



## AGENDA

### REGULAR MEETING OF THE CITY COUNCIL MONDAY, JANUARY 27, 2025 7:00 PM

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

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#### ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### PUBLIC HEARINGS

1. **C0417-24** Ordinance/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Peter Pietrantonio, Councilor Holly D. Garcia, Councilor John F. Hanlon, Councilor Robert J, Van Campen

An ordinance amending SECTION 32B OF THE ZONING ORDINANCES:  
INCLUSIONARY ZONING

#### PUBLIC PARTICIPATION

#### APPROVAL OF MINUTES OF THE PREVIOUS MEETING

Minutes of the Special Meeting of the City Council of 11/25/2024

Minutes of the Regular Meeting of the City Council of 12/9/2024

Minutes of the Regular Meeting of the City Council of 12/23/2024

Minutes of the Organizational Meeting of the City Council of 01/06/2025

#### COMMUNICATIONS FROM HIS HONOR THE MAYOR

2. **C0041-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting the confirmation on the appointment of Karen Roebuck to the Library Board of Trustees for a term of three (3) years expiring January 31, 2028
3. **C0042-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting the confirmation on the appointment of Joanne Johnson to the Library Board of Trustees for a term of three (3) years expiring January 31, 2028
4. **C0044-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting that the City Council vote, pursuant to MGL 268A, to designate the members of the Board of Assessors as special municipal employees. I am requesting this designation so that the City will have a qualified individual (Ron Keohan) acting as Interim Director of Assessing while the City seeks to fill the position with a permanent replacement.
5. **C0045-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting approval to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 85 Boston Street along with an equivalent of \$825.00 per month for monthly operation costs
6. **C0046-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting approval to accept and expend a grant from the Department of Fire Service, Executive Office of Public Safety, in the amount of \$14,149.09 to purchase fire equipment, including thermal imagers
7. **C0047-25** Order/s/ Councilor Stephanie Martins, as President  
An order requesting approval to appropriate \$25,268.31 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year departmental bills per the attached list
8. **C0049-25** Order/s/ Councilor Stephanie Martins, as President  
As order requesting approval to appropriate \$5,457,773 from Budgetary Fund Balance (Free Cash) into the following funds: General Stabilization Fund - \$1,637,332, Other Post-Employment Benefits Liability Trust Fund – \$1,637,332, Capital Improvement Stabilization Fund – \$2,183,109

## **PETITIONS AND LICENSES**

9. **C0038-25** Petition/s/ Councilor Stephanie Martins, as President

A petition requesting the renewal of lodging house license for Fenno's at 336 Broadway

10. **C0039-25** Petition/s/ Councilor Stephanie Martins, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Auto-Tech Pro at 146 Main Street

11. **C0040-25** Petition/s/ Councilor Stephanie Martins, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Woodlawn Auto Sales at 3 Woodlawn Ave

12. **C0043-25** Petition/s/ Councilor Stephanie Martins, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Broadway Gas & Service Inc. at 356 Broadway

#### **COMMITTEE REPORTS**

13. **C0259-24** Ordinance/s/ Councilor Katy L. Rogers

An ordinance pertaining to trees in the City of Everett

14. **C0333-24** Ordinance/s/ Councilor Guerline Alcy Jabouin

An ordinance that the City Council consider voting to remove the TDM ordinance

In accordance with City Council Rule 46(C), the Clerk of Committees referred the item back to the City Council

15. **C0343-24** Order/s/ Councilor Guerline Alcy Jabouin

That the Everett City Council engage the State Auditor's office for an audit of accounts, programs, activities and other public functions (in accordance with Mass General Law Part I, Title II, Chapter 11, Section 12).

In accordance with City Council Rule 46(C), the Clerk of Committees referred the item back to the City Council

16. **C0025-25** Order/s/ Councilor Stephanie Martins, as President

An order to appropriate \$35,000 from Budgetary Fund Balance (Free Cash) to the Human Resources professional services account to cover additional costs related to workers compensation

## UNFINISHED BUSINESS

- 17. C0137-24** Ordinance/s/ Councilor Katy L. Rogers

An ordinance requiring all playing fields in Everett to use environmentally sustainable organic grass instead of artificial turf
- 18. C0354-24** Resolution/s/ Councilor Robert J. Van Campen, Councilor Peter Pietrantonio, Councilor Guerline Alcy Jabouin & the Entire Membership of the City Council

That the Administration take immediate steps to improve the senior meals program, including potentially terminating the current contract and engaging a new vendor.
- 19. C0411-24** Resolution/s/ Councilor Stephanie Martins, Councilor Robert J. Van Campen

That the Water Superintendent appear at the next meeting to clarify the purpose of the recent letters regarding lead that were sent to residents and the next steps
- 20. C0416-24** Ordinance/s/ Councilor Stephanie V. Smith

An ordinance to amend live animal testing
- 21. C0441-24** Resolution/s/ Councilor Wayne A. Matewsky

That the C.F.O. appear at the first regular meeting in January to explain why some residents water bills are not being credited when payed, as well as late charges also being occurred on some of these bills also.
- 22. C0005-25** Resolution/s/ Councilor Katy L. Rogers, & Councilor Stephanie Martins

A resolution to implement a multi-lingual City of Everett app to enhance accessibility and communication
- 23. C0014-25** Resolution/s/ Councilor Holly D. Garcia

That the Addiction Recovery Resource Specialist Paul Guarino from the Everett Fire Department Roadmap to Recovery appears at our January 27th meeting to discuss his role and data for calls and placements
- 24. C0018-25** Resolution/s/ Councilor Robert J. Van Campen

In the interest of public safety, that all parking restrictions be strictly enforced in the area of Linden, Webster, Church and Warren streets, particularly on Fridays, Saturdays and Sundays

- 25. C0019-25** Resolution/s/ Councilor Robert J. Van Campen, & The Entire City Council

That the Administration - working collaboratively with the City Council and other community stakeholders - convene a task force to discuss and address issues of food insecurity in the City of Everett, including the safest and most efficient way to coordinate distribution

- 26. C0022-25** Resolution/s/ Councilor Robert J. Van Campen, Councilor Holly D. Garcia

That the administration provides an update on when community meetings will be held concerning the use of the former Everett High School and the former Pope John property

## **NEW BUSINESS**

- 27. C0027-25** Resolution/s/ Councilor Anthony DiPierro

A resolution requesting the CFO to appear before the Committee on the Ways & Means to discuss the Hero Act; specifically the increased local flexibility for Veteran Tax Exemptions.

- 28. C0028-25** Resolution/s/ Councilor Anthony DiPierro

A resolution requesting Chief Strong, or a designee, appear before the City Council to discuss what steps are being taken to ensure public safety concerns are addressed at any state run emergency shelter in Everett

- 29. C0029-25** Resolution/s/ Councilor Wayne A. Matewsky

That the Police Traffic Division notify idling trucks in the area of the Premier Apartment Building that they are disturbing residents from the hours of 8PM to 6AM

- 30. C0030-25** Resolution/s/ Councilor Wayne A. Matewsky

That Fire Chief Joseph Hickey, and His Honor Mayor DeMaria appear with regard to the Jupiter lithium battery proposal and safety concerns

- 31. C0031-25** Resolution/s/ Councilor Wayne A. Matewsky

That the DCR enhance all crosswalks on the Revere Beach Parkway when painting this year

- 32. C0032-25** Resolution/s/ Councilor Peter Pietrantonio

That Fire Chief Joseph Hickey appear at the next regular city council meeting to

see how his first couple of months are going

- 33. C0033-25** Resolution/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Guerline Alcy Jabouin

That the CFO provide an update on the ARPA funds expiring in December and the disbursement to recipients

- 34. C0034-25** Resolution/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Robert J. Van Campen

That the Director of Health and Human Services and Interim Director of HR appear at the next meeting to provide a status on the efforts to hire new school nurses as funded in 2024

- 35. C0035-25** Resolution/s/ Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Robert J. Van Campen

That the CFO and Director of Planning provide information on whether the city was able to receive any funding from the state's Affordable Homes Act/Housing Bond Bill

- 36. C0036-25** Resolution/s/ Councilor Katy L. Rogers

That the Everett City Council formally requests a detailed report from the appropriate departments, agencies, or representatives associated with the Kraft Soccer Stadium project, outlining:

1. The current status of the project, including approvals, permits, and progress.
2. Any obstacles or delays affecting the project timeline.
3. A projected timeline for the project's next phases and expected completion.
4. Any agreements, commitments, or obligations made between the City of Everett and the Kraft Group related to the project

- 37. C0037-25** Resolution/s/ Councilor Katy L. Rogers

That The City of Everett establish an Adopt-a-Tree Program

- 38. C0048-25** Resolution/s/ Councilor Robert J. Van Campen

That the Zoning Board of Appeals strictly enforce the requirements of General Laws Chapter 40A, Section 10 when considering and reviewing any request for a variance from the Everett Zoning Ordinance

## **ADJOURNMENT**

[www.cityofeverett.com](http://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

C0417-24

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**To:** Mayor and City Council

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

**Date:** December 9, 2024

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**Agenda Item:**

An ordinance amending SECTION 32B OF THE ZONING ORDINANCES: INCLUSIONARY ZONING

**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.C0417-24**

IN THE YEAR TWO THOUSAND AND TWENTY FOUR

**AN ORDINANCE AMENDING SECTION 32B OF THE ZONING ORDINANCES: INCLUSIONARY ZONING**

Councilor/s/ Stephanie Martins, Stephanie Smith

**Whereas:** Changing demographics and development needs have increased the need for affordable housing production in the city; and

**Whereas:** The development of housing that is affordable to low and moderate income households should be encouraged; and

**Whereas:** The limited stock of affordable housing has accelerated displacement.

**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 Zoning Ordinances of the City of Everett be amended as follows:

(C0401-16)

(a) Purpose and intent

Due to changing demographics and development trends, affordable housing needs are expected to continue to increase in the city. The purpose of this section is to encourage development of new housing that is affordable to low and moderate-income households. Affordable housing produced through this regulation should be in compliance with the requirements set forth in M.G.L. c. 40B §§. 20-24 and other affordable housing programs developed by state, county and local governments.

It is intended that the affordable units created under this section be considered as local initiative units, in compliance with the requirements for the same as specified by the Department of Housing and Community Development, qualifying for inclusion in the city's subsidized housing inventory ("SHI").

(b) Applicability

In all zoning districts, the inclusionary zoning provisions of this section shall apply to:

- (1) Any project or series of projects that results, in the aggregate, in a total of ten (10) or more dwelling units, whether by new construction or by the alteration, expansion, reconstruction, or change of existing residential or nonresidential space.

(C0187-18)

(c) Special permit

The development of any project set forth in subsection (b) of this section shall require the grant of a special permit from the planning board. A special permit under this section shall be granted if the proposal meets the requirements of this section, provided that nothing herein shall be intended to limit the discretion of any special permit granting authority under any other section of this Zoning Ordinance.

(d) Affordable units

As a condition of approval of a special permit, as required by subsection (c) of this section, the applicant shall contribute to the city's affordable housing opportunities in accordance with the following requirements:

- (1) A number of units equal to at least fifteen percent (15%) of the units at eighty percent (80%) AMI or at least ten percent (10%) of the units

at sixty percent (60%) AMI in a development subject to this section at the discretion of — shall be established as affordable units in any one or combination of methods provided for below (“affordable housing requirement”):

(C0187-18, C0062-24)

- a. Construction or rehabilitation of affordable units on the project site, pursuant to the special permit (See subsection (e) of this section); or
  - b. Construction or rehabilitation of affordable units on another site approved by the planning board (see subsection (f) of this section).
- (2) The applicant may offer, and the planning board may accept, any combination of the methods of compliance set forth in subsection (d)(1)a. and b. of this section, provided that in no event shall the total number of units be less than the equivalent number or value of affordable units required by this section.
  - (3) As a condition of the granting of a special permit, all affordable units shall be subject to an affordable housing restriction and a regulatory agreement in a form acceptable to the planning board, ensuring that the affordable units shall remain affordable in perpetuity. The regulatory agreement shall be consistent with any applicable guidelines issued by the Department of Housing and Community Development and shall ensure that affordable units can be counted toward the city’s SHI. The regulatory agreement shall also address all applicable restrictions listed in subsection (i) of this section. The special permit shall not take effect until the restriction, the regulatory agreement and the special permit are recorded at the Registry of Deeds and a copy is provided to the planning board and the director of inspectional services. Unless determined otherwise by the planning board or precluded by state law or regulation, the monitoring agent shall be the Everett Housing Authority.
  - (4) It shall be the responsibility of the applicant to prepare and execute all applications and forms necessary to ensure that the affordable units are added to the city’s SHI.
  - (5) The planning board may, at its discretion, reduce the affordable unit requirement in a development to ten percent (10%) of the total number of dwelling units in a development with an AMI of eighty

percent (80%) or to seven percent (7%) of the total number of dwelling units in a development with a AMI of sixty percent (60%) if the development meets either (or both) of the following requirements:

- a. The project site has a recorded activity and use limitation (AUL) and requires environmental remediation; or
  - b. The project site is located within a FEMA flood district.
- (C0187-18, C0318-21, C0062-24)

(e) Density bonus for additional affordable units

- (1) To facilitate the objectives of this section, the planning board may approve waivers of any dimensional restriction in this Zoning Ordinance in return for the creation of affordable dwelling units in excess of the affordable housing Requirement. Any applicant requesting such waivers shall present a baseline plan that demonstrates the number of units that could be developed without the need for such waivers. The planning board may approve waivers of such dimensional requirements (including setbacks, height restrictions, floor area ratio requirements and parking requirements) to allow for development of units in addition to the number depicted on the baseline plan (“bonus units”), provided that:
  - a. The total number of bonus units may not exceed fifty percent (50%) of the number of units that would be permitted without the need for such waivers, as shown on the baseline plan; and
  - b. The affordable housing requirement for the bonus units shall be twenty-five percent (25%) and
  - c. The planning board shall affirmatively find that granting such waivers will not be substantially more detrimental to the neighborhood than approval of the baseline plan would be.

(f) Provisions applicable to affordable units on and off site

- (1) Minimum design and construction standards for affordable units. Affordable units shall be integrated with the rest of the development, shall be of the same tenure type (i.e. rental or ownership) and shall be compatible in design, appearance, construction, and quality of materials with market rate units. Interior features and mechanical systems of affordable units shall conform to the same specifications as apply to market-rate units.

- (2) Mix of affordable units. The affordable units shall have an equal and proportionate mix equal to the market rate units. The affordable units within the project shall be proportionally equal to the number of market rate studios, one-bedroom, two-bedroom and/or three-bedroom units etc. on-site.
  - (3) Marketing plan for affordable units. Applicants shall submit a marketing plan to the planning board for its approval, which describes how the affordable units will be marketed to potential home buyers or tenants. This plan shall include a description of the lottery or other process to be used for selecting buyers or tenants. The applicant's marketing plan shall comply with all requirements set forth in the relevant regulations and guidelines of the Executive Office of Housing and Livable Communities.
- (g) Maximum incomes and selling prices: Initial sale
- (1) To ensure that only eligible households purchase affordable units, the purchaser of an affordable unit shall be required to submit copies of the last three (3) years' federal and state income tax returns and certify, in writing and prior to transfer of title, to the developer of the housing units or his/her agent, and within thirty (30) days following transfer of title, to the city's Affordable Housing Trust, that his/her or their family's annual income level does not exceed the maximum level as established by the Commonwealth's Department of Housing and Community Development, and as may be revised from time to time.
  - (2) The maximum housing cost for affordable units created under this section is established by the Commonwealth's Department of Housing and Community Development, Local Initiative Program or as revised by the city.
- (h) Preservation of affordability; restrictions on resale
- Each affordable unit created in accordance with this section shall have limitations governing its resale through the use of a regulatory agreement (See subsection (d) of this section). The purpose of these limitations is to preserve the affordability of the unit in perpetuity and to ensure its continued availability for affordable income households. The resale controls shall be established through a restriction on the property and shall be in force in perpetuity.

- (1) Right of first refusal to purchase. The purchaser of an affordable unit developed under this section shall agree to execute a deed rider prepared by city, consistent with model riders prepared by Department of Housing and Community Development, granting, among other things, the city a right of first refusal to purchase the property in the event that a subsequent qualified purchaser cannot be located.
- (2) The planning board shall require, as a condition of the special permit hereunder, that the applicant complies with the mandatory set-asides and accompanying restrictions on affordability, including the execution of the deed rider required, above. The inspectional services department shall not issue an occupancy permit for any affordable unit until the deed restriction is recorded.

(i) Local Preference

To the maximum extent permitted by law, including the regulations of the Department of Housing and Community Development or any successor agency, any special permit granted hereunder shall include a condition that a preference for residents and employees of the city shall be included as part of the lottery and marketing plan for the affordable units. Residency shall be established through certification of the city clerk based on census, voter registration or other acceptable evidence.

(j) Fees

The applicant shall be responsible for all consultant fees, including engineering, architectural, legal, housing consultant and planning fees, incurred by the planning board in connection with the application, review of relevant plans and documents, and ensuring that the affordable units are included on the city's SHI.

(k) Conflict with other ordinances

The provisions of this section shall be considered supplemental of existing zoning requirements. To the extent that a conflict exists between this section and others, the more restrictive provision(s) shall apply.

(l) Severability

If any provision of this section is held invalid by a court of competent jurisdiction, the remainder of the section shall not be affected thereby. The invalidity of any subsection or subsections or parts of any subsection or subsections of this section shall not affect the validity of the remainder of the

city's Zoning Ordinance.

- (m) Order of filing  
(C0187-18)

If a project proposed under this section also requires approval by the city's zoning board of appeals, application shall first be made to the planning board before seeking zoning board approval so as to allow applicants to adjust pro-forma schedules.

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*

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: 01/27/2025

DATE OF PROPOSED ORDAINMENT: 02/10/2025



**CITY COUNCIL..... No. C0417-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE AMENDING SECTION 32 OF THE ZONING ORDINANCES:  
INCLUSIONARY ZONING**

Councilor /s/ Stephanie Martins, Stephanie V. Smith, Holly D, Carcia, John F. Hanlon, Peter Pietrantonio and Robert J. Van Campen

**Whereas:** Changing demographics and development needs have increased the need for affordable housing production in the city; and

**Whereas:** The development of housing that is affordable to low and moderate income households should be encouraged; and

**Whereas:** Whereas: The limited stock of affordable housing has accelerated displacement.

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

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Appendix A (Zoning Ordinance), Section 32 of the Revised Ordinances of the City of Everett is hereby amended as follows:

All occurrences of the phrase “Department of Housing and Community Development” in the section are hereby replaced with the phrase “Executive Office of Housing and Livable Communities”.

Subsection (d)(1) is hereby amended by deleting the current version of the subsection and replacing it with the following new version of the subsection:

- (1) A number of units equal to at least 15% of the units at 80% AMI or at least 10% of the units at 60% AMI in a development subject to this section at the discretion of the planning board shall be established as affordable units in any 1 or combination of methods provided for below (“affordable housing requirement”):

Subsection (d)(5) is hereby amended by deleting the current version of the subsection and replacing it with the following new version of the subsection:

- (5) The planning board may, at its discretion, reduce the affordable unit requirement in a development to ten percent 10% of the total number of dwelling units in a development with an AMI of 80% or to 7% of the total number of dwelling units in a development with an AMI of 60% if the development meets either (or both) of the following requirements:
- a. The project site has a recorded activity and use limitation (AUL) and requires environmental remediation; or
  - b. The project site is located within a FEMA flood district.

Subsections (f)(1) and (f)(4) are hereby deleted and the remaining subsequent subsections in subsection (f) are re-sequenced accordingly.

Subsection (g) is hereby deleted and the remaining subsequent subsections in Section 32 are re-sequenced accordingly.

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*

Sergio Cornelio, City Clerk

*LEGAL NOTICE*

**CITY OF EVERETT**



**EVERETT CITY COUNCIL**

**PUBLIC HEARING NOTICE FOR A ZONING ORDINANCE CHANGE**

**AN ORDINANCE AMENDING SECTION 32 OF THE ZONING ORDINANCE:  
INCLUSIONARY ZONING**

To all interested parties,

In accordance with MGL Chapter 40A, Section 5 and Section 12 of the City of Everett Zoning Ordinance (Revised Ordinances, Appendix A), the Everett City Council shall conduct the required public hearing for changes to the city's zoning ordinance. Said public hearing shall be held during a regular meeting of the council on Monday, January 27, 2025 at 7:00 PM in the City Council Chambers at Everett City Hall, Third Floor, 484 Broadway, Everett, MA 02149.

At said meeting, the public shall be allowed to speak on proposed amendments to the City of Everett's Zoning Ordinance by modifying Sections 32 of the Zoning Ordinance – Inclusionary Zoning.

A copy of the documents associated with this proposed amendment shall be available in the City Clerk's Office for public inspection. A list of the changes being proposed to Section 32 can also be found in Item 6 of the Planning Board agenda for their meeting of January 6, 2024. This agenda is posted on the city web site at the following link: <https://cityofeverett.com/wp-content/uploads/2024/12/01-06-2025-Planning-Board.pdf>. A copy of an updated version of Section 32 if these changes are adopted as submitted can also be found on pages 106 thru 112 of the agenda packet for the December 9, 2024 regular meeting of the City Council. This agenda packet is posted on the city web site at the following link: <https://cityofeverett.com/wp-content/uploads/2024/12/12-09-2024-City-Council.pdf>.

Questions and comments may be directed in advance of the public hearing to the Legislative Aide for the City Council, Michael Mangan at [Michael.Mangan@ci.everett.ma.us](mailto:Michael.Mangan@ci.everett.ma.us) or 617-394-2237.

Stephanie Martins, President  
Michael Mangan, Legislative Aide

January 10, 2025

# City of Everett

PLANNING BOARD  
484 BROADWAY  
EVERETT, MA 02149

Item Number 1

## PLANNING BOARD MEMBERSHIP

Frederick Cafasso – *Chairman*  
Leo Pizzano, Jr. – *Member*  
Michael O'Connor – *Member*  
Shayane Rangel – *Member*  
James Tarr – *Member*  
Michael Hart – *Alternate*



## PLANNING DEPARTMENT STAFF

Matthew Lattanzi, Esq. – Planning Director  
Jay Monty – Transportation Director  
Eric Molinari – Transportation Planner  
Tom Philbin – Conservation Planner  
Katherine Jenkins-Sullivan – Sustainability Planner  
Zerina Gace – Affordable Housing Coordinator  
Jeannie Vitukevich – Administrative Assistant  
Main Office Line: 617-394-2334

January 9, 2025

Michael Mangan  
Office of the City Council  
484 Broadway, Room 38  
Everett, MA 02149

### **RE: Zoning Amendment Recommendations of the Planning Board to City Council**

Mr. Mangan,

Below, please find the Planning Board's Recommendation regarding a proposed Zoning Amendment to Section 32 ("Inclusionary Zoning") referred now to the Everett City Council for introduction at the Council's January 27<sup>th</sup> City Council Regular Meeting.

### **(1) Section 32 ("Inclusionary Zoning") of the City of Everett Zoning Ordinance**

During the January 6, 2025 meeting of the Everett Planning Board, a motion was made and seconded for **Favorable Recommendation with two (2) additional considerations** to amend Section 32 in the following manner:

All occurrences of the phrase "Department of Housing and Community Development" in the section are hereby replaced with the phrase "Executive Office of Housing and Livable Communities".

Subsection (d)(1) is hereby amended by deleting the current version of the subsection and replacing it with the following new version of the subsection:

- (1) A number of units equal to at least 15% of the units at 80% AMI or at least 10% of the units at 60% AMI in a development subject to this section at the discretion of the Planning Board shall be established as affordable units in any 1 or combination of methods provided for below ("affordable housing requirement"):

Subsection (d)(5) is hereby amended by deleting the current version of the subsection and replacing it with the following new version of the subsection:

- Item Number 1
- (5) The planning board may, at its discretion, reduce the affordable unit requirement in a development to ten percent 10% of the total number of dwelling units in a development with an AMI of 80% or to 7% of the total number of dwelling units in a development with an AMI of 60% if the development meets either (or both) of the following requirements:
- a. The project site has a recorded activity and use limitation (AUL) and requires environmental remediation; or
  - b. The project site is located within a FEMA flood district.

Subsections (f)(1) and (f)(4) are hereby deleted and the remaining subsequent subsections in subsection (f) are re-sequenced accordingly.

Subsection (g) is hereby deleted and the remaining subsequent subsections in Section 32 are re-sequenced accordingly.

**The two additional considerations are as follows:**

1. Consider adding a third requirement under Section 32(d)(5), allowing for a reduction in the percentage of total units deed-restricted as affordable if “The project site contains an historic structure that will be preserved through the redevelopment contemplated.”
2. Consider revising the AMI thresholds to include “blended averages” to achieve the target AMI percentage, allowing for greater flexibility and negotiation between City staff and project Proponent.

All members were in favor to refer the matter to the City Council with **Favorable Recommendation** (5-0 vote), adding in the above-listed additional two considerations.

Respectfully Submitted,

Matt Lattanzi, Esq.  
Director, Planning & Development

cc: Sergio Cornelio, City Clerk  
David Flood, Legislative Research Analyst  
Colleen Mejia, Esq., City Solicitor



## MEETING MINUTES

### SPECIAL MEETING OF THE CITY COUNCIL MONDAY, NOVEMBER 25, 2024 6:00 PM

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

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#### ROLL CALL

##### Members Present

Guerline Alcy Jabouin, Anthony DiPierro, Holly Garcia, John Hanlon, Michael Marchese, Stephanie Martins, Wayne Matewsky, Katy Rogers, Peter Pietrantonio, Stephanie Smith

#### PLEDGE OF ALLEGIANCE

#### PUBLIC HEARINGS

**1. C0366-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of the adoption of a Minimum Residential Factor of 0.765982 in setting the city's FY 2025 Tax Rates

BJ Devereaux, city assessor, presented information on setting the FY 2025 tax rates, including adopting the residential exemption and shifting the tax burden between residential and commercial/industrial/personal property classes. The minimum residential factor translates to the maximum shift allowed onto the commercial/industrial/personal property class, reducing the residential tax burden from 76% to 58% of the levy.

Councilors asked questions about the increased residential values, additional levy capacity, growth from Encore Boston Harbor, revaluation process, and commercial property losses like the power plant. Residents spoke in opposition to increasing the commercial tax rate, believing it would drive out small businesses. They advocated for improved communication about the residential exemption, performing a city financial audit, and renegotiating the Encore host agreement.

Motion to adopt a Minimum Residential Factor of 0.765982 for FY 2025 Tax Rates

<b>MOTION:</b>	Favorable Action	Item Number {{item.number}}
<b>MOVER:</b>	Stephanie Smith	
<b>SECONDER:</b>	Anthony DiPierro	
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>	
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Rogers, Pietrantonio, Smith	
<b>NAYS:</b>		
<b>AWAY:</b>		

**NEW BUSINESS**

**2. C0367-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of the adoption of a Residential Homeowner's Tax Exemption of 25% in setting the city's FY 2025 Residential Tax Rate

Councilors spoke in support of continuing the 25% residential homeowner's exemption, seeing it as meaningful tax relief and an incentive for owner-occupancy. They discussed the need for better communication to residents about the exemption.

Motion to adopt a 25% Residential Homeowner's Tax Exemption for FY 2025

<b>MOTION:</b>	Favorable Action	
<b>MOVER:</b>	Stephanie Smith	
<b>SECONDER:</b>	Anthony DiPierro	
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>	
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Rogers, Pietrantonio, Smith	
<b>NAYS:</b>		
<b>AWAY:</b>		

**3. C0388-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of an appropriation of \$10,000,000.00 from the Budgetary Fund Balance (Free Cash) to reduce the FY2025 tax levy

Motion to approve the appropriation \$10,000,000 from Free Cash to reduce the FY2025 tax levy

<b>MOTION:</b>	Favorable Action	
<b>MOVER:</b>	Stephanie Smith	
<b>SECONDER:</b>	Stephanie Martins	
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>	

**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Rogers, Pietrantonio, Smith  
**NAYS:**  
**AWAY:**

4. **C0389-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of an appropriation of \$1,100,000.00 from the Water/Sewer Budgetary Fund Balance (W/S Free Cash) to offset FY2025 water/sewer rates.

Councilor Pietrantonio clarified that the water/sewer fund balance appropriation is still taxpayer money.

Motion to approve the appropriation of \$1,100,000 from the Water/Sewer Fund Balance to offset FY2025 water/sewer rates

**MOTION:** Favorable Action  
**MOVER:** Michael Marchese  
**SECONDER:** Stephanie Smith  
**RESULT:** **Passed [10 TO 0]**  
**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Rogers, Pietrantonio, Smith  
**NAYS:**  
**AWAY:**

5. **C0390-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of an appropriation of \$146,000.00 from the ECTV Budgetary Fund Balance (ECTV Free Cash) to offset the FY2025 ECTV budget.

Motion to approve the appropriation of \$146,000 from the ECTV Fund Balance to offset the FY2025 ECTV budget

**MOTION:** Favorable Action  
**MOVER:** Katy Rogers  
**SECONDER:** Stephanie Smith  
**RESULT:** **Passed [10 TO 0]**  
**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Rogers, Pietrantonio, Smith  
**NAYS:**  
**AWAY:**

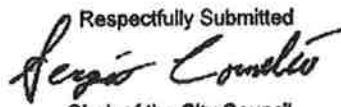


**ADJOURNMENT**

Item Number {{item.number}}

**MOTION:** Adjourn  
**MOVER:** Stephanie Smith  
**SECONDER:** Holly Garcia  
**RESULT:** Passed [0 TO 0]  
**AYES:**  
**NAYS:**  
**AWAY:**

Meeting adjourned at 6:58 PM

Respectfully Submitted  
  
Clerk of the City Council



**MEETING MINUTES**

**REGULAR MEETING OF THE CITY COUNCIL  
MONDAY, DECEMBER 09, 2024 7:00 PM**

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

**ROLL CALL**

**Members Present**

**Guerline Alcy Jabouin, Anthony DiPierro, Holly Garcia, John Hanlon, Michael Marchese, Stephanie Martins, Wayne Matewsky, Peter Pietrantonio, Katy Rogers, Stephanie Smith, Robert Van Campen**

**PLEDGE OF ALLEGIANCE**

**PUBLIC PARTICIPATION**

**COMMUNICATIONS FROM HIS HONOR THE MAYOR**

**1. C0400-24 Order/s/ Councilor Robert J. Van Campen, as President**

An order requesting approval to accept and expend donations totaling \$185.00 from City of Everett employees during the month of November for the Fire Victims Fund

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Anthony DiPierro
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**2. C0401-24 Order/s/ Councilor Robert J. Van Campen, as President**

An order requesting approval to accept and expend a grant from the Metropolitan Area Planning Council (MAPC) in the amount of \$20,000 for the purpose of accelerating climate resilience in Everett

<b>MOTION:</b>	Favorable Action	Item Number {{item.number}}
<b>MOVER:</b>	Stephanie Martins	
<b>SECONDER:</b>	Anthony DiPierro	
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>	
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen	
<b>NAYS:</b>		
<b>AWAY:</b>		

3. **C0403-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a donation from Michael Marchese of McKinnon's gift cards totaling \$500.00 and Target gift cards totaling \$500.00 for the Holiday Assistance Program

<b>MOTION:</b>	Favorable Action	
<b>MOVER:</b>	Stephanie Martins	
<b>SECONDER:</b>	Anthony DiPierro	
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>	
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen	
<b>NAYS:</b>		
<b>AWAY:</b>		

4. **C0404-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting to approve the disclosure filed by Ms. Rosa Viveiros who has disclosed a financial interest in a municipal contract where she will receive a stipend from the Everett Adult Learning Center (EALC). Ms. Viveiros will be helping as an ESL Teacher as needed

Referred to the committee on Ways and means.

<b>MOTION:</b>	Refer	
<b>MOVER:</b>	Stephanie Smith	
<b>SECONDER:</b>	Anthony DiPierro	
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>	
<b>AYES:</b>		
<b>NAYS:</b>		
<b>AWAY:</b>		

5. **C0409-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a grant from the Massachusetts Department of Fire Services in the amount of \$187,500 enhance HazMat operations

6. **C0412-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a grant from the Department of Energy's State and Community Energy Programs - Energy Efficiency and Conservation Block Grant (EECBG) Program Equipment Rebate Voucher program in the amount of \$76,560.00. These funds will be used to purchase heat pumps to be installed on top of DPW, which are more sustainable and work towards the City's electrification and decarbonization goals

**MOTION:** Favorable Action  
**MOVER:** Stephanie Martins  
**SECONDER:** Anthony DiPierro  
**RESULT:** **Passed [11 TO 0]**  
**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen  
**NAYS:**  
**AWAY:**

7. **C0413-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a grant from the Department of Energy's State and Community Energy Programs - Energy Efficiency and Conservation Block Grant (EECBG) Program Equipment Rebate Voucher program in the amount of \$76,560.00. These funds will be used to purchase heat pumps to be installed on top of DPW, which are more sustainable and work towards the City's electrification and decarbonization goals

**MOTION:** Favorable Action  
**MOVER:** Stephanie Martins  
**SECONDER:** Anthony DiPierro  
**RESULT:** **Passed [11 TO 0]**  
**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen  
**NAYS:**  
**AWAY:**

8. **C0418-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to approve the disclosures filed by Roberta Suppa, Antoinette Octave-Blanchard, Caitlin Norden, and Cazandra Cherif de Urena who have disclosed a financial interest in a municipal contract where they will receive a stipend from the Elections Department. They worked outside their normal working hours to help the Elections Department, which is short-staffed

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

**9. C0419-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to declare a specific EPD vehicle as surplus. The details on the vehicle are as follows:

2018 Ford PIU Black and White

Mass Reg. MPD616

VIN - 1FM5K8ARXJGB92172

Mileage - approx. 70k

Condition: scratches, dents, ripped seat, need mechanical work

Value is under \$5,000

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

Clerk Cornelio stated the vehicle is likely either at Rivergreen or the DPW yard, and once declared surplus it will be removed.

Councilor Pietrantonio expressed frustration that surplus vehicles have been sitting at Rivergreen for 8 months, saying it looks like a junkyard with smashed windows. He acknowledged this specific vehicle may not be there but stated if not, the city is starting another junkyard somewhere else.

**PETITIONS AND LICENSES**

**10. C0405-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for NE Body Works Inc. at 36 R Mystic Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Anthony DiPierro
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	

**11. C0406-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for NE Body Works Inc. at 39-43 Mystic Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Anthony DiPierro
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**12. C0407-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Boston Motor Sports LLC at 47 Mystic Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Anthony DiPierro
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**13. C0408-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the modification of an existing livery license with the addition of one more vehicle, bringing the total amount of vehicles to four for Diamond Class Chauffeurs LLC at 30 Thurman Park

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Peter Pietrantonio
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

Councilor DiPierro stated that the petitioner has been a gentleman, but there are some neighborhood concerns. He made a motion to refer the item to the Committee on Community and Business Development. He suggested having a meeting with the petitioner and residents together to address the concerns.

Councilor Matewsky, as a member of that committee, asked the petitioner to provide pictures of where the vehicles are parked, as some councilors have seen photos showing the parking is not as the petitioner claims in the application. Council President Van Campen noted the petitioner will receive an invitation to the committee meeting for further discussion.

## COMMITTEE REPORTS

### 14. C0393-24 Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to appropriate \$66,500 from General Fund Budgetary Fund Balance (Free Cash) to the Treasurer/Collector other expenses account. This appropriation is necessary to cover the e-check fees for the remainder of the year, as well as resident stickers, postage fees and lockbox services

Councilor DiPierro explained this item was discussed in committee last week. The city will no longer absorb online payment fees for credit cards, but will still cover e-check fees because not doing so has led to increased lockbox fees and lines at City Hall. He expressed support for this appropriation.

Councilor Smith also spoke in favor, noting a large portion is for postage related to the November election, not just the 50 cent e-check fee. She wanted residents to understand it is not all for e-check fees.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

### 15. C0364-24 Order/s/ Councilor Robert J. Van Campen, as President

That in accordance with Section 3-3 of the City Charter and, Article 5 of the City of Everett Administrative Code, I hereby appoint, subject to confirmation by the City Council, the following individuals as members of the Transportation Advisory Board for a term of one (1) year expiring November 12, 2025: Katharina Bormann, Pharm D, Maurose Denis, Jarod Evenson, Jo Oltman, Aya Oulal, Andrea Porras, Derek Shooster

Councilor Rogers noted the appointees were asked extensive questions about the Transportation Advisory Board during an earlier committee meeting, including how it

was formed, how members were selected, and the interview process. All appointees attended that meeting but were told they could leave and not stay for this portion. She wanted the public to know this was discussed thoroughly in committee.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

## UNFINISHED BUSINESS

### 16. C0326-24 Resolution/s/ Councilor Stephanie Martins

That the administration and/or engineering department consider creating a list of standards or a final punch list for construction sites across the city and actually check each site prior to payment being released to make sure job sites are cleaned up and built to satisfaction

Mr. Swanson explained the department's role in ensuring private development projects meet city ordinances and conditions of approval. He described the challenges with the current high volume of projects and lack of a formalized process to handle the workflow. Solutions are not always quick or easy. He suggested councilors contact the engineering office directly with any specific development or permit concerns so they can be addressed.

Administration and inspection of construction is only part of the engineering department's responsibilities. They are also planning and designing replacement of aging infrastructure while planning for infrastructure to serve future needs in parts of the city experiencing unprecedented growth. The scope and complexity of work ahead is substantial.

Councilor Martins thanked Mr. Swanson for clarifying the concerns of residents. She emphasized councilors are reflecting the voices of constituents in asking engineering questions, not attacking anyone personally. She appreciated his efforts to structure the department amid so many projects.

Councilor Martins asked if there is or will be a process to ensure worksites are satisfactory before final payment to contractors. Mr. Swanson said significant work needs to be done, including changes to ordinances and permits, to get the control and consistency the city is seeking. Ferry Street is somewhat of an outlier since it is a state-controlled project. Impacted businesses and residents can seek compensation by filing claims against the contractor's insurance to his knowledge.

Councilor Matewsky thanked Mr. Swanson for updates on sewer work on Lewis and Paris Streets. He asked about the height of curbs on Ferry Street, some of which



seem too high. Mr. Swanson explained curbs can be higher than 6 inches only at bus stop locations. Councilor Matewsky also commented the landscaping around the Ferry Street rotary seems sparse for the cost of the project. Mr. Swanson said perennials have been planted in the dormant season but will bloom in the spring, and annuals will be added.

Councilor Smith asked if the city is considering filing claims against the contractor for work that had to be redone on Elm Street and elsewhere. She feels the city needs to take responsibility and some recourse for the negative impacts to residents and businesses, not just say it's a state issue. Mr. Swanson said there is a QA/QC process where the state's representatives work with the contractor. If work does not meet requirements, the contractor has to redo it at their own expense. Based on Councilor Smith's request, he will look into other avenues of recourse beyond just filing claims for physical damages.

<b>MOTION:</b>	Refer Back to Sponsor(s)
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**17. C0336-24** Resolution/s/ Councilor Robert J. Van Campen, Councilor Holly D. Garcia

That the Administration provide the City Council with an update on its ongoing efforts to reclaim the former Everett High School for expanded school purposes, including the relocation of certain other non-educational uses within the facility, and the reuse and redevelopment of the former Pope John property

Council President Van Campen thanked the administration for the extra work looking at alternative space use at the former Everett High School. He appreciated the schematics showing a segregated 7th/8th grade academy. However, he is not prepared to commit to the project without neighborhood input. He asked if the administration would convene a neighborhood meeting to hear from residents near the property about the conceptual plan before the council considers it further. Councilor Garcia agreed and asked to also invite parents to provide input, as the schools are overcrowded.

Councilor Martins asked about the administration's timeline to bring this back before the council after the community meeting. Mayor DeMaria suggested advertising a meeting in the next 10 days, potentially in early January, and allowing call-in participation so people don't have to attend in person.

Mayor DeMaria was asked about using the former Everett High School site to build a new high school instead. He said while anything is possible, building a new high school there would not relieve overcrowding at elementary and middle schools, which moving 7th/8th grades out will do. The only way to address the high school overcrowding is a whole new building elsewhere. The city has MSBA approval for that but still needs to find a location.

Councilor Marchese suggested it may be better to tear down the old high school and build a new, larger facility at that site rather than try to retrofit the old building. Mayor DeMaria said the city doesn't currently have the 7th/8th grade classroom space that would be lost in that scenario. Building an addition on the existing high school is another option to explore.

To refer the item to the administration and request community meetings be held beginning in January 2025

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Robert Van Campen
<b>SECONDER:</b>	Michael Marchese
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**18. C0351-24** Resolution/s/ Councilor Robert J. Van Campen

In the interest of public safety - and where it serves as a gateway into Swan Street Park - that the Department of Public Works and Engineering Department determine the feasibility of a raised intersection at Kinsman, Wall and Tappan Streets

Council President Van Campen received communication from Mr. Monti indicating a raised intersection at Kinsman, Wall and Tappan Streets is feasible. It will hopefully get on the 2025 construction schedule.

<b>MOTION:</b>	Refer Back to Sponsor(s)
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**19. C0352-24** Resolution/s/ Councilor Robert J. Van Campen

That the Director of Planning & Development provide an explanation and summary of the Affordable Housing Linkage Fee Program, including all revenues collected since its inception, the current balance in the Affordable Housing Linkage Fee Revolving Fund, and an itemization of the investments in affordable housing that have been made through this critical program since its creation.

Director of Planning and Development Matt Lattanzi provided an overview of the Affordable Housing Linkage Fee program. It collects fees from private developments to fund the creation, preservation or rehabilitation of affordable housing. Fees are \$1,000 per new residential unit, and \$2-4 per square foot for commercial/industrial projects over 15,000 sf.

Currently the fund has a balance over \$600,000. An additional \$1.2-1.8 million is anticipated over the next 3 years as projects are completed. Originally the fee collection was structured as a 7-year payment plan with 10% paid upfront at certificate of occupancy. This has since been reduced to a 3-year payment plan to collect funds faster.

Linkage fees are planned to support the 25 Garvey Street project, which will provide 125 units of deeply affordable family housing. Of the \$3.5 million the city has committed to that project, \$750,000 is from CDBG funds for land acquisition and \$2.75 million will come from linkage fees over several years. An additional \$2 million will come from the state. This will be the first new affordable family housing built in Everett since the 1970s.

Decisions about use of linkage funds are currently made by the planning department in consultation with other relevant departments. One recommendation from the recent Housing Production Plan is to establish an Affordable Housing Trust to oversee and make decisions about the linkage funds instead.

<b>MOTION:</b>	Refer Back to Sponsor(s)
<b>MOVER:</b>	Robert Van Campen
<b>SECONDER:</b>	Stephanie Martins
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**20. C0361-24 Resolution/s/ Councilor Peter Pietrantonio**

That the Elections Director appear at the next meeting to give an update on any issues that may have occurred during the election, as well as anything that could be done in the future to make it run better.

To postpone item to the December 23, 2024 City Council meeting and invite the Elections Director to attend

<b>MOTION:</b>	Postpone	Item Number {{item.number}}
<b>MOVER:</b>	Peter Pietrantonio	
<b>SECONDER:</b>	Stephanie Smith	
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>	
<b>AYES:</b>		
<b>NAYS:</b>		
<b>AWAY:</b>		

**21. C0375-24** Resolution/s/ Councilor Stephanie V. Smith

As the 2024 ARPA deadline is approaching, that the CFO provide the City with all allocated and unallocated projects and the amount allocated – including the projects that Archipelago Strategies Group has been running for the Community recipients & the student funding

The city received a total of 34 applications for ARPA-funded programs. A scoring committee including city staff, a member of the Everett Police Department, a representative from MAPS, and a member of the Everett Youth Initiative Council reviewed and scored the applications. Any member whose organization applied recused themselves from scoring that application. 25 out of the 34 applications scored high enough to move forward, with awards to be announced shortly.

For public health programs, 11 out of 14 applications are being awarded. For housing assistance, 6 out of 8 will receive funding. The city did not receive enough applications to award all available funds, so amounts were adjusted to spread funds among all qualifying organizations.

The Everett Chamber of Commerce is working with the city to distribute ARPA funds to small businesses impacted by COVID. The application process has taken time to set up but should open within the next couple weeks, with extensive outreach.

Councilor Smith requested details on ARPA administrative costs, employee positions being funded through 2026, and the senior meals program.

<b>MOTION:</b>	Refer Back to Sponsor(s)
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**22. C0386-24** Resolution/s/ Councilor Stephanie Martins, Councilor Guerline Alcy Jabouin

That the administration consider allocating part of the \$700,000 of ARPA funds dedicated to businesses to create a loss of revenue assistance program to assist

local small businesses recovering from COVID and affected by street construction, closures  
Item Number {{item.number}}

To refer the item to the Mayor's Office for a response by the next meeting regarding plans to assist all businesses impacted by revenue loss from COVID and construction

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**23. C0387-24** Resolution/s/ Councilor Stephanie Martins, Councilor Guerline Alcy Jabouin

That the administration provide an update on the names of the organizations that applied for ARPA funds and the current status before the funds expire

<b>MOTION:</b>	Refer Back to Sponsor(s)
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**24. C0395-24** Resolution/s/ Councilor Holly D. Garcia, Councilor Robert J. Van Campen, & The Entire City Council

In the interest of public health and safety, that the Everett Housing Authority engage in more frequent extermination activities at Glendale Towers, and in all facilities operated by the Authority and raise greater awareness with residents about the need to raise rodent concerns in a more timely fashion

<b>MOTION:</b>	Refer Back to Sponsor(s)
<b>MOVER:</b>	Holly Garcia
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**NEW BUSINESS**

**25. C0399-24** Ordinance/s/ Councilor Katy L. Rogers

An ordinance requiring the display of the UNITED STATES FLAG (item for flags) are displayed by businesses

Councilor Rogers clarified this ordinance is not intended to stifle diversity, as anyone can display any flag. However, she believes a municipal effort is needed to promote inclusion of the US flag. She requested referring the item to Legislative Affairs to have a robust discussion and get feedback on the correct approach.

To refer the item to the Committee on Legislative Affairs and Elections

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Katy Rogers
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**26. C0402-24** Resolution/s/ Councilor Katy L. Rogers

A resolution to request the streaming of city council meetings YOUTUBE for enhanced accessibility and transparency

Councilor Rogers urged the administration to look into streaming council meetings on YouTube for accessibility. Streaming only on Facebook and cable limits access for those without Facebook accounts or cable. Using YouTube would allow timestamping, captioning, and transcription for language access, and make it easier to search past meetings. She requested referring the item to the administration and ECTV for a response by the next meeting.

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Katy Rogers
<b>SECONDER:</b>	Stephanie Martins
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**27. C0411-24** Resolution/s/ Councilor Stephanie Martins, Councilor Robert J. Van Campen

That the Water Superintendent appear at the next meeting to clarify the purpose of the recent letters regarding lead that were sent to residents and the next steps

Councilor Martins received messages from concerned seniors who got letters from the Everett Water Department about lead service lines that may serve their homes. The letters included steps to take with drinking water that may be contaminated by lead. She was unsure if only homeowners received the notices. Since Everett has had lead pipes for decades, Councilor Martins was unsure if the letters reflected a new notification requirement. She requested inviting the Water Superintendent to the next meeting to discuss the letters.

<b>MOTION:</b>	Postpone
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

28. **C0416-24** Ordinance/s/ Councilor Stephanie V. Smith

An ordinance to amend live animal testing

Councilor Smith explained Everett recently amended zoning to allow life sciences as a by-right use in the new Everett Docklands Innovation District, but the city's restrictions on animal testing now need to be updated as a result. She stated her proposal is not driven by any corporation or developer influence, refuting "false narratives" about her intentions.

Councilor Smith said she voted against the animal testing restrictions two years ago because they were too broad, and she still feels they are overly broad.

She expressed support for Everett being a leader in life sciences and medical research. This would bring high-skill, high-wage jobs across many functions. Breakthroughs made in Everett labs could bring the city global prestige. However, the current ordinance pushes life science businesses to other cities that allow animal testing.

Councilor Smith's proposal does not remove all restrictions, but allows testing on small vertebrate species like mice, rats and fish in areas zoned for life sciences. She modeled the language on Cambridge's ordinance.

To refer the item to the Committee on Legislative Affairs and Elections

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Stephanie Smith
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [5 TO 4]</b>
<b>AYES:</b>	Garcia, Hanlon, Pietrantonio, Smith, Van Campen
<b>NAYS:</b>	Alcy Jabouin, DiPierro, Martins, Rogers
<b>AWAY:</b>	Marchese, Matewsky

29. **C0417-24** Ordinance/s/ Councilor Stephanie Martins, Councilor Stephanie W. Smith, Councilor Peter Pietrantonio, Councilor Holly D. Garcia, Councilor John F. Hanlon, Councilor Robert J, Van Campen

An ordinance amending SECTION 32B OF THE ZONING ORDINANCES:  
INCLUSIONARY ZONING

Councilor Martins explained this ordinance amends the city's inclusionary zoning rules that govern the percentage of affordable units required in new developments. It removes obsolete language and reduces the affordability level from 80% AMI to 60% AMI so required affordable units are actually affordable to Everett residents. She made a motion to refer the ordinance to the Planning Board for review, as required, before it returns to the City Council.

Councilor Smith added this is important to get into the zoning recodification the Planning Board is currently undertaking.

Councilors Van Campen, Pietrantonio, Garcia and Hanlon requested to be added as co-sponsors. To refer the item as amended to the Planning Board

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

## MAINTENANCE REQUESTS

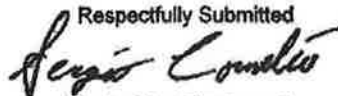
### A. Councilor Katy L. Rogers

That the city provide Everett High School with a covered dumpster to contain trash in an effort to mitigate stray garbage spreading throughout the park and attracting rodents

This maintenance request was automatically referred to the Mayor's Office and DPW without discussion.

## ADJOURNMENT

Meeting Adjourned at 10:15 PM

Respectfully Submitted  
  
 Clerk of the City Council





**MEETING MINUTES**

**REGULAR MEETING OF THE CITY COUNCIL  
MONDAY, DECEMBER 23, 2024 7:00 PM**

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

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**ROLL CALL**

**Members Present**

**Guerline Alcy Jabouin, Anthony DiPierro, Holly Garcia, John Hanlon, Michael Marchese, Wayne Matewsky, Peter Pietrantonio, Katy Rogers, Stephanie Smith, Robert Van Campen**

**PLEDGE OF ALLEGIANCE**

**PUBLIC PARTICIPATION**

**COMMUNICATIONS FROM HIS HONOR THE MAYOR**

**1. C0418-25 Order/s/ Councilor Robert J. Van Campen, as President**

An order requesting approval to accept and expend a grant from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$925,000 for the Community Development Block Grant (CDBG) Program

The Chair requested a motion to suspend the rules and take items 1 and 2 collectively. The motion was made by Councilor DiPierro and seconded by Councilor Rogers. The motion passed by voice vote.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>

**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen  
**NAYS:**  
**AWAY:**

2. **C0419-25** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend two grants from the Everett Citizens Foundation to the Everett Police Department. One in the amount of \$6,405 to be used by the Community Services Unit and the second one in the amount of \$6,505 to be used for the Junior Police Academy

**MOTION:** Favorable Action  
**MOVER:** Anthony DiPierro  
**SECONDER:** Stephanie Smith  
**RESULT:** **Passed [10 TO 0]**  
**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen  
**NAYS:**  
**AWAY:**

3. **C0438-25** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to accept and expend a donation in the amount of \$100 to the Everett Police Department from Frederick Cafasso and Sons, Inc. Funeral Home to support community services

**MOTION:** Favorable Action  
**MOVER:** Anthony DiPierro  
**SECONDER:** Michael Marchese  
**RESULT:** **Passed [10 TO 0]**  
**AYES:** Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen  
**NAYS:**  
**AWAY:**

4. **C0441-25** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval of the disclosure filed by Antoine Coleman who has disclosed a financial interest in a municipal contract where he will receive a stipend from the Youth Development and Enrichment Department. Mr. Coleman will be teaching adaptive basketball classes

**MOTION:** Favorable Action  
**MOVER:** Anthony DiPierro  
**SECONDER:** Stephanie Smith  
**RESULT:** **Passed [10 TO 0]**

<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**5. C0444-24** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to appropriate \$94,508.59 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year departmental bills per the attached list.

Referred to the Committee on Ways and Means

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**PETITIONS AND LICENSES**

**6. C0427-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class one motor vehicle dealer license for McGovern Honda at 100 Broadway

Councilor DiPierro moved to suspend the rules and take items 6 and 15 collectively.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Michael Marchese
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**7. C0428-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a redemption center license for Dan's Redemption Center at 107 Hancock Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Michael Marchese

<b>RESULT:</b>	<b>Passed [0 TO 0]</b>	Item Number {{item.number}}
<b>AYES:</b>		
<b>NAYS:</b>		
<b>AWAY:</b>		

8. **C0429-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting an additional vehicle for Diamond Class Chauffeurs LLC. at 30 Thurman Park

Councilor DiPierro moved to suspend the rules and take items 8 and 19 collectively. Councilor Pietrantonio voted no on suspending the rules. A motion was made and seconded to accept the committee report and refer item 19 to committee for 90 days to allow the Assistant City Clerk to oversee parking complaints on Thurman Park and issue a report, and to refer the new petition in item 8 to committee as well since it relates to the same business. The motion passed by voice vote.

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Wayne Matewsky
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

9. **C0430-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Bostonian Auto Body at 141 Bow Street

Councilor DiPierro moved to suspend the rules and take items 9, 10, 11, 12, 13, 14, and 16 collectively.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

10. **C0431-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Carlider USA LLC. at 353 Third Street  
Item Number {{item.number}}

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

11. **C0432-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Casino Auto Sales at 163 Ferry Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

12. **C0433-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Emporium Auto Body Shop Inc. at 367 Third Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

13. **C0434-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Everett Used Cars at 70 Chelsea Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon

<b>RESULT:</b>	<b>Passed [10 TO 0]</b>	Item Number {{item.number}}
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen	
<b>NAYS:</b>		
<b>AWAY:</b>		

14. **C0435-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Ferry St Service & Auto Sales at 464 Ferry Street

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

15. **C0436-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of class one motor vehicle dealer license for Boston Freightliner at 2 Rivergreen Drive

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Michael Marchese
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

16. **C0437-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a class two motor vehicle dealer license for Vigor Diesel Injection Service at 2 Rivergreen Drive

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

17. **C0438-24** Petition/s/ Councilor Robert J. Van Campen, as President  
Item Number {{item.number}}

A petition requesting the renewal of an extended hours of operations license for Love Hot Dog Buffet at 1865 Revere Beach Parkway

Councilor Alciy asked what the extended hours being requested were. City Clerk Sergio Cornelio responded that the business is open Wednesday through Sunday, until 1am on Wednesdays, 4am on Thursdays, Fridays and Saturdays, and 1 or 2am on Sundays. He stated they have on-site security and lighting and rarely have any issues. Council President VanCampen noted the packet did not include the specific hours and that should be included on license renewal paperwork going forward. Councilor Marchese asked for clarification on if this was for the existing truck location or if the license could transfer to a building. Clerk Cornelio stated a separate license governed by the Licensing Board would be needed for a building location. A motion was made and seconded for favorable action.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Stephanie Smith
<b>SECONDER:</b>	Anthony DiPierro
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

18. **C0439-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the renewal of a lodging house license for The Marlboro at 51 Chelsea Street

A motion was made and seconded to amend item 18 to have it read as a petition rather than a public hearing and sponsored by the president rather than a specific councilor.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**COMMITTEE REPORTS**

19. **C0408-24** Petition/s/ Councilor Robert J. Van Campen, as President

A petition requesting the modification of an existing livery license with the addition of one more vehicle, bringing the total amount of vehicles to four for Diamond Class Chauffeurs LLC at 30 Thurman Park

Councilor DiPierro moved to suspend the rules and take items 8 and 19 collectively. Councilor Pietrantonio voted no on suspending the rules. A motion was made and seconded to accept the committee report and refer item 19 to committee for 90 days to allow the Assistant City Clerk to oversee parking complaints on Thurman Park and issue a report, and to refer the new petition in item 8 to committee as well since it relates to the same business. The motion passed by voice vote.

Councilor Smith asked for clarification on if the business would get the license to operate the additional vehicle while the matter was held in committee. Council President VanCampen clarified the company is currently licensed for 3 vehicles, there was a previous request for a 4th vehicle that is being held, and now an additional request for a 5th vehicle in item 8. He stated no action would be taken on either request until the report from the Assistant City Clerk is received in 90 days.

Councilor Pietrantonio indicated he wanted to speak on the items. A motion was made by Councilor Smith and seconded by Councilor Rogers to reconsider the vote to refer the items to committee in order to allow for discussion. On the motion to reconsider, "yes" would bring the items back before the Council and "no" would leave the referral to committee intact. The motion to reconsider failed by a roll call vote of 4-5.

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Wayne Matewsky
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

## UNFINISHED BUSINESS

### 20. C0361-24 Resolution/s/ Councilor Peter Pietrantonio

That the Elections Director appear at the next meeting to give an update on any issues that may have occurred during the election, as well as anything that could be done in the future to make it run better.

### 21. C0386-24 Resolution/s/ Councilor Stephanie Martins, Councilor Guerline Alcy Jabouin

That the administration consider allocating part of the \$700,000 of ARPA funds dedicated to businesses to create a loss of revenue assistance program to assist



**MOTION:** Refer Back to Sponsor(s)  
**MOVER:** Guerline Alcy Jabouin  
**SECONDER:** Holly Garcia  
**RESULT:** **Passed [0 TO 0]**  
**AYES:**  
**NAYS:**  
**AWAY:**

**22. C0402-24** Resolution/s/ Councilor Katy L. Rogers

A resolution to request the streaming of city council meetings YOUTUBE for enhanced accessibility and transparency

Councilor Rogers stated this request is to increase transparency and accessibility of meetings by streaming on YouTube in addition to existing cable, website and Facebook options. She said YouTube has more features to enhance accessibility compared to the current outlets. Council President VanCampen added he has communicated with the Mayor's Chief of Staff about assisting in making this happen and believes the administration is equally committed to it in 2025. Councilor Rogers moved to refer the item back to sponsor.

**MOTION:** Refer Back to Sponsor(s)  
**MOVER:** Katy Rogers  
**SECONDER:** Peter Pietrantonio  
**RESULT:** **Passed [0 TO 0]**  
**AYES:**  
**NAYS:**  
**AWAY:**

**23. C0402-25** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting to approve the disclosure filed by Ms. Rosa Viveiros who has disclosed a financial interest in a municipal contract where she will receive a stipend from the Everett Adult Learning Center (EALC). Ms. Viveiros will be helping as an ESL Teacher as needed

**On Monday, December 9, 2024 at 10:26 PM, Councilor Stephanie V. Smith filed for reconsideration**

Council President VanCampen noted a motion for reconsideration was filed by Councilor Smith on December 9th that needed to be voted on. The motion to reconsider passed by voice vote, bringing the matter back before the Council. A motion was then made and seconded for favorable action on the order.

Item Number: {item number}  
Councilor Smith asked what the amount of the stipend was. City Clerk Comello explained his understanding is there is an hourly rate paid for teaching a class, with the funds coming from fees paid by people taking the language classes. He did not know the specific hourly wage amount.

Council President VanCampen questioned why these types of disclosures are appearing on the agenda now when he has not seen them in his 15 years on the Council. He suggested designating the titles as special municipal employees may be another way to address it under the conflict of interest law. He said the Clerk and administration should discuss that.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [10 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Hanlon, Marchese, Matewsky, Pietrantonio, Rogers, Smith, Van Campen
<b>NAYS:</b>	
<b>AWAY:</b>	

**24. C0411-24** Resolution/s/ Councilor Stephanie Martins, Councilor Robert J. Van Campen

That the Water Superintendent appear at the next meeting to clarify the purpose of the recent letters regarding lead that were sent to residents and the next steps

Council President VanCampen stated no response has been received on this item. Councilor DiPierro moved to postpone the item to the January 13th meeting and request the Water Superintendent's presence at that time.

<b>MOTION:</b>	Postpone
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	John Hanlon
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**25. C0416-25** Order/s/ Councilor Robert J. Van Campen, as President

An order requesting approval to approve the disclosures filed by Roberta Suppa, Antoinette Octave-Blanchard, Caitlin Norden, and Cazandra Cherif de Urena who have disclosed a financial interest in a municipal contract where they will receive a stipend from the Elections Department. They worked outside their normal working

hours to help the Elections Department, which is short-staffed  
Item Number {{item.number}}

**On Monday, December 9, 2024 at 10:26 PM, Councilor Stephanie V. Smith filed for reconsideration**

Council President VanCampen noted a motion for reconsideration was filed by Councilor Smith on December 9th that needed to be voted on. The motion to reconsider passed by voice vote, bringing the matter back before the Council. A motion was then made and seconded for favorable action on the order.

City Clerk Cornelio clarified the employees are only being paid for hours worked outside their normal work hours, primarily on weekends in the 3-4 weeks leading up to the election to assist with a high volume of vote-by-mail applications and ballots. He confirmed that while some helped for a couple hours during the day, they cannot be paid for the same hours twice.

Councilor Pietrantonio asked how many people the Elections Department was short-staffed. Clerk Cornelio explained they lost 2 experienced staffers right before the election, one who left and one who fell ill. He said in a presidential election they tend to hire some extra help on weekends/during the week to assist with increased volume even if not short-staffed. In 2020 they hired 3-4 people the same way.

Councilor Pietrantonio sought to confirm the employees worked the presidential election in November. Clerk Cornelio clarified it was more so in the lead-up to the election when there is a lot of processing of vote-by-mail applications and ballots. Councilor Pietrantonio expressed confusion about the disclosure forms coming after the work was already performed. Clerk Cornelio explained they realized a disclosure was needed after the fact and are bringing it forward to be fully above board, noting external workers do not need Council approval.

Councilor Guerline Alcy asked if there are any plans to avoid this situation in the future by properly staffing the department. Clerk Cornelio reiterated that one employee left and one got sick, which was an unusual circumstance.

## **NEW BUSINESS**

### **26. C0422-24 Resolution/s/ Councilor Wayne A. Matewsky, & The Entire City Council**

That the City Council honor Rose LeCours with an appropriate portrait, as the first and longest serving woman on the City Council.

Councilor Matewsky spoke at length about former Councilor Rose LeCours, the first woman elected to the Everett City Council who served for around 30 years. He described her as a trailblazer who was the first woman taxi driver in Boston, served in the auxiliary police into her 80s, and secured important equipment for the police and fire departments. Councilor Matewsky would like to honor her with a portrait hung in

the Council Chambers.

Item Number {{item.number}}

Councilor DiPierro moved to amend the resolution to add the entire City Council as sponsors. The motion was seconded and passed unanimously.

Several other councilors also spoke highly of "Rosie," reminiscing about her dedication to the city, historical knowledge, and feisty spirit.

Councilor Matewsky moved to postpone the item to the second meeting in February to allow time for the Council's legislative aide to research details of Rosie's service and Councilor Rogers to select an appropriate photo for the portrait.

<b>MOTION:</b>	Postpone
<b>MOVER:</b>	Wayne Matewsky
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**27. C0423-24** Resolution/s/ Councilor Stephanie V. Smith

That Encore includes Everett restaurants in the gift-card giveaway program they currently run

Councilor Smith explained she heard from a resident wondering why there were no Everett restaurant gift cards included in Encore's giveaway program. She has been working with the administration and Encore, who started a similar program in Medford, on launching it in Everett in 2025.

Encore will buy a certain amount of gift cards from Everett restaurants each month. There is an application process for interested restaurants. Councilor Smith moved to refer to the Council's legislative aide to work with the Chamber of Commerce on getting a list of Everett restaurants, and to the administration to promote the program on social media.

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Stephanie Smith
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**28. C0441-24** Resolution/s/ Councilor Wayne A. Matewsky Item Number {{item.number}}

That the C.F.O. appear at the first regular meeting in January to explain why some residents water bills are not being credited when payed, as well as late charges also being occurred on some of these bills also.

Councilor Matewsky said multiple residents, as well as himself, have experienced issues with water bill payments not being properly credited to accounts and subsequent late fees being charged. He said this does not seem to happen with real estate tax bills. Councilor Matewsky also mentioned a resident on Hillside Ave who received a water bill for \$4,400. He moved to postpone the item to the second meeting in January.

<b>MOTION:</b>	Postpone
<b>MOVER:</b>	Wayne Matewsky
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

**29. C0442-24** Resolution/s/ Councilor Anthony DiPierro

A resolution requesting that the traffic commission consider making Summit Ave a 1-way at the request of area residents. A neighborhood petition will accompany the resolution.

Councilor DiPierro moved to refer the item to the Traffic Commission and requested the legislative aide provide the petition that accompanied his resolution.

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Anthony DiPierro
<b>SECONDER:</b>	Michael Marchese
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

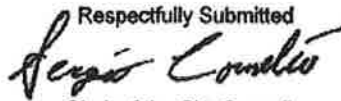
**ADJOURNMENT**

Seeing no further business, Council President VanCampen invited all members to share holiday wishes with the residents. Councilors Marchese, DiPierro, Hanlon, Smith, Matewsky, Alcy Gebruen, Garcia, Pietrantonio and Rogers in turn extended greetings and well wishes for Christmas, Hanukkah and the holiday season to the people of Everett. Many reflected on their first year on the Council and thanked their colleagues and City staff.

The City Clerk also extended holiday greetings and thanks, Item Number {{item.number}}

Council President VanCampen additionally thanked the City's hard-working employees, first responders, and members of the armed forces for their continued service and sacrifice during the holidays.

Meeting Adjourned at 8:00 PM

Respectfully Submitted  
  
Clerk of the City Council



**MEETING MINUTES**

**ORGANIZATIONAL MEETING OF THE CITY COUNCIL  
MONDAY, JANUARY 06, 2025 6:00 PM**

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

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**ROLL CALL**

**Members Present**

Guerline Alcy Jabouin, Anthony DiPierro, Holly Garcia, Michael Marchese, Stephanie Martins, Wayne Matewsky, Peter Pietrantonio, Katy Rogers, Stephanie Smith, Robert Van Campen, John Hanlon

**PLEDGE OF ALLEGIANCE**

**NEW BUSINESS**

- 1. C0001-25** Order/s/ Councilor John F. Hanlon, as Senior Member

Adopt the 2024 rules of the City Council as the rules of the City Council for the year 2025

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Robert Van Campen
<b>SECONDER:</b>	Anthony DiPierro
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen, Hanlon
<b>NAYS:</b>	
<b>AWAY:</b>	

**2. C0002-25** Order/s/ Councilor John F. Hanlon, as Senior Member

Elect a President of the City Council for the year 2025

Councilor Robert VanCampen nominated Councilor Stephanie Martins and Councilor Katy Rogers seconded the nomination both stating how Councilor Martins passion for Public Service and a want to do great for our Community will make her the right person to lead the Council in 2025. Her nomination passed unanimously and she was immediately sworn into her position as President by the City Clerk and gave a speech thanking the members, residents, friends and family for the opportunity.

<b>MOTION:</b>	Favorable Action
<b>MOVER:</b>	Robert Van Campen
<b>SECONDER:</b>	Katy Rogers
<b>RESULT:</b>	<b>Passed [11 TO 0]</b>
<b>AYES:</b>	Alcy Jabouin, DiPierro, Garcia, Marchese, Martins, Matewsky, Pietrantonio, Rogers, Smith, Van Campen, Hanlon
<b>NAYS:</b>	
<b>AWAY:</b>	

**3. C0003-25** Order/s/ President Stephanie Martins

That the newly elected President of the City Council appoint three members of the City Council to serve as messengers to notify His Honor the Mayor of their organization

<b>MOTION:</b>	Refer
<b>MOVER:</b>	Stephanie Martins
<b>SECONDER:</b>	Michael Marchese
<b>RESULT:</b>	<b>Passed [0 TO 0]</b>
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

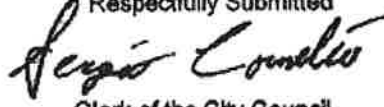
Councilor Martins asked Councilors Alcy, Pietrantonio and DiPierro to inform the Mayor that the COuncil has organized for the 2025 Legislative Year.

**ADJOURNMENT**

Meeting adjourned at 6:13 PM



<b>MOTION:</b>	Adjourn
<b>MOVER:</b>	Michael Marchese
<b>SECONDER:</b>	Stephanie Smith
<b>RESULT:</b>	Passed [0 TO 0]
<b>AYES:</b>	
<b>NAYS:</b>	
<b>AWAY:</b>	

Respectfully Submitted  
  
Clerk of the City Council



City of  
**Everett**  
Massachusetts

C0041-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** January 27, 2025

---

**Agenda Item:**

An order requesting confirmation on the appointment of Karen Roebuck to the Library Board of Trustees for a term of three (3) years expiring January 31, 2028

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 21, 2025

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

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section I (II)(a)(b) of the City of Everett Administrative Code, I hereby appoint, subject to confirmation by the City Council, Karen Roebuck to the Library Board of Trustees for a term of three (3) years expiring January 31, 2028.

Thank you for your favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria  
Mayor



January 21, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

I hereby submit for your approval the appointment of Karen  
Roebuck to the Library Board of Trustees for a term of three  
(3) years, expiring January 31, 2028.



City of  
**Everett**  
Massachusetts

C0042-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** January 27, 2025

---

**Agenda Item:**

An order requesting the confirmation on the appointment of Joanne Johnson to the Library Board of Trustees for a term of three (3) years expiring January 31, 2028

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**  
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

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January 21, 2025

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

Dear Honorable Members:

Please be advised that in accordance with Section 3-3 of the City Charter and, Section I (II)(a)(b) of the City of Everett Administrative Code, I hereby appoint, subject to confirmation by the City Council, Joanne Johnson to the Library Board of Trustees for a term of three (3) years expiring January 31, 2028.

Thank you for your favorable consideration in this matter.

Respectfully Submitted,

Carlo DeMaria  
Mayor



January 21, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

**Offered By:** \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

I hereby submit for your approval the appointment of Joanne Johnson to the Library Board of Trustees for a term of three (3) years, expiring January 31, 2028.



City of  
**Everett**  
Massachusetts

C0044-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

---

**Agenda Item:**

An order requesting that the City Council vote to designate the position of Board of Assessors as a special municipal employee.

I am requesting this designation so that the City will have a qualified individual (Ron Keohan) acting as Interim Director of Assessing while the City seeks to fill the position with a permanent replacement.

**Background and Explanation:**

**Attachments:**





**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 22, 2025

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

Dear Honorable Members:

I hereby submit for your consideration an order, pursuant to MGL Chapter 268A, requesting that the City Council vote to designate the position of Board of Assessors as a special municipal employee.

I am requesting this designation so that the City will have a qualified individual (Ron Keohan) acting as Interim Director of Assessing while the City seeks to fill the position with a permanent replacement.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



January 22, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**

Be it

**Bill Type: Order**

Ordered: BY City Council OF THE CITY OF EVERETT, as follows:

An order, pursuant to MGL Chapter 268A, requesting that the City Council vote to designate the position of Board of Assessors as a special municipal employee.



City of  
**Everett**  
Massachusetts

C0045-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** January 27, 2025

---

**Agenda Item:**

An order requesting approval to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 85 Boston Street along with an equivalent of \$825.00 per month for monthly operation costs

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 22, 2025

Honorable City Council  
484 Broadway  
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 85 Boston Street along with an equivalent of \$825.00 per month for monthly operation costs.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria  
Mayor

January 22, 2025

*City of Everett, Massachusetts*

**CITY COUNCIL**



Offered By: \_\_\_\_\_  
Councilor Robert VanCampen, as President

**Bill Number:**

**Bill Type: Order**

Be it

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

ORDERED:

to accept and expend a donation from Greystar in the amount of \$43,103.44 for the purpose of purchasing and installing a Blue Bike station (one fifteen-unit Bicycle Station) at 85 Boston Street along with an equivalent of \$825.00 per month for monthly operation costs.



City of  
**Everett**  
Massachusetts

C0046-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

---

**Agenda Item:**

An order requesting approval to accept and expend a grant from the Department of Fire Service, Executive Office of Public Safety, in the amount of \$14,149.09 to purchase fire equipment, including thermal imagers

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

***CITY OF EVERETT - OFFICE OF THE MAYOR***

*484 Broadway Everett, Massachusetts 02149*

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 22, 2025

Honorable City Council  
484 Broadway  
Everett, MA 02149

Dear Honorable Members:

I hereby submit for your consideration an order to accept and expend a grant from the Department of Fire Service, Executive Office of Public Safety, in the amount of \$14,149.09 to purchase fire equipment, including thermal imagers.

Thank you for your favorable consideration.

Respectfully submitted,

Carlo DeMaria  
Mayor



January 22, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

to accept and expend a grant from the Department of Fire  
Service, Executive Office of Public Safety, , in the amount of  
\$14,149.09 to purchase fire equipment, including thermal  
imagers.





City of  
**Everett**  
Massachusetts

C0047-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

---

**Agenda Item:**

An order requesting approval to appropriate \$25,268.31 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year departmental bills per the attached list

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

***CITY OF EVERETT - OFFICE OF THE MAYOR***

*484 Broadway Everett, Massachusetts 02149*

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 22, 2025

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

Dear Honorable Members:

I hereby submit for your consideration an order to appropriate \$25,268.31 from General Fund Budgetary Fund Balance (Free Cash) to pay prior year departmental bills per the attached list.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



January 22, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
**Councilor Stephanie Martins, as President**

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

That the sum of \$25,268.31 be appropriated from the General  
Fund Budgetary Fund Balance (Free Cash) to pay prior year  
departmental bills per the attached list.

FY25 Prior Year Outstanding B IIs

Dep t m n	V do	I v c	Am u
H R c	OHST g	\$	21,549.00
F I	C	\$	3,719.3
T I		\$	2 268 3



C0049-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

---

**Agenda Item:**

As order requesting approval to appropriate \$5,457,773 from Budgetary Fund Balance (Free Cash) into the following funds: General Stabilization Fund, \$1,637,332, Other Post-Employment Benefits Liability Trust Fund – 1,637,332, Capital Improvement Stabilization Fund -2,183,109

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 22, 2025

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

Dear Honorable Members:

I hereby submit for your consideration an order to appropriate \$5,457,773 from Budgetary Fund Balance (Free Cash) into the following funds:

General Stabilization Fund	\$ 1,637,332
Other Post-Employment Benefits Liability Trust Fund	1,637,332
Capital Improvement Stabilization Fund	<u>2,183,109</u>
	\$ 5,457,773

Please see the attached letter from CFO/City Auditor Eric Demas for more information on this request.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



January 22, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as follows:

That the sum of \$5,457,773 be appropriated from Budgetary Fund Balance (Free Cash) into the following funds:

General Stabilization Fund	\$ 1,637,332
Other Post-Employment Benefits Liability Trust Fund (OPEB Trust Fund)	\$ 1,637,332
Capital Improvement Stabilization Fund	<u>\$ 2,183,109</u>
	<u>\$ 5,457,773</u>

This appropriation is following the parameters set forth under the City's Financial Reserve Policies.



Item Number 8

**City of Everett, Massachusetts**  
**Chief Financial Officer / City Auditor**  
**484 Broadway Everett, MA 02149**  
**Tel: (617) 944-0247**

**Carlo DeMaria Jr., Mayor**  
**Eric J. Demas, CFO/City Auditor**

---

January 22, 2025

Mayor Carlo DeMaria  
Everett City Hall  
484 Broadway  
Everett, MA 02149

Re: Free Cash Certification and Financial Reserve Policies

Mayor DeMaria,

As you are aware, the Department of Revenue certified the City's FY25 free cash in the amount of \$20,915,546, of which, \$10,000,000 was applied to the FY25 tax rate. The certification of free cash, in accordance with MGL Chapter 59, Section 23, allows for the City to appropriate these funds for any lawful municipal purpose, with City Council approval.

In accordance with the City's Financial Reserve Policies, I have attached a council order for appropriations to the following funds. The policies set forth specific uses of free cash, once appropriated, as follows:

- 15% to be appropriated to the City's Stabilization account (\$1,637,332)
- 15% to be appropriated to the City's Other Post-Employment Benefit Liability Trust Fund (\$1,637,332)
- 20% to be appropriated to the City's Capital Improvement Stabilization account (\$2,183,109)

Please let me know if you have any further questions on this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Eric J. Demas', written over a horizontal line.

Eric J. Demas

Cc: Erin Deveney ~ Chief of Staff  
Page 75/222





City of  
**Everett**  
Massachusetts

C0038-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

---

**Agenda Item:**

A petition requesting the renewal of lodging house license for Fenno's at 336 Broadway

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0039-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** January 27, 2025

---

**Agenda Item:**

A petition requesting the renewal of a class two motor vehicle dealer license for Auto-Tech Pro at 146 Main Street

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0040-25

---

**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

---

**Agenda Item:**

A petition requesting the renewal of a class two motor vehicle dealer license for Woodlawn Auto Sales at 3 Woodlawn Ave

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0043-25

---

**To:** Mayor and City Council

**From:** Councilor Stephanie Martins

**Date:** January 27, 2025

---

**Agenda Item:**

A petition requesting the renewal of a class two motor vehicle dealer license for Broadway Gas & Service Inc. at 356 Broadway

**Background and Explanation:**

**Attachments:**



C0259-24

---

**To:** Mayor and City Council  
**From:** Councilor Katy L. Rogers  
**Date:** July 22, 2024

---

**Agenda Item:**  
City of Everett tree ordinance

**Background and Explanation:**  
The City of Everett is dedicated to enhancing its urban tree canopy, which will improve the environment, esthetics, and quality of life for its residents. The benefits include energy conservation, air quality improvement, storm runoff reduction, micro-climate control, wind speed reduction, noise pollution reduction, wildlife habitat provision, aesthetic enhancement, property value protection, and public space definition.

**Attachments:**

# Everett Tree Ordinance

To Michael Mangan <michael.mangan@ci.everett.ma.us> • david\_flood@comcast.net

---

## City of Everett Tree Ordinance

**BACKGROUND:** The City of Everett is dedicated to enhancing its urban tree canopy, which will improve the environment, air quality of life for its residents. The benefits include energy conservation, air quality improvement, storm runoff reduction, microclimate control, wind speed reduction, noise pollution reduction, wildlife habitat provision, aesthetic enhancement, property value protection, and public space definition.

### ORDINANCE:

#### 1. Urban Canopy Preservation and Expansion

- Preserve existing trees and promote new tree planting.
- Ensure the city remains a Tree City USA by maintaining a tree department, having a city tree ordinance, spend \$2 per capita on urban forestry, and celebrating Arbor Day.
- Adhere to the "right tree, right place" philosophy for long-term success.

#### 2. Tree Protection and Replacement

- Protect Public Shade Trees as defined by M.G.L. c. 87.
- Encourage private property owners to plant trees within their lot's setback area.
- Allow the Tree Warden or authorized organizations to plant trees in public rights-of-way or within the setback for public rights-of-way.

#### 3. Tree Removal and Mitigation

- Require a Tree Permit for any project impacting Significant Trees, Public Trees, or Public Shade Trees.
- A Mitigation Plan is required for any tree removal, detailing replacement trees and, if necessary, mitigation payment to the Tree Replacement Fund.

#### 4. Definitions

- Key terms include Aggregate Diameter, Caliper, Certified Arborist, DBH, Lot, Mitigation Payment, Mitigation Plan, Standards, Public Shade Tree, Public Tree, Replacement Caliper, Replacement Trees, Remove, Significant Tree, Tree Permit, Tree Protection Plan, Tree Protection Zone, Tree Replacement, Tree Replacement Fund, Tree Survey,

#### 5. Tree Warden Responsibilities

- Oversee all trees within public rights-of-way and on city property.
- Develop an annual work plan for tree maintenance, replacements, plantings, and removals.
- Grant or deny permits, coordinate with city departments, and enforce the ordinance.

#### 6. Tree Survey and Permit Requirements

- A Tree Survey is required for projects needing a Building Permit, Special Permit, or Site Plan Review.

- Tree Permits are required for any project that may impact Significant Trees, Public Trees, or Public Shade Tree

#### **7. Enforcement and Penalties**

- Violations of the ordinance will result in fines up to \$300 per day, mandatory tree replacement, or mitigation pay
- Unauthorized tree removal will incur significant penalties based on the tree's DBH.

#### **8. Tree Replacement Fund**

- Established for the sole purpose of supporting tree planting and maintenance throughout the city.

#### **Severability**

- If any provision of this ordinance is found invalid, the remaining sections shall remain in effect.

#### **Effective Date**

- This ordinance takes effect immediately upon passage and publication as provided by law.

**BACKGROUND:** This ordinance was created in collaboration on with the City of Everett arborist and is being presented upo suggestions ☐

## City Of Everett Tree Ordinances

### Intent and Purpose

1. The City of Everett is committed to investing in its urban tree canopy. To that end, these ordinances shall guide the City in the preservation of existing trees, the promotion of new tree planting and in community engagement with our urban canopy. Development of the City's urban canopy will serve to improve the environment, the aesthetics and the quality of life in the City of Everett and for its residents. The numerous functions of a well-developed urban tree canopy include;
  - a. Conserving energy, and combating heat island effect by providing shade and evaporative cooling through transpiration,
  - b. Improving local and global air quality by absorbing carbon dioxide, ozone, particulate matter, and producing oxygen,
  - c. Reducing storm runoff, flooding and soil erosion,
  - d. Providing microclimate control,
  - e. Reducing wind speed and directing air flow,
  - f. Reducing noise pollution,
  - g. Providing habitat for birds, small mammals, and other wildlife,
  - h. Enhancing visual and aesthetic qualities that attract visitors and businesses,
  - i. Providing natural privacy among neighbors,
  - j. Protecting and increasing real property values,
  - k. Contributing to the definition of public spaces and creating civic identity and responsibility.
  
2. The provisions of this ordinance reinforce, enhance, and expand existing legal vehicles to ensure that future development and public policy adequately preserve, protect, and provide for replacement of Public Trees and Public Shade Trees as well as increasing the total tree inventory.
  
3. The City resolves to plant more trees and in greater variety in order to compensate for past tree losses, the length of time required for a tree to achieve maturity and to provide resiliency through biodiversity. The City will adhere to "right tree, right place" philosophy to ensure that all new trees are planted and maintained to ensure long term success into maturity.
  
4. This ordinance:
  - a. Ensures that The City of Everett sustains its designation as Tree City USA by meeting or exceeding the four core standards of sound urban forestry management;
    - i. Maintaining a tree department,
    - ii. Having a City tree ordinance,
    - iii. Spending at least \$2.00 per capita on urban forestry,
    - iv. Celebrating Arbor Day.
  - b. Protects and preserves Public Shade Trees pursuant to M.G.L. c. 87.



- c. Encourages private property owners to plant or to accept a tree from the City to be planted within the setback area of their lot instead of in the tree lawn or tree pit, if the Tree Warden so recommends.
- d. Allows the Tree Warden, or a private organization acting with the written consent of the Tree Warden, to plant trees acquired with public or private funds in the public rights-of-way or within the setback from such public rights-of-way with acceptance by the property owner for the purpose of improving, protecting, shading, or ornamenting the land.

## Definitions

1. "Aggregate Diameter": The combined DBH (diameter at breast height) of multiple tree trunks growing from the same root system shall be considered to be the DBH of the tree in the case of any tree where more than one stem originates below 54.5 feet from the ground.
2. "Caliper": A measurement of the tree trunk diameter used when any tree is less than 6" and is a measurement of the diameter of the tree trunk at 12 inches above the ground. Caliper measurement is typically used when purchasing new trees.
3. "Certified Arborist": An arborist certified by the Massachusetts Arborists' Association or the International Society of Arboriculture, or any successor of either organization.
4. "DBH (diameter at breast height)": The diameter of a tree trunk measured in inches at a height of 4.5 feet above the ground. For multiple trunk trees, DBH is the aggregate diameter of the trunks.
5. "Lot": A parcel of land in identical ownership throughout, bounded by other lots or streets, which is designated by its owner to be used, developed or built upon as a unit.
6. "Mitigation Payment." A payment to be paid to the Tree Replacement Fund associated with the removal of applicable Significant Trees, Public Trees or Public Shade Trees that have not been replaced with Replacement Trees in accordance with the mitigation requirements established in this Ordinance. The Mitigation Payment shall be in accordance with the City of Everett's most recent tree planting costs in consideration of two (2) times or more, the total DBH or Caliper of trees Removed.
7. "Mitigation Plan": A document to be provided where any applicable Significant Tree, Public Tree or Public Shade Tree is proposed to be Removed from a Lot, stating;
  - a. Why any applicable Significant Tree, Public Tree or Public Shade Tree is proposed to be Removed from a Lot,
  - b. A description of the Replacement Tree proposed to replace any applicable Significant Tree, Public Tree or Public Shade Tree to be Removed,
  - c. The Mitigation Payment, if required.
8. "Pruning Standards": Standards for pruning of trees as defined in the ANSI A300 Tree Care Standards and any future amendments or revisions to the same.
9. "Public Shade Tree": A tree located in the public way, as defined in M.G.L. c. 87, Sec. 5.
10. "Public Tree": Any tree located on land owned completely by the City of Everett. This does not include any tree that fits the definition of a Public Shade Tree under M.G.L. c. 87.

11. "Replacement Caliper": The caliper for applicable Significant Trees, Public Trees and Public Shade Trees planted in replacement for Removed trees shall be at least two (2) times the DBH or aggregate diameter whichever is greater, of the tree Removed.
12. "Replacement Trees." A tree or trees to be planted to replace applicable Significant Trees, Public Trees or Public Shade Trees to be Removed from the Lot. The approval of the Tree Warden will be required if Replacement Trees are to be placed on other Lots. Replacement Trees shall continue to be identified as such for a period of ten (10) years.
13. "Remove (including removing and removal)": Cutting down any applicable Significant Tree, Public Tree or Public Shade Tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning or other direct or indirect actions resulting in the death of an applicable Significant Tree, Public Tree or Public Shade Tree, including, but not limited to, excessive or improper pruning.
14. "Significant Tree": Any tree six (6) inches DBH or larger which is on a Lot. This does not include any tree that fits the definition of a Public Tree under this ordinance or any tree that fits the definition of a Public Shade Tree under M.G.L. c. 87.
15. "Tree Permit": A document signed and certified by the Tree Warden required to be issued for any project requiring a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19, where any applicable Significant Tree, Public Tree or Public Shade Tree may be damaged or disturbed as a result of a project on the lot. A Tree Permit shall also be required for any project that requires or may result Removal, damage or disturbance including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone or other means to any Public Trees or Public Shade Trees and their Tree Protection Zone.
16. "Tree Protection Plan": A document designed by a Certified Arborist and approved by the Tree Warden which shall include the following information;
  - a. Drawings of Tree Protection measures,
  - b. The location on the Lot of all applicable Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zone ,
  - c. An indication of which applicable Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zones may be affected, damaged or otherwise disturbed including by the compaction of soil in and around a tree's root system by vehicle traffic, parking or other means,
  - d. In the event that any applicable Significant Tree, Public Tree or Public Shade Tree is proposed to be Removed, the Tree Protection Plan shall include the location of any applicable Significant Tree, Public Tree and Public Shade Tree, and their Genus, Species, Height and DBH or Caliper,
  - e. In the event that any applicable Significant Tree, Public Tree or Public Shade Tree is proposed to be Removed, the Tree Protection Plan shall include the location of Replacement Tree or trees and their Genus, Species, Height and DHB or Caliper.
  - f. A schedule for planting the proposed Replacement Tree or trees,
  - g. In the event that any applicable Significant Tree, Public Tree or Public Shade Tree is proposed to be Removed and an inadequate number of Replacement Trees are proposed to be planted, a Mitigation Plan shall be included in the Tree Protection Plan,

- h. Such other conditions as specified by the Tree Warden pursuant to applicable regulations.
- 17. "Tree Protection Zone": The area surrounding a tree which must remain as undisturbed as possible so as to prevent damage or removal of the tree. Including but not limited to the area where roots critical to the vigor and structure of the tree are located. The size and shape of a Tree Protection Zone shall be defined by a Certified Arborist, shall adhere to the ANSI A300 Tree Care Standards and be approved by the Tree Warden.
- 18. "Tree Replacement": The Tree Warden shall require the replacement of any Removed applicable Significant Tree, Public Tree or Public Shade Tree, which shall be planted by the applicant or their contractors under the supervision of a Certified Arborist and subject to approval by the Tree Warden.
- 19. "Tree Replacement Fund": Payments required by this ordinance for planting at the same site or at another location shall be deposited into this fund.
- 20. "Tree Survey": A document designed by a Certified Arborist and approved by the Tree Warden which shall include the location, Genus, Species, Height and DBH of all Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zone on a Lot and those trees that have been Removed from a Lot within one year prior to the submission of a Tree Survey. If applicable; a Tree Survey shall include a Tree Protection Plan and a Mitigation Plan. A Tree Survey shall be required for any project requiring any Building Permit, a Special Permit per The City of Everett Code of Ordinances, Division IV Sec. 3 or a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19. A Tree Survey shall also be required for any project that requires or may result in any Public Trees or Public Shade Trees being Removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone.
- 21. "Tree Warden": The individual who holds this title shall be an arborist certified by the Massachusetts Arborists Association (MAA), The International Society of Arboriculture or any successor of either organization. The duties and responsibilities of the Tree Warden shall conform to M.G.L. c. 87 and shall include other responsibilities described in this ordinance.

## Compliance with state law

- a. Nothing in this ordinance shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of existing municipal or state law.

## Tree Replacement Fund

- b. There is hereby established a Tree Replacement Fund which shall be held by the City Treasurer in an account and administered in accordance with applicable provisions of the Massachusetts General Laws. Any payments into the Tree Replacement Fund shall be deposited in said Fund and shall be used solely for the purpose of supporting tree planting and maintenance throughout the entire City.

## Applicability

- c. The terms and provisions of this ordinance shall be administered by the Tree Warden and shall apply to any applicable Significant Tree and to any Public Tree or Public Shade Tree and their Tree Protection Zone located within the City of Everett.

## Tree Warden

1. The Tree Warden shall be a Certified Arborist by the Massachusetts Arborist's Association, The International Society of Arboriculture, or any successor of either organization.
2. The duties and responsibilities of the Tree Warden shall conform to M.G.L.A. c. 87 and shall include, but not be limited to, the following and as may be further specified in this ordinance;
  - a. Care and control of all trees within public rights-of-way and care and control of all trees on City property,
  - b. Development of an annual work plan, using the tree inventory as a resource, for systematic tree maintenance, replacements, plantings, and removals for each fiscal year. The plan shall include locations of work, designated work to be accomplished, and resources including funds required,
  - c. Posting notices and holding public hearings for the removal of Public Trees and Public Shade Trees as required by M.G.L. c. 87 and this ordinance,
  - d. Expending funds appropriated for planting trees on land within public rights-of-way, City owned property and in the setback of a Lot with the express approval of the Owners,
  - e. Granting or denying permits and attaching thereto reasonable conditions required under this ordinance,
  - f. Working in conjunction with other City departments to seek grants or other assistance concerning the preservation, maintenance and planting of trees in City,
  - g. Development of rules, regulations, tree inventories, manuals, and other data, in conjunction with other City departments, to carry out the purposes and intent of this ordinance,
  - h. Supervising the planting and care of City trees to ensure that such planting and care meets the criteria of these ordinances and the ANSI A300 Tree Care Standards,
  - i. Ensuring the regular maintenance of and updating of the City of Everett's Tree Inventory to track removal and replacement of trees in order to replace lost trees in an orderly fashion,
  - j. Appointment of designee to serve in the absence of the Tree Warden,
  - k. Coordinate with any private organization that creates a program for the planting or pruning of Public Trees and Public Shade Trees on City property, in the public rights-of-way or within the setbacks with the express approval of the Owners,
  - l. With authorization by the council, undertaking other responsibilities consistent with the purposes and intent of this ordinance,
  - m. Enforcement of this ordinance.

## Tree Survey

1. A Tree Survey Shall be required in the case of any project that requires any Building Permit, a Special Permit per The City of Everett Code of Ordinances, Division IV Sec. 3, or a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19. The application for any Building Permit, a Special Permit or a Site Plan Review shall include a tree survey which shall first have been submitted to the Tree Warden not less than twenty-one (21) days prior to the submission of the application for a, Building Permit, Special Permit or Site Plan Review.
2. A Tree Survey shall also be required for any project that requires or may result in any Public Trees or Public Shade Trees being Removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone.
3. A Tree Survey shall include the location, Genus, Species, Height, DBH and Tree Protection Zone of all Significant trees, Public trees and Public Shade trees that will be Removed, damaged, or disturbed, including through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone by any project requiring any Building Permit, a Special Permit per The City of Everett Code of Ordinances, Division IV Sec. 3 or a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19.

## Tree Permits

1. A Tree Permit shall be required in the case of any project where any applicable Significant Tree or Public Tree or Public Shade Tree will be Removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone,
2. No Tree Permit Application fee shall be charged,
3. If applicable, a Tree Permit application shall be submitted concurrently with a Tree Survey in accordance with this ordinance and if applicable, a Mitigation Plan and a Tree Protection Plan,
4. The Tree Warden shall review applications for Tree Permits in accordance with the provisions of this ordinance and with any rules or regulations promulgated hereunder,
5. The Tree Warden shall date stamp or otherwise record the date of filing of each application for a Tree Permit,
6. The Tree Warden shall complete the review of each Tree Permit application relating wholly to Significant Tree Removal no later than ten (10) business days after the submission of a completed application to the Tree Warden,
7. Upon the issuance of a Tree Permit, the Tree Warden may prescribe in writing such protective measures for existing trees, as they deem necessary. The Tree Warden shall make a determination that the prescribed protective measures have been adequately provided before any disturbance of the site related to the permitted activity may begin,
8. In the case of any project which requires any Building Permit, a Special Permit per The City of Everett Code of Ordinances, Division IV Sec. 3 or a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19, the Owner of the Lot shall be required to commit to comply with all provisions of the Tree Permit and if applicable, the provisions of the Mitigation Plan, the Tree Protection Plan and other provisions of this Chapter and regulations promulgated hereunder in the application for requires any Building Permit, a Special Permit per The City of

Everett Code of Ordinances, Division IV Sec. 3, or a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19,

9. If applicable, the Tree Warden shall report whether the Tree Permit was granted or denied to the Planning Board or the Director of Inspectional Services within the same ten (10) business days. If the Planning Board or the Director of Inspectional Services receives no such report about a Tree Permit for the property within the above-stated time period, the Planning Board or Director of Inspectional Services shall accept a Building Permit, Special Permit or Site Plan Review application without that report,
10. In the case of a project where a Tree Permit allows for the Removal of an applicable Significant Tree, a Public Tree or a Public Shade Tree, Tree Warden shall keep a record of the type and size of tree Removed, the reason for the removal, photographs of the tree documenting the reason for removal, the date, the contractors, and the name and address of the property owner,
11. Any Tree Permit issued by the Tree Warden shall be valid for 90 days from issuance. The Tree Warden, following an email or written request by the applicant, may extend the length of the permit for any length of time, as they deem necessary and appropriate,
12. A Tree Permit may be suspended or revoked at any time by the Tree Warden upon written notice to the permit holder that the permit holder has failed to comply with either this ordinance or the conditions of the Tree Permit. The written notice shall be sent by certified mail, return receipt requested, or by hand delivery and shall provide an opportunity for the permit holder to correct the non-compliance and apply for a renewal of the Tree Permit upon compliance, where practicable.

## Mitigation Plan

1. In the case of any project which requires a Tree Permit and where a Tree Survey identifies a Tree Removal, A Mitigation Plan will be required for all Trees Removed,
2. The Mitigation Plan shall be designed and certified by a Certified Arborist,
3. The Mitigation Plan shall be subject to approval by the Tree Warden,
4. If applicable a Mitigation Plan shall be submitted concurrently with an application for a Tree Permit. A Mitigation Plan shall include;
  - a. Why any Tree is proposed to be Removed from a Lot,
  - b. A description of the Replacement Tree proposed to replace any tree to be Removed, including Genus, Species, Height and Caliper,
  - c. A schedule for planting the proposed Replacement Tree,
  - d. If applicable, a Mitigation Payment,
  - e. If applicable, a Tree Protection Plan,
5. Replacement Trees will continue to be identified as Replacement Trees for a period of ten (10) years after they are planted,
6. No Replacement Tree shall be Removed without a Tree Permit issued by the Tree Warden. In all cases, the Tree Warden shall keep a record of the type and size of any Replacement Tree Removed, the reason for the removal, photographs of the Replacement Tree documenting the reason for removal, the date, the contractor, and the name and address of the property owner,
7. A Mitigation Payment will be required for all Replacement Trees Removed. The Mitigation Payment shall be assessed on a DBH basis in consideration of the Replacement Tree Removed, in accordance with the City of Everetts's most recent tree planting and maintenance costs

inclusive of purchasing, planting, watering, and maintaining Replacement Trees for a period of not less than five years. No reduction of the amount of Mitigation Payment otherwise available under this Ordinance will be allowed in connection with the Removal of Replacement Trees.

8. In the case of any project which requires a Tree Permit and where a Tree Survey identifies a tree Removal, the total DBH of Replacement Trees, or Mitigation Payment of equivalent value, as applicable, shall be 2 times or more, the total DBH of the trees to be Removed.

## Tree Protection Plan

1. A Tree Protection Plan shall be required in the case where any applicable Significant Tree, Public Tree or Public Shade Tree or their Tree Protection Zone which will not be Removed, extends or overlaps into the work zone of any project, excavation or construction where any applicable Significant Tree, Public Tree or Public Shade Tree or their Tree Protection Zone may be damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone,
2. If applicable a Tree Protection Plan shall be submitted concurrently with an application for a Tree Permit.
3. The Tree Protection Plan shall be designed and certified by a Certified Arborist,
4. The Tree Protection Plan shall be subject to approval by the Tree Warden,
5. All applicable Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zone near the excavation or construction of any building, structure, or street, or in the vicinity of utility work shall be sufficiently guarded and protected by those responsible for such work so as to prevent injury to said applicable Significant Trees, Public Trees and Public Shade Trees.
6. A Tree Protection Plan shall include;
  - a. The location on the Lot of all applicable Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zone
  - b. An indication of which applicable Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zones may be affected, damaged or otherwise disturbed including by the compaction of soil in and around a tree's root system by vehicle traffic, parking or other means.
  - c. Descriptions and drawings of tree protection measures that will be used to prevent damage or disturbance to trees and their root systems that will be retained.

## Significant trees

1. A Tree Permit shall be required in the case of any project that requires a Site Plan Review per the City of Everett Code of Ordinances, Division IV, Sec. 19, where the Tree Survey identifies any Significant tree that will be Removed, Damaged or disturbed including through pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone.
2. No Tree Permit shall be required for the removal or disturbance of a Significant Tree located wholly on a Lot not Owned or managed by the City of Everett except in the case of any project which requires a Site Plan Review per Division IV: Zoning, § 19 Site Plan Review
3. A Tree Permit to Remove an applicable Significant Tree shall be issued when an applicable Significant Tree will be;

- a. Replaced or relocated on site or on an abutter's setback with the abutter's express approval in accordance with the provisions of the Mitigation Plan,
- b. Replaced by a Mitigation Payment into the Tree Replacement fund,
- c. The Tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon public rights-of-way, or poses a threat to pedestrian or vehicular safety and no other means of mitigation is applicable as certified by the Tree Warden.
- d. The removal of the Tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified by the Tree Warden.

## Public Tree and Public Shade Trees

1. A Tree Permit shall be required in the case of any project where any Public Tree or Public Shade Tree will be Removed, damaged or disturbed including through pruning, digging or though the compaction of soil due to the passage or parking of vehicles or equipment within the Tree Protection Zone.
2. Except as provided by a Tree Permit, no person other than the Tree Warden or their designee shall Remove, prune, alter or disturb any Public Tree or Public Shade Tree or the Tree Protection Zone of any Public Tree or Public Shade Tree, including through the compaction of soil due to the passage or parking of vehicles or equipment.
3. When a Public Tree or Public Shade Tree is to be Removed, a public tree hearing shall be scheduled. The public tree hearing will be advertised twice in a local newspaper during the 14 days prior to the public tree hearing, posted on the City website, the City hall bulletin board, and a notice shall be affixed to the tree itself. The resident or owner requesting the removal of a Public Tree or Public Shade Tree shall pay for costs associated with this notice.
4. After the conclusion of a favorable public tree hearing a Tree Permit to Remove a Public Tree or Public Shade Tree shall be issued when a Public Tree or Public Shade Tree will be;
  - a. Replaced or relocated on site or on an abutter's setback with the abutter's express approval in accordance with the provisions of the Mitigation Plan,
  - b. Replaced by a Mitigation Payment into the Tree Replacement fund,
  - c. The Tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon public rights-of-way, or poses a threat to pedestrian or vehicular safety and no other means of mitigation is applicable as certified by the Tree Warden.
  - d. The removal of the Tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified by the Tree Warden.

## Duty of Care

1. Upon issuance of any City of Everett permit by the Planning Board, the director of Inspectional Services or the Tree Warden, the permit holder is required to take reasonable precautions to ensure that any applicable Significant Tree and all Public Trees and Public Shade Trees are adequately protected and maintained free from harm from work associated with the permit issued. Failure to adequately protect and maintain any applicable Significant Trees and all Public Trees and Public Shade Trees free from harm may result in a fine, and failure to adequately protect applicable Significant Trees and all, Public Trees and Public Shade Trees that results in



any applicable Significant Trees and all, Public Trees and Public Shade Trees being Removed within Five (5) years of the failure to protect being noted may result in a fine and a Mitigation Payment that reflects the value in accordance with two (2) times the DBH of the applicable Significant Trees, Public Trees or Public Shade Trees Removed.

## Tree Donations

1. Voluntary contributions may be made to benefit tree planting and maintenance in Everett shall be deposited into the Tree Replacement Fund.

## Enforcement

1. Any person who violates any of the provisions of this Chapter shall be notified by the Tree Warden of the specific violation by certified or registered mail, return receipt requested, or by hand delivery. The notice shall set forth the nature of the violation and a reasonable time period within which compliance must be had.
2. Upon notice from the Tree Warden that work on any Lot on which an applicable Significant Trees, Public Tree, Public Shade Tree or their Tree Protection Zone is located is being performed contrary to any applicable Tree Protection Plan or Mitigation Plan or any provision of this Chapter, such work shall be immediately stopped. The stop work order shall be in writing, and shall be given to the owner of the Lot involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work will be permitted to resume.
3. Any person who shall continue any work in or about said lot after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$300.00. Each day during which a violation exists shall constitute a separate offense.
4. Injunctive Relief. Whenever there exists reasonable cause to believe that a person is violating any applicable Mitigation Plan or Tree Protection Plan or any provision of this Chapter, the City may institute a civil action for a mandatory or prohibiting injunction in a court of competent jurisdiction ordering the defendant to correct the unlawful condition upon or cease the unlawful use of the property.
5. Failure to apply for and receive a Tree Permit or failure to replace an applicable Significant Tree, Public Tree, Public Shade Tree or make a payment into the Tree Replacement Fund or to post and maintain a bond in accordance with this ordinance shall constitute a separate violation of this Chapter for which there shall be a fine of not more than \$300.00. Each day such violation continues shall constitute a separate offense.
6. Alternative Penalty; As an alternative to any fine stated in this ordinance, citations may be issued pursuant to M.G.L. c. 40, § 21D, assessing a fine of not more than \$300.00 for each day the violation is committed or permitted to continue.
7. Tree vandalism. Each instance of mayhem shall constitute a violation of this ordinance and shall be subject to a fine of up to \$300.00.
8. Removal without a Tree Permit. Each instance in which an applicable Significant Tree, Public Tree or Public Shade Tree is Removed without a Tree Permit shall constitute a violation of this ordinance and shall be subject to a fine in the amount applicable to the City of Everetts most recent tree planting and maintenance costs inclusive of purchasing, planting, watering, and maintaining Replacement Trees for a period of not less than five years,

- a. The fine for any applicable Significant Tree, Public Tree or Public Shade Tree Removed without a Tree Permit shall be assessed at two (2) times the total DBH of any applicable Significant Tree, Public Tree or Public Shade Tree Removed,
  - b. No reduction of the amount of the fine otherwise available under this Ordinance will be allowed in connection with the Removal of any applicable Significant Tree, Public Tree or Public Shade Tree Removed without a Tree Permit.
9. Each failure to replace an applicable Significant Tree, Public Tree or Public Shade Tree or to make a payment into the Tree Replacement Fund beyond the timeframe of the Tree Permit shall constitute a separate violation of this ordinance and shall be subject to a fine in the amount of \$300.00. Each day such violation continues shall constitute a separate offense.
10. Failure to comply with a condition contained in a Tree Permit. Each instance where there is a failure to comply with a condition contained in a Tree Permit shall be subject to a fine in the amount of \$300.00.
11. Failure to comply with a stop work order. Each instance where there is a failure to comply with a stop work order shall constitute a violation of this ordinance, which shall be subject to a fine in the amount of \$300.00. Each day such violation continues shall constitute a separate offense;
12. Nothing herein shall be construed to require the City of Everett to make a payment into the Tree Replacement Fund for any tree that it Removes.

## Severability

1. Severability. The provisions of this ordinance are severable. If any section, provision, or portion of this ordinance is determined to be invalid by a court of competent jurisdiction, then the remaining provisions of this ordinance shall continue to be valid.

## Effective Date

In Effect. This Ordinance shall take effect immediately upon passage and publication as provided by law.

#4- C0259-24

Legislative Affairs & Election Committee  
September 9, 2024

The Committee on Legislative Affairs & Elections met on Monday, September 9, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Stephanie Martins.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance pertaining to trees in the City of Everett.

David St. Louis, Arborist, was also present.

David Flood, Legislative Research Specialist provided the Committee with a reformatted version of the Tree Ordinance submitted by Councilor Rogers, but noted that the Ordinance still needed a preamble. Councilor Rogers remarked that the Ordinance provides opportunities for the City to invest in its urban tree canopy. Councilor Smith asked Mr. St. Louis if this Ordinance would result in any costs to the City and Mr. St. Louis responded that it shouldn't. The Committee recommended that the Sponsor meet with Mr. Flood to address the need for a preamble as well as to finalize a fine schedule and suggested that the Ordinance be provided to the City Solicitor for her review and comments prior to it being presented at the next meeting.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

**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: MM/DD/2024

DATE OF PROPOSED ORDAINMENT: MM/DD/2024



**CITY COUNCIL..... No. C0259-24**

**IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

**AN ORDINANCE PERTAINING TO TREES IN THE CITY OF EVERETT**

Councilor /s/ Katy L. Rogers

**Whereas: x; and**

**Whereas: x, and**

**Whereas: x.**

**Now, therefore, by the authority granted to the City Council of the City of Everett-Tree,  
Massachusetts to make and amend ordinances:**

**Be it Ordained by the City Council of the City of Everett, Massachusetts that Chapter 17 of the  
Revised Ordinances of the City of Everett is hereby amended as follows:**

**The title of Chapter 17 shall be amended by changing the title from “STREETS AND  
SIDEWALKS” to “STREETS, SIDEWALKS AND OTHER OUTDOOR SPACES”**

**Chapter 17 of the Revised Ordinances of the City of Everett is hereby further amended as  
follows:**

**Article V of Chapter 17 of the Revised Ordinances of the City of Everett shall be amended by  
adding a new Division 3 as follows:**

**DIVISION 3. CITY TREE ORDINANCES**

**Section 17-120 Intent and purpose**

**(a)** The City of Everett is committed to investing in its urban tree canopy. To that end, ~~these~~  
~~ordinances~~this division shall guide the city in:

**(1)** The preservation of existing trees;

**(2)** The promotion of new tree planting; and

(3) In community engagement with our urban canopy.

(a)(b) Development of the city's urban canopy will serve to improve the environment, the aesthetics and the quality of life in the city of Everett and for its residents. ~~The numerous functions of a well-developed urban tree canopy include;~~

(c) The numerous functions of a well-developed urban tree canopy include:

- (1) Conserving energy, and combating heat island effect by providing shade and evaporative cooling through transpiration;
- (2) Improving local and global air quality by absorbing carbon dioxide, ozone, particulate matter, and producing oxygen;
- (3) Reducing storm runoff, flooding and soil erosion;
- (4) Providing microclimate control;
- (5) Reducing wind speed and directing air flow;
- (6) Reducing noise pollution;
- (7) Providing habitat for birds, small mammals, and other wildlife;
- (8) Enhancing visual and aesthetic qualities that attract visitors and businesses;
- (9) Providing natural privacy among neighbors;
- (10) Protecting and increasing real property values; and
- (11) Contributing to the definition of public spaces and creating civic identity and responsibility.

(b)(d) The provisions of this ordinancedivision reinforce, enhance, and expand existing legal vehicles to ensure that future development and public policy adequately preserve, protect, and provide for replacement of public trees and public shade trees as well as increasing the total tree inventory.

(e) The city resolves to plant more trees and in greater variety in order to compensate for past tree losses, the length of time required for a tree to achieve maturity and to provide resiliency through biodiversity.

(e)(f) The city will adhere to "right tree, right place" philosophy to ensure that all new trees are planted and maintained to ensure long term success into maturity.

(d)(g) This ordinancedivision:

- (1) Ensures that the city of Everett sustains its designation as Tree City USA by Meeting or exceeding the four core standards of sound urban forestry management;
  - a. Maintaining a tree department;
  - b. Having a city tree ordinance;
  - c. Spending at least \$2.00 per capita on urban forestry; and

- d. Celebrating Arbor Day.
- (2) Protects and preserves public shade trees pursuant to M.G.L. c. 87.
  - (3) Encourages private property owners to plant or to accept a tree from the city to be planted within the setback area of their lot instead of in the tree lawn or tree pit, if the tree warden so recommends.
  - (4) Allows the tree warden, or a private organization acting with the written consent of the tree warden, to plant trees acquired with public or private funds in the public rights-of-way or within the setback from such public rights-of-way with acceptance by the property owner for the purpose of improving, protecting, shading, or ornamenting the land.

### Section 17-121 Definitions

- (a) "Aggregate diameter": The combined DBH (~~diameter at breast height~~) of multiple tree trunks growing from the same root system shall be considered to be the DBH of the tree in the case of any tree where more than one stem originates below 54.5 feet from the ground.
- (b) "Caliper": A measurement of the tree trunk diameter used when any tree is less than 6<sup>2</sup> inches and is a measurement of the diameter of the tree trunk at 12 inches above the ground. Caliper measurement is typically used when purchasing new trees.
- (c) "Certified arborist": An arborist certified by the Massachusetts Arborists' Association or the International Society of Arboriculture, or any successor of either organization.
- (d) "DBH (diameter at breast height)": The diameter of a tree trunk measured in inches at a height of 4.5 feet above the ground. For multiple trunk trees, DBH is the aggregate diameter of the trunks.
- (e) "Lot": A parcel of land in identical ownership throughout, bounded by other lots or streets, which is designated by its owner to be used, developed or built upon as a unit.
- (f) "Mitigation payment." A payment to be paid to the tree replacement fund associated with the removal of applicable significant trees, public trees or public shade trees that have not been replaced with replacement trees in accordance with the mitigation requirements established in this Ordinance division. The mitigation payment shall be in accordance with the City of Everett's city's most recent tree planting costs in consideration of ~~two (2)~~ times or more, the total DBH or caliper of trees removed.
- (g) "Mitigation plan": A document to be provided where any applicable significant tree, public tree or public shade tree is proposed to be removed from a lot, stating;
  - (1) Why any applicable significant tree, public tree or public shade tree is proposed to be removed from a lot;
  - (2) A description of the replacement tree proposed to replace any applicable significant tree, public tree or public shade tree to be removed, and
  - (3) The mitigation payment, if required.

- (h) "Pruning standards": Standards for pruning of trees as defined in the ANSI A300 Tree Care Standards and any future amendments or revisions to the same.
- (i) "Public shade tree": A tree located in the public way, as defined in M.G.L. c. 87, Sec. 5.
- (j) "Public tree": Any tree located on land owned completely by the city of Everett. This does not include any tree that fits the definition of a public shade tree under M.G.L. c. 87.
- ~~1. "Replacement Caliper": The caliper for applicable Significant Trees, Public Trees and Public Shade Trees planted in replacement for Removed trees shall be at least two (2) times the DBH or aggregate diameter whichever is greater, of the tree Removed.~~
- (k) "Replacement trees." A tree or trees to be planted to replace applicable significant trees, public trees or public shade trees to be removed from the lot. The approval of the tree warden will be required if replacement trees are to be placed on other lots. Replacement trees shall continue to be identified as such for a period of ~~ten (10)~~ years.
- (l) "Remove (including removing and removal)": Cutting down any applicable significant tree, public tree or public shade tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning or other direct or indirect actions resulting in the death of an applicable significant tree, public tree or public shade tree, including, but not limited to, excessive or improper pruning.
- (m) "Significant tree": Any tree ~~six (6)~~ inches DBH or larger which is on a lot. This does not include any tree that fits the definition of a public tree under this ordinance or any tree that fits the definition of a public shade tree under M.G.L. c. 87.
- (n) "Tree permit": A document signed and certified by the tree warden required to be issued for any project requiring a site plan review per ~~the City Appendix A, Section 19~~ of ~~Everett Code of these Revised Ordinances, Division IV, Sec. 19~~, where any applicable significant tree, public tree or public shade tree may be damaged or disturbed as a result of a project on the lot. A tree permit shall also be required for any project that requires or may result removal, damage or disturbance including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone or other means to any public trees or public shade trees and their tree protection zone.
- (o) "Tree protection plan": A document designed by a certified arborist and approved by the tree warden which shall include the following information:
- (1) Drawings of tree protection measures;
  - (2) The location on the lot of all applicable significant trees, public trees and public shade trees and their tree protection zone;
  - (3) An indication of which applicable significant trees, public trees and public shade trees and their tree protection zones may be affected, damaged or otherwise disturbed including by the compaction of soil in and around a tree's root system by vehicle traffic, parking or other means;
  - (4) In the event that any applicable significant tree, public tree or public shade tree is proposed to be removed, the tree protection plan shall include the location of any applicable significant tree, public tree and public shade tree, and their genus, species, height and DBH or caliper,

- (5) In the event that any applicable significant tree, public tree or public shade tree is proposed to be removed, the tree protection plan shall include the location of replacement tree ~~or trees~~(s) and their genus, species, height and DHB or caliper.
  - (6) A schedule for planting the proposed replacement tree ~~or trees~~(s);
  - (7) In the event that any applicable significant tree, public tree or public shade tree is proposed to be removed and an inadequate number of replacement trees are proposed to be planted, a mitigation plan shall be included in the tree protection plan,
  - (8) Such other conditions as specified by the tree warden pursuant to applicable regulations.
- (p) "Tree protection zone": The area surrounding a tree which must remain as undisturbed as possible so as to prevent damage or removal of the tree. Including but not limited to the area where roots critical to the vigor and structure of the tree are located. The size and shape of a tree protection zone shall be defined by a certified arborist, shall adhere to the ANSI A300 Tree Care Standards and be approved by the tree warden.
  - (q) "Tree replacement": The tree warden shall require the replacement of any removed applicable significant tree, public tree or public shade tree, which shall be planted by the applicant or their contractors under the supervision of a certified arborist and subject to approval by the tree warden.
  - (r) "Tree replacement fund": Payments required by this ordinancedivision for planting at the same site or at another location shall be deposited into this fund.
  - (s) "Tree survey": A document designed by a certified arborist and approved by the tree warden which shall include the location, genus, species, height and DBH of all significant trees, public trees and public shade trees and their tree protection zone on a lot and those trees that have been removed from a lot within ~~one~~1 year prior to the submission of a tree survey. If applicable, a tree survey shall include a tree protection plan and a mitigation plan. A tree survey shall be required for any project requiring any building permit, a special permit per ~~The City Appendix A, Section 3 of Everett Code of these Revised Ordinances, Division IV Sec. 3~~ or a site plan review per ~~the City of Everett Code of Appendix A, Section 19 of these Revised Ordinances, Division IV, Sec. 19~~. A tree survey shall also be required for any project that requires or may result in any public trees or public shade trees being removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
  - (t) "Tree warden": The individual who holds this title shall be an arborist certified by the Massachusetts Arborists Association (MAA), the International Society of Arboriculture or any successor of either organization. The duties and responsibilities of the tree warden shall conform to M.G.L. c. 87 and shall include other responsibilities described in this ordinancedivision.

**Section 17-122 Compliance with state law**

Nothing in this ordinancedivision shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of existing municipal or state law.



**Section 17-123 Tree replacement fund**

- (a) There is hereby established a tree replacement fund which shall be held by the city treasurer in an account and administered in accordance with applicable provisions of the Massachusetts General Laws.
- (a)(b) Any payments into the tree replacement fund shall be deposited in said fund and shall be used solely for the purpose of supporting tree planting and maintenance throughout the entire city.

**Section 17-124 Applicability**

The terms and provisions of this ~~ordinance~~ division shall be administered by the tree warden and shall apply to any applicable significant tree and to any public tree or public shade tree and their tree protection zone located within the city ~~of Everett~~.

**Section 17-125 Tree warden**

- (a) The tree warden shall be a certified arborist by the Massachusetts Arborist's Association, the International Society of Arboriculture, or any successor of either organization.
- (b) The duties and responsibilities of the tree warden shall conform to M.G.L. ~~A.~~ c. 87 and shall include, but not be limited to, the following and as may be further specified in this ~~ordinance;~~ division:
- (1) Care and control of all trees within public rights-of-way and care and control of all trees on city property;~~;~~
  - (2) Development of an annual work plan, using the tree inventory as a resource, for systematic tree maintenance, replacements, plantings, and removals for each fiscal year. The plan shall include locations of work, designated work to be accomplished, and resources including funds required;~~;~~
  - (3) Posting notices and holding public hearings for the removal of public trees and public shade trees as required by M.G.L. c. 87 and this ~~ordinance;~~ division;
  - (4) Expending funds appropriated for planting trees on land within public rights-of-way, city owned property and in the setback of a lot with the express approval of the owners;~~;~~
  - (5) Granting or denying permits and attaching thereto reasonable conditions required under this ~~ordinance;~~ division;
  - (6) Working in conjunction with other city departments to seek grants or other assistance concerning the preservation, maintenance and planting of trees in ~~City;~~ the city;
  - (7) Development of rules, regulations, tree inventories, manuals, and other data, in conjunction with other city departments, to carry out the purposes and intent of this ordinance;~~;~~

- (8) Supervising the planting and care of city trees to ensure that such planting and care meets the criteria of ~~these ordinances~~this division and the ANSI A300 Tree Care Standards<sub>;2</sub>
- (9) Ensuring the regular maintenance of and updating of the ~~City of Everett's city's~~ tree inventory to track removal and replacement of trees in order to replace lost trees in an orderly fashion<sub>;2</sub>
- (10) Appointment of designee to serve in the absence of the tree warden<sub>;2</sub>
- (11) Coordinate with any private organization that creates a program for the planting or pruning of public trees and public shade trees on city property, in the public rights-of-way or within the setbacks with the express approval of the owners,
- (12) With authorization by the ~~council~~mayor, undertaking other responsibilities consistent with the purposes and intent of this ~~ordinance,~~division; and
- (13) Enforcement of this ordinance.

**Section 17-126      *Tree survey***

- (a) A tree survey shall be required in the case of any project that requires any building permit, a special permit per ~~The City Appendix A, Section 3 of Everett Code of these Revised Ordinances, Division IV Sec. 3,~~ or a site plan review per ~~the City of Everett Code of Ordinances, Division IV, Sec. Appendix A, Section~~ 19. The application for any building permit, a special permit or a site plan review shall include a tree survey which shall first have been submitted to the tree warden not less than ~~twenty-one (21)~~ days prior to the submission of the application for a, building permit, special permit or site plan review.
- (b) A tree survey shall also be required for any project that requires or may result in any public trees or public shade trees being removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (c) A tree survey shall include the location, genus, species, height, DBH and tree protection zone of all significant trees, public trees and public shade trees that will be removed, damaged, or disturbed, including through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone by any project requiring any building permit, a special permit per ~~The City Appendix A, Section 3 of Everett Code of these Revised Ordinances, Division IV Sec. 3,~~ or a site plan review per ~~the City of Everett Code of Appendix A, Section 19 of these Revised Ordinances, Division IV, Sec. 19.~~

**Section 17-127      *Tree permits***

- (a) A tree permit shall be required in the case of any project where any applicable significant tree or public tree or public shade tree will be removed, damaged or disturbed including ~~through,~~ pruning, digging or through, the compaction of soil ~~due to the~~ passage or parking of vehicles or equipment within the tree protection zone<sub>;2</sub>.
- (b) No tree permit application fee shall be charged<sub>;2</sub>.

- (c) If applicable, a tree permit application shall be submitted concurrently with a tree survey in accordance with this ordinancedivision and if applicable, a mitigation plan and a tree protection plan<sub>7,2</sub>.
- (d) The tree warden shall review applications for tree permits in accordance with the provisions of this ordinancedivision and with any rules or regulations promulgated hereunder<sub>7,2</sub>.
- (e) The tree warden shall date<sub>-</sub>stamp or otherwise record the date of filing of each application for a tree permit<sub>7,2</sub>.
- (f) The tree warden shall complete the review of each tree permit application relating wholly to significant tree removal no later than ~~ten (10)~~ business days after the submission of a completed application to the tree warden<sub>7,2</sub>.
- (g) Upon the issuance of a tree permit, the tree warden may prescribe in writing such protective measures for existing trees, as they deem necessary. The tree warden shall make a determination that the prescribed protective measures have been adequately provided before any disturbance of the site related to the permitted activity may begin,
- (h) In the case of any project which requires any building permit, a special permit per ~~The City Appendix A, Section 3 of Everett Code of these Revised Ordinances, Division IV Sec. 3-~~ or a site plan review per ~~the City of Everett Code of Appendix A, Section 19 of these Revised Ordinances, Division IV, Sec. 19,~~ the owner of the lot shall be required to commit to comply with all provisions of the tree permit ~~and if applicable, the~~ provisions of the mitigation plan, the tree protection plan and other provisions of this Chapterdivision and regulations promulgated hereunder in the application for requires any building permit, a special permit per ~~The City of Everett Code of Ordinances, Division IV Sec. Appendix A, Section 3,~~ or a site plan review per the City of Everett Code of Ordinances, Division IV, Sec. Appendix A, Section 19,
- (i) If applicable, the tree warden shall report whether the tree permit was granted or denied to the planning board or the director of inspectional services within the same ~~ten (10)~~ business days. If the planning board or the director of inspectional services receives no such report about a tree permit for the property within the above-stated time period, the planning board ~~or~~ director of inspectional services shall accept~~a~~ building permit, special permit or site plan review application without that report,
- (j) In the case of a project where a tree permit allows for the removal of an applicable significant tree, a public tree or a public shade tree, the tree warden shall keep a record of the type and size of tree(s) removed, the reason(s) for the removal, ~~photographs~~photograph(s) of the tree(s) documenting the reason for removal, the date, the contractors, and the name and address of the property owner,
- (k) Any tree permit issued by the tree warden shall be valid for 90 days from issuance. The tree warden, following an email or written request by the applicant, may extend the length of the permit for any length of time, as they deem necessary and appropriate,
- (l) A tree permit may be suspended or revoked at any time by the tree warden upon written notice to the permit holder that the permit holder has failed to comply with either this ordinancedivision or the conditions of the tree permit. The written notice shall be sent by certified mail, return receipt requested, or by hand delivery and shall provide an

opportunity for the permit holder to correct the non-compliance and apply for a renewal of the tree permit upon compliance, where practicable.

**Section 17-128 Mitigation plan**

- (a) In the case of any project which requires a tree permit and where a tree survey identifies a tree removal, a mitigation plan will be required for all trees removed,
- (b) The mitigation plan shall be designed and certified by a certified arborist,
- (c) The mitigation plan shall be subject to approval by the tree warden,
- (d) If applicable, a mitigation plan shall be submitted concurrently with an application for a tree permit. A mitigation plan shall include:
  - (1) Why any tree is proposed to be removed from a lot,
  - (2) A description of the replacement tree proposed to replace any tree to be removed, including genus, species, height and caliper,
  - (3) A schedule for planting the proposed replacement tree,
  - (4) If applicable, a mitigation payment,
  - (5) If applicable, a tree protection plan,
- (e) Replacement trees will continue to be identified as replacement trees for a period of ~~ten~~ (10) years after they are planted,
- (f) No replacement tree shall be removed without a tree permit issued by the tree warden. In all cases, the tree warden shall keep a record of the type and size of any replacement tree removed, the reason for the removal, photographs of the replacement tree documenting the reason for removal, the date, the contractor, and the name and address ~~off~~ the property owner,
- (g) A mitigation payment will be required for all replacement trees removed. The mitigation payment shall be assessed on a DBH basis in consideration of the replacement tree removed, in accordance with the ~~City of Everett's city's~~ most recent tree planting and maintenance costs inclusive of purchasing, planting, watering, and maintaining replacement trees for a period of not less than ~~five~~ 5 years. No reduction of the amount of mitigation payment otherwise available under this ~~Ordinance will~~ division shall be allowed in connection with the removal of replacement trees.
- (h) In the case of any project which requires a tree permit and where a tree survey identifies a tree removal, the total DBH of replacement trees, or mitigation payment of equivalent value, ~~asa~~ 4s applicable, shall be 2 times or more, the total DBH of the trees to be removed.

**Section 17-129 Tree protection plan**

- (a) A tree protection plan shall be required in the case where any applicable significant tree, public tree or public shade tree or their tree protection zone which will not be removed, extends or overlaps into the work zone of any project, excavation or construction where any applicable significant tree, public tree or public shade tree or their tree protection zone may be damaged or disturbed including through, pruning, digging or through the

compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone;

- (b) If applicable a tree protection plan shall be submitted concurrently with an application for a tree permit.
- (c) The tree protection plan shall be designed and certified by a certified arborist;
- (d) The tree protection plan shall be subject to approval by the tree warden,
- (e) All applicable significant trees, public trees and public shade trees and their tree protection zone near the excavation or construction of any building, structure, or street, or in the vicinity of utility work shall be sufficiently guarded and protected by those responsible for such work so as to prevent injury to said applicable significant trees, public trees and public shade trees.
- (f) A tree protection plan shall include:
  - a. ~~The location on the Lot of all applicable Significant Trees, Public Trees and Public Shade Trees and their Tree Protection Zone~~
  - (1) An indication of which applicable significant trees, public trees and public shade trees and their tree protection zones may be affected, damaged or otherwise disturbed including by the compaction of soil in and around a tree's root system by vehicle traffic, parking or other means; and
  - (2) Descriptions and drawings of tree protection measures that will be used to prevent damage or disturbance to trees and their root systems that will be retained.

**Section 17-130      Significant trees**

- (a) A tree permit shall be required in the case of any project that requires a site plan review per the City of Everett Code of Ordinances, Division IV, Sec. Appendix A, Section 19, where the tree survey identifies any significant tree that will be removed, damaged or disturbed including through pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (b) No tree permit shall be required for the removal or disturbance of a significant tree located wholly on a lot not owned or managed by the city of ~~Everett~~ except in the case of any project which requires a site plan review per Division IV: Zoning Appendix A, § 19 Site Plan Review
- (c) A tree permit to remove an applicable significant tree shall be issued when an applicable significant tree will be:
  - (1) Replaced or relocated on site or on an abutter's setback with the abutter's express approval in accordance with the provisions of the mitigation plan,
  - (2) Replaced by a mitigation payment into the tree replacement fund,
  - (3) The tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon public rights-of-way, or poses a threat to pedestrian or vehicular safety and no other means of mitigation is applicable as certified by the tree warden.

- (4) The removal of the tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified by the tree warden.

**Section 17-131 Public tree and public shade trees**

- (a) A tree permit shall be required in the case of any project where any public tree or public shade tree will be removed, damaged or disturbed including through pruning, digging or though the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (b) Except as provided by a tree permit, no person other than the tree warden or their designee shall remove, prune, alter or disturb any public tree or public shade tree or the tree protection zone of any public tree or public shade tree, including through the compaction of soil due to the passage or parking of vehicles or equipment.
- (c) When a public tree or public shade tree is to be removed, a public tree hearing shall be scheduled. The public tree hearing will be advertised twice in a local newspaper during the 14 days prior to the public tree hearing, posted on the city website, the city hall bulletin board, and a notice shall be affixed to the tree itself. The resident or owner requesting the removal of a public tree or public shade tree shall pay for costs associated with this notice.
- (d) After the conclusion of a favorable public tree hearing, a tree permit to remove a public tree or public shade tree shall be issued when a public tree or public shade tree will be:
- (1) Replaced or relocated on site or on an abutter's setback with the abutter's express approval in accordance with the provisions of the mitigation plan;
  - (2) Replaced by a mitigation payment into the tree replacement fund;
  - (3) The tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon public rights-of-way, or poses a threat to pedestrian or vehicular safety and no other means of mitigation is applicable as certified by the tree warden; or
  - (4) The removal of the tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified by the tree warden.

**Section 17-132 Duty of care**

- (a) Upon issuance of any city-~~of Everett~~ permit by the planning board, the director of inspectional services or the tree warden, the permit holder is required to take reasonable precautions to ensure that any applicable significant tree and all public trees and public shade trees are adequately protected and maintained free from harm from work associated with the permit issued.
- (a)(b) Failure to adequately protect and maintain any applicable significant trees and all public trees and public shade trees free from harm may result in a fine, and failure to adequately protect applicable significant trees and all, public trees and public shade trees that results in any applicable significant trees and all, public trees and public shade trees being

removed within ~~Five (5)~~ years of the failure to protect being noted may result in a fine and a mitigation payment that reflects the value in accordance with ~~two (2)~~ times the DBH of the applicable significant trees, public trees or public shade trees removed.

**Section 17-133 Tree donations**

Voluntary contributions may be made to benefit tree planting and maintenance in ~~Everett~~the city shall be deposited into the tree replacement fund.

**Section 17-134 Enforcement**

- (a) Any person who violates any of the provisions of this ~~Chapter~~division shall be notified by the tree warden of the specific violation by certified or registered mail, return receipt requested, or by hand delivery. The notice shall set forth the nature of the violation and a reasonable time period within which compliance must be had.
- (b) Upon notice from the tree warden that work on any lot on which an applicable significant ~~Tree~~tree, public tree, public shade tree or their tree protection zone is located is being performed contrary to any applicable tree protection plan or mitigation plan or any provision of this ~~Chapter~~division, such work shall be immediately stopped. The stop work order shall be in writing, and shall be given to the owner of the lot involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work will be permitted to resume.
- (c) Any person who shall continue any work in or about said lot after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$300.00. Each day during which a violation exists shall constitute a separate offense.
- (d) ~~Injunctive Relief.~~ Whenever there exists reasonable cause to believe that a person is violating any applicable mitigation plan or tree protection plan or any provision of this ~~Chapter~~division, the city may institute a civil action for a mandatory or prohibiting injunction in a court of competent jurisdiction ordering the defendant to correct the unlawful condition upon or cease the unlawful use of the property.
- (e) Failure to apply for and receive a tree permit or failure to replace an applicable significant tree, public tree or, public shade tree or make a payment into the tree replacement fund or to post and maintain a bond in accordance with this ~~ordinance~~division shall constitute a separate violation of this ~~Chapter~~division for which there shall be a fine of not more than \$300.00. Each day such violation continues shall constitute a separate offense.
- (f) ~~Alternative Penalty;~~ As an alternative to any fine stated in this ~~ordinance~~division, citations may be issued pursuant to M.G.L. c. 40, § 21D, assessing a fine of not more than \$300.00 for each day the violation is committed or permitted to continue.
- (g) ~~Tree vandalism.~~ Each instance of ~~mayhem vandalism to an applicable significant tree, public tree or, public shade tree~~ shall constitute a violation of this ~~ordinance~~division and shall be subject to a fine of up to \$300.00.
- (h) ~~Removal without a Tree Permit.~~ Each instance in which an applicable significant tree, public tree or public shade tree is removed without a tree permit shall constitute a violation of this ~~ordinance~~division and shall be subject to a fine in the amount applicable

to the ~~City of Everett~~city's most recent tree planting and maintenance costs inclusive of purchasing, planting, watering, and maintaining replacement trees for a period of not less than ~~five~~5 years;

- (1) The fine for any applicable significant tree, public tree or public shade tree removed without a tree permit shall be assessed at ~~two~~(2) times the total DBH of any applicable significant tree, public tree or public shade tree removed,
  - (2) -No reduction of the amount of the fine otherwise available under this Ordinancedivision will be allowed in connection with the removal of any applicable significant tree, public tree or public shade tree removed without a tree permit.
- (i) Each failure to replace an applicable significant tree, public tree or public shade tree or to make a payment into the tree replacement fund beyond the timeframe of the tree permit shall constitute a separate violation of this ordinancedivision and shall be subject to a fine in the amount of \$300.00. Each day such violation continues shall constitute a separate offense.
  - (j) Failure to comply with a condition contained in a tree permit. Each instance where there is a failure to comply with a condition contained in a tree permit shall be subject to a fine in the amount of \$300.00.
  - (k) Failure to comply with a stop work order. Each instance where there is a failure to comply with a stop work order shall constitute a violation of this ordinancedivision, which shall be subject to a fine in the amount of \$300.00. Each day such violation continues shall constitute a separate offense.
  - (l) Nothing herein shall be construed to require the city ~~of Everett~~ to make a payment into the tree replacement fund for any tree that it removes.

## Severability

~~Severability. Secs. 17-135-17-139~~ Reserved

The provisions of this ordinance are severable. If any section, provision, or portion of this ordinance is determined to be invalid by a court of competent jurisdiction, then the remaining provisions of this ordinance shall continue to be valid.

## Effective Date

~~In Effect.~~ This ordinance shall take effect ~~immediately~~ upon passage by the City Council and publication as provided by law subsequent approval by His Honor the Mayor.





A true copy attest

*Sergio Cornelio*

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: MM/DD/2024

DATE OF PROPOSED ORDAINMENT: MM/DD/2024



**CITY COUNCIL..... No. C0259-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE PERTAINING TO TREES IN THE CITY OF EVERETT**

Councilor /s/ Katy L. Rogers

**Whereas:** x; and

**Whereas:** x, and

**Whereas:** x.

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

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Chapter 17 of the Revised Ordinances of the City of Everett is hereby amended as follows:

The title of Chapter 17 shall be amended by changing the title from “**STREETS AND SIDEWALKS**” to “**STREETS, SIDEWALKS AND OTHER OUTDOOR SPACES**”

Chapter 17 of the Revised Ordinances of the City of Everett is hereby further amended as follows:

Article V of Chapter 17 of the Revised Ordinances of the City of Everett shall be amended by adding a new Division 3 as follows:

**DIVISION 3. CITY TREE ORDINANCES**

***Section 17-120 Intent and purpose***

(a) The City of Everett is committed to investing in its urban tree canopy. To that end, this division shall guide the city in:

- (1) The preservation of existing trees;
- (2) The promotion of new tree planting; and
- (3) In community engagement with our urban canopy.

- (b) Development of the city's urban canopy will serve to improve the environment, the aesthetics and the quality of life in the city and for its residents.
- (c) The numerous functions of a well-developed urban tree canopy include:
  - (1) Conserving energy, and combating heat island effect by providing shade and evaporative cooling through transpiration;
  - (2) Improving local and global air quality by absorbing carbon dioxide, ozone, particulate matter, and producing oxygen;
  - (3) Reducing storm runoff, flooding and soil erosion;
  - (4) Providing microclimate control;
  - (5) Reducing wind speed and directing air flow;
  - (6) Reducing noise pollution;
  - (7) Providing habitat for birds, small mammals, and other wildlife;
  - (8) Enhancing visual and aesthetic qualities that attract visitors and businesses;
  - (9) Providing natural privacy among neighbors;
  - (10) Protecting and increasing real property values: and
  - (11) Contributing to the definition of public spaces and creating civic identity and responsibility.
- (d) The provisions of this division reinforce, enhance, and expand existing legal vehicles to ensure that future development and public policy adequately preserve, protect, and provide for replacement of public trees and public shade trees as well as increasing the total tree inventory.
- (e) The city resolves to plant more trees and in greater variety in order to compensate for past tree losses, the length of time required for a tree to achieve maturity and to provide resiliency through biodiversity.
- (f) The city will adhere to "right tree, right place" philosophy to ensure that all new trees are planted and maintained to ensure long term success into maturity.
- (g) This division:
  - (1) Ensures that the city sustains its designation as Tree City USA by Meeting or exceeding the four core standards of sound urban forestry management;
    - a. Maintaining a tree department;
    - b. Having a city tree ordinance;
    - c. Spending at least \$2.00 per capita on urban forestry; and
    - d. Celebrating Arbor Day.
  - (2) Protects and preserves public shade trees pursuant to M.G.L. c. 87.

- (3) Encourages private property owners to plant or to accept a tree from the city to be planted within the setback area of their lot instead of in the tree lawn or tree pit, if the tree warden so recommends.
- (4) Allows the tree warden, or a private organization acting with the written consent of the tree warden, to plant trees acquired with public or private funds in the public rights-of-way or within the setback from such public rights-of-way with acceptance by the property owner for the purpose of improving, protecting, shading, or ornamenting the land.

**Section 17-121 Definitions**

- (a) "Aggregate diameter": The combined DBH of multiple tree trunks growing from the same root system shall be considered to be the DBH of the tree in the case of any tree where more than one stem originates below 54.5 feet from the ground.
- (b) "Caliper": A measurement of the tree trunk diameter used when any tree is less than 6 inches and is a measurement of the diameter of the tree trunk at 12 inches above the ground. Caliper measurement is typically used when purchasing new trees.
- (c) "Certified arborist": An arborist certified by the Massachusetts Arborists' Association or the International Society of Arboriculture, or any successor of either organization.
- (d) "DBH (diameter at breast height)": The diameter of a tree trunk measured in inches at a height of 4.5 feet above the ground. For multiple trunk trees, DBH is the aggregate diameter of the trunks.
- (e) "Lot": A parcel of land in identical ownership throughout, bounded by other lots or streets, which is designated by its owner to be used, developed or built upon as a unit.
- (f) "Mitigation payment." A payment to be paid to the tree replacement fund associated with the removal of applicable significant trees, public trees or public shade trees that have not been replaced with replacement trees in accordance with the mitigation requirements established in this division. The mitigation payment shall be in accordance with the city's most recent tree planting costs in consideration of 2 times or more, the total DBH or caliper of trees removed.
- (g) "Mitigation plan": A document to be provided where any applicable significant tree, public tree or public shade tree is proposed to be removed from a lot, stating;
  - (1) Why any applicable significant tree, public tree or public shade tree is proposed to be removed from a lot;
  - (2) A description of the replacement tree proposed to replace any applicable significant tree, public tree or public shade tree to be removed, and
  - (3) The mitigation payment, if required.
- (h) "Pruning standards": Standards for pruning of trees as defined in the ANSI A300 Tree Care Standards and any future amendments or revisions to the same.
- (i) "Public shade tree": A tree located in the public way, as defined in M.G.L. c. 87, Sec. 5.

- (j) "Public tree": Any tree located on land owned completely by the city. This does not include any tree that fits the definition of a public shade tree under M.G.L. c. 87.
- (k) "Replacement trees." A tree or trees to be planted to replace applicable significant trees, public trees or public shade trees to be removed from the lot. The approval of the tree warden will be required if replacement trees are to be placed on other lots. Replacement trees shall continue to be identified as such for a period of 10 years.
- (l) "Remove (including removing and removal)": Cutting down any applicable significant tree, public tree or public shade tree and all other acts which cause the actual removal or the effective removal through damaging, poisoning or other direct or indirect actions resulting in the death of an applicable significant tree, public tree or public shade tree, including, but not limited to, excessive or improper pruning.
- (m) "Significant tree": Any tree 6 inches DBH or larger which is on a lot. This does not include any tree that fits the definition of a public tree under this ordinance or any tree that fits the definition of a public shade tree under M.G.L. c. 87.
- (n) "Tree permit": A document signed and certified by the tree warden required to be issued for any project requiring a site plan review per Appendix A, Section 19 of these Revised Ordinances, where any applicable significant tree, public tree or public shade tree may be damaged or disturbed as a result of a project on the lot. A tree permit shall also be required for any project that requires or may result removal, damage or disturbance including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone or other means to any public trees or public shade trees and their tree protection zone.
- (o) "Tree protection plan": A document designed by a certified arborist and approved by the tree warden which shall include the following information:
  - (1) Drawings of tree protection measures;
  - (2) The location on the lot of all applicable significant trees, public trees and public shade trees and their tree protection zone;
  - (3) An indication of which applicable significant trees, public trees and public shade trees and their tree protection zones may be affected, damaged or otherwise disturbed including by the compaction of soil in and around a tree's root system by vehicle traffic, parking or other means;
  - (4) In the event that any applicable significant tree, public tree or public shade tree is proposed to be removed, the tree protection plan shall include the location of any applicable significant tree, public tree and public shade tree, and their genus, species, height and DBH or caliper,
  - (5) In the event that any applicable significant tree, public tree or public shade tree is proposed to be removed, the tree protection plan shall include the location of replacement tree(s) and their genus, species, height and DHB or caliper.
  - (6) A schedule for planting the proposed replacement tree(s);
  - (7) In the event that any applicable significant tree, public tree or public shade tree is proposed to be removed and an inadequate number of replacement trees are

proposed to be planted, a mitigation plan shall be included in the tree protection plan,

- (8) Such other conditions as specified by the tree warden pursuant to applicable regulations.
- (p) "Tree protection zone": The area surrounding a tree which must remain as undisturbed as possible so as to prevent damage or removal of the tree. Including but not limited to the area where roots critical to the vigor and structure of the tree are located. The size and shape of a tree protection zone shall be defined by a certified arborist, shall adhere to the ANSI A300 Tree Care Standards and be approved by the tree warden.
- (q) "Tree replacement": The tree warden shall require the replacement of any removed applicable significant tree, public tree or public shade tree, which shall be planted by the applicant or their contractors under the supervision of a certified arborist and subject to approval by the tree warden.
- (r) "Tree replacement fund": Payments required by this division for planting at the same site or at another location shall be deposited into this fund.
- (s) "Tree survey": A document designed by a certified arborist and approved by the tree warden which shall include the location, genus, species, height and DBH of all significant trees, public trees and public shade trees and their tree protection zone on a lot and those trees that have been removed from a lot within 1 year prior to the submission of a tree survey. If applicable, a tree survey shall include a tree protection plan and a mitigation plan. A tree survey shall be required for any project requiring any building permit, a special permit per Appendix A, Section 3 of these Revised Ordinances or a site plan review per Appendix A, Section 19 of these Revised Ordinances. A tree survey shall also be required for any project that requires or may result in any public trees or public shade trees being removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (t) "Tree warden: The individual who holds this title shall be an arborist certified by the Massachusetts Arborists Association (MAA), the International Society of Arboriculture or any successor of either organization. The duties and responsibilities of the tree warden shall conform to M.G.L. c. 87 and shall include other responsibilities described in this division.

***Section 17-122 Compliance with state law***

Nothing in this division shall be construed to restrict, amend, repeal, or otherwise limit the application or enforcement of existing municipal or state law.

***Section 17-123 Tree replacement fund***

- (a) There is hereby established a tree replacement fund which shall be held by the city treasurer in an account and administered in accordance with applicable provisions of the Massachusetts General Laws.

- (b) Any payments into the tree replacement fund shall be deposited in said fund and shall be used solely for the purpose of supporting tree planting and maintenance throughout the entire city.

***Section 17-124      Applicability***

The terms and provisions of this division shall be administered by the tree warden and shall apply to any applicable significant tree and to any public tree or public shade tree and their tree protection zone located within the city.

***Section 17-125      Tree warden***

- (a) The tree warden shall be a certified arborist by the Massachusetts Arborist's Association, the International Society of Arboriculture, or any successor of either organization.
- (b) The duties and responsibilities of the tree warden shall conform to M.G.L. c. 87 and shall include, but not be limited to, the following and as may be further specified in this division:
- (1) Care and control of all trees within public rights-of-way and care and control of all trees on city property;
  - (2) Development of an annual work plan, using the tree inventory as a resource, for systematic tree maintenance, replacements, plantings, and removals for each fiscal year. The plan shall include locations of work, designated work to be accomplished, and resources including funds required;
  - (3) Posting notices and holding public hearings for the removal of public trees and public shade trees as required by M.G.L. c. 87 and this division;
  - (4) Expending funds appropriated for planting trees on land within public rights-of-way, city owned property and in the setback of a lot with the express approval of the owners;
  - (5) Granting or denying permits and attaching thereto reasonable conditions required under this division;
  - (6) Working in conjunction with other city departments to seek grants or other assistance concerning the preservation, maintenance and planting of trees in the city;
  - (7) Development of rules, regulations, tree inventories, manuals, and other data, in conjunction with other city departments, to carry out the purposes and intent of this ordinance;
  - (8) Supervising the planting and care of city trees to ensure that such planting and care meets the criteria of this division and the ANSI A300 Tree Care Standards;
  - (9) Ensuring the regular maintenance of and updating of the city's tree inventory to track removal and replacement of trees in order to replace lost trees in an orderly fashion;
  - (10) Appointment of designee to serve in the absence of the tree warden;

- (11) Coordinate with any private organization that creates a program for the planting or pruning of public trees and public shade trees on city property, in the public rights-of-way or within the setbacks with the express approval of the owners,
- (12) With authorization by the mayor, undertaking other responsibilities consistent with the purposes and intent of this division; and
- (13) Enforcement of this ordinance.

**Section 17-126      *Tree survey***

- (a) A tree survey shall be required in the case of any project that requires any building permit, a special permit per Appendix A, Section 3 of these Revised Ordinances or a site plan review per Appendix A, Section 19. The application for any building permit, a special permit or a site plan review shall include a tree survey which shall first have been submitted to the tree warden not less than 21 days prior to the submission of the application for a building permit, special permit or site plan review.
- (b) A tree survey shall also be required for any project that requires or may result in any public trees or public shade trees being removed, damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (c) A tree survey shall include the location, genus, species, height, DBH and tree protection zone of all significant trees, public trees and public shade trees that will be removed, damaged, or disturbed, including through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone by any project requiring any building permit, a special permit per Appendix A, Section 3 of these Revised Ordinances or a site plan review per Appendix A, Section 19 of these Revised Ordinances

**Section 17-127      *Tree permits***

- (a) A tree permit shall be required in the case of any project where any applicable significant tree or public tree or public shade tree will be removed, damaged or disturbed including pruning, digging or through, the compaction of soil passage or parking of vehicles or equipment within the tree protection zone.
- (b) No tree permit application fee shall be charged.
- (c) If applicable, a tree permit application shall be submitted concurrently with a tree survey in accordance with this division and if applicable, a mitigation plan and a tree protection plan.
- (d) The tree warden shall review applications for tree permits in accordance with the provisions of this division and with any rules or regulations promulgated hereunder.
- (e) The tree warden shall date-stamp or otherwise record the date of filing of each application for a tree permit.
- (f) The tree warden shall complete the review of each tree permit application relating wholly to significant tree removal no later than 10 business days after the submission of a completed application to the tree warden.



- (g) Upon the issuance of a tree permit, the tree warden may prescribe in writing such protective measures for existing trees, as they deem necessary. The tree warden shall make a determination that the prescribed protective measures have been adequately provided before any disturbance of the site related to the permitted activity may begin,
- (h) In the case of any project which requires any building permit, a special permit per Appendix A, Section 3 of these Revised Ordinances or a site plan review per Appendix A, Section 19 of these Revised Ordinances, the owner of the lot shall be required to commit to comply with all provisions of the tree permit provisions of the mitigation plan, the tree protection plan and other provisions of this division and regulations promulgated hereunder in the application for requires any building permit, a special permit per Appendix A, Section 3, or a site plan review per the Appendix A, Section 19,
- (i) If applicable, the tree warden shall report whether the tree permit was granted or denied to the planning board or the director of inspectional services within the same 10 business days. If the planning board or the director of inspectional services receives no such report about a tree permit for the property within the above-stated time period, the planning board or director of inspectional services shall accept building permit, special permit or site plan review application without that report,
- (j) In the case of a project where a tree permit allows for the removal of an applicable significant tree, a public tree or a public shade tree, the tree warden shall keep a record of the type and size of tree(s) removed, the reason(s) for the removal, photograph(s) of the tree(s) documenting the reason for removal, the date, the contractors, and the name and address of the property owner,
- (k) Any tree permit issued by the tree warden shall be valid for 90 days from issuance. The tree warden, following an email or written request by the applicant, may extend the length of the permit for any length of time, as they deem necessary and appropriate,
- (l) A tree permit may be suspended or revoked at any time by the tree warden upon written notice to the permit holder that the permit holder has failed to comply with either this division or the conditions of the tree permit. The written notice shall be sent by certified mail, return receipt requested, or by hand delivery and shall provide an opportunity for the permit holder to correct the non-compliance and apply for a renewal of the tree permit upon compliance, where practicable.

***Section 17-128 Mitigation plan***

- (a) In the case of any project which requires a tree permit and where a tree survey identifies a tree removal, a mitigation plan will be required for all trees removed,
- (b) The mitigation plan shall be designed and certified by a certified arborist,
- (c) The mitigation plan shall be subject to approval by the tree warden,
- (d) If applicable, a mitigation plan shall be submitted concurrently with an application for a tree permit. A mitigation plan shall include:
  - (1) Why any tree is proposed to be removed from a lot,
  - (2) A description of the replacement tree proposed to replace any tree to be removed, including genus, species, height and caliper,

- (3) A schedule for planting the proposed replacement tree,
- (4) If applicable, a mitigation payment,
- (5) If applicable, a tree protection plan,
- (e) Replacement trees will continue to be identified as replacement trees for a period of 10 years after they are planted,
- (f) No replacement tree shall be removed without a tree permit issued by the tree warden. In all cases, the tree warden shall keep a record of the type and size of any replacement tree removed, the reason for the removal, photographs of the replacement tree documenting the reason for removal, the date, the contractor, and the name and address of the property owner,
- (g) A mitigation payment will be required for all replacement trees removed. The mitigation payment shall be assessed on a DBH basis in consideration of the replacement tree removed, in accordance with the city's most recent tree planting and maintenance costs inclusive of purchasing, planting, watering, and maintaining replacement trees for a period of not less than 5 years. No reduction of the amount of mitigation payment otherwise available under this division shall be allowed in connection with the removal of replacement trees.
- (h) In the case of any project which requires a tree permit and where a tree survey identifies a tree removal, the total DBH of replacement trees, or mitigation payment of equivalent value, as applicable, shall be 2 times or more, the total DBH of the trees to be removed.

***Section 17-129 Tree protection plan***

- (a) A tree protection plan shall be required in the case where any applicable significant tree, public tree or public shade tree or their tree protection zone which will not be removed, extends or overlaps into the work zone of any project, excavation or construction where any applicable significant tree, public tree or public shade tree or their tree protection zone may be damaged or disturbed including through, pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (b) If applicable a tree protection plan shall be submitted concurrently with an application for a tree permit.
- (c) The tree protection plan shall be designed and certified by a certified arborist.
- (d) The tree protection plan shall be subject to approval by the tree warden,
- (e) All applicable significant trees, public trees and public shade trees and their tree protection zone near the excavation or construction of any building, structure, or street, or in the vicinity of utility work shall be sufficiently guarded and protected by those responsible for such work so as to prevent injury to said applicable significant trees, public trees and public shade trees.
- (f) A tree protection plan shall include:
  - (1) An indication of which applicable significant trees, public trees and public shade trees and their tree protection zones may be affected, damaged or otherwise

disturbed including by the compaction of soil in and around a tree's root system by vehicle traffic, parking or other means; and

- (2) Descriptions and drawings of tree protection measures that will be used to prevent damage or disturbance to trees and their root systems that will be retained.

***Section 17-130 Significant trees***

- (a) A tree permit shall be required in the case of any project that requires a site plan review per the City of Everett Code of Ordinances, Appendix A, Section 19, where the tree survey identifies any significant tree that will be removed, damaged or disturbed including through pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (b) No tree permit shall be required for the removal or disturbance of a significant tree located wholly on a lot not owned or managed by the city except in the case of any project which requires a site plan review per Appendix A, § 19 Site Plan Review
- (c) A tree permit to remove an applicable significant tree shall be issued when an applicable significant tree will be:
  - (1) Replaced or relocated on site or on an abutter's setback with the abutter's express approval in accordance with the provisions of the mitigation plan,
  - (2) Replaced by a mitigation payment into the tree replacement fund,
  - (3) The tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon public rights-of-way, or poses a threat to pedestrian or vehicular safety and no other means of mitigation is applicable as certified by the tree warden.
  - (4) The removal of the tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified by the tree warden.

***Section 17-131 Public tree and public shade trees***

- (a) A tree permit shall be required in the case of any project where any public tree or public shade tree will be removed, damaged or disturbed including through pruning, digging or through the compaction of soil due to the passage or parking of vehicles or equipment within the tree protection zone.
- (b) Except as provided by a tree permit, no person other than the tree warden or their designee shall remove, prune, alter or disturb any public tree or public shade tree or the tree protection zone of any public tree or public shade tree, including through the compaction of soil due to the passage or parking of vehicles or equipment.
- (c) When a public tree or public shade tree is to be removed, a public tree hearing shall be scheduled. The public tree hearing will be advertised twice in a local newspaper during the 14 days prior to the public tree hearing, posted on the city website, the city hall bulletin board, and a notice shall be affixed to the tree itself. The resident or owner requesting the removal of a public tree or public shade tree shall pay for costs associated with this notice.

- (d) After the conclusion of a favorable public tree hearing, a tree permit to remove a public tree or public shade tree shall be issued when a public tree or public shade tree will be:
- (1) Replaced or relocated on site or on an abutter's setback with the abutter's express approval in accordance with the provisions of the mitigation plan;
  - (2) Replaced by a mitigation payment into the tree replacement fund;
  - (3) The tree is dead, diseased, injured, in danger of falling, dangerously close to existing structures, is causing disruption of utility service, is causing drainage or passage problems upon public rights-of-way, or poses a threat to pedestrian or vehicular safety and no other means of mitigation is applicable as certified by the tree warden; or
  - (4) The removal of the tree is necessary and desirable in order to enhance or benefit the health or condition of other trees on the same site as certified by the tree warden.

***Section 17-132 Duty of care***

- (a) Upon issuance of any city permit by the planning board, the director of inspectional services or the tree warden, the permit holder is required to take reasonable precautions to ensure that any applicable significant tree and all public trees and public shade trees are adequately protected and maintained free from harm from work associated with the permit issued.
- (b) Failure to adequately protect and maintain any applicable significant trees and all public trees and public shade trees free from harm may result in a fine, and failure to adequately protect applicable significant trees and all public trees and public shade trees that results in any applicable significant trees and all public trees and public shade trees being removed within 5 years of the failure to protect being noted may result in a fine and a mitigation payment that reflects the value in accordance with 2 times the DBH of the applicable significant trees, public trees or public shade trees removed.

***Section 17-133 Tree donations***

Voluntary contributions may be made to benefit tree planting and maintenance in the city shall be deposited into the tree replacement fund.

***Section 17-134 Enforcement***

- (a) Any person who violates any of the provisions of this division shall be notified by the tree warden of the specific violation by certified or registered mail, return receipt requested, or by hand delivery. The notice shall set forth the nature of the violation and a reasonable time period within which compliance must be had.
- (b) Upon notice from the tree warden that work on any lot on which an applicable significant tree, public tree, public shade tree or their tree protection zone is located is being performed contrary to any applicable tree protection plan or mitigation plan or any provision of this division, such work shall be immediately stopped. The stop work order shall be in writing and shall be given to the owner of the lot involved, or to the owner's agent, or to the person doing the work, and shall state the conditions under which work will be permitted to resume.

- (c) Any person who shall continue any work in or about said lot after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than \$300.00. Each day during which a violation exists shall constitute a separate offense.
- (d) Whenever there exists reasonable cause to believe that a person is violating any applicable mitigation plan or tree protection plan or any provision of this division, the city may institute a civil action for a mandatory or prohibiting injunction in a court of competent jurisdiction ordering the defendant to correct the unlawful condition upon or cease the unlawful use of the property.
- (e) Failure to apply for and receive a tree permit or failure to replace an applicable significant tree, public tree or, public shade tree or make a payment into the tree replacement fund or to post and maintain a bond in accordance with this division shall constitute a separate violation of this division for which there shall be a fine of not more than \$300.00. Each day such violation continues shall constitute a separate offense.
- (f) As an alternative to any fine stated in this division, citations may be issued pursuant to M.G.L. c. 40, § 21D, assessing a fine of not more than \$300.00 for each day the violation is committed or permitted to continue.
- (g) Each instance of vandalism to an applicable significant tree, public tree or, public shade tree shall constitute a violation of this division and shall be subject to a fine of up to \$300.00.
- (h) Each instance in which an applicable significant tree, public tree or public shade tree is removed without a tree permit shall constitute a violation of this division and shall be subject to a fine in the amount applicable to the city's most recent tree planting and maintenance costs inclusive of purchasing, planting, watering, and maintaining replacement trees for a period of not less than 5 years:
  - (1) The fine for any applicable significant tree, public tree or public shade tree removed without a tree permit shall be assessed at 2 times the total DBH of any applicable significant tree, public tree or public shade tree removed,
  - (2) No reduction of the amount of the fine otherwise available under this division will be allowed in connection with the removal of any applicable significant tree, public tree or public shade tree removed without a tree permit.
- (i) Each failure to replace an applicable significant tree, public tree or public shade tree or to make a payment into the tree replacement fund beyond the timeframe of the tree permit shall constitute a separate violation of this division and shall be subject to a fine in the amount of \$300.00. Each day such violation continues shall constitute a separate offense.
- (j) Failure to comply with a condition contained in a tree permit. Each instance where there is a failure to comply with a condition contained in a tree permit shall be subject to a fine in the amount of \$300.00.
- (k) Failure to comply with a stop work order. Each instance where there is a failure to comply with a stop work order shall constitute a violation of this division, which shall be subject to a fine in the amount of \$300.00. Each day such violation continues shall constitute a separate offense.

- (1) Nothing herein shall be construed to require the city to make a payment into the tree replacement fund for any tree that it removes.

***Secs. 17-135-17-139 Reserved***

The provisions of this ordinance are severable. If any section, provision, or portion of this ordinance is determined to be invalid by a court of competent jurisdiction, then the remaining provisions of this ordinance shall continue to be valid.

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*

Sergio Cornelio, City Clerk

#2- C0259-24

Legislative Affairs & Election Committee  
September 23, 2024

The Committee on Legislative Affairs & Elections met on Monday, September 23, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Robert Van Campen, as ex-officio. Member absent was Councilor Stephanie Martins.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance pertaining to trees in the City of Everett.

Councilor Rogers informed the Committee that she had collaborated with the City's Arborist on the subject matter but still needed to meet with David Flood, Legislative Research Analyst, David Palumbo, Direction of Inspectional Services and David St. Louis, Arborist to finalize the proposal.

The Committee voted: To grant further time.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

#1- C0259-24

Legislative Affairs & Election Committee  
October 15, 2024

The Committee on Legislative Affairs & Elections met on Tuesday, October 15, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers, Stephanie Martins and Robert Van Campen, as ex-officio.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance pertaining to trees in the City of Everett.

Councilor Rogers informed the Committee that she had a meeting with Arborist Jacob St. Louis, City Solicitor Colleen Mejia and City Council Legislative Research Analyst David Flood to fine tune the Ordinance which she noted was influenced by State guidelines. Councilor Smith asked if the Building Department was in agreement with the proposal and Councilor Rogers responded that everyone was on the same page regarding the Ordinance.

The Committee voted: To report back to the City Council with a recommendation for Favorable action.

Respectfully Submitted,

John W. Burley  
Clerk of Committees



#1- C0259-24

Legislative Affairs & Election Committee  
October 28, 2024

The Committee on Legislative Affairs & Elections met on Monday, October 28, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers, Stephanie Martins and Robert Van Campen, as ex-officio.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance pertaining to trees in the City of Everett.

Councilor Rogers stated that more time was needed on this agenda item, in order to work out some additional language

The Committee voted: To report back to the City Council with a recommendation for further time in committee

Respectfully Submitted,

Michael J. Mangan  
Legislative Aide

#1- C0259-24

Legislative Affairs & Election Committee  
December 9, 2024

The Committee on Legislative Affairs & Elections met on Monday, December 9, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers, Stephanie Martins and Robert Van Campen, as ex-officio.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance pertaining to trees in the City of Everett.

Councilor Rogers informed the Committee that additional modifications were proposed but had not been included in the draft proposed ordinance. She remarked that she thought everyone was on the same page and asked the members to please let her know if any other changes need to be made. Councilor Smith agreed to work with Councilor Rogers in completing the final draft of the Ordinance to be presented to the Committee at its next meeting.

The Committee voted: To grant further time with a request to invite the City Solicitor and City Arborist to the next meeting.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

#1- C0259-24

Legislative Affairs & Election Committee  
January 13, 2025

The Committee on Legislative Affairs & Elections met on Monday, January 13, 2025 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Stephanie Smith, presiding, Councilors Katy Rogers and Stephanie Martins. Member absent was Councilor Michael Marchese.

Communication received from Councilor Marchese that he would be out of State and unable to attend.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance pertaining to trees in the City of Everett.

Councilor Rogers informed the Committee that Councilor Smith helped to clean up the language on the proposed Ordinance and requested that the matter be referred out to the next regular meeting on January 27<sup>th</sup> which would allow the members ample time to review the final draft for approval. Councilor Martins concurred that the members would have ample time to review and offer any amendments at that regular meeting if necessary. Councilor Smith requested that the City Solicitor, City Planner and Tree Warden also review to insure it meets with their approval as well.

The Committee voted: To report back to the City Council with a recommendation for Favorable action pending the review and approval of the City Solicitor, City Planner and Tree Warden.

Respectfully Submitted,

John W. Burley  
Clerk of Committees



C0333-24

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**To:** Mayor and City Council  
**From:** Councilor Guerline Alcy Jabouin  
**Date:** October 15, 2024

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**Agenda Item:**

An ordinance that the City Council consider voting to remove the TDM ordinance

**Background and Explanation:**

It is apparent that the approval of the TDM from previous years has just provided developers and investors to take advantage and overbuild with no or very little parking in lieu of blue bikes and charlie cards. We have all attended Zoning and Planning Board Meetings and the residents biggest concerns we have heard from the residents is overbuilding, traffic, parking and and over priced units without the opportunity of being able to buy. Currently the board cannot do anything about the overbuilding in the city because of the TDM ordinance. So I propose we vote to get rid of it.

**Attachments:**

EVERETT CITY COUNCIL OFFICE <sup>Item Number 14</sup>  
484 BROADWAY, ROOM 38  
EVERETT, MASSACHUSETTS 02149


Michael J. Mangan  
Legislative Aide  
617-394-2237  
michael.mangan@ci.everett.ma.us



John W. Burley  
Clerk of Committee  
617-394-2236  
john.burley@ci.everett.ma.us

To: Stephanie Martins, President - City Council

Sergio Cornelio, Clerk – City Council

From:  John W. Burley, Clerk of Committees – City Council

Date: January 16, 2025

Re: **Return of Papers**

Please be advised that the **Committee on Legislative Affairs** has failed to act on the following subject matters referred to them within the period of eight (8) weeks as required by City Council Rule #46C:

**Ordinance:** offered by Councilor Guerline Alcy-Jabouin

**Dated:** October 15, 2024

**C0333-24** – That the City Council consider voting to repeal the TDM Ordinance.

---

**Resolution:** offered by Councilor Guerline Alcy-Jabouin

**Dated:** October 28, 2024

**C0343-24** – That the Everett City Council engage the State Auditor's office for an audit of accounts, programs, activities and other public functions (in accordance with Mass General Law Part I, Title II, Section 12).

Therefore, pursuant to Rule #46C, I am required to forward the following subject matter back to the City Council via the Clerk of the City Council from which the reference was made and endorsed so that the matter will appear on the next City Council regular agenda for a determination of disposition of these items. *However, it should be noted that the Committee was awaiting information from the Sponsor on how she wanted the committee to proceed.*

Thank you in advance for your attention and cooperation.

cc: M. Mangan  
D. Flood  
G. Alcy-Jabouin



City of  
**Everett**  
Massachusetts

C0343-24

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**To:** Mayor and City Council  
**From:** Councilor Guerline Alcy Jabouin  
**Date:** November 12, 2024

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**Agenda Item:**

That the Everett City Council engage the State Auditor's office for an audit of accounts, programs, activities and other public functions (in accordance with Mass General Law Part I, Title II, Chapter 11, Section 12).

**Background and Explanation:**


**Attachments:**

EVERETT CITY COUNCIL OFFICE <sup>Item Number 15</sup>  
484 BROADWAY, ROOM 38  
EVERETT, MASSACHUSETTS 02149

Michael J. Mangan  
Legislative Aide  
617-394-2237  
michael.mangan@ci.everett.ma.us



John W. Burley  
Clerk of Committee  
617-394-2236  
john.burley@ci.everett.ma.us

To: Stephanie Martins, President - City Council  
Sergio Cornelio, Clerk – City Council  
From:  John W. Burley, Clerk of Committees – City Council

Date: January 16, 2025

Re: **Return of Papers**

Please be advised that the **Committee on Legislative Affairs** has failed to act on the following subject matters referred to them within the period of eight (8) weeks as required by City Council Rule #46C:

**Ordinance:** offered by Councilor Guerline Alcy-Jabouin

Dated: October 15, 2024

**C0333-24** – That the City Council consider voting to repeal the TDM Ordinance.

---

**Resolution:** offered by Councilor Guerline Alcy-Jabouin

Dated: October 28, 2024

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Therefore, pursuant to Rule #46C, I am required to forward the following subject matter back to the City Council via the Clerk of the City Council from which the reference was made and endorsed so that the matter will appear on the next City Council regular agenda for a determination of disposition of these items. **However, it should be noted that the Committee was awaiting information from the Sponsor on how she wanted the committee to proceed.**

Thank you in advance for your attention and cooperation.

cc: M. Mangan  
D. Flood  
G. Alcy-Jabouin

January 22, 2025

Dear Fellow Council Members and Mayor DeMaria,

I believe the city would benefit greatly by inviting the state auditor to come in. I recognize that this might not be a popular position for some of you, but I believe the Councilors operating on behalf of their constituents will hear me out.

It is my understanding that the auditor is primarily interested in finances, but would be willing to look at processes, too.

I will first describe just some of the worrying things I have seen that make me suggest that we take this unusual step. An audit may reveal that these areas are within normal limits and nothing the taxpayers should be concerned about. If they are not good practices, then we will have fulfilled our mandate to represent the citizen voters of our city by identifying the problems so that they can be fixed.

**1.Looming lawsuits.**

Our insurance does not cover discrimination lawsuits. Even a partial win or any type of settlement for anyone in the city could hammer our taxpayers.

**2.Money for schools.**

Four of our K-8 schools and our high school are critically overcrowded. Instead of using some of our ARPA funds to renovate another school property the city owns, The City spent \$9.9MM on the Devens School. That's \$247,500/pupil. Then we allocated ten million dollars for just fixing the roof on the old high school, which was left to rot between 2012 and 2024. Now there is talk about renovating that property for grades 7 and 8 for an additional \$76MM. If the plans carefully researched in 2022 to renovate the other property had come to fruition, it would likely have cost \$76MM total, some of which could have come out of our ARPA funds, and that school would be open by now, alleviating the overcrowding in the four K-8 schools. Our application to the state about a new high school is stalled. There is talk about building a high school and vocational school; no single city can afford to build a vocational school, that's why they're all regional.

**3.Over-reliance on residential taxes.**

The decline of our commercial/industrial tax base has been known for years; we knew when the power plant was going to close. No attempts were made to attract light manufacturing. All the talk was about entertainment, first



with more, more Encore!, then with The Stadium. The Zoning Board of Appeals approved building after building of giant luxury apartments with no parking, which contribute less than half of what a commercial enterprise on the site would garner, but have impossibly (and impassibly) clogged our roads with traffic. What sensible small manufacturer would want to have to deal with our traffic?

#### **4.Avoidance of bidding for contracts.**

It is the duty of the city to get the best price for the goods and services it needs. Lately, however, the city has been awarding Memoranda of Understanding (MOU) and Memoranda of Agreement (MOA) to previously-used favored providers and contractors instead of putting contracts of \$50,000 or more out to bid. It also lets vendors whose contracts supposedly expired just go on and on getting paid.

#### **5.Giving away use of city property.**

Examples of this are the Elliot Center, the Wellness Center and For Kids Only. \$60,000 here, \$395,000 there. It adds up! PlayFit gets paid \$395,000 to run the Wellness Center, but charges for some things that used to be included in the Wellness Center membership. The city provides the equipment and maintenance, which amounts to PlayFit conducting its private business on city property. A document request for recent rent paid by For Kids Only, part of a well-funded non-profit organization, resulted in 'no docs.' The most recent money the city received was grant money a few years ago.

#### **6.Inefficient/improper budgeting.**

The city went from an actual annual budget to an "adopted" budget in FY2017. Since then, the budget has had dancing numbers. The "expended" number changes from year to year, even though it's supposedly expended. The expended amount for the previous fiscal year is often inaccurate; one must look two years out to learn the actual expended number. In FY2022, the Finance Department used an old Standard & Poor's report(2019) for the city's financial outlook and its bond rating. The FY2025 budget does not have any rating information in it. The city apparently did not have S&P do a ratings report in calendar 2024, so we don't really know what our bond rating was. However, since the latest budget didn't contain either the financial outlook or the bond rating, the taxpayers are left to guess at the cost of the city's borrowing.

**7. Ineffective negotiating resulting in lower revenue and higher expenses.**

Our PILOT agreement with Wynn/Encore started at about \$20MM annually and increases at 2.5%. The city also gets Host Community Agreement payment that started at \$5MM per year, and also increases at 2.5%. Even though Encore has average revenues of \$60,000,000 PER MONTH, it is not anticipated that the re-negotiation of these agreements triggered by the sale of Encore for over a billion dollars will significantly increase amounts to Everett.

**8. Waste of our CARES/ARPA funds.**

The city could not figure out how to use some of our CARES funds and sent over \$2,000,000 back. This was discovered accidentally. ARPA funds were meant to try and make people, and then communities, whole again as the pandemic started to wane, not to rent overpriced trucks. The then-Superintendent of Schools made sure every child who didn't already have a computer at home got a Chromebook for remote learning, but without city wi-fi, many could not participate. Everett received its \$47.1MM in ARPA funds in 2021. As a disproportionately-affected community, it had leeway to use those funds in ways, for example, Brookline could not. It failed miserably. No additional unemployment assistance; .08% spent on rent/mortgage assistance; .006% on grants to small businesses; employees' regular salaries were paid out of ARPA money; and much money paid in administrative costs, especially to Anser, our ARPA "consultant." There was some food assistance, but no affordable childcare, no broadband, no mental-health help for students and nothing toward affordable housing. The city told the taxpayers that they had to give the rest of the money to a sub-recipient to manage, or they would lose it. Chelsea, another disproportionately-affected community had its ARPA plan complete and the money distributed by May of 2022.

**9. Failure to build housing that is actually affordable.**

Much is made of how many units of a proposed luxury building will be set aside as "affordable housing." The problem is that the numbers are so skewed in Everett that "affordable" isn't. Naturally, developers are not much interested in building truly affordable housing; they gain more profit on luxury housing.

**10. Departments that do not seem to be functioning well.**

There has been a distinct decline in the performance of several departments. Selecting/placing candidates in positions they have absolutely no experience in. Lack of storage space at DPW for all of its vehicles in or near its own lot. ISD-issuing building permits without a site plan filed and in one instance, before the matter had even appeared on an agenda. Etc.

**11.No provisions for future growth.**

No one knows how many more people our water and sewer systems can support. There is no public safety substation near One Broadway, where the police, our ambulance and the Cataldo ambulance are frequently called. This area is substantially distant from Everett proper. Various departments were queried as to plans to accommodate more activity in that area if/when Encore expands and/or The Stadium is approved. They had no plans.

For all the above reasons, and any you would like to add, I hope you will join me in agreeing to invite the state auditor in to help us.

Sincerely,

Councilor Guerline Alcy Jabouin



City of  
**Everett**  
Massachusetts

C0025-25

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**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 13, 2025

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**Agenda Item:**

An order to appropriate \$35,000 from Budgetary Fund Balance (Free Cash) to the Human Resources professional services account to cover additional costs related to workers compensation

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

---

January 8, 2025

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

Dear Honorable Members:

I hereby submit for your consideration an order to appropriate \$35,000 from Budgetary Fund Balance (Free Cash) to the Human Resources professional services account to cover additional costs related to workers compensation.

I recommend your favorable passage of this order.

Respectfully submitted,

Carlo DeMaria  
Mayor



January 8, 2025  
**City of Everett, Massachusetts**  
**CITY COUNCIL**

Offered By: \_\_\_\_\_  
Councilor Stephanie Martins, as President

**Bill Number:**  
**Bill Type: Order**

Be it  
Ordered: BY City Council OF THE CITY OF EVERETT, as  
follows:

That the sum of \$35,000 be appropriated from the General Fund Budgetary Fund Balance (Free Cash) to the Human Resources professional services account.

This appropriation is necessary to cover additional costs related to workers compensation.



City of  
**Everett**  
Massachusetts

C0137-24

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**To:** Mayor and City Council  
**From:** Councilor Katy L. Rogers  
**Date:** April 8, 2024

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**Agenda Item:**

An ordinance requiring all playing fields in Everett to use environmentally sustainable organic grass instead of artificial turf

**Background and Explanation:**

We recently learned Everett Stadium is due for upgraded turf. The School Committee expressed concerns about artificial turf. It would be beneficial for the city to have a standard in place regarding the use of organic grass so this issue does not have to recur per venue. The City of Everett was recently offered assistance with a new artificial turf. In an effort to exemplify sustainability, it is my hope we can write a letter to the sponsor asking for their consideration in assisting with an organic grass field

**Attachments:**

*This fact sheet introduces some of the considerations that are relevant to evaluating natural grass and artificial turf playing-surfaces. For more of TURI's research on artificial turf and natural grass, see [www.turi.org/artificialturf](http://www.turi.org/artificialturf).*

### Principles of toxics use reduction

TURI's work is based on the principles of toxics use reduction (TUR). The TUR approach focuses on identifying opportunities to reduce or eliminate the use of toxic chemicals as a means to protect human health and the environment. Projects to reduce the use of toxic chemicals often have additional benefits, such as lower life-cycle costs.

### Children's environmental health

People of all ages benefit from a safe and healthy environment for work and play. However, special concerns exist for children. Children are uniquely vulnerable to the effects of toxic chemicals because their organ systems are developing rapidly and their detoxification mechanisms are immature. Children also breathe more air per unit of body weight than adults, and are likely to have more hand-to-mouth exposure to environmental contaminants than adults.<sup>1</sup> For these reasons, it is particularly important to make careful choices about children's exposures.

### Artificial turf and chemicals of concern

Artificial turf has several components, including drainage materials, a cushioning layer, synthetic grass carpet (support and backing materials and synthetic fibers to imitate grass blades), and infill that provides cushioning and keeps grass carpet blades standing upright. Here, we briefly review issues related to chemicals in synthetic grass carpet and infills.

**Crumb rubber infill made from recycled tires.** Crumb rubber made from recycled tires is widely used as infill. This material is also referred to as styrene butadiene rubber (SBR), or as tire crumb. Many peer-reviewed studies have examined the chemicals present in tire crumb. Tire crumb contains a large number of chemicals, many of which are known to be hazardous to human health and the environment. These include polyaromatic hydrocarbons (PAHs); volatile organic compounds (VOCs); metals, such as lead and zinc; and other chemicals.<sup>2-5</sup> Some of the chemicals found in tire crumb are known to cause cancer.<sup>6-8</sup> Because of the large number of chemicals present in the infill, as well as the health effects of individual chemicals, crumb rubber made from recycled tires is the option that likely presents the most concerns related to chemical exposures.



**Other synthetic infills.** Other synthetic materials used to make artificial turf infill include ethylene propylene diene terpolymer (EPDM) rubber, thermoplastic elastomers (TPE), waste athletic shoe materials, and acrylic-coated sand, among others. These materials also contain chemicals of concern, although the total number of chemicals and/or the concentration of chemicals of concern may be lower in many cases.<sup>5</sup> For more information on chemicals in these materials, see TURI's report, *Athletic Playing Fields: Choosing Safer Options for Health and the Environment*.<sup>9</sup>

**Mineral-based and plant-derived materials.** Other materials used as infill can include sand, zeolite, cork, coconut hulls, walnut shells, olive pits, and wood particles, among other materials. These materials are likely to contain fewer hazardous chemicals than tire crumb, but many of the materials have not been well characterized or studied thoroughly.<sup>5</sup> Some plant-based materials may raise concerns related to allergies or respirable fibers. In addition, zeolite and sand can pose respiratory hazards. Exposure to some types of zeolites may be associated with increased risk of developing mesothelioma, a type of cancer.<sup>10,11</sup> Using zeolite can be considered a regrettable substitution. For sand, it is important to understand the source and type of the material; industrial sand that is freshly fractured or that has been highly processed to contain very small particles can be a respiratory hazard when inhaled.<sup>5</sup>

**Synthetic grass carpet.** Toxic chemicals such as lead are also found in the artificial grass blades in some cases.<sup>6,7</sup> Recent research has identified per- and poly-fluoroalkyl substances (PFAS) in some artificial turf carpet materials. PFAS are a group of chemicals that are highly persistent in the environment. PFAS do not break down under normal environmental conditions, and some can last in the



environment for hundreds of years or longer. As a result, introducing these chemicals into the environment has lasting consequences. Health effects documented for some PFAS include effects on the endocrine system, including liver and thyroid, as well as metabolic effects, developmental effects, neurotoxicity, and immunotoxicity. For more information, see TURI's fact sheet, "Per- and Poly-fluoroalkyl Substances (PFAS) in Artificial Turf Carpet."<sup>12</sup>

### Artificial turf and heat stress

In sunny, warm weather, artificial turf can become much hotter than natural grass, raising concerns related to heat stress for athletes playing on the fields. Elevated surface temperatures can damage equipment and burn skin, and can increase the risk of heat-related illness.<sup>13</sup> Heat-related illness can be a life-threatening emergency. Experts note that athletic coaches and other staff need to be educated about heat-related illness and understand how to prevent it, including cancelling sport activities when necessary.<sup>14,15</sup>

Research indicates that outdoor synthetic turf reaches higher temperatures than natural grass, regardless of the infill materials or carpet fiber type.<sup>13</sup> The Penn State Center for Sports Surface Research measured surface temperature for infill alone, artificial grass fibers, and a full synthetic turf system. The study included several types and colors of infill and fibers. They found that all the materials reached high temperatures than grass when heated indoors (with a sun lamp), or outdoors.

Irrigation can lower field temperature for a short time. A Penn State study found that frequent, heavy irrigation reduced temperatures on synthetic turf, but temperatures rebounded quickly under sunny conditions.<sup>16</sup> Other studies found similar results.<sup>17</sup>

**Approaches to determining safe temperatures for recreational field spaces.** Several methods are available for measuring heat in a play area. It is sometimes necessary to use more than one method in order to determine whether conditions are safe for exercise or play.

One heat metric, Wet Bulb Globe Temperature (WBGT), takes into account ambient air temperature, relative humidity, wind, and solar radiation from the sun. WBGT can help to guide precautions such as rest, hydration breaks, and cancellation of sports activities. However, WBGT may does not take account of field surface temperature.

Another approach is to measure the temperature of the playing field surface itself. One researcher has noted that artificial turf surface temperatures are not captured by either a heat advisory or by wet bulb temperature, and that "elevated risk of heat stress can stem from infrared heating from the ground, regardless of the air temperature." Thus, the researcher suggests, greater caution regarding heat is needed when athletes are playing on artificial turf, "even if the air temperature is not at an otherwise unsafe level."<sup>18</sup>

WBGT is used as the basis for a heat policy adopted by Massachusetts Interscholastic Athletic Association (MIAA) in 2019. This policy requires schools to select a method to monitor heat during all sports related activities, and modify activities as needed to protect student athletes.<sup>19</sup> The MIAA policy does not provide guidelines based on the type of playing surface, and does not take account of surface temperature specifically.

The school board of Burlington, MA has taken additional steps to protect student athletes by ensuring that both WBGT and surface temperature are taken into account.<sup>20</sup> Burlington's policy, "Utilizing Artificial Turf in the Heat," requires use of an infrared heat gun to determine field surface temperature. The policy includes information about the conditions under which athletes may use artificial turf fields and the conditions under which their activities must be moved to grass fields. For example, the policy states that if the National Weather Service issues a Heat Advisory, artificial turf cannot be used for physical education if the air temperature is higher than 85 degrees with humidity 60 percent or more. Under these conditions, only a grass surface may be used. The policy also lays out criteria to be taken into account in determining activity levels. For example, when air temperature is below 82 degrees, activities are permitted on artificial turf up to a surface temperature of 120 degrees, with three water breaks per hour. Above this surface temperature, activities must be moved to a grass field.

### Injuries

Studies show variable outcomes in the rates and types of injuries experienced by athletes playing on natural grass and on artificial turf.<sup>6,21,22</sup> Among recent studies and reviews of studies, several suggest an increase in foot and/or ankle injuries on artificial turf as compared with natural grass<sup>23-25</sup>; several find no difference<sup>26</sup>; and one suggests a possibly lowered risk on artificial turf.<sup>27</sup> All of these studies recommend further evaluation of this question.

One particular concern is increased rates of turf burns (skin abrasions) associated with playing on artificial turf. For example, a study by the California Office of Environmental Health Hazard Assessment found a two- to three-fold increase in skin abrasions per player hour on artificial turf compared with natural grass turf.<sup>6</sup> The study authors noted that these abrasions are a risk factor for serious bacterial infections, although they did not assess rates of these infections among the players they studied.

### Environmental concerns

Environmental concerns include loss of wildlife habitat, migration of synthetic particles into the environment, and contaminated stormwater runoff. A study by the Connecticut Department of Environmental Protection identified concerns related to a number of chemicals in stormwater runoff from artificial turf fields. They noted high zinc concentrations in

stormwater as a particular concern for aquatic organisms. They also noted the potential for leaching of high levels of copper, cadmium, barium, manganese and lead in some cases. The top concerns identified in the study were toxicity to aquatic life from zinc and from whole effluent toxicity (WET).<sup>28</sup> WET is a methodology for assessing the aquatic toxicity effects of an effluent stream as a whole.<sup>29</sup> In addition, scientists have raised concerns about the contribution of artificial turf materials to microplastic pollution.<sup>30-32</sup>

### **Safer alternative: organically managed natural grass**

Natural grass fields can be the safest option for recreational space, by eliminating many of the concerns noted above. Natural grass can also reduce overall carbon footprint by capturing carbon dioxide. Grass fields may be maintained organically or with conventional or integrated pest management (IPM) practices. Organic turf management eliminates the use of toxic insecticides, herbicides and fungicides.

Organic management of a recreational field space requires a site-specific plan to optimize soil health. Over time, a well-maintained organic field is more robust to recreational use due to a stronger root system than that found in a conventionally managed grass field. Key elements of organic management include the following.<sup>33</sup>

- **Field construction:** Construct field with appropriate drainage, layering, grass type, and other conditions to support healthy turf growth. Healthy, vigorously growing grass is better able to out-compete weed pressures, and healthy soil biomass helps to prevent many insect and disease issues.
- **Soil maintenance:** Add soil amendments as necessary to achieve the appropriate chemistry, texture and nutrients to support healthy turf growth. Elements include organic fertilizers, soil amendments, microbial inoculants, compost teas, microbial food sources, and topdressing as needed with high-quality finished compost.
- **Grass maintenance:** Turf health is maintained through specific cultural practices, including appropriate mowing, aeration, irrigation, and over-seeding. Trouble spots are addressed through composting and re-sodding where necessary. Aeration is critical because it makes holes in the soil that allow more air, water and nutrients to reach the roots of the grass and the soil system. Stronger roots make the grass better able to naturally fend off weeds and pests. Aeration also breaks up areas of compacted soil.

**Massachusetts communities investing in organic grass fields.** In Massachusetts, the city of [Springfield](#) and the town of [Marblehead](#) have both been successful in managing athletic fields organically. These communities' experiences are documented in case studies.<sup>34,35</sup> In addition, the Field Fund in Martha's Vineyard has invested in organic maintenance of a number of athletic fields and has documented the process at [www.fieldfundinc.org](http://www.fieldfundinc.org).

### **Installation and maintenance costs: Comparing artificial turf with natural grass**

In analyzing the costs of artificial vs. natural grass systems, it is important to consider full life-cycle costs, including installation, maintenance, and disposal/replacement. Artificial turf systems of all types require a significant financial investment at each stage of the product life cycle. In general, the full life cycle cost of an artificial turf field is higher than the cost of a natural grass field.

Cost information is available through university entities, turf managers' associations, and personal communications with professional grounds managers. Information is also available on the relative costs of conventional vs. organic management of natural grass.

**Installation.** According to the Sports Turf Managers Association (STMA), the cost of installing an artificial turf system may range from \$4.50 to \$10.25 per square foot. For a football field with a play area of 360x160 feet plus a 15-foot extension on each dimension (65,625 square feet), this yields an installation cost ranging from about \$295,000 to about \$673,000. These are costs for field installation only, and full project costs may be higher. Costs for a larger field would also be higher.

In one site-specific example, information provided by the town of Natick, Massachusetts shows that the full project budget for the installation in 2015 of a new artificial turf field (117,810 square feet), along with associated landscaping, access and site furnishings, totaled \$1.2 million.<sup>36</sup>

For natural grass, installation of a new field may not be necessary. For communities that do choose to install a new field, costs can range from \$1.25 to \$5.00 per square foot, depending on the type of field selected. For the dimensions noted above, this would yield an installation cost ranging from about \$82,000 to about \$328,000.<sup>37</sup> However, in many cases communities are simply able to improve existing fields.

**Maintenance.** Maintenance of artificial turf systems can include fluffing, redistributing and shock testing infill; periodic disinfection of the materials; seam repairs and infill replacement; and watering to lower temperatures on hot days. Maintenance of natural grass can include watering, mowing, fertilizing, replacing sod, and other activities. Communities shifting from natural grass to artificial turf may need to purchase new equipment for this purpose. According to STMA, maintenance of an artificial turf field may cost about \$4,000/year in materials plus 300 hours of labor, while maintenance of a natural grass field may cost \$4,000 to \$14,000 per year for materials plus 250 to 750 hours of labor.<sup>37</sup>

Springfield, MA manages 67 acres of sports fields, park areas, and other public properties organically. Field management costs in 2018, including products, irrigation maintenance, and all labor costs, were just under \$1,500 per acre across all of the properties.<sup>34</sup>

**Natural grass maintenance: Conventional vs. organic costs.** Organic turf maintenance can be cost-competitive with conventional management of natural grass. One study found that once established, an organic turf management program can cost 25% less than a conventional turf management program.<sup>38</sup>

**Disposal/replacement.** Artificial turf requires disposal at the end of its useful life. STMA estimates costs of \$6.50 to \$7.80 per square foot for disposal and resurfacing.<sup>37</sup> Those estimates yield \$426,563–\$511,875 for a 65,625 square foot field and \$552,500–\$663,000 for an 85,000 square foot field.

Disposal is an increasing source of concern. Used synthetic turf is projected to produce between 1 million and 4 million tons of waste over the next decade, but there is a lack of plans or guidance for its disposal.<sup>39,40</sup> In most cases it cannot be completely recycled, and disposing of it in landfills is expensive and not an industry best practice, according to one article.<sup>39</sup> Used turf that is dumped illegally near a body of water can attract pests, and piles can pose a fire risk.<sup>39</sup>

**Life-cycle costs.** In 2008, a Missouri University Extension study calculated annualized costs for a 16-year scenario. The calculation included the capital cost of installation; annual maintenance; sod replacement costing \$25,000 every four years for the natural fields; and surface replacement of the synthetic fields after eight years. Based on this calculation, a natural grass soil-based field is the most cost effective, followed by a natural grass sand-cap field, as shown in the table below.<sup>41</sup> Another study, conducted by an Australian government agency, found that the 25-year and 50-year life cycle costs for synthetic turf are about 2.5 times as large as those for natural grass.<sup>42</sup>

**Table 1: Comparison of life-cycle costs**

Field type	16-year annualized costs
Natural soil-based field	\$33,522
Sand-cap grass field	\$49,318
Basic synthetic field	\$65,849
Premium synthetic field	\$109,013

Source: Brad Fresenburg, "More Answers to Questions about Synthetic Fields – Safety and Cost Comparison." University of Missouri.

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#2-C0137-24

Government Operations, Public Safety & Public Service Committee  
May 9, 2024

The Committee on Government Operations, Public Safety & Public Service met on Thursday, May 9, 2024 at 6pm in City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Stephanie Martins, presiding and Councilors Peter Pietrantonio and Holly Garcia. Members absent was Councilor Guerline Alcy Jabouin.

Communication received from Councilor Guerline Alcy Jabouin that she was unable to attend due to a prior commitment.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance requiring all playing fields in Everett to use environmentally sustainable organic grass instead of artificial turf. .

Councilor Katy Rogers, the Sponsor was invited but was not present informing the Committee that she was unaware that her item was on tonight's agenda.

The Committee was informed by the Clerk that if the intent was to make this an Ordinance then the matter should be referred to the Legislative Affairs Committee. Councilor Pietrantonio mentioned this days working for the City in caring for the grass in the City's public facilities and noted that it was a lot of work to care and maintain the grass remarking that is was not a fun job. He felt that turf was a good thing and didn't think it would make sense to rip up existing turf areas to replace with natural grass. Councilor Garcia agreed and mentioned the upkeep required to care for grass fields and suggested looking at other alternatives that would be better for the environment and health. Chairperson Martins suggested postponing until Councilor Rogers had an opportunity to discuss her intentions, but Councilor Pietrantonio noted that he was in opposition to the proposal and requested that the matter be referred back to Sponsor.

The Committee voted 2 to 1 with Chairperson Martins opposed: To report back to the City Council with a recommendation to refer back to Sponsor.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

#1- C0137-24

Legislative Affairs & Election Committee  
June 13, 2024

The Committee on Legislative Affairs & Elections met on Thursday, June 13, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Robert Van Campen, as ex-officio. Member absent was Councilor Stephanie Martins who was away and unable to attend.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance requiring playing fields in Everett to use environmentally sustainable organic grass.

David Flood, Legislative Research Specialist was also present.

Councilor Rogers informed the Committee that her intent was to create an Ordinance as she mentioned heat stress, injuries and environmental concerns as the major issues related to artificial surfaces on playing fields and the need to replace with organic grass. Councilor Rogers noted that she planned to meet with the Conservation Agent to assist in shaping an Ordinance. Chairman Marchese indicated that he would like to hear the pro's and con's on this proposal. Councilors Smith and Van Campen suggested that the Sponsor meet with the Conservation Agent, City Solicitor and City Council Legislative staff to draft a proposal that the Committee would be able to review at the next meeting.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

**AN ORDINANCE TO PROMOTE THE USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES AND FUTURE DEVELOPMENTS**

WHEREAS: the City of Everett recognizes the importance of providing safe, sustainable, and environmentally friendly public spaces for its residents

WHEREAS: natural grass offers several advantages over synthetic turf, including but not limited to:

- Safety: Studies have shown that athletes and students are less prone to injury when playing on natural grass compared to synthetic turf
- Environmental Benefits: Natural grass contributes to cleaner air, absorbs water, and plays a critical role in reducing flooding in urban areas
- Temperature Regulation: Natural grass sustains a cooler temperature, making public spaces more comfortable and reducing heat island effects in the city
- Economic Considerations: While synthetic turf has a limited lifespan and requires costly replacement, natural grass offers a more durable and cost-effective alternative over time
- Health Concerns: Synthetic turf is made from materials that may contain harmful chemicals, including those derived from used tires, posing potential health risks to the community

WHEREAS: surrounding urban communities in Massachusetts have begun transitioning back to natural grass, recognizing its long-term benefits to both public health and the environment

WHEREAS: environmental groups such as The Mystic River Watershed have advocated for the use of natural grass in private developments, aligning with broader efforts to promote sustainability and environmental stewardship

WHEREAS: the Everett School Committee has unanimously agreed that natural grass is a safer option than synthetic turf for school facilities

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF EVERETT, MASSACHUSETTS:

**Section 1: Replacement of Existing Turf**

- The City of Everett shall replace existing synthetic turf with natural grass on an as-needed basis only, specifically upon the expiration of the natural lifespan of the current synthetic turf.

**Section 2: Future Developments**

- All future developments of public spaces, including but not limited to sports fields, parks, and school grounds, shall consist of natural grass unless permission is granted by the City Council based on specific criteria that demonstrates an extraordinary need for an alternative environmentally sustainable turf.

**Section 3: Implementation**

- The City shall coordinate with relevant departments, including the Department of Public Works and the Parks and Recreation Department, to establish an appropriate plan for the phased replacement of existing synthetic turf with natural grass.

**Section 4: Community Involvement and Transparency**

- The City shall engage with local environmental groups and the public to ensure community involvement and transparency in the process of transitioning from synthetic turf to natural grass.

Effective upon approval of council and Mayor

#1- C0137-24

Legislative Affairs & Election Committee  
September 9, 2024

The Committee on Legislative Affairs & Elections met on Monday, September 9, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Stephanie Martins.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance requiring playing fields in Everett to use environmentally sustainable organic grass.

David Flood, Legislative Research Specialist provided the Committee with an updated copy of the proposed Ordinance on the subject matter and suggested that the phrase “used in public spaces” be inserted in Section 17-140. Councilor Rogers, the Sponsor, noted that she had added a provision under Section 17-141 that would allow alternative environmentally sustainable turf if permission granted by the City Council. She stated that the intent is not to dig up current fields now but only upon the expiration of the natural lifespan of the current synthetic turf. Councilor Smith remarked that she liked the durability the synthetic turf offers the City and would recommend that the City keep synthetic turf as synthetic turf and keep grass turf as grass turf. Councilor Smith informed the Committee that she spoke to the Director of Parks and was told that the man hours would be substantial if synthetic turf was replaced with grass. Councilor Martins asked what the advantage of replacing synthetic turf with grass and Council Rogers mentioned heat stress, injuries and environmental concerns as the major issues related to artificial surfaces on playing fields and the need to replace with organic grass. Councilor Smith suggested removing City Council permission from Section 17-141 since she felt that members of the City Council were not experts in making these types of decisions. Councilor Rogers indicated that she was willing to make some amendments to Ordinance that would also include adding Director of Park Department. The Committee recommended that the matter be granted further time so that the Sponsor could meet with Mr. Flood to finalize the inclusion of amendments mentioned as well as to meet with the City Solicitor and Director of Parks to determine if any further changes are needed.

The Committee voted: to grant further time.

Respectfully Submitted,

John W. Burley  
Clerk of Committees



**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: MM/DD/2024

DATE OF PROPOSED ORDAINMENT: MM/DD/2024



**CITY COUNCIL..... No. C0137-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE TO PROMOTE THE USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES AND FUTURE DEVELOPMENTS**

Councilor /s/ Councilor Katy L. Rogers

**Whereas:** The City of Everett recognizes the importance of providing safe, sustainable, and environmentally friendly public spaces for its residents; and

**Whereas:** Natural grass offers several advantages over synthetic turf, including but not limited to:

- Safety: Studies have shown that athletes and students are less prone to injury when playing on natural grass compared to synthetic turf
- Environmental Benefits: Natural grass contributes to cleaner air, absorbs water, and plays a critical role in reducing flooding in urban areas
- Temperature Regulation: Natural grass sustains a cooler temperature, making public spaces more comfortable and reducing heat island effects in the city
- Economic Considerations: While synthetic turf has a limited lifespan and requires costly replacement, natural grass offers a more durable and cost-effective alternative over time
- Health Concerns: Synthetic turf is made from materials that may contain harmful chemicals, including those derived from used tires, posing potential health risks to the community; and

**Whereas:** Surrounding urban communities in Massachusetts have begun transitioning back to natural grass, recognizing its long-term benefits to both public health and the environment: and

**Whereas:** Environmental groups such as The Mystic River Watershed have advocated for the use of natural grass in private developments, aligning with broader efforts to promote sustainability and environmental stewardship: and

**Whereas:** The Everett School Committee has unanimously agreed that natural grass is a safer option than synthetic turf for school facilities.

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

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Article V of Chapter 17 of the Revised Ordinances of the City of Everett shall be amended by adding a new Division 4 as follows:

**DIVISION 4. USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES**

***Section 17-140 Replacement of existing turf***

The City of Everett shall replace existing synthetic turf with natural grass on an as-needed basis only, specifically upon the expiration of the natural lifespan of the current synthetic turf.

***Section 17-141 Future developments***

All future developments of public spaces, including but not limited to sports fields, parks, and school grounds, shall consist of natural grass unless permission is granted by the city council based on specific criteria that demonstrates an extraordinary need for an alternative environmentally sustainable turf.

***Section 17-142 Implementation***

The city shall coordinate with relevant departments, including the department of public works and the parks and recreation department, to establish an appropriate plan for the phased replacement of existing synthetic turf with natural grass.

***Section 17-143 Community involvement and transparency***

The city shall engage with local environmental groups and the public to ensure community involvement and transparency in the process of transitioning from synthetic turf to natural grass.

***Secs. 17-144-17-149 Reserved***

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*

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: MM/DD/2024**

**DATE OF PROPOSED ORDAINMENT: MM/DD/2024**



**CITY COUNCIL..... No. C0137-24**

**IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

**AN ORDINANCE TO PROMOTE THE USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES AND FUTURE DEVELOPMENTS**

**WHEREAS: ~~the~~Councilor /s/ Councilor Katy L. Rogers**

**Whereas: The** City of Everett recognizes the importance of providing safe, sustainable, and environmentally friendly public spaces for its residents; **and**

**WHEREAS: ~~natural~~Whereas: Natural** grass offers several advantages over synthetic turf, including but not limited to:

- **-Safety:** Studies have shown that athletes and students are less prone to injury when playing on natural grass compared to synthetic turf
- **-Environmental Benefits:** Natural grass contributes to cleaner air, absorbs water, and plays a critical role in reducing flooding in urban areas
- **-Temperature Regulation:** Natural grass sustains a cooler temperature, making public spaces more comfortable and reducing heat island effects in the city
- **-Economic Considerations:** While synthetic turf has a limited lifespan and requires costly replacement, natural grass offers a more durable and cost-effective alternative over time
- **-Health Concerns:** Synthetic turf is made from materials that may contain harmful chemicals, including those derived from used tires, posing potential health risks to the community; **and**

**WHEREAS: ~~surrounding~~Whereas: Surrounding** urban communities in Massachusetts have begun transitioning back to natural grass, recognizing its long-term benefits to both public health and the environment; **and**

~~WHEREAS: environmental~~ **Whereas: Environmental** groups such as The Mystic River Watershed have advocated for the use of natural grass in private developments, aligning with broader efforts to promote sustainability and environmental stewardship: and

~~WHEREAS: the~~ **Whereas: The** Everett School Committee has unanimously agreed that natural grass is a safer option than synthetic turf for school facilities.

~~NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF EVERETT, MASSACHUSETTS:~~

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

Be it Ordained by the City Council of the City of Everett, Massachusetts that Article V of Chapter 17 of the Revised Ordinances of the City of Everett shall be amended by adding a new Division 4 as follows:

**DIVISION 4. USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES**

**Section 1:-17-140 Replacement of Existing Turf** ~~existing turf~~

-The City of Everett shall replace existing synthetic turf with natural grass on an as-needed basis only, specifically upon the expiration of the natural lifespan of the current synthetic turf.

**Section 2:-17-141 Future Developments** ~~developments~~

-All future developments of public spaces, including but not limited to sports fields, parks, and school grounds, shall consist of natural grass unless permission is granted by the ~~City Council~~ city council based on specific criteria that demonstrates an extraordinary need for an alternative environmentally sustainable turf.-

**Section 3:-17-142 Implementation**

-The ~~City~~ city shall coordinate with relevant departments, including the ~~Department~~ department of ~~Public Works~~ public works and the ~~Parks~~ parks and ~~Recreation Department~~ recreation department, to establish an appropriate plan for the phased replacement of existing synthetic turf with natural grass.

**Section 4:-17-143 Community Involvement** ~~and Transparency~~ involvement and transparency

-The ~~City~~ city shall engage with local environmental groups and the public to ensure community involvement and transparency in the process of transitioning from synthetic turf to natural grass.

Effective Secs. 17-144-17-149 Reserved

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



A true copy attest

*Sergio Cornelio*

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: MM/DD/2024

DATE OF PROPOSED ORDAINMENT: MM/DD/2024



**CITY COUNCIL..... No. C0137-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE TO PROMOTE THE USE OF NATURAL GRASS IN PLACE OF  
SYNTHETIC TURF IN CITY FACILITIES AND FUTURE DEVELOPMENTS**

Councilor /s/ Councilor Katy L. Rogers

**Whereas:** The City of Everett recognizes the importance of providing safe, sustainable, and environmentally friendly public spaces for its residents; and

**Whereas:** Natural grass offers several advantages over synthetic turf, including but not limited to:

- Safety: Studies have shown that athletes and students are less prone to injury when playing on natural grass compared to synthetic turf
- Environmental Benefits: Natural grass contributes to cleaner air, absorbs water, and plays a critical role in reducing flooding in urban areas
- Temperature Regulation: Natural grass sustains a cooler temperature, making public spaces more comfortable and reducing heat island effects in the city
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- Health Concerns: Synthetic turf is made from materials that may contain harmful chemicals, including those derived from used tires, posing potential health risks to the community; and

**Whereas:** Surrounding urban communities in Massachusetts have begun transitioning back to natural grass, recognizing its long-term benefits to both public health and the environment: and

**Whereas:** Environmental groups such as The Mystic River Watershed have advocated for the use of natural grass in private developments, aligning with broader efforts to promote sustainability and environmental stewardship: and

**Whereas:** The Everett School Committee has unanimously agreed that natural grass is a safer option than synthetic turf for school facilities.

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

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Article V of Chapter 17 of the Revised Ordinances of the City of Everett shall be amended by adding a new Division 4 as follows:

**DIVISION 4. USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES**

***Section 17-140 Replacement of existing turf***

The City of Everett shall only replace existing synthetic turf used in public spaces with natural grass:

- (a) Upon the expiration of the natural lifespan of the current synthetic turf;
- (b) With the approval of the city's parks' department; and
- (c) With the approval of the city council.

***Section 17-141 Future developments***

All future developments of public spaces, including but not limited to sports fields, parks, and school grounds, shall consist of natural grass unless permission is granted by city's parks' department and the city council based on specific criteria that demonstrates an extraordinary need for an alternative environmentally sustainable turf.

***Section 17-142 Implementation***

The city shall coordinate with relevant departments, including the department of public works and the parks and recreation department, to establish an appropriate plan for the phased replacement of existing synthetic turf with natural grass.

***Section 17-143 Community involvement and transparency***

The city shall engage with local environmental groups and the public to ensure community involvement and transparency in the process of transitioning from synthetic turf to natural grass.

***Secs. 17-144-17-149 Reserved***

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, reading "Sergio Cornelio". The signature is written in a cursive, flowing style.

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: MM/DD/2024

DATE OF PROPOSED ORDAINMENT: MM/DD/2024



**CITY COUNCIL..... No. C0137-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE TO PROMOTE THE USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES AND FUTURE DEVELOPMENTS**

Councilor /s/ Councilor Katy L. Rogers

**Whereas:** The City of Everett recognizes the importance of providing safe, sustainable, and environmentally friendly public spaces for its residents; and

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- Health Concerns: Synthetic turf is made from materials that may contain harmful chemicals, including those derived from used tires, posing potential health risks to the community; and

**Whereas:** Surrounding urban communities in Massachusetts have begun transitioning back to natural grass, recognizing its long-term benefits to both public health and the environment: and

**Whereas:** Environmental groups such as The Mystic River Watershed have advocated for the use of natural grass in private developments, aligning with broader efforts to promote sustainability and environmental stewardship: and

**Whereas:** The Everett School Committee has unanimously agreed that natural grass is a safer option than synthetic turf for school facilities.

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**DIVISION 4. USE OF NATURAL GRASS IN PLACE OF SYNTHETIC TURF IN CITY FACILITIES**

***Section 17-140 Replacement of existing turf***

The City of Everett shall only replace existing synthetic turf used in public spaces with natural grass ~~on an as-needed basis only, specifically upon:~~

- (a) Upon the expiration of the natural lifespan of the current synthetic turf;
- (b) With the approval of the city's parks' department; and
- (c) With the approval of the city council.

***Section 17-141 Future developments***

All future developments of public spaces, including but not limited to sports fields, parks, and school grounds, shall consist of natural grass unless permission is granted by city's parks' department and the city council based on specific criteria that demonstrates an extraordinary need for an alternative environmentally sustainable turf.

***Section 17-142 Implementation***

The city shall coordinate with relevant departments, including the department of public works and the parks and recreation department, to establish an appropriate plan for the phased replacement of existing synthetic turf with natural grass.

***Section 17-143 Community involvement and transparency***

The city shall engage with local environmental groups and the public to ensure community involvement and transparency in the process of transitioning from synthetic turf to natural grass.

***Secs. 17-144-17-149 Reserved***

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, reading "Sergio Cornelio". The signature is written in a cursive style with a long horizontal stroke at the end.

Sergio Cornelio, City Clerk

#1- C0137-24

Legislative Affairs & Election Committee  
September 23, 2024

The Committee on Legislative Affairs & Elections met on Monday, September 23, 2024 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Michael Marchese, presiding, Councilors Stephanie Smith, Katy Rogers and Robert Van Campen, as ex-officio. Member absent was Councilor Stephanie Martins.

The Committee considered an Ordinance offered by Councilor Katy Rogers: An Ordinance requiring playing fields in Everett to use environmentally sustainable organic grass.

Councilor Rogers informed the Committee that she had worked with David Flood, Legislative Research Analyst to make some minor amendments that was discussed at the previous meeting. She mentioned that Mayor Carlo DeMaria had sent the City Council a communication noting the Administration commitment to maintaining organic grass on public lands where possible. Councilor Van Campen commended Councilor Rogers efforts on the subject matter and discussed the process of replacing the existing turf under Section 17-140. Councilor Rogers remarked that the Ordinance insures that there is a process. Councilor Smith commended Councilor Rogers for compromising on her proposal but announced that she could not support because she felt that this decision should be left to the Administration and not the City Council. Chairman Marchese asked if this would include the proposed soccer stadium and Councilor Rogers stated that there is room for exceptions.

The Committee voted 3to 1 with Councilor Smith in opposition : to report back to the City Council with a recommendation for favorable action.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

**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

December 23, 2024

Mr. Sergio Cornelio  
City Clerk  
City of Everett  
484 Broadway  
Everett, Massachusetts 02149

**RE: Bill Number C0137-24 An ordinance requiring all playing fields in Everett to use environmentally sustainable organic grass instead of artificial turf**

Dear Mr. Clerk:

Pursuant to Article 3, Section 3-6 of the Everett City Charter, I hereby return to you the above-referenced measure with my objection and veto.


I disapprove of this measure because it contradicts the constitutional doctrine of separation of powers that serves as the foundation of democratic forms of government. The executive branch of any government is charged with the responsibility for the administration of government as well as the responsibility for implementing policies, procedures, and programs for that administration. The language of this ordinance infringes upon that constitutional doctrine because it seeks to vest in the legislative branch the authority to make operational decisions by requiring City Council approval for the replacement of current synthetic turf surfaces and because it seeks to dictate how the executive branch administers government by dictating steps that the executive branch would have to take in performing its duties.

I also disapprove of this measure because it is unnecessary. Any proposal to replace an existing artificial turf surface would require a capital investment by the city. All capital appropriations and expenditures require City Council approval. Should the City Council not agree to replace an artificial playing surface, then it has the ability to vote unfavorably against a funding order filed for Council consideration. This currently available check and balance achieves the same objective as the ordinance in a manner that does not violate the separation of powers doctrine.

My veto of this matter serves as an objection to the language in the ordinance, but not to the intent of the ordinance to limit the use of artificial surfaces in favor of natural surfaces. In accordance with the authority reserved to the executive branch, I have given direction to city departments that future projects to improve the condition of parks, open and recreational spaces, and athletic fields should include natural and organic surfaces whenever possible. Furthermore, I have provided the directive that the most sustainable and environmentally friendly artificial surfaces should be used in the limited circumstances in which natural surfaces are not viable.

I hereby request that my objection to this matter be placed on the record of the City Council.

Respectfully submitted,

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

Carlo DeMaria  
Mayor



City of  
**Everett**  
Massachusetts

C0354-24

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**To:** Mayor and City Council

**From:** Councilor Robert J. Van Campen, Councilor Peter Pietrantonio, Councilor Guerline Alcy Jabouin

**Date:** November 12, 2024

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**Agenda Item:**

That the Administration take immediate steps to improve the senior meals program, including potentially terminating the current contract and engaging a new vendor.

**Background and Explanation:**

**Attachments:**



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**  
484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

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## MEMORANDUM

**TO:** The Honorable Members  
Everett City Council

**FROM:** Office of the Mayor  
Inspectional Services Department  
Office of Elder Services

**DATE:** January 8, 2025

**RE:** **C0354-24 That the Administration take immediate steps to improve the senior meals program, including potentially terminating the current contract and engaging a new vendor**

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The Administration continues to provide a meal delivery program to older and disabled residents to help prevent food insecurity among vulnerable members of our community. This effort was initiated during the pandemic and at its highest levels was providing over 700 meals daily. More recently, the program provides 335 meals daily to residents, in addition to the lunch program offered to older residents at the Connolly Center.

Hiring vendors to prepare the meals is subject to state public procurement laws. Massachusetts General Law Chapter 30B governs the procurement of supplies, services, and real property by cities, towns and other local jurisdictions in Massachusetts. This law requires cities and towns to follow procedures to provide open and fair competition for public contracts. Chapter 30B does not permit the city to limit contract opportunities to only Everett businesses. Bidding opportunities must be open to any vendor who can provide the service within Everett at the designated dates and times.

The Office of Elder Services develops the monthly menu for the lunches to be prepared for the bidding process. The city requests different meals for each day with attention to nutritional content, e.g. requesting low sodium options, 3 oz. of protein, an item of fruit, etc. Meals are required to be prepared fresh daily and delivered hot (155 degrees or above) and cold meals to be delivered at 41 degrees or less. The Inspectional Services Department tests the temperature of delivered meals for quality control purposes and more recently has begun capturing photos of the



meals being provided. This is part of the ongoing program monitoring efforts conducted by the city.

The lunch program is bid for services and is awarded to the lowest responsive, responsible bidder. During the history of the program, there have been instances in which the same vendor has won the bid for multiple months in a row. In other instances, the successful bidder has changed from month-to-month. In instances in which concerns are raised about performance by a meal vendor, the city notifies the vendor of any performance deficiency; instructs the vendor on the necessary steps to cure the defects in the performance; and monitors the performance to ensure that any issues have been resolved.

Since September 1, 2024, the Constituent Services Department has received four (4) constituent complaints regarding the senior meal program.

With respect to concerns raised about residents leaving delivered meals outside homes for multiple days at a time, please be advised that a wellness check is requested for a recipient if these circumstances are noted out of concern for our older and disabled residents. If the resident simply no longer wishes to receive the meals or no longer is in need of the service, then delivery is stopped.

Thank you.



City of  
**Everett**  
Massachusetts

C0411-24

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins, Councilor Robert J. Van Campen

**Date:** December 9, 2024

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**Agenda Item:**

That the Water Superintendent appear at the next meeting to clarify the purpose of the recent letters regarding lead that were sent to residents and the next steps

**Background and Explanation:**

**Attachments:**

**Michael Mangan**

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**From:** Ernest Lariviere  
**Sent:** Thursday, January 9, 2025 11:49 AM  
**To:** Michael Mangan  
**Subject:** City Council

Dear Council President Martins,

I have been asked to appear on council resolution C0411-24 which is agenda item number 18 on the council agenda for the January 13, 2025 meeting. Please note that in accordance with the Everett Home Rule Charter Section 2-7(d), “the city council shall give a minimum of 7 days’ notice to any person it may require to appear before it under the provisions of this section. The notice shall include specific questions on which the city council seeks information, and no person called to appear before the city council under this section shall be required to respond to any question not relevant or related to those presented in advance and in writing.”

To date, I have not received written notice to appear along with specific questions on which the city council seeks information. I will be happy to respond to any questions the council may have upon written request in accordance with the city’s charter. Thank you for your attention to this matter.

Sincerely,



**Ernest Lariviere**  
Water Superintendent  
City of Everett  
19 Norman Street  
Everett, MA 02149  
Direct: 617-344-2387  
Cell: 617-501-0188

## DRINKING WATER NOTICE

### Your home is served by a lead service line verified by records review.

*This notice contains important information about your drinking water. Have someone translate it for you or speak with someone who understands it.*

Dear Customer,

Water systems are now required to document all water service line materials and identify any lead or lead containing materials. Our most recent inventory has determined that a portion of or the entire water pipe (called a service line) that connects your home, building, or other structure to the water main is made from lead.

#### Health effects of lead.

*Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.*

#### Steps you can take to reduce exposure to lead in drinking water.

- **Run your water to flush out lead.** Lead levels increase over time as water sits in lead-containing plumbing materials. Before drinking or cooking with your water after it has sat overnight or longer, flush your home's pipes by running water through the kitchen faucet, taking a shower, or doing any other non-consumptive water usage. Run the water for at least 1 minute or until after it turns cold. The amount of time to run the water will depend on whether your home has a lead service line or not, as well as the length and diameter of the service line and the amount of plumbing in your home.
- **Use only cold, fresh water for drinking, cooking, and preparing baby formula.** Run the water for at least 1 minute or until after it turns cold.
- **Do not boil water to remove lead.** Boiling water does not remove lead.
- **Clean your aerator.** Regularly clean your faucet's screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. Lead particles can release lead into your water. See how to clean your aerator at [important-resources-for-safe-drinking-water.pdf \(epa.gov\)](#).
- **Use your filter properly, if you use a filter.** Filters can reduce lead in drinking water. Make sure it is certified by NSF to remove lead- it will say so on the package. Follow directions to properly install, use, and replace your filter. Do not run hot water through the filter. For more information, and which certifications to look for, visit EPA's website at <https://www.epa.gov/water-research/consumer-tool-identifying-point-use-and-pitcher-filters-certified-reduce-lead>.
- **Identify and replace plumbing fixtures** containing lead and any copper piping with lead solder.
- **Have your child's blood tested for lead.** Children are a higher risk group of the health effects of lead. If you would like to have your child tested, you may contact your health care provider, or local state health department here: **Everett Health Department, 617-394-2255**
- **Have your water tested for lead. You cannot see, taste or smell lead in drinking water.** Contact our system for more information about lead in your drinking water and how to get your water tested by a state certified laboratory. See the list of labs here: [Certified Laboratory Search Results \(https://www.mass.gov/how-to/find-a-certified-laboratory-for-water-testing\)](https://www.mass.gov/how-to/find-a-certified-laboratory-for-water-testing).

*The Everett Water Department intends to replace all lead service lines on the public side and private side of the service at no cost to the homeowner or property owner. The Everett Water Department replaces approximately 200-300 service lines per year and will continue to do so until all lead service lines within the system are replaced. If you as the homeowner opt to not have us replace your portion of the service line when we replace the public portion of your water service, you may experience a temporary increase in lead levels in your drinking water; we strongly recommend having your portion of the service line replaced by us when we replace the service line portion on the public side.*

If you are planning on replacing the portion of the service line that you own outside of the Everett Lead Service Line Replacement programs, please notify us at 617-394-2325.

For MassDEP information on Lead in Drinking Water see <https://www.mass.gov/lead-in-drinking-water>

The Everett Water Department is **required** to replace its portion of a lead service line if the homeowner notifies the Everett Water Department that they are replacing their portion of the lead service line.

Please notify the Everett Water Department if you disagree with the service line material categorization in our service line inventory, using the contact information below.

For more information, contact the Everett Lead Service Hotline at 508-251-5919 or [Everett@tataandhoward.com](mailto:Everett@tataandhoward.com) or visit <https://lead-service-line-inventory-ewate.hub.arcgis.com/>

*Please share this information with all the other people who drink this water at this address, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by the Everett Water Department.  
PWS ID#: 3093000      Date distributed November 12, 2024

Distributed media type: USPS Mail

## EVERETT WATER DEPARTMENT DRINKING WATER NOTICE

### Your home is served by a Galvanized Requiring Replacement service line and your service line may contain lead.

*This notice contains important information about your drinking water. Have someone translate it for you or speak with someone who understands it.*

Dear Customer,

Water systems are now required to document all water service line materials and identify any lead or lead containing materials. Our most recent inventory has determined that a portion of or the entire water pipe (called a service line) that connects your home, building, or other structure to the water main is made from galvanized material and may have absorbed lead. EPA has defined these service lines as “**galvanized requiring replacement**”. This material is not made of lead but may have built up lead deposits over time due to an existing or previous upstream lead service line; it can be a source of lead in your drinking water.

*The EPA has defined “Galvanized Requiring Replacement” to mean where a galvanized service line is or was at any time downstream of a lead service line or is currently downstream of a “Lead Status Unknown” service line. If the water system is unable to demonstrate that the galvanized service line was never downstream of a lead service line, it must presume there was an upstream lead service line.*

#### **Health effects of lead.**

*Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.*

#### **Steps you can take to reduce exposure to lead in drinking water.**

- **Run your water to flush out lead.** Lead levels increase over time as water sits in lead-containing plumbing materials. Before drinking or cooking with your water after it has sat overnight or longer, flush your home’s pipes by running water through the kitchen faucet, taking a shower, or doing any other non-consumptive water usage. Run the water for at least 1 minute or until after it turns cold. The amount of time to run the water will depend on whether your home has a lead service line or not, as well as the length and diameter of the service line and the amount of plumbing in your home.
- **Use only cold, fresh water for drinking, cooking, and preparing baby formula.** Run the water for at least 1 minute or until after it turns cold.
- **Do not boil water to remove lead.** Boiling water does not remove lead.
- **Clean your aerator.** Regularly clean your faucet’s screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. Lead particles can release lead into your water. See how to clean your aerator at [important-resources-for-safe-drinking-water.pdf \(epa.gov\)](https://www.epa.gov/important-resources-for-safe-drinking-water.pdf).
- **Use your filter properly, if you use a filter.** Filters can reduce lead in drinking water. Make sure it is certified by NSF to remove lead- it will say so on the package. Follow directions to properly install, use, and replace your filter. Do not run hot water through the filter. For more information, and which certifications to look for, visit EPA’s website at <https://www.epa.gov/water-research/consumer-tool-identifying-point-use-and-pitcher-filters-certified-reduce-lead>.
- **Identify and replace plumbing fixtures** containing lead and any copper piping with lead solder.

- **Have your child's blood tested for lead.** Children are a higher risk group of ~~Item Number 19~~ <sup>Item Number 19</sup> lead. If you would like to have your child tested, you may contact your health care provider, or local state health department here: **Everett Health Department, 617-394-2255**
- **Have your water tested for lead. You cannot see, taste or smell lead in drinking water.** Contact our system for more information about lead in your drinking water and how to get your water tested by a state certified laboratory. See the list of labs here: [Certified Laboratory Search Results](https://www.mass.gov/how-to/find-a-certified-laboratory-for-water-testing) (<https://www.mass.gov/how-to/find-a-certified-laboratory-for-water-testing>).

## **Opportunities to Replace Galvanized Requiring Replacement Service Lines**

*The Everett Water Department intends to replace all galvanized requiring replacement service lines on the public side and private side of the service at no cost to the homeowner or property owner. The Everett Water Department replaces approximately 200-300 service lines per year and will continue to do so until all galvanized requiring replacement service lines within the system are replaced. If you as the homeowner opt to not have us replace your portion of the service line when we replace the public portion of your water service, you may experience a temporary increase in lead levels in your drinking water; we strongly recommend having your portion of the service line replaced by us when we replace the service line portion on the public side.*

If you are planning on replacing the portion of the service line that you own outside of the Everett Lead Service Line Replacement programs, please notify us at 617-394-2325.

For MassDEP information on Lead in Drinking Water see <https://www.mass.gov/lead-in-drinking-water>

Please notify the Everett Water Department if you disagree with the service line material categorization in our service line inventory, using the contact information below.

For more information, contact the Everett Lead Service Hotline at 508-251-5919 or [Everett@tataandhoward.com](mailto:Everett@tataandhoward.com) or visit <https://lead-service-line-inventory-ewate.hub.arcgis.com/>

*Please share this information with all the other people who drink this water at this address, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by the Everett Water Department.

PWS ID#: 3093000

Date distributed November 12, 2024

Distributed media type: USPS Mail

## DRINKING WATER NOTICE

### Your home is served by a service line that may contain lead.

*This notice contains important information about your drinking water. Have someone translate it for you or speak with someone who understands it.*

Dear Customer,

Water systems are now required to document all water service line materials and identify any lead or lead containing materials. Our most recent inventory has determined that a portion of or the entire water pipe (called a service line) that connects your home, building, or other structure to the water main are of **unknown material classification**. Unknown means that the service line could contain lead.

As a precaution, here is information on the health effects of lead and steps to reduce your exposure. If your service line is confirmed as lead, the Everett Water Department will share information on financial help to remove it and replace it with one made of a safer material.

#### Health effects of lead.

*Exposure to lead in drinking water can cause serious health effects in all age groups. Infants and children can have decreases in IQ and attention span. Lead exposure can lead to new learning and behavior problems or exacerbate existing learning and behavior problems. The children of women who are exposed to lead before or during pregnancy can have increased risk of these adverse health effects. Adults can have increased risks of heart disease, high blood pressure, kidney or nervous system problems.*

#### Until the material of your service line is confirmed and any lead is removed, use the following steps to reduce exposure to lead in drinking water.

- **Run your water to flush out lead.** Lead levels increase over time as water sits in lead-containing plumbing materials. Before drinking or cooking with your water after it has sat overnight or longer, flush your home's pipes by running water through the kitchen faucet, taking a shower, or doing any other non-consumptive water usage. Run the water for at least 1 minute or until after it turns cold. The amount of time to run the water will depend on whether your home has a lead service line or not, as well as the length and diameter of the service line and the amount of plumbing in your home.
- **Use only cold, fresh water for drinking, cooking, and preparing baby formula.** Run the water for at least 1 minute or until after it turns cold.
- **Do not boil water to remove lead.** Boiling water does not remove lead.
- **Clean your aerator.** Regularly clean your faucet's screen (also known as an aerator). Sediment, debris, and lead particles can collect in your aerator. Lead particles can release lead into your water. See how to clean your aerator at [important-resources-for-safe-drinking-water.pdf \(epa.gov\)](#).
- **Use your filter properly, if you use a filter.** Filters can reduce lead in drinking water. Make sure it is certified by NSF to remove lead- it will say so on the package. Follow directions to properly install, use, and replace your filter. Do not run hot water through the filter. For more information, and which certifications to look for, visit EPA's website at <https://www.epa.gov/water-research/consumer-tool-identifying-point-use-and-pitcher-filters-certified-reduce-lead>.
- **Identify and replace plumbing fixtures** containing lead and any copper piping with lead solder.
- **Have your child's blood tested for lead.** Children are a higher risk group of the health effects of lead. If you would like to have your child tested, you may contact your health care provider, or local state health department here: **Everett Health Department, 617-394-2255**
- **Have your water tested for lead. You cannot see, taste or smell lead in drinking water.** Contact our system for more information about lead in your drinking water and how to get your water tested by a state certified laboratory. See the list of labs here: [Certified Laboratory Search Results \(https://www.mass.gov/how-to/find-a-certified-laboratory-for-water-testing\)](https://www.mass.gov/how-to/find-a-certified-laboratory-for-water-testing).



## Opportunities to Verify Lead Service Materials

Item Number 19

To verify the material of your service line, contact PWS at 617-394-2325 to schedule an inspection.

For MassDEP information on Lead in Drinking Water see <https://www.mass.gov/lead-in-drinking-water>

For more information, or if you have questions on how to verify the material of your service line, contact the Everett Lead Service Hotline at 508-251-5919 or [Everett@tataandhoward.com](mailto:Everett@tataandhoward.com) or visit <https://lead-service-line-inventory-ewate.hub.arcgis.com/>

*Please share this information with all the other people who drink this water at this address, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by the Everett Water Department.

PWS ID#: 3093000

Date distributed November 12, 2024

Distributed media type: USPS Mail



**CARLO DeMARIA**  
**MAYOR**

**CITY OF EVERETT - OFFICE OF THE MAYOR**

484 Broadway Everett, Massachusetts 02149

☎ 617-394-2270

✉ [mayorcarlo.demaria@ci.everett.ma.us](mailto:mayorcarlo.demaria@ci.everett.ma.us)

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## MEMORANDUM

**TO:** The Honorable Members  
Everett City Council

**FROM:** Ernest Lariviere  
Water Superintendent

**DATE:** January 13, 2025

**RE:** **C041124 Resolution/s/ Councilor Stephanie Martins, Councilor Robert J. Van Campen**  
**That the Water Superintendent appear at the next meeting to clarify the purpose of the recent letters regarding lead that were sent to residents and the next steps**

---

The following information is being shared with the City Council in response to the request for information about the communications shared with Everett residents about efforts to comply with Lead and Copper rules under the federal Safe Drinking Water Act.

### **Background**

Public water systems in Massachusetts are required to comply with the federal Lead and Copper Rule (LCR) and its subsequent revisions as part of ongoing efforts to protect drinking water.

To support this initiative, water departments provide information and updates to their communities. The Massachusetts Department of Environmental Protection (MassDEP) mandated that all water systems send notices to residents and homeowners with records indicating lead, galvanized, or unknown water service lines connected to their properties. These notices were required to be distributed by November 15, 2024.

The letters included important information about lead water service lines, their potential health effects, steps residents can take to reduce their exposure, and guidance on how to replace affected service lines.

**Everett Compliance Efforts**

As part of MassDEP's requirements, over 1,700 letters were sent by the City of Everett in November 2024 to residents identified as having lead service lines or suspected lead service lines.

Copies of the notices that were sent out are attached. The type of notice that a resident received was based on the inventory that has been done to identify the types of services in Everett:

- Notices to residents where the service has been identified to contain lead. These notices informed residents of the intention of the City of Everett to replace all lead service lines on the public and private sides of the service.
- Notices to residents where service has been identified as being galvanized requiring replacement that may have built up lead deposits over time. These notices informed residents of the intention of the City of Everett to replace all lead service lines on the public and private sides of the service.
- Notices to residents where the status of the service material is uncertain. These notices included information on how to contact the Everett Water Department to verify the material of the service line to schedule an inspection.

I hope that you find this information explaining the program and the notices that were sent to residents to be helpful.

Thank you.



City of  
**Everett**  
Massachusetts

C0416-24

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**To:** Mayor and City Council  
**From:** Councilor Stephanie V. Smith  
**Date:** December 9, 2024

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**Agenda Item:**

An ordinance to amend live animal testing

**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: MM/DD/YYYY

DATE OF PROPOSED ORDAINMENT: MM/DD/YYYY



CITY COUNCIL.....No. C0416-24

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE TO AMEND LIVE ANIMAL TESTING**

Councilor /s/ Stephanie Smith

**Whereas:** The city has made significant strides in fostering an environment that attracts cutting-edge industries by recently passing an ordinance adding Section 37 – Everett Docklands Innovation District; and

**Whereas:** The area was thoughtfully designed to encourage advancements in technology, research, and life sciences, positioning Everett as a leader in the region's knowledge-based economy; and

**Whereas:** Life sciences is a cornerstone of modern innovation, offering groundbreaking contributions in medicine, biotechnology, and public health; and

**Whereas:** the Innovation District includes Life Sciences and Life Sciences (Manufacturing) as permitted uses by right per the Master Plan; and

**Whereas:** the Life Science industry will create significant opportunities for economic development, including new jobs for our residents and a stronger, more diversified tax base that benefits all members of our community; and

**Whereas:** it is crucial to support practices that are standard across the life sciences industry to attract businesses to Everett, including the use of limited animal testing for research and development purposes to advance scientific discoveries and ensuring the safety of medical treatments

**Whereas:** The current ordinance bans animal testing of any kind

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

**Be it Ordained** Be it Ordained by the City Council of the City of Everett, Massachusetts that Chapter 3 of the Revised Ordinances of the City of

Everett is hereby amended to as follows:

Section 3-36 be amended by adding the following paragraph to the end:

Notwithstanding the foregoing prohibition, experiments on live animals shall be permitted in Zoning Districts that allow Life Sciences & Life Sciences (Manufacturing) if such experiments are performed on animals limited to small vertebrates (including but not limited to mice, rats, and fish) and undertaken in conformity with all federal, state and local statutes, ordinances and regulations concerning the welfare of animals including the "Guide for the Care and Use of Animals" of the National Institutes of Health including requiring an Institutional Animal Care and Use Committee (IACUC) which involves veterinarian oversight, the "Animal Welfare Act" (7 U.S.C. sections 2131, et seq.), the Health Research Extension Act of 1985, the "Public Health Service Policy on Humane Care and Use of Laboratory Animals," all as amended or revised from time to time.

# Why Life Sciences?

## Employment

### Job creation & workforce development

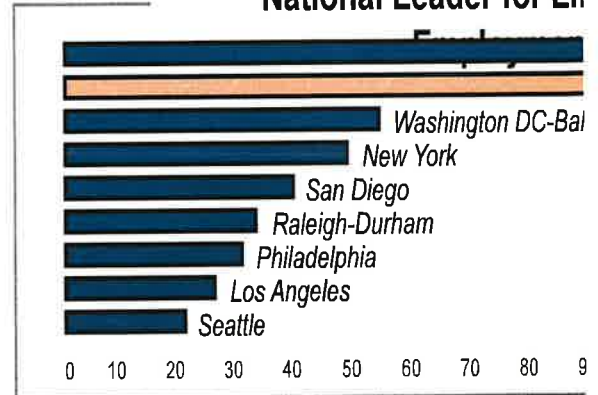
The Life Sciences industry boasts among the highest average annual incomes in Greater Boston due to high-skilled, high-waged jobs. Over **20% higher** than financial activities, **187% higher** than Education & Health and **421% higher** than Leisure and hospitality jobs.

### Regulations & benefits

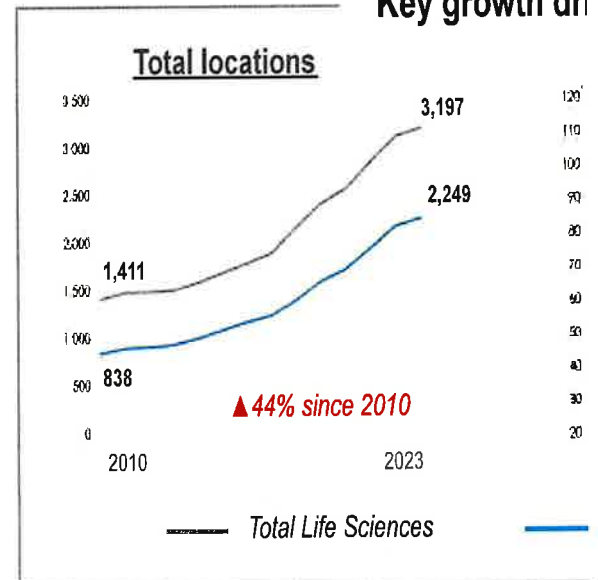
- 1 Federally regulated industry (Animal Welfare Act, NIH Guide for the Care and Use of Lab Animals”) with stringent PPE and cleaning standards for worker and environmental safety in addition to facility design requirements for ventilation, cleanable surfaces and biological waste disposal procedures
- 2 Industry standards focused on responsible animal use, operations modified to meet needs of animals, regular veterinarian walk-throughs, Institutional Animal Care & Use Committees implemented
- 3 Bridge between early research and clinical trials in humans. Allows scientists to assess the safety, efficacy, and potential side effects of new therapeutics which contribute to life-saving treatments and medical advancements

## Life Sciences in Greater Boston

### National Leader for Life Sciences



### Key growth drivers



Sources: Quarterly Census of Employment & Wages, US Bureau of Labor Statistics

# Vivarium

## What is vivarium?

A controlled environment designed for housing and studying live animals or plants under semi-natural conditions. These facilities maintain strict environmental controls, including temperature, humidity, lighting, and air filtration, to ensure the well-being of the animals and the integrity of the research



- Everett
- Municipalities with vivarium facilities

### Large Pharmaceutical Companies in MA



Central MA facilities not shown  
- Worcester, Grafton, Shrewsbury

## Facilities in url



325 Binney St, Cambridge



100 Forge Road, Watertown



### The Boston area built a ton of lab space. Now many of those buildings are opening empty.

The region's supply of life-science real estate exploded just as the once-booming industry hit a slow patch. Now what?

By Katherine Schultz | The MIT Technology Review | October 4, 2024 9:11 AM



An office building near South Station is being converted to lab space, but the project is nearly complete and only about one-fifth of its square footage has been leased. It is one of a huge swath of projects that are coming online around Greater Boston, many of which are in their square-foot, 30,000- to 400,000-sq-ft range.

Amid this surge three years ago, while most of the assigned academic life and science developers across Greater Boston looked to life-science laboratories, and now-dollar signs.

The white-collar office workers who had long filled downtown towers were largely staying home (and they work in a variety of industries). The future of the lab space.

### Lab market slowdown leads to lawsuit over Davis Cos. Waltham site

By Lisa M. ... | October 4, 2024



A rendering of a proposed Davis Cos. site in Waltham, Mass., which is the subject of a lawsuit.

By Lisa M. ... | October 4, 2024

Preview this article

The Davis Cos. is marketing a Waltham property for sale that it had planned to develop into lab space, according to the lawsuit. The site's former owner says it will lose out on millions of dollars as a result.

### Lab Space Glut Grows Amid Slowing Life Sciences Leasing

Many developers are holding off on beginning lab and R&D construction until projects are fully leased.

By Kristen Smithberg | October 04, 2024 at 05:02 AM

Of the 21.2 million square feet of lab and R&D space currently under construction, 72% remains unleased, following negative net absorption last year and into the first half of 2024. Activity in the sector picked up slightly during the second quarter, but developers have a long road ahead to fill their new buildings, according to CBRE's latest life sciences construction benchmarks and trends study.

Life science project costs have increased between 20% and 25% above pre-pandemic levels thanks in part to unique requirements including increased security, flexible design options, more plumbing, emergency power generators, increased HVAC and loading docks, among other amenities.

### Demand for life sciences lab space has slowed in Boston area and nationally, report says

An overbuilt sector is grappling with excess inventory for the first time in a decade.

By Robert Weisman | The MIT Technology Review | October 13, 2024 12:33 PM



LabCentral, a shared laboratory space for biotech startups, in Kendall Square. JONATHAN WIGGS/GLOBE STAFF

Demand for lab space in Cambridge's Kendall Square and other Boston area life sciences hubs has dropped dramatically, leaving the region with vacant space for the first time in a decade.

A report released Tuesday by Chicago-based commercial real estate giant JLL depicted an overbuilt market that is forcing building owners, who only recently commanded top dollar for premium lab space, to reduce rents and scramble for tenants.

### Somerville life sciences building put on hold as developers confront lab space glut

By Camilo Fuenzalida | Globe Staff | October 17, 2024 4:17 PM



A rendering of the planned life sciences building at 15 McGrath Highway. The project is now on hold thanks to lagging demand for lab space. IS MCGRATH

Developers have halted the construction of a nine-story life sciences building in Somerville, in yet another sign of the weakening market for lab space across the region.

The new project at 15 McGrath Highway, which promised to bring 262,000 square feet of commercial space to the edge of Cambridge, is now on hold indefinitely. A spokesperson for the development team cited a "dramatic decrease" in demand for lab space as the reason.

"Construction of 15 McGrath has paused until market conditions improve," the developers said in a statement. "The project team fully intends to re-engage and complete the project at that time."

Mortgage discharge and release for the property were filed with the Middlesex South Registry of Deeds last month.

### By one key measure, Boston's lab market is in as rough shape as the pandemic-battered office market

Amid a wave of new construction and an industry slowdown, the vacancy rate for life sciences buildings has exploded in recent years.

By Jon Christo | Globe Staff | Updated August 15, 2024, 7:29 AM

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#3- C0416-24

Legislative Affairs & Election Committee  
January 13, 2025

The Committee on Legislative Affairs & Elections met on Monday, January 13, 2025 at 6pm in the City Council Chambers.

The meeting was recorded by ECTV and can be viewed on the City of Everett website.

Members present were Councilor Stephanie Smith, presiding, Councilors Katy Rogers and Stephanie Martins. Member absent was Councilor Michael Marchese.

Communication received from Councilor Marchese that he would be out of State and unable to attend.

The Committee considered an Ordinance offered by Councilor Stephanie Smith: An Ordinance to amend live animal testing.

Councilor Smith informed the Committee that she would like to amend the proposed Ordinance by adding at the end of the proposal the following; "Under no circumstances shall any testing or experimentation be conducted on dogs, cats, horses, goats, or any large vertebrate species. This prohibition applies to all research, medical, scientific, and experimental procedures, ensuring the ethical treatment and welfare of these animals". Councilor Rogers and Martins explained that they did not support the proposed amendment since the both wanted the existing Ordinance to remain in effect as is.

The Committee voted with Councilor Smith in favor and Councilors Rogers and Martins opposed: To report back to the City Council with an unfavorable recommendation.

Respectfully Submitted,

John W. Burley  
Clerk of Committees

**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: 01/13/2025

DATE OF PROPOSED ORDAINMENT: 01/27/2025



**CITY COUNCIL..... No. C0416-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE TO AMEND LIVE ANIMAL TESTING**

Councilor /s/ Stephanie Smith

**Whereas:** It is crucial to support practices that are standard across the life sciences industry to attract businesses to Everett, including the use of limited animal testing for research and development purposes to advance scientific discoveries and ensuring the safety of medical treatments, and

**Whereas:** The current ordinance bans animal testing of any kind.

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

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Chapter 3 of the Revised Ordinances of the City of Everett is hereby amended as follows:

A full copy of the proposed Ordinance shall be located at the City Clerk’s Office for public inspection. A full copy of the proposed ordinance, with all proposed amendments, will also be found in the agenda packet for the January, 27, 2025 regular meeting of the City Council when it is posted to the city web site on Thursday, January 23, 2025.

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: 01/13/2025

DATE OF PROPOSED ORDAINMENT: 01/27/2025



**CITY COUNCIL..... No. C0416-24**

IN THE YEAR TWO THOUSAND AND TWENTY-FOUR

**AN ORDINANCE TO AMEND LIVE ANIMAL TESTING**

Councilor /s/ Stephanie Smith

**Whereas:** The city has made significant strides in fostering an environment that attracts cutting-edge industries by recently passing an ordinance adding Section 37 – Everett Docklands Innovation District; and

**Whereas:** The area was thoughtfully designed to encourage advancements in technology, research, and life sciences, positioning Everett as a leader in the region's knowledge-based economy, and

**Whereas:** Life sciences is a cornerstone of modern innovation, offering groundbreaking contributions in medicine, biotechnology, and public health, and

**Whereas:** The Innovation District includes life sciences and life sciences (manufacturing) as permitted uses by right per the Master Plan, and

**Whereas** The life science industry will create significant opportunities for economic development, including new jobs for our residents and a stronger, more diversified tax base that benefits all members of our community; and

**Whereas:** It is crucial to support practices that are standard across the life sciences industry to attract businesses to Everett, including the use of limited animal testing for research and development purposes to advance scientific discoveries and ensuring the safety of medical treatments, and

**Whereas:** The current ordinance bans animal testing of any kind.

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

**Be it Ordained** by the City Council of the City of Everett, Massachusetts that Chapter 3 of the Revised Ordinances of the City of Everett is hereby amended as follows:

Section 3-36 is hereby amended by adding the following paragraph to the end:

“Notwithstanding the foregoing prohibition, experiments on live animals shall be permitted in Zoning Districts that allow Life Sciences & Life Sciences (Manufacturing) if such experiments are performed on animals limited to small vertebrates (including but not limited to mice, rats, and fish) and undertaken in conformity with all federal, state and local statutes, ordinances and regulations concerning the welfare of animals including the "Guide for the Care and Use of Animals" of the National Institutes of Health including requiring an Institutional Animal Care and Use Committee (IACUC) which involves veterinarian oversight, the "Animal Welfare Act" (7 U.S.C. sections 2131, et seq.), the Health Research Extension Act of 1985, the "Public Health Service Policy on Humane Care and Use of Laboratory Animals," all as amended or revised from time to time.

Under no circumstances shall any testing or experimentation be conducted on dogs, cats, horses, goats, or any large vertebrate species. This prohibition applies to all research, medical, scientific, and experimental procedures, ensuring the ethical treatment and welfare of these animals.”

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*

Sergio Cornelio, City Clerk



City of  
**Everett**  
Massachusetts

C0441-24

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**To:** Mayor and City Council

**From:** Councilor Wayne A. Matewsky

**Date:** January 27, 2025

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**Agenda Item:**

That the C.F.O. appear at the first regular meeting in January to explain why some residents water bills are not being credited when payed, as well as late charges also being occurred on some of these bills also.

**Background and Explanation:**

**Attachments:**



C0005-25

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**To:** Mayor and City Council

**From:** Councilor Katy L. Rogers

**Date:** January 13, 2025

---

**Agenda Item:**

A resolution to implement a multi-lingual City of Everett app to enhance accessibility and communication

**Background and Explanation:**

Summary:

This tool would serve as a central hub for city resources and services, benefiting every department, particularly 311 and our school system, while also providing critical support to our diverse community:

Community Hub

Event calendar: Festivities, city meetings.

Virtual 311: Report issues like potholes, broken streetlights, double poles.

Local Resources

Trash, recycling, and street sweeping schedules.

Park locations and amenities.

Safety and Emergency Services

Crime and safety updates: alerts, missing person.

Emergency contacts (police, fire, health, animal control).

Road closures and detours.

Transportation

Bus schedules and fares.

Maps of bike lanes and walking paths.

Local Economy

City job opportunities.

Shop Everett: business directory.

Youth and Schools

Sports leagues, after-school programs, and events.

Links to local schools and academic calendars.

Health and Senior Services

Clinics, vaccinations, and mental health programs.

Fitness classes and senior center activities.

Cultural and Educational Resources

Library hours and museum information.

Events, Public art, grants.

Animal Services

Report lost pets.

Renew dog licenses.

Adoption resources and wildlife safety tips.

Sustainability

Recycling and composting guidelines.

Green Everett: Energy programs and green initiatives.

Background info: We were introduced to an app in Tampa that would be minimal cost to the city and help with language barriers. It can be a universal hub and include all departments without replacing anything. It can be customized to our particular needs as a city. App would be free for residents

**Attachments:**





City of  
**Everett**  
Massachusetts

C0014-25

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**To:** Mayor and City Council  
**From:** Councilor Holly D. Garcia  
**Date:** January 13, 2025

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**Agenda Item:**

That the Addiction Recovery Resource Specialist Paul Guarino from the Everett Fire Department Roadmap to Recovery appears at our January 27th meeting to discuss his role and data for calls and placements

**Background and Explanation:**

**Attachments:**

# EVERETT FIRE DEPARTMENT

## 2024 OVERDOSE INCIDENT REPORT



**PAUL GUARINO (ROADMAP TO RECOVERY)**

**ADDICTION RESOURCE SPECIALIST**

**2024 OVERDOSE INCIDENTS (327 CODE)**

<b>JANUARY )</b>	<b>4</b>
<b>FEBRUARY)</b>	<b>5</b>
<b>MARCH)</b>	<b>3</b>
<b>APRIL)</b>	<b>4</b>
<b>MAY)</b>	<b>3</b>
<b>JUNE)</b>	<b>4</b>
<b>JULY)</b>	<b>7</b>
<b>AUGUST)</b>	<b>2</b>
<b>SEPTEMBER)</b>	<b>2</b>
<b>OCTOBER)</b>	<b>1</b>
<b>NOVEMBER)</b>	<b>2</b>
<b>DECEMBER)</b>	<b>3</b>

**TOTAL INCIDENTS) 40**

**RECAP:** From January 1,2024- December 31,2024, the Everett Fire Department had responded to **40** overdose-related incidents. The monthly average overdose response for 2024 is 3.3 and the average weekly overdose related incidents is 0.7.

**2024 OVERDOSE INCIDENTS WITH USE OF NARCAN(328 CODE)**

**RECAP:** 328 is the code used for local administration of Narcan in the Everett Fire Department. Out of the **40** overdose incidents that EFD responded to, **15** were coded as 328, where EFD administered Narcan at these events.

A Total of **17** doses of Narcan 4mg/ml were dispersed during these **15** events where EFD administered Narcan.

*OVERDOSE INCIDENTS FROM PAST 7 YEARS:*

**2018) 130 INCIDENTS**

**2019) 100 INCIDENTS**

**2020) 109 INCIDENTS**

**2021) 111 INCIDENTS**

**2022) 106 INCIDENTS**

**2023) 88 INCIDENTS**

**2024) 40 INCIDENTS** \*\*\*\*\* (57% DECREASE FROM 2023)\*\*\*\*\*

*DEMOGRAPHIC DATA FOR 2024 OVERDOSE INCIDENTS:*

**MALE-26**

**FEMALE-14**

*AGE RANGE:*

**20-29-----7 individuals**

**30-39-----17 individuals**

**40-49-----11 individuals**

**50-59-----1 individual**

**60-69-----3 individuals**

**Unknown—1 individual**

**From the 40 incidents recorded, 28 of these individuals were Everett residents and 12 were non-Everett residents.**

**Also from our surrounding towns in which we collaborate with, there were 5 Everett residents that had an overdose incident in another town.**

**From the reported 40 overdose incidents that EFD responded to, there were 4 fatal incidents.**

**WE HAVE CONTINUED TO TRACK THE DATA WITH FIRE TRACK AND THE EVERETT POLICE DEPARTMENT. WITH THE COLLABORATION BETWEEN THE TWO DEPARTMENTS, WE ARE COLLECTING AN ACCURATE DATA SET TO BE ABLE TO APPLY IMPROVEMENTS AND GROWTH TO THE PROGRAM.**

**THE DATA TRACKING IS ONE MAJOR PIECE OF THE PUZZLE, BUT AFTER EACH OVERDOSE IN THE CITY, IT IS THEN FOLLOWED UP WITH A HOUSE VISIT TO THE ADDRESS IN WHICH WAS REPORTED TO ENGAGE WITH THE INDIVIDUAL AND THEIR FAMILY TO PROVIDE SUPPORT SERVICES AND OFFER TREATMENT OPTIONS.**

**RESPONSES TO OVERDOSE INCIDENTS BY APPARATUS:**

**ENGINE 1----9**

**LADDER 1----6**

**ENGINE 2----10**

**ENGINE 3----8**

**LADDER 2----5**

**AMBULANCE (1)--20**

EVERETT FIRE DEPARTMENT  
LOG SEARCH REPORT

v5.5g

action code: 327 EMS OVERDOSE grp: ALL off: ALL unit:  
ALL

geo code: ALL to: from: 01/01/24 to: 12/31/24

where: ALL string:

	date	s	case#	geo	loc#	location	
( 1)	01/01/24	B	160230	4410	8105	5 MASON ST	
( 2)	01/03/24	B	160303	3220	15642	81 CHESTNUT ST	
( 3)	01/26/24	C	160878	1110	13678	511 BROADWAY ST	
( 4)	01/30/24	B	160971	1	12014	36 WATERS AV	1
( 5)	02/10/24	B	161259	3310	5402	80 GLEDHILL AV	
( 6)	02/23/24	A	161593	1110	16751	20 SUMMER ST	16
( 7)	02/23/24	B	161597	3210	146	7 ALPINE AV	
( 8)	02/26/24	C	161703	3210	2516	28 CHERRY ST	
( 9)	02/29/24	C	161774	1110	18061	20 SUMMER ST	3
( 10)	03/15/24	A	162181	4520	16338	21 STAPLES AV	27
( 11)	03/17/24	A	162230	2620	15653	22 ELM RD	1
( 12)	03/20/24	C	162324	4530	15050	45 HANCOCK ST	1
( 13)	04/14/24	A	162972	2620	15653	22 ELM RD	
( 14)	04/14/24	B	162976	3321	9829	108 RUSSELL ST	
( 15)	04/26/24	C	163360	5200	15661	1 BROADWAY ST	
( 16)	04/27/24	C	163381	4220	4617	519 FERRY ST	
( 17)	05/01/24	C	163514	1	2351	124 CHELSEA ST	
( 18)	05/09/24	A	163739	5200	15661	1 BROADWAY ST	2007
( 19)	05/20/24	B	164034	1120	5628	40 GOLDEN AGE CR	
( 20)	06/01/24	C	164397	3	16392	181 FERRY ST	
( 21)	06/02/24	A	164409	3321	9921	233 RUSSELL ST	
( 22)	06/02/24	C	164429	4510	14625	0 CENTRAL AVE PARK AV	
12							
( 23)	06/03/24	A	164435	4530	5884	29 HANCOCK ST	
( 24)	07/01/24	C	165239	3210	12885	115 WOODLAWN ST	1
( 25)	07/05/24	C	165355	1110	15727	41 SUMMER ST	
( 26)	07/10/24	A	165487	3320	3771	176 ELM ST	2
( 27)	07/14/24	C	165668	5100	14677	201 BROADWAY ST	3
( 28)	07/18/24	A	165760	1	14428	201 CHELSEA ST	
( 29)	07/18/24	B	165767	1130	19860	101 MILL RD	576
( 30)	07/21/24	A	165831	2520	2928	102 CLEVELAND AV	
( 31)	08/03/24	B	166231	2630	144	45 ALFRED ST	1
( 32)	08/11/24	A	166451	5200	15661	1 BROADWAY ST	
( 33)	09/14/24	C	167560	2520	14613	66 SWAN ST	
( 34)	09/26/24	C	167917	3220	8189	2 MEADER RD	2A
( 35)	10/29/24	C	168908	2610	4092	66 EVERETT ST	1 REAR
( 36)	11/12/24	A	169317	2610	4092	66 EVERETT ST	REAR
( 37)	11/29/24	A	169819	1130	2438	238 CHELSEA ST	
( 38)	12/12/24	B	170187	5200	15661	1 BROADWAY ST	
( 39)	12/25/24	B	170559	3210	7643	4 MAGNOLIA CT	1
( 40)	12/26/24	C	170596	3210	12889	121 WOODLAWN ST	2

EVERETT FIRE DEPARTMENT  
LOG SEARCH REPORT

v5.5g

action code: 328 EMS NARCAN ADMINISTE grp: ALL off: ALL unit:  
ALL

geo code: ALL to: from: 01/01/24 to: 12/31/24  
where: ALL string:

	date	s	case#	geo	loc#	location	
( 1)	02/26/24	C	161703	3210	2516	28 CHERRY ST	
( 2)	02/29/24	C	161774	1110	18061	20 SUMMER ST	3
( 3)	04/26/24	C	163360	5200	15661	1 BROADWAY ST	
( 4)	05/01/24	C	163514	1	2351	124 CHELSEA ST	
( 5)	05/20/24	B	164034	1120	5628	40 GOLDEN AGE CR	
( 6)	06/01/24	C	164397	3	16392	181 FERRY ST	
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12							
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( 11)	07/10/24	A	165487	3320	3771	176 ELM ST	2
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( 14)	09/14/24	C	167560	2520	14613	66 SWAN ST	
( 15)	12/26/24	C	170596	3210	12889	121 WOODLAWN ST	2





## HIGHLIGHTS FROM 2024 EFD ROADMAP TO RECOVERY:

- 1) **24 INDIVIDUALS INTO DETOX FACILITIES**
- 2) **17 INDIVIDUALS INTO SOBER HOME LIVING WITH GRANT MONIES (SOBER HOMES UTILIZED: OUT OF SHADOWS(EVERETT), MIDDLESEX TRANSTIONS(EVERETT), CHELSEA HOUSE( LYNN AND CHELSEA), VISION OF HOPE (STONEHAM), RUTHS WAY (WAKEFIELD), NEW DAY RECOVERY (MALDEN), AMERICA SOBER (LYNN), SOLUTIOS TO RECOVERY (STONEHAM). USUALLY EACH INDIVIDUAL IS GIVEN UPTO 1 MONTH SCHOLARSHIP FOR HOUSING.**
- 3) **EVENTS: OVERDOSE AWARENESS DAY (HELD AT GLENDALE PARK 8/28/24)**

**STOP THE STIGMA DAY (HELD AT CITY HALL 9/25/24) AND HELD AT MULTIPLE SCHOOLS IN THE DISTRICT DURING THE WEEK WHERE MYSELF, ERIC MAZZEO (ASSISTANT DIRECTOR OF YOUTH PREVENTION AND COUNCILOR HOLLY GARCIA AND OFFICER NICOLE O'DONNELL) TALKED TO THE YOUTH ABOUT THE IMPORTANCE OF STIGMA, AND WHAT IT REPRESENTS AND HAVING YOUTH MAKE BETTER HEALTHY DECISIONS, AND GETTING CONNECTED TO THEIR COMMUNITY.**

- 4) **MULTIPLE NARCAN TRAININGS AND TALKS WITH EHS STUDENTS AND TEACHERS THROUGHOUT THE SCHOOL YEAR. THE GOAL OF THESE TRAININGS WAS TO ENGAGE WITH EHS STUDENTS AND TEACHERS ON WHAT THE MEANING OF HARM REDUCTION IS AND HOW THE LIFESAVING DRUG NARCAN WORKS.THE NEED TO SPREAD AWARENESS TO ALL HIGH SCHOOL STUDENTS ABOUT FENTANYL, THE DANGERS OF COUNTERFEIT PILLS AND THE USE OF NARCAN IS VITAL.**
- 5) **NARCAN TRAINING TO ALL EVERETT SCHOOL NURSES HELD AT HEALTH DEPARTMENT IN AUGUST.**
- 6) **NARCAN TRAINING AND PRESENTATION AT SAUGUS-EVERETT ELKS LODGE WITH SENIORS ABOUT THE EFFECTS OF SUBSTANCE USE ON INDIVIDUALS AND THE COMMUN ITY.(HELD IN APRIL)**
- 7) **IMPLEMENATION OF STARTING UP A MONTHLY HUB MEETING WITH EPD, AND IDENTIFYING HIGH RISK INDIVIDUALS AND GETTING THEM THE HELP AND RESOURCES THEY NEED AND GET ACCESS TO.**
- 8) **WEEKLY VISITS FROM MYSELF TO LOCAL SOBER HOMES TO STAY ENGAGED WITH THOSE INDIVIDUALS TO KEEP THEM ON THE RIGHT PATH.**
- 9) **AS MENTIONED PREVIOUSLY IN REPORT, EVERY OVERDOSE INCIDENT IS FOLLOWED UP ON IN COLLORBORATION WITH OUR HARM REDUCTION OUTREACH WORKER FROM FENWAY HEALTH(Access DRUG USER HEALTH PROGRAM) IN WHICH A DOOR KNOCK OR PHONE CALL IS MADE TO INTERACT WITH THAT PERSON TO GET THEM THE HELP OR RESOURCES THEY MIGHT NEED IF SO BE.**



City of  
**Everett**  
Massachusetts

C0018-25

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**To:** Mayor and City Council  
**From:** Councilor Robert J. Van Campen  
**Date:** January 13, 2025

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**Agenda Item:**

In the interest of public safety, that all parking restrictions be strictly enforced in the area of Linden, Webster, Church and Warren streets, particularly on Fridays, Saturdays and Sundays

**Background and Explanation:**

**Attachments:**



C0019-25

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**To:** Mayor and City Council  
**From:** Councilor Robert J. Van Campen  
**Date:** January 13, 2025

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**Agenda Item:**

That the Administration - working collaboratively with the City Council and other community stakeholders - convene a task force to discuss and address issues of food insecurity in the City of Everett, including the safest and most efficient way to coordinate distribution

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0022-25

---

**To:** Mayor and City Council

**From:** Councilor Robert J. Van Campen, Councilor Holly D. Garcia

**Date:** January 13, 2025

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**Agenda Item:**

That the administration provides an update on when community meetings will be held concerning the use of the former Everett High School and the former Pope John property

**Background and Explanation:**

**Attachments:**

**Michael Mangan**

---

**From:** Erin Deveney  
**Sent:** Wednesday, January 22, 2025 1:46 PM  
**To:** Stephanie Martins  
**Cc:** Sergio Cornelio; Michael Mangan; David Flood; Dolores Lattanzi  
**Subject:** In the Matter of Resolution C0336-24; Request for Use of Council Chamber

Dear President Martins:

At its regular meeting on December 9, 2024, the City Council referred back to the Administration Resolution C0336-24 to conduct a community meeting about possible reuse of the former Everett High School for expanded school purposes.

The Administration is requesting permission to use the City Council Chamber on the evening of Tuesday, February 4, 2025 for the purposes of conducting this meeting. Once a location for the meeting is confirmed, the Administration will proceed with providing public notices of the meeting to members of the community.

Thank you for your consideration of this request.  
-Erin



**Erin C. Deveney**  
Chief of Staff  
Office of Mayor Carlo DeMaria  
Direct: 617- 944-0255



City of  
**Everett**  
Massachusetts

C0027-25

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**To:** Mayor and City Council  
**From:** Councilor Anthony DiPierro  
**Date:** January 27, 2025

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**Agenda Item:**

A resolution requesting the CFO to appear before the Committee on the Ways & Means to discuss the Hero Act; specifically the increased local flexibility for Veteran Tax Exemptions.

**Background and Explanation:**

- Signed into law during the summer of 2024, the historic Hero Act is a comprehensive piece of veterans' legislation, including over 30 provisions that will positively impact hundreds of thousands of veterans' in Massachusetts. Included in the legislation is an increased local flexibility for veterans' property tax exemptions, allowing municipalities to double property tax exemptions with local options and ties the annual property tax abatement amount to inflation

**Attachments:**



City of  
**Everett**  
Massachusetts

C0028-25

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**To:** Mayor and City Council

**From:** Councilor Anthony DiPierro

**Date:** January 27, 2025

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**Agenda Item:**

A resolution requesting Everett Police Chief Paul Strong to appear before the City Council to discuss what measures are being taken to ensure public safety concerns are addressed regarding emergency shelter housing in Everett

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0029-25

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**To:** Mayor and City Council

**From:** Councilor Wayne A. Matewsky

**Date:** January 27, 2025

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**Agenda Item:**

That the Police Traffic Division notify idling trucks in the area of the Premier Apartment Building that they are disturbing residents from the hours of 8PM to 6AM

**Background and Explanation:**

**Attachments:**





City of  
**Everett**  
Massachusetts

C0030-25

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**To:** Mayor and City Council  
**From:** Councilor Wayne A. Matewsky  
**Date:** January 27, 2025

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**Agenda Item:**

That Fire Chief Joseph Hickey, and His Honor Mayor DeMaria appear with regard to the Jupiter lithium battery proposal and safety concerns

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0031-25

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**To:** Mayor and City Council  
**From:** Councilor Wayne A. Matewsky  
**Date:** January 27, 2025

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**Agenda Item:**

That the DCR enhance all crosswalks on the Revere Beach Parkway when painting this year

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0032-25

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**To:** Mayor and City Council  
**From:** Councilor Peter Pietrantonio  
**Date:** January 27, 2025

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**Agenda Item:**

That Fire Chief Joseph Hickey appear at the next regular city council meeting to see how his first couple of months are going

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0033-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Guerline Alcy Jabouin

**Date:** January 27, 2025

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**Agenda Item:**

That the CFO provide an update on the ARPA funds expiring in December and the disbursement to recipients

**Background and Explanation:**

**Attachments:**



City of  
**Everett**  
Massachusetts

C0034-25

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**To:** Mayor and City Council

**From:** Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Robert J. Van Campen

**Date:** January 27, 2025

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**Agenda Item:**

That the Director of Health and Human Services and Interim Director of HR appear at the next meeting to provide a status on the efforts to hire new school nurses as funded in 2024

**Background and Explanation:**

**Attachments:**



C0035-25

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**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins, Councilor Stephanie V. Smith, Councilor Robert J. Van Campen  
**Date:** January 27, 2025

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**Agenda Item:**

That the CFO and Director of Planning provide information on whether the city was able to receive any funding from the state's Affordable Homes Act/Housing Bond Bill

**Background and Explanation:**

**Attachments:**

# AFFORDABLE HOMES ACT

## FACT SHEET

On August 6, 2024, Governor Maura Healey signed the Affordable Homes Act into law (Chapter 150 of the Acts of 2024). The historic legislation authorizes **\$5.16 billion** in spending over the next five years along with **nearly 50 policy initiatives** to counter rising housing costs caused by high demand and limited supply. Here's a look at the spending authorizations and policy initiatives in this comprehensive legislation:

### UNLOCKING HOUSING PRODUCTION:

#### **\$800M for Affordable Housing Trust Fund**

Provides resources to create or preserve affordable housing for households whose incomes are not more than 110% of area median income; includes up to \$50M for MassDREAMS to provide downpayment/closing cost assistance for homebuyers in Disproportionately Impacted Communities.



#### **\$425M for Housing Stabilization and Investment Fund**

Consolidates the Housing Stabilization Fund and the Community Investment and Preservation Fund; supports preservation, new construction, and rehabilitation projects. \$10M made available for the Small Properties State Acquisition Funding Pilot Program.

#### **\$275M for Sustainable and Green Housing Initiatives**

Consolidates the existing Transit Oriented Development Program and the Climate Resilient Affordable Multifamily Housing Program; supports innovative solutions to accelerating/unlocking new housing solutions (e.g., office conversions, modular homes, accessory dwelling units); adds language to authorize the creation of a new social housing pilot program.

#### **\$175M for HousingWorks Infrastructure Program**

Funds infrastructure projects to encourage additional housing development.

#### **\$50M for the Momentum Fund**

A new program that capitalizes a permanent, revolving fund (administered by MassHousing and seeded through state and private investment) to accelerate development of mixed-income multifamily housing.

**\$25M for Community Planning Grants**

Makes grants to municipalities for planning and zoning initiatives that support housing.

**\$20M for Smart Growth/40R/40Y Program**

Provides incentive payments to municipalities who adopt smart growth housing districts, under Chapter 40R/40Y.

**Accessory Dwelling Units (ADUs) As-Of-Right**

Permits ADUs (<900 SF) to be built by-right in single-family zoning districts in all communities; prohibits owner occupancy requirements as well as parking mandates within ½ mile of transit.

*Effective Date: 180 days from the effective date of the Act.*

**Abutter Appeal Reforms**

Increases the maximum bond that a court may require in an appeal of an approval of a special permit, variance or site plan from \$50,000 to \$250,000 and clarifies that a court need not find bad faith or malice of a plaintiff for the court to require posting of a bond; allows the courts to award reasonable attorneys' fees if the court finds the appellant acted in bad faith or with malice in making appeal.

**Statewide Housing Plan**

Requires EOHLC to prepare a statewide housing plan every 5 years, conducting regional outreach following robust data analysis, to help inform statewide housing goals and strategies

**RESTORING DIGNITY TO PUBLIC HOUSING:****\$2B for Public Housing**

Supports the repair, rehabilitation and modernization of over 43,000 state-aided public housing units across the Commonwealth, includes \$150 million dedicated to the decarbonization of public housing and \$15 million for accessibility upgrades.

**\$200M for Public Housing Demonstration Program**

Encourages housing authorities to pursue innovative, market-driven strategies and leverage private resources to maintain, preserve and create public housing.

**Allowing Local Housing Authorities (LHAs) to Borrow Against Capital Funding**

Allows LHAs, with approval from EOHLC, to raise additional funds for rehabilitation projects by borrowing against their capital funds.

**LHA Replacement Value for Mass. Architectural Access Board (MAAB)**

Requires calculation of replacement value for Public Housing for MAAB accessibility threshold to align with requirements governing state-owned properties, basing values on industry standards per a published database.





**Increasing Availability of Regional Capital Assistance Teams (RCATs)**

Allows RCATs, which help LHAs to plan for and complete capital projects, to expand their services and capacity by allowing payment for maintenance and operations services, as well as allows larger LHAs to join the program if they elect to pay for these services; eliminates the 3 separate advisory boards and replaces with 1 advisory board covering the entire RCAT program, with bi-annual meetings.

**Sets Schedule for Agreed-Upon Procedure Audits  
(to align with LHA performance management reviews)**

Allows EOHLA to set its own schedule for performance audits, which would be to follow the same practice as the Performance Management Review – biennial with more frequent follow-up in situations of poor performance.

**Tenant Protections in LHA Redevelopment**

Requires any public housing redevelopment project to (i) ensure certain resident protections; (ii) provide a clear path to enforce protections; (iii) provide for the issuance of regulations and subregulatory contracts and forms; (iv) provide that residents should not be adversely affected by change in subsidy or ownership; and (v) provide residents with technical assistance to allow for meaningful input.

**BUILDING MIDDLE-INCOME &  
HOMEOWNERSHIP OPPORTUNITIES:****\$100M for Commonwealth Builder**

Creates a permanent capital resource to support the expansion of homeownership opportunities for first-time homebuyers and socially and economically disadvantaged individuals through the construction of affordable homeownership units.

**\$100M for Mixed-Income Housing Fund**

Formerly known as the “Workforce Housing Fund;” funds housing development for households earning 60-120% AML.

**\$50M for MassDREAMS program**

Included within the Affordable Housing Trust Fund authorization to support first-time homebuyers through down payment and closing cost assistance in Disproportionately Impacted Communities.

**Creates a Homeownership Production Tax Credit**

*Learn more under tax credits*

**SUPPORTING OUR VETERANS:****Veterans Supportive Housing**

Creates a program to help develop supportive housing for veterans.

**Veterans Preference**

Allows cities and towns to create a preference for veterans in affordable housing.



## **PRESERVING & STRENGTHENING LIVABLE COMMUNITIES:**

### **\$426M for Local Housing Initiatives**

Authorizes over \$426M in spending on local capital projects in communities across Massachusetts.

### **\$50M for Neighborhood Stabilization**

Funds the acquisition, rehabilitation, and sale of distressed properties.

### **\$50M for Housing Choice Grant Program**

Provides payments to municipalities that receive a Housing Choice designation through high housing production and/or demonstration of housing best practices and a grant program to assist MBTA communities in complying with the multi-family zoning requirement.



### **\$30M for State Surplus Property Disposition**

Authorization to support efforts to use state surplus land to address housing and other critical needs, for example, when sites with existing, obsolete structures such as former hospitals or prisons may need costly demolition or environmental remediation.

### **Seasonal Communities Designation**

Creates the framework for designating communities with substantial seasonal variations in employment and housing needs to develop policies and programs targeting seasonal communities; creates a Seasonal Communities Coordinating Council to provide advice and recommendations to EOHLIC regarding seasonal communities.

### **Surplus Public Land Disposition Reforms**

Creates a temporary streamlined disposition process for land under the control of a state agency or public agency if it will be conveyed for housing purposes.

### **Receivership Reforms for Affordable Housing**

Amends the state's receivership statute to permit courts to expeditiously approve the sale of vacant properties in receivership to a nonprofit for the fair market value of the property "as is" if the entity will rehabilitate and sell affordably to an income-eligible first-time homebuyer.

### **Commercial Property Conversion Program**

Creates a program to support the conversion of commercial properties into housing or mixed-use developments.

### **Municipal Conversion Project Program**

Creates a program for municipalities to assist with the development costs of converting commercial property into residential housing.

## SUPPORTING VULNERABLE POPULATIONS:

### **Supportive Housing Pool Fund**

Creates a flexible supportive housing pool program to provide critical assistance for supportive housing by funding staffing, case management, service coordination and other tenancy-related services not funded through other sources.

### **\$200M for Housing Innovations Fund**

Supports innovative and alternative forms of rental housing including single person occupancy units, transitional and permanent housing for people experiencing homelessness, housing for seniors and veterans, and transitional units for persons recovering from substance use disorder.

### **\$70M for Facilities Consolidation Fund**

Supports the development of appropriate community-based housing for clients of the Department of Mental Health and Department of Developmental Services.

### **\$60M for Home Modification Loan Program**

Provides funding to modify homes or create accessory dwelling units for individuals or families with disabilities or seniors so that they may stay in their homes or return home from institutional or skilled care settings.

### **\$55M for Community Based Housing**

Provides funding for the development of integrated housing for people with disabilities, including seniors, with priority for individuals who are in institutions, nursing facilities or at risk of institutionalism.

### **Massachusetts Healthy Homes Program**

Creates a program to address habitability concerns in homes, including lead paint, asbestos, & mold abatement

### **\$50M for Early Education and Out of School Time Grants**

Offers grants to help build early education and out of school time program facilities that serve low-income children.

## ESTABLISHING MEANINGFUL COMMISSIONS:

### **Extremely Low-Income Commission**

Creates a commission to recommend policy, programs, and other investments to expand the supply of housing that is affordable to households earning not more than 30% AMI.

### **Senior Housing Commission**

Creates a commission to recommend policy, programs, and other investments to expand the supply of housing for seniors and older adults.

### **Accessible Housing Commission**

Creates a commission to study accessibility in housing for persons with disabilities and seniors.



## FAIR HOUSING FOR ALL:

### Eviction Record Sealing

Provides a process for tenants to petition the court to seal an eviction record for: (i) no-fault evictions, or eviction actions where the case was dismissed/tenant prevailed: after conclusion of the case; (ii) solely non-payment evictions: no other eviction action within past 4 years and judgment for underlying eviction has been satisfied; and (iii) all other fault evictions: 7 years from conclusion of the matter and 3 years without any other eviction case filed against the tenant. Also prohibits consumer reporting agencies from disclosing information in a sealed eviction record. *Effective Date: 270 days from the effective date of the Act.*

### Establishes the Office of Fair Housing and Fair Housing Trust Fund

Establishes an office within EOHLC with explicit focus on fair housing as an essential element of EOHLC's mission and establishes a trust fund for enforcement initiatives, fair housing testing, education, and outreach.

### Foreclosure Prevention Pilot Program

Creates a Massachusetts Foreclosure Prevention Pilot Program, administered by the Massachusetts Office of Public Collaboration at UMass Boston, to operate in up to 5 communities disproportionately impacted by high rates of foreclosure. The program will provide supervised conferences where parties make a good faith effort to avoid foreclosure through sustainable foreclosure prevention alternatives.

## TAX CREDITS:

### Homeownership Production Tax Credit

Creates a new tax credit to incentivize production of homeownership units for first-time homebuyers earning up to 120% AMI.

### Community Investment Tax Credit (CITC)

Makes the CITC permanent and expands its annual authorization from \$12M to \$15M to support Community Development Corporations or nonprofit Community Support Organizations.

### Commercial Property Conversion Tax Credit

Creates a new tax credit to support the conversion of commercial properties into housing or mixed-use developments.

### Historic Rehabilitation Tax Credit

Increases the annual authorization for the State Historic Rehabilitation Tax Credit from \$55M to \$110M; extends sunset date to December 31, 2030.



## CREATING A STRONGER COMMONWEALTH:

### **Adjacent Lots Merger Reforms**

Establishes that adjacent lots under common ownership shall not be treated as a single lot for local zoning purposes.

### **Alternative Housing Voucher Program (AHVP)**

Amends the AHVP statute to allow for project-based vouchers.

### **Condo Board Meeting Reforms**

Allows condo boards and governing bodies to conduct meetings by telephone or video conference call; allows unit owners to vote by mail-in ballot or by electronic means so long as there is a quorum.

### **Condo Conversion Protections**

Extends the condo conversion protection law to buildings that are not owner-occupied and contain fewer than four residential units.

### **Home Inspection Regulations**

Requires EOHLIC to promulgate regulations to prohibit a residential home seller from (1) conditioning the sale on the potential buyer waiving or limiting an inspection; or (2) accepting an offer if the seller has been informed in advance that the prospective buyer intends to waive their right to an inspection.

### **Homestead Exemption Increase**

Increases the Declared Homestead Exemption from \$500,000 to \$1M to protect homeowner equity from certain debt.

### **Housing Appeals Committee (HAC) Reporting**

Requires the HAC to notify the Secretary of any deadline extensions or delays for any appeals and report annually to the Governor and the legislature on the delay or extension of any deadlines.

### **MassDevelopment I-Cubed**

Allows MassDevelopment to support and prioritize Economic Development Projects that incorporate residential development.

### **MassHousing Licensing Exemptions**

Exempts MassHousing from debt collectors/third party loan servicers licensing; mortgage lender/broker licensing; and mortgage loan originator licensing.

### **MassHousing Borrowing Authority Increase**

Increases MassHousing borrowing authority from \$4.9B to \$10.8B

### **Registered Land Administration Modernization**

Modernizes the administration of registered land.

### **Security Deposit Reform**

Authorizes EOHLIC to promulgate regulations to authorize a lessor and a tenant to agree to payment of a fee in lieu of a security deposit.

### **Worker Protections**

Requires a private entity engaged in projects receiving funds under the bond bill to properly classify individuals employed on the project and comply with all laws concerning workers' compensation.

## TECHNICAL UPDATES:

### **Community Economic Development Assistance Corporation (CEDAC) Updates**

Amends CEDAC enabling act to place it under EOHLC rather than EOED and repeals EOED reporting requirements that are no longer relevant to CEDAC.

### **MassHousing & Massachusetts Housing Partnership (MHP) Updates**

Amends the MassHousing and MHP enabling acts to replace DHCD with EOHLC.

### **Community Based Housing (CBH) Updates**

Amends prior authorizations of CBH to clarify that (i) CBH loans may be refinanced and (ii) CBH property owners may transfer an affordable housing restriction to a new property if it is determined that clients will be better served at an alternative property.

### **Facilities Consolidation Fund (FCF) Updates**

Amends prior authorizations of FCF to clarify that (i) FCF loans may be refinanced and (ii) FCF property owners may transfer an affordable housing restriction to a new property if it is determined that clients will be better served at an alternative property.

### **Housing Innovations Fund (HIF) Updates**

Amends prior authorizations of HIF to clarify that (i) HIF loans may be refinanced and (ii) HIF property owners may transfer an affordable housing restriction to a new property if it is determined that clients will be better served at an alternative property.

### **HousingWorks Infrastructure Program Updates**

Technical amendments to HWIP to align funding to support housing purposes.

### **Capital Improvement & Preservation Fund (CIPF) Updates**

Combines CIPF into the Housing Stabilization Fund statute.





City of  
**Everett**  
Massachusetts

C0036-25

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**To:** Mayor and City Council  
**From:** Councilor Katy L. Rogers  
**Date:** January 27, 2025

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**Agenda Item:**

That the Everett City Council formally requests a detailed report from the appropriate departments, agencies, or representatives associated with the Kraft Soccer Stadium project, outlining:

1. The current status of the project, including approvals, permits, and progress.
2. Any obstacles or delays affecting the project timeline.
3. A projected timeline for the project's next phases and expected completion.
4. Any agreements, commitments, or obligations made between the City of Everett and the Kraft

Group related to the project.

**Background and Explanation:**

Constituents are constantly talking about the pros and cons of a professional soccer stadium, yet no information has been provided to the council, despite it gaining significant media attention. We need to be able to provide accurate and up to date information to the citizens of Everett. I request the Mayor to attend a council meeting to provide perspective on this matter

**Attachments:**



C0037-25

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**To:** Mayor and City Council

**From:** Councilor Katy L. Rogers

**Date:** January 27, 2025

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**Agenda Item:**

That The City of Everett establish an Adopt-a-Tree Program

**Background and Explanation:**

**BACKGROUND:**

1. The city can advertise this on social media and engage the community to participate in the upkeep of public trees.
2. It also helps the city identify trees that could be used in dedications or memorials.
3. Promotes people to upkeep the trees and reduces pressure on maintenance

**Attachments:**





City of  
**Everett**  
Massachusetts

C0048-25

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**To:** Mayor and City Council  
**From:** Councilor Stephanie Martins  
**Date:** January 27, 2025

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**Agenda Item:**

That the Zoning Board of Appeals strictly enforce the requirements of General Laws Chapter 40A, Section 10 when considering and reviewing any request for a variance from the Everett Zoning Ordinance

**Background and Explanation:**

**Attachments:**

**Part I** ADMINISTRATION OF THE GOVERNMENT

**Title VII** CITIES, TOWNS AND DISTRICTS

**Chapter 40A** ZONING

**Section 10** VARIANCES

Section 10. The permit granting authority shall have the power after public hearing for which notice has been given by publication and posting as provided in section eleven and by mailing to all parties in interest to grant upon appeal or upon petition with respect to particular land or structures a variance from the terms of the applicable zoning ordinance or by-law where such permit granting authority specifically finds that owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law. Except where local ordinances or by-laws shall expressly permit variances for use, no variance may authorize a use or activity not otherwise permitted in the district in which the land or structure is

located; provided however, that such variances properly granted prior to January first, nineteen hundred and seventy-six but limited in time, may be extended on the same terms and conditions that were in effect for such variance upon said effective date.

The permit granting authority may impose conditions, safeguards and limitations both of time and of use, including the continued existence of any particular structures but excluding any condition, safeguards or limitation based upon the continued ownership of the land or structures to which the variance pertains by the applicant, petitioner or any owner.

If the rights authorized by a variance are not exercised within one year of the date of grant of such variance such rights shall lapse; provided, however, that the permit granting authority in its discretion and upon written application by the grantee of such rights may extend the time for exercise of such rights for a period not to exceed six months; and provided, further, that the application for such extension is filed with such permit granting authority prior to the expiration of such one year period. If the permit granting authority does not grant such extension within thirty days of the date of application therefor, and upon the expiration of the original one year period, such rights may be reestablished only after notice and a new hearing pursuant to the provisions of this section.

