue Bikes station on Broadway at Werner Park off of the street and into the park or on sidewalk.

Background and Explanation:

Attachments:



C0345-22

To: Mayor and City Council

From: Councilor Richard J. Dell Isola, Jr.

Date: July 11, 2022

Agenda Item:

That the City of Everett consider dedicating a bench in honor of former City Clerk, & Common Council member Michael Matarazzo

Background and Explanation:

Attachments:



C0346-22

To: Mayor and City Council

From: Councilor Michael K. Marchese

Date: July 11, 2022

Agenda Item:

That the Traffic Commission considers eliminating on-street parking from the lot line after 73 Clarence Street to the corner of Woodlawn Street in the name of public safety

Background and Explanation:

Attachments:



C0347-22

To: Mayor and City Council

From: Councilor Michael K. Marchese

Date: July 11, 2022

Agenda Item:

That the Mayor's Office and the City Engineer consider reducing the width of the sidewalks on Elm Street to five feet on both sides of the street, with hope being that such reduction would allow for two-sided parking and the introduction of metered parking in business areas of the street

Background and Explanation:

Attachments:



C0348-22

To: Mayor and City Council

From: Councilor Michael K. Marchese, Councilor Wayne A. Matewsky, Councilor Richard J. Dell Isola, Jr.

Date: July 11, 2022

Agenda Item:

An order recommending that the City Council explores options for a more structured usage of their meetings' public participation periods.

Background and Explanation:

Attachments:

Option 1

RULE 10: **Public participation.**

- A. Each formal session of the city council shall include a period of public participation not to exceed twenty (20) minutes. If the public participation period reaches its allotted time limit, the current speaker will be notified by the chair and they will be allowed to complete their remarks. Before a motion to close public participation is made, any councilor may make a motion to extend the public participation period. However, if extended, public participation must be tabled until after the completion of all other city business on the meeting's agenda and will only be removed from the table prior to the adjournment of the meeting.
(C0240-22)
- B. At regular or special meetings of the city council, the subject ~~matter of matters~~ spoken on during the meeting's public participation period shall ~~not~~ be limited to ~~the only those~~ items before that are on the city council at the present regular published agenda for said meeting. ~~At any special meeting of the city council, the subject matter of public participation shall be limited to the subject matter of the present special meeting.~~
(C0348-22)
- C. For the purpose of this rule, the term "public" shall be construed to mean any member of the public at large and not limited as to restrict any individual from participation.
- D. Each member of the public wishing to speak during public participation shall place their name, address and ~~brief description of their topic~~ the agenda item number(s) on which they would like to speak on the public participation sign in sheet prior to the start of the formal session of the city council.
(C0348-22)
- E. Each member of the public shall be limited to no more than two (2) minutes of participation without unanimous consent of the members present. Large groups should designate a spokesperson to speak on a particular issue.
- F. This rule does not limit or replace the provisions of Rule 16, which remains in full effect.
- G. Participants shall address all comments to the president.
- H. Participants shall not promote or oppose any candidate running for office.
- I. Participants shall not use public participation for political purposes.
- J. Participants shall not advertise for commercial purposes or private gain.
- K. Participants shall not make personal attacks on or make any accusatory statements against any city council members or other elected or appointed city officials.
- L. With the president as the sole judge, any participant who speaks on matters that are not on the meeting's agenda will receive one (1) verbal warning of such. With the president's sole judge, if the participant continues to speak off the allowed subject matter, they will be asked to immediately cease their comments and return to the audience.

Option 1

(C0348-22)

~~L.~~M. Anyone making out of order comments or acting in an unruly manner shall be subject to removal from the meeting.

~~M.~~N. This rule shall be posted in the chambers for public viewing and understanding of rules.

Option 2

RULE 10: **Public participation.**

- A. Each formal session of the city council shall include a period of public participation not to exceed twenty (20) minutes. If the public participation period reaches its allotted time limit, the current speaker will be notified by the chair and they will be allowed to complete their remarks. Before a motion to close public participation is made, any councilor may make a motion to extend the public participation period. However, if extended, public participation must be tabled until after the completion of all other city business on the meeting's agenda and will only be removed from the table prior to the adjournment of the meeting.

(C0240-22)

B. Types of Public Participation Allowed at Different Meeting Types

1. At regular meetings of the city council, the subject matter of public participation shall not be limited to the items before the city council at the present ~~regular meeting.~~ meeting. However, public participation shall be split into two separate sections.

i. The first section of public participation shall be limited to those speakers wishing to speak on items that appear on that meeting's agenda. Those speakers shall be heard first.

ii. The second section of public participation shall include any speakers who wish to speak on items that do not appear on that meeting's agenda.

(C0348-22)

- ~~1.2.~~ At any special meeting of the city council, the subject matter of public participation shall be limited to the subject matter of the present special meeting.

- ~~B.C.~~ For the purpose of this rule, the term "public" shall be construed to mean any member of the public at large and not limited as to restrict any individual from participation.

- D. Prior to the start of the formal session of the city council, each member of the public wishing to speak during public participation shall ~~place their~~ sign-in using the correct sign-in sheet for the topic(s) upon which they wish to speak.

1. Both sign-in sheets shall require the speaker's name, and address ~~and~~.

~~1.2.~~ The sign-in sheet for items that appear on the agenda shall require the agenda item number(s) or a brief description of ~~their topic(s) on the public participation sign in sheet prior to the start of the formal session of the city council~~ the agenda item(s) on which the speaker wishes to speak.

3. The sign-in sheet for topics that do not appear on the agenda shall require a brief description of the topic(s) on which the speaker wishes to speak.

4. If a speaker wishes to speak on both items that appear on the agenda and on other topics, they should sign-in on both public participation sign-in sheets.

(C0348-22)

Option 2

- ~~C.E.~~ Each member of the public shall be limited to no more than two (2) minutes of participation without unanimous consent of the members present. Large groups should designate a spokesperson to speak on a particular issue.
- ~~D.F.~~ This rule does not limit or replace the provisions of Rule 16, which remains in full effect.
- ~~E.G.~~ Participants shall address all comments to the president.
- ~~F.H.~~ Participants shall not promote or oppose any candidate running for office.
- ~~G.I.~~ Participants shall not use public participation for political purposes.
- ~~H.J.~~ Participants shall not advertise for commercial purposes or private gain.
- ~~I.K.~~ Participants shall not make personal attacks on or make any accusatory statements against any city council members or other elected or appointed city officials.
- ~~L.~~ With the president as the sole judge, any participant who during the agenda only section of public participation speaks on matters that are not on the meeting's agenda will receive one (1) verbal warning of such and will be asked to add their name to the sign-in sheet for the other section of public participation. With the president's sole judge, if the participant continues to speak off the allowed subject matter, they will be asked to immediately cease their comments and return to the audience.
(C0348-22)
- ~~J.M.~~ Anyone making out of order comments or acting in an unruly manner shall be subject to removal from the meeting.
- ~~K.N.~~ This rule shall be posted in the chambers for public viewing and understanding of rules.