AGENDA PACKET

REGULAR MEETING OF THE CITY COUNCIL
MONDAY, SEPTEMBER 12, 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, SEPTEMBER 12, 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. **C0390-22** Public Hearing/s/ Councilor John F. Hanlon, as President

   A petition from National Grid requesting approval to install a new plastic gas main on Harvey Street.

PUBLIC PARTICIPATION

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Minutes of the Regular City Council Meeting of August 8, 2022

COMMUNICATIONS FROM HIS HONOR THE MAYOR

2. **C0383-22** Order/s/ Councilor John F. Hanlon, as President

   An order recommending acceptance of a grant from the Commonwealth of Massachusetts, Executive Office of Energy & Environmental Affairs, in the amount of $339,915.00 for the “Wicked Cool Mystic” project.

3. **C0388-22** Order/s/ Councilor John F. Hanlon as President

   An order recommending acceptance of a donation to the Summer Jobs Program in the amount of $1,000.00 from Holcim-ACM Management, Inc

4. **C0389-22** Order/s/ Councilor John F. Hanlon,as President

   An order recommending acceptance of the FY23 EEA Municipal Vulnerability Preparedness Program-Action Grant from the Commonwealth of Massachusetts,

Executive Office of Energy & Environmental Affairs, in the amount of $2,998,600.00.

5. **C0397-22** Order/s/ Councilor John F. Hanlon, as President

   A petition for a special license to serve beer & wine at Harvest Fest on Saturday, September 24, 2022.

6. **C0399-22** Order/s/ Councilor John F. Hanlon, as President

   An order requesting that the amount of $4,014,000 be appropriated by borrowing for the following items:

   School Alarm Panels
   $ 200,000

   Keverian School Heat Units
   $ 56,000

   Keverian School Modular Units
   $2,000,000

   Fire Ladder Truck
   $ 76,000

   High School Boiler Burners
   $ 40,000

   Keverian School Heaters/Vestibule
   $ 12,000

   Keverian School ACCU1/ACCU2
   $ 730,000

   Maddy English Chiller Replacement
   $ 900,000

   $ 4,014,000

UNFINISHED BUSINESS

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

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

8. **C0360-22** Resolution/s/ Councilor Stephanie V. Smith

   That the Director of the Board of Health and the Administration provide a written response in two weeks as to what is the plan for the ARPA funds for $300,000 through the MA Dept of Public Health, Bureau of Substance Addition Services (accepted by the City Council in April).

9. **C0362-22** Resolution/s/ Councilor Stephanie V. Smith

   That the Administration provide the cost-benefit analysis of outsourcing the Wellness

Center vs. keeping it in-house as well as the breakdown of the current contract [e.g. approx. how many people are outsourced today, what are the job responsibilities of these outsourced personnel, number of free offerings (if any), the detailed cost breakdown of the $340K (invoices if possible), the return of funds (if any) Everett is getting due to the hours being reduced 15 hours per week from the contract, and any activities the city is subsidizing]

10. **C0364-22** Resolution/s/ Councilor Stephanie V. Smith

    That the Administration comes before the City Council at the first meeting in September to provide an update on the Pope John disposition

11. **C0365-22** Resolution/s/ Councilor Stephanie V. Smith

    That the Administration provides an update on the hiring of a Recreation Director which has been open for over 2 years

12. **C0369-22** Resolution/s/ Councilor Stephanie Martins

    That the administration provide an update on the installation of the non-verbal communication boards at the parks for the inclusion of children with autism.

13. **C0370-22** Resolution/s/ Councilor Stephanie Martins

    That the CFO provide an explanation of why the city has returned Covid funds to the state and whether the rental assistance program is still in effect.

NEW BUSINESS

14. **C0380-22** Resolution/s/ Councilors: Stephanie Martins, Darren Costa

    That the administration consider adding a dashboard to the Everett website detailing the current available amount of ARPA funds, and committed funds.

15. **C0381-22** Resolution/s/ Councilor Stephanie Martins, Councilor Alfred J. Lattanzi

    That the Traffic Commission consider restricting the traffic of large trucks over the bike trail in the shortcut between Tremont Street and Air Force Road near Prescott Street

16. **C0382-22** Resolution/s/ Councilor Stephanie Martins

    That the administration consider conducting a study to measure the carbon footprint produced by the City of Everett.

17. **C0384-22** Resolution/s/ Councilors: Michael K. Marchese, Darren Costa

    That the CFO provide the City Council with a list of the five biggest taxpaying companies in Everett over the past five years and the amount that they have paid in taxes during that period

18. **C0385-22** Resolution/s/ Councilors: Richard J. Dell Isola, Jr., Darren Costa

    That a representative from the Everett Housing Authority appear at the next City Council meeting to discuss concerns from residents about Glendale Towers.

19. **C0386-22** Resolution/s/ Councilors: Richard J. Dell Isola, Jr., Stephanie Martins

    That the Administration, and any other relative departments appear at the next City Council meeting to discuss making the Pope John property a school, instead of affordable housing, and to get estimates on what it would cost the City to renovate it for school use, as well as the cost to the City to keep it as affordable housing.

20. **C0387-22** Ordinance/s/ Councilors: Stephanie Martins, Councilor Alfred Lattanzi, Darren Costa

    An ordinance banning animal testing in the City of Everett

21. **C0391-22** Resolution/s/ Councilors:Vivian Nguyen, Councilor Stephanie Martins, Councilor Richard J. Dell Isola, Jr., Darren Costa

    That the administration considers doing a study on the Beacon St area rat infestation to serve as a measure/assessment area for the overall mitigation plan for the City of Everett.

22. **C0392-22** Resolution/s/ Councilors:Vivian Nguyen, Councilor Stephanie Martins, Councilor Richard J. Dell Isola, Jr., Darren Costa

    That Inspectional Services offer residents on Beacon St the options of (but not limited to) trapping, removal of rat nests, or the utilization of birth control to mitigate the rat infestation issue on Beacon St.

23. **C0393-22** Resolution/s/ Councilor Wayne A. Matewsky, Councilor Stephanie Martins

    That the administration support the Little Friends library program at Gramstorf Playground.

24. **C0394-22** Resolution/s/ Councilor Wayne A. Matewsky

    That the police place a speed monitor on Summer Street between Clinton Street and Broadway.

25. **C0395-22** Order/s/ Councilor Alfred J. Lattanzi

    That the City Council supports the submission of a Special Act to the Massachusetts General Court authorizing the City to grant additional alcoholic beverages licenses.

26. **C0396-22** Resolution/s/ Councilor Stephanie Martins

    To Declare September Childhood Cancer Awareness Month

27. **C0398-22** Resolution/s/ Councilor Stephanie Martins

    That the Elections Commission post the unofficial and official results of the elections when available on the city website and social media upon release.

28. **C0400-22** Ordinance/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith

    An ordinance amending Section 4-5 (Affordable Housing Linkage Fees) Subsections (d)(4)b. Transition Rules & (d)(7)a. Collection of Linkage Fees

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

City of Everett Massachusetts

C0390-22

To: **Mayor and City Council**

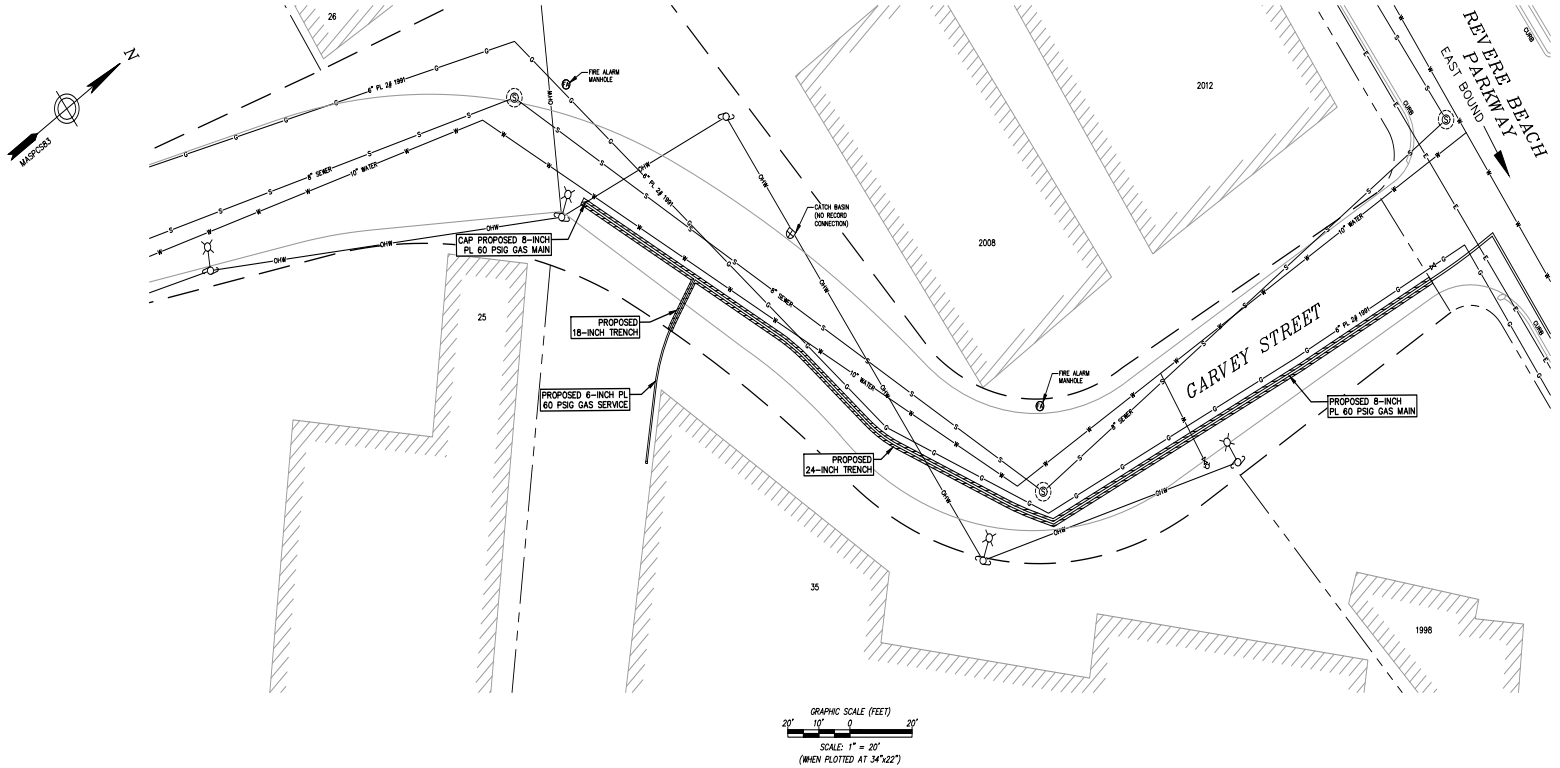
From: **Councilor John F. Hanlon**

Date: September 12, 2022

Agenda Item:
A petition from National Grid to install a new plastic gas main on Harvey Street.

Background and Explanation:

Attachments:



LEGEND

- PROPOSED GAS
- E — E — EXISTING ELECTRIC
- G — G — EXISTING GAS
- W — W — EXISTING WATER
- D — D — EXISTING STORM DRAIN
- S — S — EXISTING SANITARY SEWER
- T — T — EXISTING TELEPHONE
- CATV — EXISTING CABLE TV LINE
- MBTA — EXISTING MBTA
- EDGE OF PAVEMENT
- CURB LINE
- RIGHT OF WAY LINE
- PROPERTY LINE
- BUILDING LINE

NOTE:
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CALL 811 BEFORE YOU DIG

PROJECT SPECIFICS
SIZE: 6" & 8"
LENGTH: 1450'±
MATERIAL: PLASTIC
PRESSURE: 60#
SCALE: 1" = 20'

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CHA
141 Longwater Drive, Suite 104
Norwell, MA 02061-1620
781-982-7700 . www.chacompanies.com

COMMONWEALTH OF MASSACHUSETTS
JEFFREY E. O'DONNELL
CIVIL
No. 47111
REGISTERED PROFESSIONAL ENGINEER
7/12/2022

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF APPLICABLE STATE AND/OR LOCAL LAWS

NO.	DESCRIPTION	DATE	DR.BY	CK.BY	APP.BY
0	ISSUED FOR GRANT OF LOCATION	07/08/2022	MJK	MLT	JEO

BOSTON GAS COMPANY
d/b/a
nationalgrid
40 SYLVAN ROAD
WALTHAM, MA 02451

ISSUED FOR PERMITTING

NOT FOR CONSTRUCTION

PROPOSED GAS MAIN & SERVICE INSTALLATION
PROPOSED OPENING TO INSTALL 8-INCH GAS MAIN & 6-INCH GAS SERVICE
35 GARVEY STREET
EVERETT, MA

GRANT OF LOCATION PERMIT PLAN

DWG SIZE	DESIGNER	ENGINEER	DATE:	ASSET I.D.	W.O. NO.:
22"X34"	M. KITTS	M. THOMPSON	07/08/2022	DISTRIBUTION	1463246

DRAWING NO.	SHEET NO.
DPL-EVE-074786-1071	C-801

File: V:\PROJECTS\ANY\VE\074786.000\09_DESIGN\DRAWINGS\CIVIL\074786-1071 GOL.DWG
Saved: 7/7/2022 10:34:18 AM Plotted: 7/8/2022 3:01:55 PM Current User: Kitts, Mathew LastSavedBy: 6451

PETITION OF NATIONAL GRID FOR GAS MAIN LOCATIONS

City of Everett/City Council:

Boston Gas dba as Nationalgrid, hereby respectfully requests your consent to the locations of mains as hereinafter described for the transmission and distribution of gas in and under the following public streets, lanes, highways and places of the **City of Everett** and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and accomplish the objects of said Company; and the digging up and opening the ground to lay or place same:

To install a new plastic, gas main in Garvey Street in accordance with the attached documents.

Date: July 29, 2022

By: Diana Cuddy
Diana Cuddy
Gas Ops-NE

City of Everett/City Council:

IT IS HEREBY ORDERED that the locations of the mains of the Nationalgrid for the transmission and distribution of gas in and under the public streets, lanes, highways and places of the **City of Everett** substantially as described in the petition date **July 29, 2022** attached hereto and hereby made a part hereof, and of the pipes, valves, governors, manholes and other structures, fixtures and appurtenances designed or intended to protect or operate said mains and/or accomplish the objects of said Company, and the digging up and opening the ground to lay or place same, are hereby consented to and approved.

The said Boston Gas dba Nationalgrid, shall comply with all applicable provisions of law and ordinances of the **City of Everett** applicable to the enjoyment of said locations and rights.

Date this _____ day of _____, 20____.

I hereby certify that the foregoing order was duly adopted by the _____ of the City of _____, MA on the _____ day of _____, 20____.

By: _____

_____
Title

WO # 1463246

RETURN ORIGINAL TO MAPS AND RECORDS DEPARTMENT
NATIONAL GRID
40 SYLVAN RD, WALTHAM, MA 02451

MEETING MINUTES

REGULAR MEETING OF THE CITY COUNCIL
MONDAY, AUGUST 08, 2022 7:00 PM

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

ROLL CALL

Members Present
Irene Cardillo, Darren Costa, Richard Dell Isola, Jr., Alfred Lattanzi, Michael Marchese, Stephanie Martins, Wayne Matewsky, Vivian Nguyen, Stephanie Smith, John Hanlon

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

1. **C0367-22** Public Hearing/s/ Councilor John F. Hanlon, as President

   A petition from Comcast requesting to install new underground conduit to 735, 741 & 743 Broadway

   The petitioner appeared and informed the Council the work would be done during the daylight hours.

PUBLIC PARTICIPATION

APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Report of the Special City Council Meeting of 07/11/2022

Minutes of the City Council Meeting of 6/27/2022

Minutes of the City Council Meeting of 7/11/2022

The Minutes for the 3 past meetings were accepted.

2. C0349-22 Order/s/ Councilor John F. Hanlon, as President

An order recommending acceptance of donations to the Summer Jobs Program totaling $1,250.00 as follows: Weston & Sampson – $250.00, Team Work Cleaning Concepts – $1,000.00

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

3. C0272-22 Ordinance/s/ Councilor Stephanie Martins

An ordinance amending Section 4-5 (Affordable Housing Linkage Fee) 4(g) Collection of Linkage Fees

Veto message from His Honor The Mayor

MOTION:	Favorable Action
MOVER:	Stephanie Martins
SECONDER:	Stephanie Smith
RESULT:	**Failed [7 TO 3]**
AYES:	Costa, Dell Isola, Jr., Marchese, Martins, Matewsky, Nguyen, Smith
NAYS:	Cardillo, Lattanzi, Hanlon
AWAY:	

The Council accepted the veto letter sent by the Mayor and Councilor Martins stated that the language is clear and that the Council should override the Mayor's veto.

4. C0352-22 Order/s/ Councilor John F. Hanlon, as President

An order requesting the approval of the re-appointment of Josephine Navarra to the Council on Aging for a three year term expiring August 31, 2025

Items 4-7 were taken collectively and passed unanimously as they were all appointment renewals.

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [9 TO 0]**

AYES:	Cardillo, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	Costa

5. **C0353-22** Order/s/ Councilor John F. Hanlon, as President

   An order requesting the approval of the re-appointment of Carol Dello Russo to the Council on Aging for a three year term expiring August 31, 2025

6. **C0354-22** Order/s/ Councilor John F. Hanlon, as President

   An order requesting the approval of the re-appointment of Anne Wisniewski to the Council on Aging for a two year term expiring August 31, 2024

7. **C0355-22** Order/s/ Councilor John F. Hanlon, as President

   An order requesting the approval of the re-appointment of Hazel McNeil to the Council on Aging for a two year term expiring August 31, 2024

8. **C0356-22** Order/s/ Councilor John F. Hanlon, as President

   An order requesting the approval of the declaration of specific DPW vehicles, as attached, as surplus

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [9 TO 0]**
AYES:	Cardillo, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	Costa

9. **C0379-22** Order/s/ Councilor John F. Hanlon, as President

   An order requesting the approval of an appropriation by borrowing in the amount of $608,093.00 for the following items: Woodland Avenue Park (aka Central Ave Park) $265,909.00, Baldwin Ave Park $206,500.00, Ford Escape SE Sport AWD Hybrid (4) $135,684.00

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [9 TO 0]**
AYES:	Cardillo, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	

AWAY:	Costa

PETITIONS AND LICENSES

10. C0357-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting a new auto body/mechanical repair license for Malden Auto of Everett Inc at 49 Robin Street

The City Clerk was asked why these new licenses were before us, since others in the community had been asking for a license in the past and were denied since there weren't any new licenses. The Clerk informed the Council that these are new people taking over the license but the location already has these licenses for a few decades now and the owner of the property is selling the building and business to Malden Auto Body. Councilor Matewsky said he was in favor of these transfer of the license since both the current owner and proposed new owners of the property are long standing residents and business owners in Everett and have had no issues in the past.

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Wayne Matewsky
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

11. C0358-22 Petition/s/ Councilor John F. Hanlon, as President

A petition requesting a new second-class motor vehicle dealer license for Malden Auto of Everett Inc. at 49 Robin Street

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Wayne Matewsky
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

UNFINISHED BUSINESS

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

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

13. 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.

The prospective new owners of the Exxon Mobil site in Everett appeared and gave a PowerPoint presentation on the potential development that is being proposed. Councilors generally were in favor of the proposal, but there were concerns on traffic, increased city services needed, especially public safety personnel and how many housing units that were being proposed for development. The Davis company will continue to engage with residents and stakeholders to see what they want in that area and if they will continue with the purchase of the land. The item was referred to the Mayor's office tp have them hold more public meetings to allow residents the opportunity to speak on the potential development.

MOTION:	Refer
MOVER:	Richard Dell Isola, Jr.
SECONDER:	Michael Marchese
RESULT:	**[0 TO 0]**
AYES:	
NAYS:	
AWAY:	

14. C0328-22 Resolution/s/ Councilor Stephanie V. Smith

That a representative from Comcast appear at our first meeting in September provide an update on the infrastructure in the City and what enhancements are being made to resolve issues with the internet speed

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

NEW BUSINESS

15. C0350-22 Resolution/s/ Councilor Stephanie V. Smith, Councilor Michael K. Marchese

A resolution requesting an update from the Mayor's Office on the Devens School lease

MOTION:	Refer
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese

RESULT:	**Passed [0 TO 0]**	Item Number {{item.number}}
AYES:		
NAYS:		
AWAY:		

The Council requested and update from the Mayor by the September 12th meeting.

16. **C0359-22** Resolution/s/ Councilor Stephanie V. Smith

That the Traffic Commission considers eliminating on-street parking on Nichols Street between Florence St and Chatham Rd on the side where the John Gramstorf playground ("Little Florence") is in the interest of public safety. Recently the sidewalks were widened which narrowed the roadway.

Referrred to the traffic Commission to take appropriate action.

MOTION:	Refer
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

17. **C0360-22** Resolution/s/ Councilor Stephanie V. Smith

That the Director of the Board of Health and the Administration provide a written response in two weeks as to what is the plan for the ARPA funds for $300,000 through the MA Dept of Public Health, Bureau of Substance Addition Services (accepted by the City Council in April).

Referred to the Mayor's office for a written response in 2 weeks so the Council can have the information prior to the September 12th Council meeting and to have the Administration appear at the September to meeting to discuss the item.

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

18. **C0361-22** Resolution/s/ Councilor Stephanie V. Smith

That the Administration provide a copy of the Digital Divide Study that was completed

by the former Chief Communications Director to the City Council in two weeks in preparation for the City Council meeting with Comcast in September

The Administration to provide a copy of the digital divide study, form 500 and a written response in 2 weeks.

MOTION:	Refer
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

19. C0362-22 Resolution/s/ Councilor Stephanie V. Smith

That the Administration provide the cost-benefit analysis of outsourcing the Wellness Center vs. keeping it in-house as well as the breakdown of the current contract [e.g. approx. how many people are outsourced today, what are the job responsibilities of these outsourced personnel, number of free offerings (if any), the detailed cost breakdown of the $340K (invoices if possible), the return of funds (if any) Everett is getting due to the hours being reduced 15 hours per week from the contract, and any activities the city is subsidizing]

The Administration appear at the next meeting to discuss the wellness center and for a written response on the information of the a cost-benefit analysis in 2 weeks.

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

20. C0363-22 Resolution/s/ Councilor Stephanie V. Smith

That the Procurement Director come before the City Council at the first meeting in September to explain the process for bidding for Senior Meals delivery

Postponed to the September 26th Council meeting.

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese

RESULT:	**Passed [0 TO 0]**	Item Number {{item.number}}
AYES:		
NAYS:		
AWAY:		

21. C0364-22 Resolution/s/ Councilor Stephanie V. Smith

That the Administration comes before the City Council at the first meeting in September to provide an update on the Pope John disposition

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

22. C0365-22 Resolution/s/ Councilor Stephanie V. Smith

That the Administration provides an update on the hiring of a Recreation Director which has been open for over 2 years

Referred to the Mayor's office with a response in 2 weeks and for the Administration to appear at the Septemebr 12th Council meeting.

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Michael Marchese
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

23. C0366-22 Resolution/s/ Councilor Stephanie V. Smith

That a representative of the Youth Commission come before the City Council at the first meeting in October to provide an update on the mission, goals and activities planned for the Fall of 2022.

To have a representative of the Youth Commission appear at the next meeting.

MOTION:	Postpone
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins
RESULT:	**Passed [0 TO 0]**

AYES:	Item Number {{item.number}}
NAYS:	
AWAY:	

24. C0368-22 Resolution/s/ Councilor Stephanie Martins

That the administration consider an updated housing study for the city of Everett to properly measure and address the impacts of the new developments, market trends, and displacement.

Referred to the Administration to provide for a new housing study that reflects the changes in the current housing market.

MOTION:	Refer
MOVER:	Stephanie Martins
SECONDER:	Stephanie Smith
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

25. C0369-22 Resolution/s/ Councilor Stephanie Martins

That the administration provide an update on the installation of the non-verbal communication boards at the parks for the inclusion of children with autism.

Referred to the Administration to provide a written update before the September Council meeting.

MOTION:	Refer
MOVER:	Stephanie Martins
SECONDER:	Stephanie Smith
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

26. C0370-22 Resolution/s/ Councilor Stephanie Martins

That the CFO provide an explanation of why the city has returned Covid funds to the state and whether the rental assistance program is still in effect.

Referred tot he CFO to appear at the next Council meeting with an explanation of why the monies were returned.

MOTION:	Postpone

MOVER:	Stephanie Martins	Item Number {{item.number}}
SECONDER:	Stephanie Smith	
RESULT:	**Passed [0 TO 0]**	
AYES:		
NAYS:		
AWAY:		

27. C0371-22 Resolution/s/ Councilor Stephanie Martins

That the Traffic Commission consider changing the classification of Lexington Park from a private way for better maintenance due to the continuous school traffic.

Referred to the Traffic Commission to look into making this street a public way.

MOTION:	Refer
MOVER:	Stephanie Martins
SECONDER:	Richard Dell Isola, Jr.
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

28. C0372-22 Resolution/s/ Councilor Stephanie Martins

That the administration provide an update on how the city will take action on the findings of the Digital Divide study to improve access and increase broadband speeds in the City of Everett

Referred to the Administration to provide a written updat to the Council.

MOTION:	Refer
MOVER:	Stephanie Martins
SECONDER:	Stephanie Smith
RESULT:	**Passed [0 TO 0]**
AYES:	
NAYS:	
AWAY:	

29. C0373-22 Order/s/ Councilor John F. Hanlon, as President

An order calling for the designation and fitting of the polls for the 2022 State Primary Election

MOTION:	Favorable Action
MOVER:	Stephanie Smith
SECONDER:	Stephanie Martins

RESULT:	**Passed [9 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	Marchese

30. C0374-22 Order/s/ Councilor John F. Hanlon, as President

An order calling for the 2022 State Primary Election

MOTION:	Favorable Action
MOVER:	Michael Marchese
SECONDER:	Stephanie Smith
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

31. C0375-22 Resolution/s/ Councilor Stephanie Martins, Councilor John F. Hanlon, Councilor Irene Cardillo, Councilor Darren Costa, Councilor Richard DellIsola, Councilor Al Lattanzi, Councilor Michael Marchese, Councilor Stephanie Martins, Councilor Wayne Matewsky, Councilor Vivian Nguyen, Councilor Stephanie Smith

Recognizing August 31st as International Overdose Awareness Day in Everett, MA

Council rules were suspended and the item was amended by adding the entire Council as co-sponsors. The item was referred to the Mayor's office to light the city purple in August 31st.

MOTION:	Favorable Action
MOVER:	Stephanie Martins
SECONDER:	Richard Dell Isola, Jr.
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

32. C0376-22 Resolution/s/ Councilor Wayne A. Matewsky

That Inspectional Services investigate 2 Lewis Place, as well as 97 Lewis Street for many concerns by the neighbors in that area, including the possibility of an illegal apartment.

The item was referred to ISD and Fire prevention to monitor the property as well as the property at 97 Lewis Street for public safety.

MOTION:	Refer	Item Number {{item.number}}
MOVER:	Wayne Matewsky	
SECONDER:	Stephanie Smith	
RESULT:	**Passed [0 TO 0]**	
AYES:		
NAYS:		
AWAY:		

33. C0377-22 Order/s/ Councilor Michael K. Marchese

An order to amend the City of Everett Charter Section 4-1, by giving the mayor a voice but no vote on the Everett School Committee

Referred to the Legislative Affairs Committee.

MOTION:	Refer
MOVER:	Michael Marchese
SECONDER:	Stephanie Smith
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

34. C0378-22 Order/s/ Councilor Michael K. Marchese

An order to amend the City Council Rule 4, by creating a new sub-section (G)

Referred to the Legislative Affairs Committee.

MOTION:	Refer
MOVER:	Michael Marchese
SECONDER:	Stephanie Smith
RESULT:	**Passed [10 TO 0]**
AYES:	Cardillo, Costa, Dell Isola, Jr., Lattanzi, Marchese, Martins, Matewsky, Nguyen, Smith, Hanlon
NAYS:	
AWAY:	

ADJOURNMENT

Respectfully Submitted
Sergio Cornelio
Clerk of the City Council

City of Everett Massachusetts

C0383-22

To: **Mayor and City Council**

From: **Councilor John F. Hanlon**

Date: September 12, 2022

Agenda Item:

An order to accept a grant from the Commonwealth of Massachusetts, Executive Office of Energy & Environmental Affairs, in the amount of $339,915.00, for the "Wicked Cool Mystic" project.

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

August 22, 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 Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs, in the amount of $339,915.00. These funds will support the "Wicked Cool Mystic" project, a regional effort to engage vulnerable residents and workers and other community stakeholders to envision and design cost-effective, enticing pilot projects to help people stay cool and healthy during heat waves.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor

August 22, 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 Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs, in the amount of $339,915.00. These funds will support the “Wicked Cool Mystic” project, a regional effort to engage vulnerable residents and workers and other community stakeholders to envision and design cost-effective, enticing pilot projects to help people stay cool and healthy during heat waves.

C0388-22

To: **Mayor and City Council**

From: **Councilor John F. Hanlon**

Date: September 12, 2022

Agenda Item:
An order to accept a donation to the Summer Jobs Program in the amount of $1,000.00 from Holcim-ACM Management, Inc

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

August 29, 2022

Honorable City Council
484 Broadway
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept a donation to the Summer Jobs Program in the amount of $1,000.00 from Holcim-ACM Management, Inc.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria
Mayor

August 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 donation to the Summer Jobs Program in the amount of $1,000.00 from Holcim-ACM Management, Inc.

City of Everett Massachusetts

C0389-22

To: **Mayor and City Council**

From: **Councilor John F. Hanlon**

Date: September 12, 2022

Agenda Item:

An order to accept the FY23 EEA Municipal Vulnerability Preparedness Program-Action Grant from the Commonwealth of Massachusetts, Executive Office of Energy & Environmental Affairs, in the amount of $2,998,600.00.

Background and Explanation:

Attachments:

C0397-22

To: **Mayor and City Council**

From: **Councilor John F. Hanlon**

Date: September 12, 2022

Agenda Item:

That a special one-day alcoholic beverage license be issued to several businesses for use in conjunction with The City of Everett's Harvest Festival on September 24, 2022.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0399-22

To: **Mayor and City Council**

From: **Councilor John F. Hanlon**

Date: September 12, 2022

Agenda Item:

An order requesting that the amount of $4,014,000 be appropriated by borrowing for the following items:

School Alarm Panels
$ 200,000

Keverian School Heat Units
$ 56,000

Keverian School Modular Units
$2,000,000

Fire Ladder Truck
$ 76,000

High School Boiler Burners
$ 40,000

Keverian School Heaters/Vestibule
$ 12,000

Keverian School ACCU1/ACCU2
$ 730,000

Maddy English Chiller Replacement
$ 900,000

$ 4,014,000

Background and Explanation:

Attachments:

City of Everett
Office of the Mayor

Carlo DeMaria, Jr.
MAYOR

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

September 7, 2022

The Honorable City Council
City Hall
484 Broadway
Everett, Massachusetts 02149

Dear Ladies and Gentlemen:

I hereby request the amount of $4,014,000 be appropriated by borrowing for the following items:

School Alarm Panels	$ 200,000
Keverian School Heat Units	$ 56,000
Keverian School Modular Units	$ 2,000,000
Fire Ladder Truck	$ 76,000
High School Boiler Burners	$ 40,000
Keverian School Heaters/Vestibule	$ 12,000
Keverian School ACCU1/ACCU2	$ 730,000
Maddy English Chiller Replacement	$ 900,000
	$ 4,014,000

Please see the attached letter from Assistant Superintendent Kim Tsai.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria
Mayor

/lrh

E-mail: MayorCarlo.DeMaria@ci.everett.ma.us

September 7, 2022

ORDER

BE IT
ORDERED: BY THE CITY COUNCIL OF THE CITY OF EVERETT, as Follows:

That the City hereby appropriates the amount of Four Million, Fourteen Thousand Dollars ($4,014,000) to be funded by borrowing as set forth in the attached letter of the Mayor requesting such borrowing dated September 7, 2022, including the payment of all other costs incidental and related thereto, and that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §8 or pursuant to any other enabling authority, and to issue bonds and notes therefore, provided, that any premium received upon the sale of any bonds or notes approved by this Order, less any such premium applied to the payment of the costs of such issuance of bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and to take any other action relative thereto.

Eric Demas

Item Number 6

From: Tsai, Kim <ktsai@everett.k12.ma.us>
Sent: Thursday, August 18, 2022 1:08 PM
To: Eric Demas; Erin Deveney
Subject: Important and Urgent Updates

Hello,

Upon reviewing the FY23 City Hall Budget book pertaining to capital improvement projects and cross referencing the School All Department Expenditure report as of today, the following are missing from the appropriation:

1. Replace School Alarm Panels in the amount of $200,000
2. Keverian School Heat Units in the amount of $56,000
3. Keverian School Modular Units in the amount of $2,000,000

Can you please let us know when these costs will be appropriated?

As you are aware, we cannot pay for capital expenses out of the school budget. As we are conducting a review of facilities management, we are notifying you of some exigent requests that require attention that may pose a safety risk to students and staff. At the very least, I am hoping we can work to be proactive to prevent any situation in which there is no hot water or ventilation during winter in the midst of a school day which needless to say would be highly disruptive to our school community.

1. The burners for the boilers at EHS need to be replaced this year and the impact from failure to replace is potential loss of heating hot water at the High School. The current estimated cost is $221,575 (esc for 2023 install) and the expected delivery times for that particular equipment is 5/30/23. Please note that the cost estimates are subject to change contingent upon the time of purchase. Thank you for appropriating the cost to replace the burners for the boilers at EHS. However, please note that the cost has increased from $185,000 to $221,575. Can you please appropriate the increased amount?
2. As mentioned above, the heaters in the vestibule at the Keverian have not been appropriated. They do not work and the impact from that is the potential for freezing of hot water and fire protection sprinkler pipes. This needs to be replaced this year. The current estimated cost is $67,060 (esc for 2023 install) and the expected delivery times for that particular equipment is 8-10 weeks after receipt of order with a 4 day installation. Please note that the cost estimates are subject to change contingent upon the time of purchase. The cost has increased from $56,000 to $67,060. Can you please appropriate the increased amount?
3. The Keverian requires replacement of ACCU1 which includes a refrigerant gas conversion from R22 to 410A. ACCU-1 is almost completely non-functioning and the impact from failure to repair is loss of cooling and conditioned ventilation capability in areas served with no/few operable windows. The current estimated cost is $399,518 (esc for 2023 install) and the expected delivery times for that particular equipment is 36-45 weeks after receipt of order (if order received today unit would be available for install between 5/1/23 and 7/3/23 with 4+ week install). Although this repair is recommended to be conducted next year, due to the backlog of supply inventory, we will need to order the units in as soon as possible. Please note that the cost estimates are subject to change contingent upon the time of purchase. Please also note Keverian has an ACCU2 in the same condition that ENE has conducted a design/bid process also. Cost of ACCU2 replacement is $330,387 (esc for 2023 install). These repairs are allocated for FY26. However, we need to purchase the replacements as it will take 9 to 11 months to arrive, notwithstanding an additional month at a minimum to install. The cost has increased to $729,905. Given the significant delay for the replacements, can these costs be allocated to this fiscal year as we need to order the replacements as soon as possible?

4. The English needs a chiller replacement next year and the impact from failure to replace is loss of cooling and conditioned ventilation in a building with few/no operable windows. The current estimated cost is $695,401 (esc for 2023 install) and the expected delivery times for that particular equipment is 36-45 weeks after receipt of order (if order received today unit would be available for install between 5/1/23 and 7/3/23 with 4+ week install). Although this replacement is recommended to be conducted next year, due to the shortage of supply inventory, we will need to order the chiller in as soon as possible. Please note that the cost estimates are subject to change contingent upon the time of purchase. English also has ACCU1 and ACCU2 in the same condition as the above chiller, ENE obtained competitive prices for ACCU1 $414,040 and ACCU2 $337,886 (both esc for 2023 install). The chiller for the English has been allocated for FY26, but similarly, the chiller will take anywhere from 9 to 11 months to arrive, notwithstanding a minimum of 4 weeks to install. The estimated cost has increased from $550,000 to $695,401. Can you please allocate the increase for the chiller in the amount of $145,401 for this year and also allocate $751,926 for this year as well?
5. Looking ahead, the Lafayette needs a condensing unit & coil replacement upgrading from R22 to 410A for ACCU2 and the impact from failure to replace is loss of cooling and conditioned ventilation in the areas served by ACCU2. We are requesting that this be replaced in January 2024 to be installed prior to the cooling season. The English also requires replacement of ACCU1 which includes a refrigerant gas conversion from R22 to 410A. The estimated cost is $369,437 (esc for a 2024 install). We have been advised that this conversion needs to take place during SY24-25 but installed prior to the cooling season. We are also being informed that the EHS HVAC control systems require a complete systems upgrade. The impact from failure to upgrade results in loss of cooling and conditioned ventilation in areas served in a building with few/no operable windows. Although the Lafayette ACCU2 replacement is allocated for FY25, we are requesting that this cost be funded under FY24 due to expected supply chain delays and we are confirming with ENE to obtain an updated cost for the Lafayette. In the meantime, can you please allocate the $285,000 for Lafayette from FY25 to FY24 while we confirm whether there are increased costs? Can you also please allocate in FY24, $369,437 the cost for the English gas conversion from R22 to 410A.
6. Our custodial staff have raised safety concerns regarding some vehicles in our fleet, namely a pick up truck, non-passenger truck, rackbody and 2 box trucks. I have recently been informed that these vehicles have expired inspection stickers and when we attempted to obtain the state inspection last week, we were informed that we needed 2 license plates for each of the vehicles. It appears that we only have 1 license plate for each of those vehicles. The registration for those vehicles are registered to the City of Everett, 484 Broadway. We are in the process of obtaining additional license plates but want you to be aware in the event that the vehicles do not pass inspection and may need to be replaced. To date, there is an allocation of $60,000 for FY25 for only one rack body truck.

I understand that this is a significant amount of replacements/repairs and we will certainly try to avail ourselves of any opportunities to fund these projects such as utilizing the Accelerated Repair Program through the Massachusetts School Building Authority. However, as you may be aware, there are restrictions on which projects can be funded and that it is not recommended to file a Statement of Interest if the boiler is less than 25 years old or installed in or after 1998, the project cost is projected as less than $250,000, the school is judged by the district to be over-crowded, the work consists of construction beyond roofs, windows/doors or boilers, the work seeks boiler construction, excluding heating fuel storage and/or delivery beyond the physical limits of the existing boiler room or if the district plans a future construction project for MSBA participation going beyond roofs, windows/doors, and boilers for the school.

Thank you in advance for your help.

--

Kim Tsai, Esq.
Deputy Superintendent
Everett Public Schools | 121 Vine Street | Everett, MA 02149

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 COUNCIL ……No.

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

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.**

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:

- 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.

- 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.

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:

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.

City of Everett Massachusetts

C0360-22

To: **Mayor and City Council**

From: **Councilor Stephanie V. Smith**

Date: August 8, 2022

Agenda Item:

That the Director of the Board of Health and the Administration provide a written response in two weeks as to what is the plan for the ARPA funds for $300,000 through the MA Dept of Public Health, Bureau of Substance Addition Services (accepted by the City Council in April).

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0362-22

To: **Mayor and City Council**

From: **Councilor Stephanie V. Smith**

Date: August 8, 2022

Agenda Item:

That the Administration provide the cost-benefit analysis of outsourcing the Wellness Center vs. keeping it in-house as well as the breakdown of the current contract [e.g. approx. how many people are outsourced today, what are the job responsibilities of these outsourced personnel, number of free offerings (if any), the detailed cost breakdown of the $340K (invoices if possible), the return of funds (if any) Everett is getting due to the hours being reduced 15 hours per week from the contract, and any activities the city is subsidizing]

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0364-22

To: **Mayor and City Council**

From: **Councilor Stephanie V. Smith**

Date: August 8, 2022

Agenda Item:
That the Administration comes before the City Council at the first meeting in September to provide an update on the Pope John disposition

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0365-22

To: **Mayor and City Council**

From: **Councilor Stephanie V. Smith**

Date: August 8, 2022

Agenda Item:
That the Administration provides an update on the hiring of a Recreation Director which has been open for over 2 years

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0369-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins**

Date: August 8, 2022

Agenda Item:
That the administration provide an update on the installation of the non-verbal communication boards at the parks for the inclusion of children with autism.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0370-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins**

Date: August 8, 2022

Agenda Item:

That the CFO provide an explanation of why the city has returned Covid funds to the state and whether the rental assistance program is still in effect.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0380-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins**

Date: September 12, 2022

Agenda Item:
That the administration consider adding a dashboard to the Everett website detailing the current available amount of ARPA funds, and committed funds.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0381-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins, Councilor Alfred J. Lattanzi**

Date: September 12, 2022

Agenda Item:
That the traffic commission consider restricting the traffic of large trucks over the bike trail in the shortcut between Tremont Street and Airforce Road near Prescott St.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0382-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins**

Date: September 12, 2022

Agenda Item:
That the administration consider conducting a study to measure the carbon footprint produced by the City of Everett.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0384-22

To: **Mayor and City Council**

From: **Councilor Michael K. Marchese**

Date: September 12, 2022

Agenda Item:

That the C.F.O. provide the City Council who the five biggest taxpaying companies in Everett are , and what they have paid for taxes over the past five years.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0385-22

To: **Mayor and City Council**

From: **Councilor Richard J. Dell Isola, Jr.**

Date: September 12, 2022

Agenda Item:
That a representative from the Everett Housing Authority appear at the next City Council meeting to discuss concerns from residents about Glendale Towers.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0386-22

To: **Mayor and City Council**

From: **Councilor Richard J. Dell Isola, Jr.**

Date: September 12, 2022

Agenda Item:
That the Chief of Staff appear at the next City Council meeting to discuss making the Pope John property a school, instead of affordable housing.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0387-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins, Councilor Alfred J. Lattanzi**

Date: September 12, 2022

Agenda Item:
An ordinance banning animal testing in the City of Everett

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 COUNCIL. . ..…….No.

IN THE YEAR TWO THOUSAND AND TWENTY TWO

AN ORDINANCE BANNING ANIMAL TESTING IN THE CITY OF EVERETT

Councilor/s/ Stephanie Martins, Alfred Lattanzi, Vivian Nguyen, Darren Costa

WHEREAS, an animal is any nonhuman vertebrate; and

WHEREAS, an experiment is any procedure conducted by a research institution upon a live animal; and

WHEREAS, A research institution is any facility operated in the City of Everett, any school or college of medicine, public health, dentistry, pharmacy, veterinary medicine, or agricultural, medical, biological, or diagnostic laboratory, biological corporation, hospital or other educational or scientific establishment within the City of Everett which, in connection with any of its activities, investigates or gives instruction concerning the structure and function of living organisms or the causes, prevention, control or cure of diseases or abnormal conditions of human beings or animals, or participates in the development, marketing, or testing of any commercial product utilizing live animals.

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 of Everett, Massachusetts, that experiments conducted on live animals of any kind be prohibited and therefore completely banned in the City of Everett.

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

A true copy attest

Sergio Cornelio, City Clerk

City of Everett Massachusetts

C0391-22

To: **Mayor and City Council**

From: **Councilor Vivian Nguyen**

Date: September 12, 2022

Agenda Item:
That the administration considers doing a study on the Beacon St area rat infestation to serve as a measure/assessment area for the overall mitigation plan for the City of Everett.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0392-22

To: **Mayor and City Council**

From: **Councilor Vivian Nguyen**

Date: September 12, 2022

Agenda Item:

That Inspectional Services offer residents on Beacon St the options of (but not limited to) trapping, removal of rat nests, or the utilization of birth control to mitigate the rat infestation issue on Beacons St.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0393-22

To: **Mayor and City Council**

From: **Councilor Wayne A. Matewsky, Councilor Stephanie Martins**

Date: September 12, 2022

Agenda Item:
That the administration support the little friends library program at Gramstoph Playground.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0394-22

To: **Mayor and City Council**

From: **Councilor Wayne A. Matewsky**

Date: September 12, 2022

Agenda Item:
That the police place a speed monitor on Summer Street between Cottage Street and Broadway.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0395-22

To: **Mayor and City Council**

From: **Councilor Alfred J. Lattanzi**

Date: September 12, 2022

Agenda Item:
That the City Council accepts a Special Act to the Massachusetts General Court authorizing the City to grant additional alcoholic beverages licenses.

Background and Explanation:

Attachments:

AN ACT AUTHORIZING THE CITY OF EVERETT TO GRANT ADDITIONAL ALCOHOLIC BEVERAGES LICENSES

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

SECTION 1:

(a) Notwithstanding section 17 of chapter 138 of the General Laws, the licensing authority of the city of Everett may grant 8 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to operators and locations to be determined by the licensing authority in accordance with this section. The licenses shall be subject to all of said chapter 138 except said section 17.

(b) The licensing authority shall restrict the licenses authorized in this section as follows:

I. The licensing authority of the city of Everett may grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises pursuant to section 12 of said chapter 138 to operators and locations to be determined by the licensing authority in accordance with this section.

II. The licensing authority of the city of Everett may grant 2 additional licenses for the sale of all alcoholic beverages under section 15 of said chapter 138 and may grant 1 license for the sale of wines and malt beverages under said section 15 of said chapter 138.

SECTION 2:

(a) The transfer of a license existing on the effective date of this act or the transfer of stock in a corporation which holds such a license shall be subject to a public hearing and notice of such hearing shall be advertised as provided in said chapter 138 and held at an appropriate time to afford interested citizens an opportunity to be present.

(b) The licenses shall be subject to all of said chapter 138 except said section 17.

(c) Licenses shall only be granted to parcels as allowed by the zoning ordinance of the city of Everett.

SECTION 3:

(a) If a license granted pursuant to this section is cancelled, revoked or no longer in use, it shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing authority and the licensing authority may then grant the license to a new applicant at a location within an area described in subsection (b) under the same conditions as specified in this section.

(b) No other license granted under this act shall be sold or transferred by the licensee. If any such licensee terminates or fails to renew its license, the license shall revert to the licensing commission which may then grant that license to a new applicant in accordance with regulations established by the licensing commission; provided, however, that any restrictions on the

transferability of licenses under this paragraph shall only apply to licenses granted on or after the effective date of chapter 449 of the acts of 2008.

(c) The administrative fee charged by the city of Everett for licenses granted under this section shall be the same as the administrative fee charged by the city for existing licenses granted for the respective category for such licenses. The licenses granted under this section shall be subject to all applicable ordinances of the city.

SECTION 4:

(a) This act shall take effect upon its passage.

City of Everett Massachusetts

C0396-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins**

Date: September 12, 2022

Agenda Item:
To Declare September Childhood Cancer Awareness Month

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 COUNCIL. . ..…….No.

IN THE YEAR TWO THOUSAND AND TWENTY TWO

A RESOLUTION TO DECLARE SEPTEMBER CHILDHOOD CANCER AWARENESS MONTH

Councilor/s/ Stephanie Martins

WHEREAS, every year, over 15,000 children and young adults in the U.S are diagnosed with cancer; and

WHEREAS, childhood cancer research is vastly and consistently underfunded and only receives 4% of the annual budget from the National Institute of Health; and

WHEREAS, childhood cancer is the leading cause of death by disease in children under 15 years old in the United States; and

WHEREAS, current treatments are toxic, affect a child's development and can be decades old, and;

WHEREAS, to treat childhood cancer in the best way possible, we need to create more awareness and advocacy to increase funding.

NOW, THEREFORE, **BE IT RESOLVED THAT,** We, the Everett City Council, do hereby declare the month of September, Childhood Cancer Awareness Month, in honor of all the children and families affected by childhood cancer and the ongoing efforts to increase research funding and awareness.

A true copy attest

Sergio Cornelio, City Clerk

City of Everett Massachusetts

C0398-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins**

Date: September 12, 2022

Agenda Item:
That the Elections Commission post the unofficial and official results of the elections when available on the city website and social media upon release.

Background and Explanation:

Attachments:

City of Everett Massachusetts

C0400-22

To: **Mayor and City Council**

From: **Councilor Stephanie Martins, Councilor Stephanie V. Smith**

Date: September 12, 2022

Agenda Item:
An ordinance amending Section 4-5 (Affordable Housing Linkage Fees) Subsections (d)(4)b. Transition Rules & (d)(7)a. Collection of Linkage Fees

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 COUNCIL …….No. C0400-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

AN ORDINANCE AMENDING SECTION 4-5 (AFFORDABLE HOUSING LINKAGE FEES) SUBSECTIONS (d)(4)b. TRANSITION RULES & (d)(7)a. COLLECTION OF LINKAGE FEES

Councilor /s/ Stephanie Martins & Stephanie V. Smith

Whereas: To add this section to reduce the linkage fee payment period in order to expedite the City of Everett's ability to invest in affordable housing; and

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:

Section 4-5 Affordable Housing Linkage Fee (d)(4)b.1 Transition Rules is hereby amended by adding the phrase " (March 1, 2021)" after the word "section".

Section 4-5 Affordable Housing Linkage Fee (d)(7). Collection of Linkage Fees is hereby amended by adding a new subsection a. as follows and resequencing the existing subsection a, and subsequent sub sections accordingly.

a. Linkage fee payments shall be based upon the linkage fee repayment schedule in effect at the time of the submittal of a complete application for a building permit. To date, there have been two linkage fee repayment schedules. The first repayment schedule, as defined in enacting ordinance C0177-20, was in place from March 1, 2021 to (date of Mayor's signature for C0400-22). The current repayment schedule, as defined enacting ordinance C0400-22, shall be found below.
(C0400-22)

The newly re-sequenced Section 4-5 Affordable Housing Linkage Fee (d)(7)b. is hereby amended by striking the phrase “up to seven (7) years” and replacing with the phrase “up to three (3) years”.

The newly re-sequenced Section 4-5 Affordable Housing Linkage Fee (d)(7)b. is hereby further amended by deleting the phrase “that any linkage fee reduced pursuant to the transition rules set forth in Section 4-5(d)(4)b. must be paid in full within a period of no more than five (5) years; provided further”.

The amended subsection shall read as follows:

(7) Collection of Linkage Fees

a. **Linkage fees payments shall be based upon the linkage fee repayment schedule in effect at the time of submittal of a complete application for a building permit. To date, there have been two linkage fee repayment schedules. The first repayment schedule, as defined in enacting ordinance C0177-20, was in place from March 1, 2021 to (date of Mayor’s signature for C0400-22). The current repayment schedule, as defined enacting ordinance C0400-22, shall be found below.**
(C0400-22)

b. No certificate of occupancy required pursuant to the State Building Code or pursuant to any other rule, regulation, ordinance or statute shall be issued until the applicant has paid or provided surety securing the payment of all linkage fees required by this section. An applicant may choose to pay the required linkage fee over a period of **up to three (3) years**, provided, however, that at least ten percent (10%) of any required linkage fee shall be paid prior to issuance of a certificate of occupancy. In such event, the applicant shall enter into a written payment plan, approved by the chief financial officer or his or her designee, and shall secure payment of such fees through one, or in part by one and in part by another, of the methods of surety described in G.L. c.41, §81U, clauses (1) through (4) of the General Laws, or through such other means as the director of inspectional services may approve in his or her discretion and in consultation with the city solicitor. The linkage fees required hereunder shall constitute a local charge or fee for purposes of G.L. c.40, §§57 and 58.
(C0400-22)

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

A true copy attest

Sergio Cornelio, City Clerk

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: ~~06/13/2022~~

DATE OF PROPOSED ORDAINMENT: ~~06/27/2022~~

CITY COUNCIL .....No. ~~C0272~~C0400-22

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

AN ORDINANCE AMENDING SECTION 4-5 (AFFORDABLE HOUSING LINKAGE ~~FEE)~~FEES) SUBSECTIONS (d)(4)b. TRANSITION RULES & (d)(7)a. COLLECTION OF LINKAGE FEES

Councilor /s/ Stephanie Martins & Stephanie V. Smith

Whereas: To add this section to reduce the linkage fee payment period in order to expedite the City of Everett's ability to invest in affordable housing; and

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:

Section 4-5 Affordable Housing Linkage Fee (d)(~~7)a. Collection of Linkage Fees~~4)b.1 Transition Rules is hereby amended by adding the phrase " (March 1, 2021)" after the word "section".

Section 4-5 Affordable Housing Linkage Fee (d)(7). Collection of Linkage Fees is hereby amended by adding a new subsection a. as follows and resequencing the existing subsection a, and subsequent sub sections accordingly.

a. Linkage fee payments shall be based upon the linkage fee repayment schedule in effect at the time of the submittal of a complete application for a building permit. To date, there have been two linkage fee repayment schedules. The first repayment schedule, as defined in enacting ordinance C0177-20, was in place from March 1, 2021 to (date of Mayor's signature for C0400-22). The current repayment schedule, as defined enacting ordinance C0400-22, shall be found below.
(C0400-22)

The newly re-sequenced Section 4-5 Affordable Housing Linkage Fee (d)(7)b. is hereby amended by striking the phrase “up to seven (7) years” and replacing with the phrase “up to three (3) years”.

The newly re-sequenced Section 4-5 Affordable Housing Linkage Fee (d)(7)~~a. Collection of Linkage Fees~~b. is hereby further amended by deleting the phrase “that any linkage fee reduced pursuant to the transition rules set forth in Section 4-5(d)(4)b. must be paid in full within a period of no more than five (5) years; provided further”.

The amended subsection shall read as follows:

(7) Collection of Linkage Fees

a. Linkage fees payments shall be based upon the linkage fee repayment schedule in effect at the time of submittal of a complete application for a building permit. To date, there have been two linkage fee repayment schedules. The first repayment schedule, as defined in enacting ordinance C0177-20, was in place from March 1, 2021 to (date of Mayor’s signature for C0400-22). The current repayment schedule, as defined enacting ordinance C0400-22, shall be found below.
(C0400-22)

~~a.~~**b.** No certificate of occupancy required pursuant to the State Building Code or pursuant to any other rule, regulation, ordinance or statute shall be issued until the applicant has paid or provided surety securing the payment of all linkage fees required by this section. An applicant may choose to pay the required linkage fee over a period of **up to three (3) years**, provided, however, that at least ten percent (10%) of any required linkage fee shall be paid prior to issuance of a certificate of occupancy. In such event, the applicant shall enter into a written payment plan, approved by the chief financial officer or his or her designee, and shall secure payment of such fees through one, or in part by one and in part by another, of the methods of surety described in G.L. c.41, §81U, clauses (1) through (4) of the General Laws, or through such other means as the director of inspectional services may approve in his or her discretion and in consultation with the city solicitor. The linkage fees required hereunder shall constitute a local charge or fee for purposes of G.L. c.40, §§57 and 58.
(~~C0272~~C0400-22)

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

~~06/13/2022 Enrolled by the City Council~~
~~8-0, (Away—Cardillo, Matewsky, Absent—Le)~~

~~06/27/2022~~

A true copy attest

Sergio Cornelio, City Clerk