



Posted in accordance with the
provisions of Mass. General Laws
Chapter 30A- Sections 18-25

on April 23, 2026 at 8:46 a.m.
Attest: *Sergio Cornejo*
Sergio Cornejo City Clerk

AGENDA PACKET

**REGULAR MEETING OF THE CITY COUNCIL
MONDAY, APRIL 27, 2026 7:00 PM**

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

EVERETT CITY CLERK'S OFFICE
REC'D 2025 APR 23 AM 8:45



AGENDA

REGULAR MEETING OF THE CITY COUNCIL MONDAY, APRIL 27, 2026 7:00 PM

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

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC HEARINGS

1. **C0101-26** Public Hearing/s/ Councilor Stephanie V. Smith, as President

A petition from National Grid requesting permission to install approximately 30' of 2-4" conduit from existing pole 454-0 to provide a permanent overhead to underground service at 313 Elm Street

2. **C0103-26** Public Hearing/s/ Councilor Stephanie V. Smith, as President

A petition from National Grid requesting permission to install approximately 10' of 2-3" conduit from existing pole 214-0 to provide a permanent overhead to underground service for Woodland Street playground

PUBLIC PARTICIPATION

COMMUNICATIONS FROM HIS HONOR THE MAYOR

3. **C0120-26** Order/s/ Councilor Stephanie V. Smith, as President

An order requesting approval to appropriate by borrowing the amount of \$4,000,000.00 for the modernization of the Everett Public Schools Network Infrastructure

4. **C0121-26** Order/s/ Councilor Stephanie V. Smith, as President

An order to accept and expend a grant from the Massachusetts Gaming Commission in the amount of \$475,000.00 for the construction of improvements to Everett Square

5. **C0122-26** Ordinance/s/ Councilor Stephanie V. Smith, as President

A zoning ordinance regulating data centers in the City of Everett

PETITIONS AND LICENSES

6. C0114-26 Petition/s/ Councilor Stephanie V. Smith, as President

A petition requesting the renewal of a junk dealer/collector license for Minichello Bros Inc. at 421 Second St

7. C0115-26 Petition/s/ Councilor Stephanie V. Smith, as President

A petition requesting the renewal of a second hand dealer's, antique, precious metals license for Minichello Bros inc. at 421 Second St

8. C0116-26 Petition/s/ Councilor Stephanie V. Smith, as President

A petition requesting the renewal of a second hand dealer's, antique, precious metals license for Gold "n" Oldies at 2044 Revere Beach Pkwy

9. C0118-26 Petition/s/ Councilor Stephanie V. Smith, as President

A petition requesting the renewal of a junk dealer license for Second St Iron & Metal at 285 Second St

10. C0119-26 Petition/s/ Councilor Stephanie V. Smith, as President

A petition requesting the renewal of a junk dealer license for Radius Recycling at 69 Rover Street

COMMITTEE REPORTS

11. C0083-26 Public Hearing/s/ Councilor Stephanie V. Smith, as President

A petition from National Grid requesting permission to install underground facilities on Charlton Street and Broadway in a northeasterly direction. This includes approximately 3,500 feet of concrete encased conduit, 10 manholes and miscellaneous underground equipment.

12. C0107-26 Order/s/ Councilor Stephanie V. Smith, as President

An order requesting the confirmation of the appointment of Jeremiah F. Sheehan to the Everett Public Works Commission/Glenwood Cemetery Commission for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

13. C0108-26 Order/s/ Councilor Stephanie V. Smith, as President

An order requesting the confirmation of the appointment of Michael Piazza to the Everett Housing Authority Board as a member, for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on February 1, 2029.

14. C0109-26 Order/s/ Councilor Stephanie V. Smith, as President

An order requesting the confirmation of the appointment of Mary Puleo to the City of Everett Library Board of Trustees for a term not to exceed three (3) years,

commencing on April 27, 2026 and ending on April 27, 2029

15. C0110-26 Order/s/ Councilor Stephanie V. Smith, as President

An order requesting the confirmation of the appointment of Beverly Leonard to the City of Everett Library Board of Trustees for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

16. C0111-26 Order/s/ Councilor Stephanie V. Smith, as President

An order requesting the confirmation of the appointment of Farah Costa to the City of Everett Licensing Commission for a term not to exceed six (6) years, commencing on April 27, 2026 and ending on April 27, 2032

17. C0112-26 Order/s/ Councilor Stephanie V. Smith, as President

An order requesting the confirmation of the appointment of Laura Evans to the Everett Disability Commission for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

UNFINISHED BUSINESS

18. C0007-26 Ordinance/s/ Councilor Katy L. Rogers, Councilor Vivian Nguyen, Councilor Stephanie Martins

An ordinance amending Section 37 (Everett Docklands Innovation District (“EDID”)) of the city’s Zoning Ordinance to add data centers to the prohibited uses portion of the section’s use category table

19. C0056-26 Ordinance/s/ Councilor Stephanie Martins, Councilor Vivian Nguyen, Councilor Wayne Matewsky, Councilor Katy Rogers, Councilor Anthony DiPierro, Councilor Holly Garcia

An ordinance promoting fair labor standards and preventing wage theft in the City of Everett.

ADJOURNMENT

www.cityofeverett.com

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

Respectfully submitted:

Michael J. Mangan

Legislative Aide

Everett City Council Office



C0101-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

National Grid Elm St

Background and Explanation:

Attachments:

Questions contact – Joseluis Azurdia (781) 632-7975 or joseluis.azurdia@nationalgrid.com

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric Conduit Location:

To the City Council of Everett, Massachusetts

Respectfully represents the Massachusetts Electric Company d/b/a NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Elm Street - Everett, Massachusetts.

The following are the streets and highways referred to:

WR# 31279960

Elm Street - National Grid to install underground facilities on Elm Street beginning at a point approximately 35 feet Southeast of the centerline of the intersection of Elm Street and Woodlawn Avenue and continuing approximately 30 feet in a Easterly direction. National Grid to install approximately 30' of 2-4" conduit from existing pole #454-0 to private property to provide a permanent overhead to underground service at 313 Elm Street. Everett, MA.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Mackelly Norvil*

BY _____
Engineering Department

Questions contact – Joseluis Azurdia (781) 632-7975 or joseluis.azurdia@nationalgrid.com

Dated: April 3, 2026

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 30th day of March, 2026.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Elm Street - Everett, Massachusetts.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

WR# 312799630

Elm Street - National Grid to install underground facilities on Elm Street beginning at a point approximately 35 feet Southeast of the centerline of the intersection of Elm Street and Woodlawn Avenue and continuing approximately 30 feet in a Easterly direction. National Grid to install approximately 30' of 2-4" conduit from existing pole #454-0 to private property to provide a permanent overhead to underground service at 313 Elm Street. Everett, MA.

I hereby certify that the foregoing order was adopted at a meeting of the

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....., held on the day of, 20

.....,, 20

Received and entered in the records of location orders of the City/Town of

Book Page

Attest:

.....

..... hereby certify that on20....., at o'clock,M

at, a public hearing was held on the petition of Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the

underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

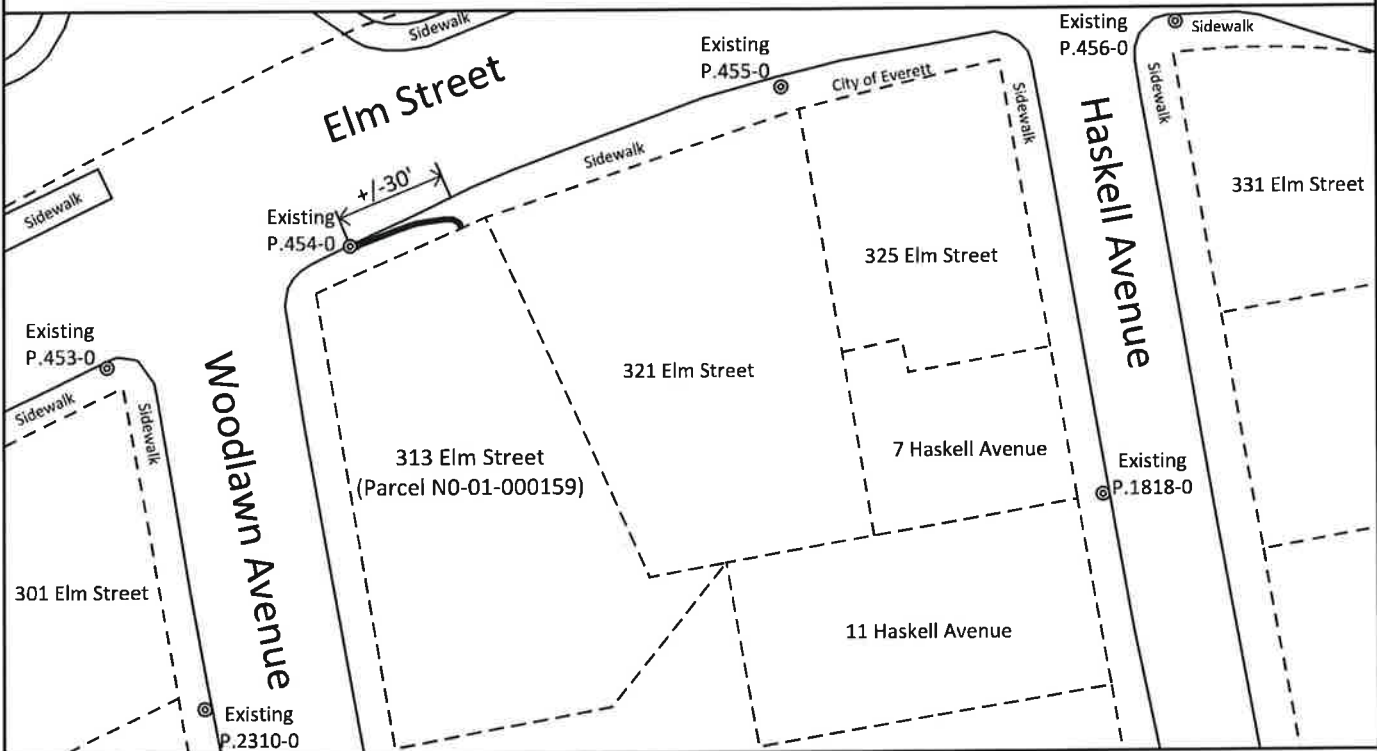
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EXHIBIT A – NOT TO SCALE

The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.

313 Elm Street
Everett, MA



NOT TO SCALE

LEGEND

- Existing Pole
- Proposed UG Conduit/Cable
- Property Line
- Existing

PETITION

Date: 03.30.2026

Designer: AZURDJ

W/R: 31279960

313 Elm Street

Everett, MA

SKETCH TO ACCOMPANY
PETITION (1 of 1):





City of
Everett
Massachusetts

C0103-26

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: April 27, 2026

Agenda Item:

National Grid Central Ave

Background and Explanation:

Attachments:

Questions contact – Joseluis Azurdia (781) 632-7975 or joseluis.azurdia@nationalgrid.com

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric Conduit Location:

To the City Council of Everett, Massachusetts

Respectfully represents the Massachusetts Electric Company d/b/a NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Central Avenue - Everett, Massachusetts.

The following are the streets and highways referred to:

WR# 31252256

Central Avenue - National Grid to install underground facilities on Central Avenue beginning at a point approximately 20 feet South of the centerline of the intersection of Central Avenue and Woodland Street and continuing approximately 10 feet in a Southerly direction. National Grid to install approximately 10' of 2-3" conduit from existing pole #214-0 to private property to provide a permanent overhead to underground service for Woodland Street playground. Evrett, MA.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Mackelly Norvil*

BY _____
Engineering Department

Questions contact – Joseluis Azurdia (781) 632-7975 or joseluis.azurdia@nationalgrid.com

Dated: April 7, 2026

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 3rd day of April, 2026.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Central Avenue - Everett, Massachusetts.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

WR# 31252256

Central Avenue - National Grid to install underground facilities on Central Avenue beginning at a point approximately 20 feet South of the centerline of the intersection of Central Avenue and Woodland Street and continuing approximately 10 feet in a Southerly direction. National Grid to install approximately 10' of 2-3" conduit from existing pole #214-0 to private property to provide a permanent overhead to underground service for Woodland Street playground. Evrett, MA.

I hereby certify that the foregoing order was adopted at a meeting of the

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....., held on the day of, 20

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Received and entered in the records of location orders of the City/Town of

Book Page

Attest:

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..... hereby certify that on20....., at o'clock,M

at, a public hearing was held on the petition of Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the

underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

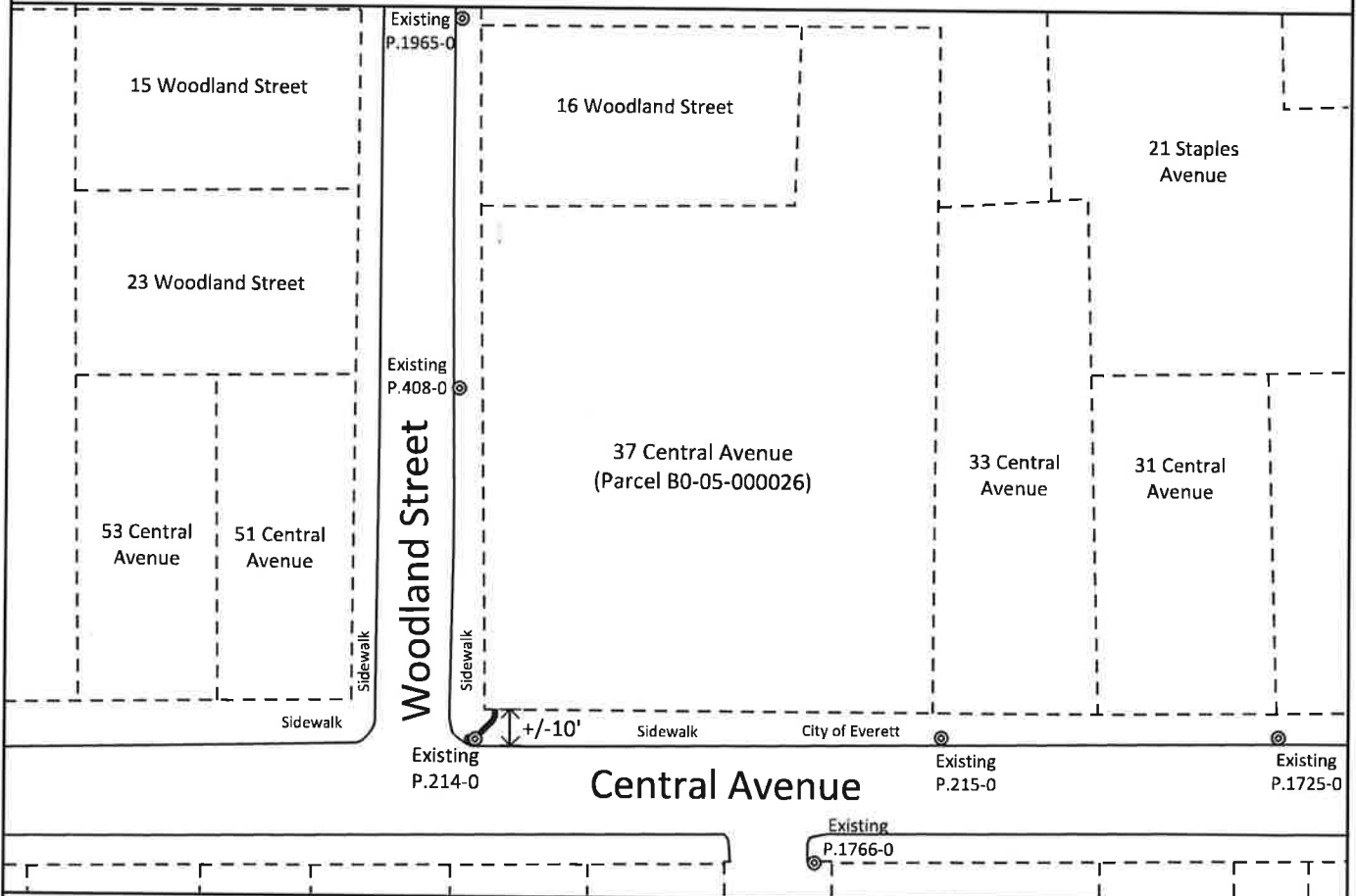
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EXHIBIT A – NOT TO SCALE





The exact location of said Facilities to be established by and upon the installation and erection of the Facilities thereof.

37 Central Avenue
Everett, MA



NOT TO SCALE

LEGEND

-  Existing Pole
-  Proposed UG Conduit/Cable
-  Property Line
-  Existing

PETITION

Date: 04.03.2026

Designer: AZURDJ

W/R: 31252256

37 Central Avenue

Everett, MA

SKETCH TO ACCOMPANY
PETITION (1 of 1):





C0120-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

An order requesting approval to appropriate by borrowing the amount of \$4,000,000.00 for the modernization of the Everett Public Schools Network Infrastructure

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

4/22/2026

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

Dear Honorable Members:

I hereby request City Council authorization to borrow a sum not to exceed \$4,000,000 for the purpose of modernizing the EPS network infrastructure.

This project, part of the recommended and approved FY26 Capital Improvement Plan, will enable EPS to continue its multiyear technology investments aimed at meeting both instructional and infrastructure priorities.

I am attaching, for your review, a communication from Superintendent Hart regarding this request. I recommend your favorable passage of this order.

City and school staff will be on hand to answer any questions you may have.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "R. J. Van Campen".

Robert J. Van Campen
Mayor of the City of Everett



City of Everett



Month / Day, 2026
City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor Stephanie Smith, as President

<p>Bill Number: Bill Type: Order</p>	<p>Be It Ordered: By City Council OF THE CITY OF EVERETT, as follows:</p> <p>That the City of Everett hereby authorizes the borrowing of a sum not to exceed \$4,000,000 in accordance with applicable Massachusetts General Laws, for the purpose of Everett Public Schools network infrastructure modernization.</p> <p>The City hereby appropriates the amount of Four Million dollars (\$4,000,000.00) to be funded by borrowing for the modernization of the Everett Public Schools Network Infrastructure, including the payment of all other costs incidental and related thereto. and that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said amount under and pursuant to M.G.L. c.44, §8 or pursuant to any other enabling authority, and to issue bonds and notes therefore, provided, that any premium received upon the sale of any bonds or notes approved by this Order, less any such premium applied to the payment of the costs of such issuance of bonds or notes, may be applied to the payment of costs approved by this order in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount; and to take any other action relative thereto.</p>
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City of Everett



EVERETT PUBLIC SCHOOLS
Superintendent William D. Hart

April 7, 2026

The Honorable Mayor Robert Van Campen
484 Broadway
Everett, MA 02149

Dear Mayor Van Campen,

On behalf of Everett Public Schools, I am writing to request authorization to divide an existing Fiscal Year 26 Capital Improvement Plan (CIP) item into two separate items and approve funding for both. This adjustment will allow us to strategically address both technology infrastructure and software upgrades, ensuring that our facilities, operational systems, and instructional needs remain current and effective.

We respectfully ask for your support in advancing this request to the City Council for consideration and approval. Your support will be instrumental in ensuring that these critical investments move forward in a timely manner and continue to meet the evolving needs of our students and staff.

The approved FY26 CIP item is:

Description	Amount
FY26 EPS Network Infrastructure Modernization	\$4,000,000

We request that this item be split into the following two items, with funding authorized for both in Fiscal Year 2027:

No.	Description	Amount
1	FY27 Hardware Replacement & Upgrades	\$2,500,000
2	FY27 Software Upgrades	\$1,500,000
TOTAL		\$4,000,000

- FY27 HARDWARE REPLACEMENT & UPGRADES:** Everett Public Schools must maintain a structured, multi-year schedule for the replacement of end-of-life technology devices. This includes servers, student and educator computers, and network hardware. Without planned replacement cycles, the district risks system failures, increased maintenance costs, and disruptions to instruction. A capital commitment will ensure reliability, security, and equitable access to modern tools for all students and staff.

2. **FY27 SOFTWARE UPGRADES:** In addition to hardware, the district requires ongoing investment in both district-wide and school-specific software systems. These include instructional platforms, student information systems, cybersecurity tools, and operational software. Many of these systems require significant upfront implementation costs as well as recurring licensing and support expenses. A long-term capital strategy will allow Everett Public Schools to plan effectively, avoid unexpected budget shortfalls, and ensure that our technology ecosystem remains current and effective.

Authorizing funding for these two CIP items will enable Everett Public Schools to allocate resources responsibly, plan for consistent annual technology investments, and meet both instructional and infrastructure priorities in a transparent and fiscally sustainable manner.

Please find attached supporting information for your review. Thank you for your continued support of Everett Public Schools and your commitment to providing high-quality educational opportunities for all students.

Sincerely,

A handwritten signature in black ink that reads "William D. Hart". The signature is written in a cursive, slightly slanted style.

William D. Hart
Superintendent of Schools



C0121-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

An order to accept and expend a grant from the Massachusetts Gaming Commission in the amount of \$475,000.00 for the construction of improvements to Everett Square

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

April 27, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

I am writing to request that your honorable council vote to accept and expend a grant from the Massachusetts Gaming Commission in the amount of \$475,000 for the construction of improvements to Everett Square. Acceptance of this grant will allow the City of Everett to begin the Everett Square Revitalization Project, an initiative that represents a critical investment in the future of our community.

Everett Square has long served as a central gathering place for residents, businesses, and visitors. However, like many urban centers, it now faces challenges related to aging infrastructure, economic stagnation, and the need for modern, accessible public spaces.

The proposed improvements—including enhanced pedestrian access, updated streetscapes, and the creation of welcoming public spaces—will not only improve quality of life for residents but also stimulate economic growth. By attracting new businesses, increasing foot traffic, and fostering community engagement, this project will help position Everett Square as a vibrant and inclusive destination.

Equally important, the project emphasizes sustainability and accessibility, ensuring that the benefits of revitalization are shared by all members of our community. Investments like this are essential for building resilient neighborhoods that can thrive for generations to come.

I fully support the acceptance of this grant and respectfully request your favorable consideration. This initiative aligns with our shared goals of economic development, community well-being, and smart urban planning.

Thank you for your time and consideration.

A handwritten signature in blue ink, appearing to read "R. Van Campen".

Robert J. Van Campen
Mayor of the City of Everett



City of Everett

484 Broadway, Everett, MA 02149 • 617-394-2270 • www.cityofeverett.com



Month / Day, 2026
City of Everett, Massachusetts
CITY COUNCIL

Offered By: _____
Councilor Stephanie Smith, as President

<p>Bill Number: Bill Type: Order</p>	<p>Be It Ordered: By City Council OF THE CITY OF EVERETT, as follows:</p> <p>That the City of Everett hereby authorizes the acceptance and expenditure of a \$475,000 Massachusetts Gaming Commission for the construction of improvements to Everett Square.</p>
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C0122-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

A zoning ordinance regulating data centers in the City of Everett

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

Item Number 5

April 27, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Over the past few months, I have been listening to the discourse and engaging in discussions internally regarding how Everett can and should best regulate Data Centers within the city. While the City Council and Planning Board have been working diligently to craft a Data Center Ordinance pertaining to the Everett Docklands Innovation District (EDID), it has become clear that the safeguards and protections contemplated in that Ordinance must be applied Citywide as opposed to solely within a single district.

To that end, I am introducing an Ordinance regulating the construction and operation of Data Centers that will span the entire City. This ordinance is complementary to the draft ordinance currently under consideration related to the EDID. I hope this Ordinance receives the support of this honorable Council and, as always, my team and I will be available to discuss and/or answer any questions you may have.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. J. Van Campen".

Robert J. Van Campen
Mayor of the City of Everett



City of Everett

484 Broadway, Everett, MA 02149 • 617-394-2270 • www.cityofeverett.com

ENROLLED ORDINANCE

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

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo. **C0--- - 26**

IN THE YEAR TWO THOUSAND AND TWENTY-SIX

AN ORDINANCE TO AMEND SECTION 2 – “DEFINITIONS” – AND TO CREATE A NEW SECTION 38 – “DATA CENTERS” – WITHIN THE CITY OF EVERETT ZONING ORDINANCE

Councilor /s/ Stephanie Smith, as President

Whereas: This ordinance is to amend Section 2, “Definitions” and to create a new Section 38, “Data Centers” within the City of Everett Zoning Ordinance;

Whereas: Section 12 of the City of Everett Zoning Ordinance enables the City Council to “...amend, supplement, or change these [Zoning] regulations or districts as provided by statute”;

Whereas: Data Centers are a new and emerging industry which, until now, has not been defined nor regulated in our Ordinances for the entirety of the City of Everett;

Whereas: Concerns have been raised over the environmental impacts, including, but not limited to, air pollution and noise pollution, that Data Centers may bring to the community;

Whereas: Data Centers may increase air pollution, including the release of fine particulate matter, which have been linked to respiratory-health consequences including asthma, lung cancer, and heart issues (see Ren., S. & Wierman, A. (2025, November 5). “Mitigating the Public Health Impacts of AI Data Centers”. Harvard Business Review.)

Whereas: Data Centers that utilize diesel generators and HVAC systems may generate significant noise pollution, reaching levels that are harmful to both humans and local wildlife (see Tao, Y. & Gao, P. (2025, September). *Global data center expansion and human health: A call for empirical research*. Science Direct. Global data center expansion and human health: A call for empirical research – ScienceDirect)

Whereas: Everett has been identified as an Environmental Justice Community, having met specific income, minority, and/or English-proficiency criteria, and bears the burden of

significant environmental pollution risks;

Whereas: The City of Everett has higher mortality rates than the State average (178.6/100,000 in Everett vs. 156.0/100,000 in Massachusetts), including lung cancer, as well as higher respiratory disease hospitalizations than the State average (92.9/100,000 in Everett vs. 66.5/100,000 in Massachusetts for Asthma Emergency Department Visits and 34.7/100,000 in Everett vs. 26.3 in Massachusetts for COPD Hospitalizations) (see “Massachusetts Department of Public Health, Registry of Vital Records and Statistics. Grouped for 2012-2016” | “Massachusetts Department of Public Health, MA Division of Health Care Finance and Policy Uniform Hospital Discharge Dataset System, 2015”).

Whereas: The large amount of electricity consumed by Data Centers could have a negative impact on the electric utility rates paid by our local residents (see Kimball, S. & Cortes, G. (2025, November 14). “Data centers are concentrated in these states. Here’s what’s happening to electricity prices”. CNBC);

Whereas: Water usage to operate Data Centers can far exceed that of similarly-sized industry, potentially placing a strain on local water supply (see Offutt, M.C. & Zhu, L. (2025, August 26). “Data Centers and Their Energy Consumption: Frequently Asked Questions”. Congress.gov.);

~~**Whereas:** The originally-referred Zoning Amendment from the City Council to the Planning Board on January 12, 2026 sought an outright prohibition on the construction of Data Centers within the Everett Docklands Innovation District; and~~

~~**Whereas:** Properly regulated and properly situated Data Centers could spur local economic development through the redevelopment of the Everett Docklands Innovation District by way of job creation and revenue generation;~~

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

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

Section 2 “Definitions”

1. Amend Section 2. Definitions. to add the following definitions (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):

Floor Area Ratio. The result of dividing the gross floor area of the building or buildings on a lot by the total area expressed as a decimal number.

Computer room: A room within a building whose primary function is to house electronic equipment for an entity located on site and that has a design information technology

equipment (ITE) power density exceeding 20 watts/ft² (215 watts/m²) of conditioned floor area. A computer room is ancillary to the onsite use and shall constitute no more than 10% of square footage without a special permit.

Data Center: Building(s) or portions of buildings used to house information technology or telecommunications equipment with which digital information is processed, transferred, and/or stored on behalf of or owned by off-site enterprises. A data center may include associated ancillary structures, including but not limited to, offices, security buildings, cooling water tanks, and backup power systems. This definition does not include on-site computer rooms associated directly with allowable uses.

Data Center (Small): Any structure considered a “Data Center” in accordance with the definition in this same section that shall have a maximum size of 20,000 square feet and/or up to a 5 MW capacity, whichever is less. Data Center (Small) shall not be the primary use of any structure.

Data Center (Large): Any structure considered a “Data Center” in accordance with the definition in this same section that exceeds either 20,000 square feet and/or a 5 MW capacity, whichever is less.

2. Add new **Section 38. Data Centers**. In its entirety as follows (additions are identified as *bold/italics* and deletions are identified as ~~strike-throughs~~):

Section 38 Data Centers.

A. Intent

1. *To establish zoning regulations in accordance with land use policy objectives in the City.*
2. *To protect against the environmental harms and negative impacts on residents that may result from the creation and operation of Data Centers.*
3. *To properly regulate and situate Data Centers as a means to spur economic development through the creation of local jobs and generation of new revenues.*

B. Applicability

1. *This Section shall be applicable to all real property within the City of Everett.*

C. Data Center (Small)

1. *Data Center (Small) is defined in Section 2 of the City of Everett Zoning Ordinance.*
2. *Special Permit Use: Data Center (Small) shall be considered a “Special Permit Use” in the Industrial District (Section 7), Lower Broadway Economic Development District, Waterfront Mixed-Use (Section 30), Commercial Triangle Economic Development District (Section 33), and Everett Docklands Innovation*

District (Section 37).

3. *Prohibited Use: Data Center (Small) shall be considered a “Prohibited Use” in the Dwelling District (Section 4), Apartment District (Section 5), Business District (Section 6), Business Limited District (Section 20), Industrial Limited District (Section 21), Telecommunications Overlay District (Section 24), River Front Overlay District (Section 26), Lower Broadway Economic Development District, Mixed Use (Section 30), Lower Broadway Economic Development District, Commercial (Section 30), Lower Broadway Economic Development District, Employment (Section 30), Lower Broadway Economic Development District, Residential Multi-Family (Section 30), and Lower Broadway Economic Development District, Residential Detached (Section 30), and shall be exempt from the receipt of a Use Variance.*

D. Data Center (Large)

1. *Data Center (Large) is defined in Section 2 of the City of Everett Zoning Ordinance. Prohibited Use: Data Center (Large) shall be considered a “Prohibited Use” in all Districts of the City and shall be exempt from the receipt of a Use Variance.*

E. Data Center Special Permit Requirements.

1. *For any proposed Data Center (Small), as defined in Section 2. Definitions., the Special Permit Granting Authority shall make the following findings of fact prior to issuance of a Special Permit for such use:*
 - a. *Water: Data Centers shall implement a closed-loop or similar cooling system, which utilizes only non-potable water for the cooling of a Data Center. This may be achieved through purple pipe systems, grey-water systems, or other adequate technology evidenced to the SPGA.*
 - b. *Noise: A minimum of a 200’ setback shall be provided between a Data Center and residential and/or noise-sensitive uses, unless the Proponent provides a noise study that satisfactorily shows that, as determined by the SPGA, the proposed design is sufficient to mitigate any potential noise impacts such that the project will not adversely impact residential and/or noise sensitive uses.*
 - c. *Electricity: Sufficient renewable on-site power generation or off-site power generation with a dedicated transmission line to their site (which shall be paid for entirely by the Proponent of the Data Center so as not to impact local rate payers) to operate and maintain the proposed Data Center shall be provided. This may be achieved in a variety of ways, including power purchase agreements, solar energy, wind energy, etc. Proponent shall make publicly available their utility usage on a monthly basis.*
 - i. *Backup-Electricity: Any generators that are to be used as a backup energy source to support the Data Center may only be used when the electrical grid goes down. These generators shall be supported by the least-intrusive energy source possible, including natural gas or sustainable energy. Under no circumstance can diesel be the source of energy for these generators*

d. Local Job Creation: The proposed Data Center will substantially add to local permanent jobs, with a livable wage, by directly supporting high-employment industries within the city of Everett.

F. Data Center Submittal Requirements.

- 1. Water: Proponent must provide a maintenance plan to the SPGA any proposed cooling system, specifying the expected daily water use, the maintenance of the water system, the frequency of “flushing” the used-water, and an explanation on how the water is treated prior to discharge.*
- 2. Noise: Proponent shall show on a plan the location(s) of any noise monitors that will be installed on/around the site.*
- 3. Electricity: Proponent must submit a generator report if any generators will be utilized on the site. This report must contain: (1) the location of the generator(s); (2) the capacity of the generators; (3) the estimated cycling frequency of the generators; (4) the source of energy utilized for these generators; and (5) a Noise Study submitted specifically in relation to the generators.*



City of
Everett
Massachusetts

C0114-26

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: April 27, 2026

Agenda Item:
A petition requesting the renewal of a junk dealer/collector license for Minichello Bros Inc. at 421 Second St

Background and Explanation:

Attachments:



C0115-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

A petition requesting the renewal of a second hand dealer's, antique, precious metals license for Minichello Bros inc. at 421 Second St

Background and Explanation:

Attachments:



City of
Everett
Massachusetts

C0116-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

A petition requesting the renewal of a second hand dealer's, antique, precious metals license for Gold "n" Oldies at 2044 Revere Beach Pkwy

Background and Explanation:

Attachments:



C0118-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

A petition requesting the renewal of a junk dealer/collector license for Second St Iron & Metal at 285 Second St

Background and Explanation:

Attachments:



City of
Everett
Massachusetts

C0119-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 27, 2026

Agenda Item:

A petition requesting the renewal of a junk dealer license for Radius Recycling at 69 Rover Street

Background and Explanation:

Attachments:



C0083-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 13, 2026

Agenda Item:

National Grid Boston St

Background and Explanation:

Attachments:

Questions contact – Tim Williamson (508)-935-1650 or timothy.p.williamson@leidos.com

Petition of the Massachusetts Electric Company d/b/a NATIONAL GRID
Of NORTH ANDOVER, MASSACHUSETTS
For Electric Conduit Location:

To the City Council of Everett, Massachusetts

Respectfully represents the Massachusetts Electric Company d/b/a NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked – Broadway - Everett, Massachusetts.

The following are the streets and highways referred to:

WR# 31173828

Broadway - National Grid to install underground facilities on Broadway beginning at a point approximately 350 feet Northwest of the centerline of the intersection of Charlton Street and Broadway and continuing approximately 3,500 feet in a Northeasterly direction. Installation of (+/- 3,500 feet) of conduits encased in concrete (various configurations), ten manholes, and miscellaneous underground equipment on Broadway, Everett, MA 02149.

Location approximately as shown on plan attached.

Massachusetts Electric Company d/b/a
NATIONAL GRID *Nick Memmolo*

BY _____
Engineering Department

Questions contact – Tim Williamson (508)-935-1650 or timothy.p.williamson@leidos.com

Dated: March 5, 2026

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 4th day of February, 2026.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Broadway - Everett, Massachusetts.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

WR# 31173828

Broadway - National Grid to install underground facilities on Broadway beginning at a point approximately 350 feet Northwest of the centerline of the intersection of Charlton Street and Broadway and continuing approximately 3,500 feet in a Northeasterly direction. Installation of (+/- 3,500 feet) of conduits encased in concrete (various configurations), ten manholes, and miscellaneous underground equipment on Broadway, Everett, MA 02149.

I hereby certify that the foregoing order was adopted at a meeting of the

.....

....., held on the day of, 20

....., 20

Received and entered in the records of location orders of the City/Town of

Book Page

Attest:

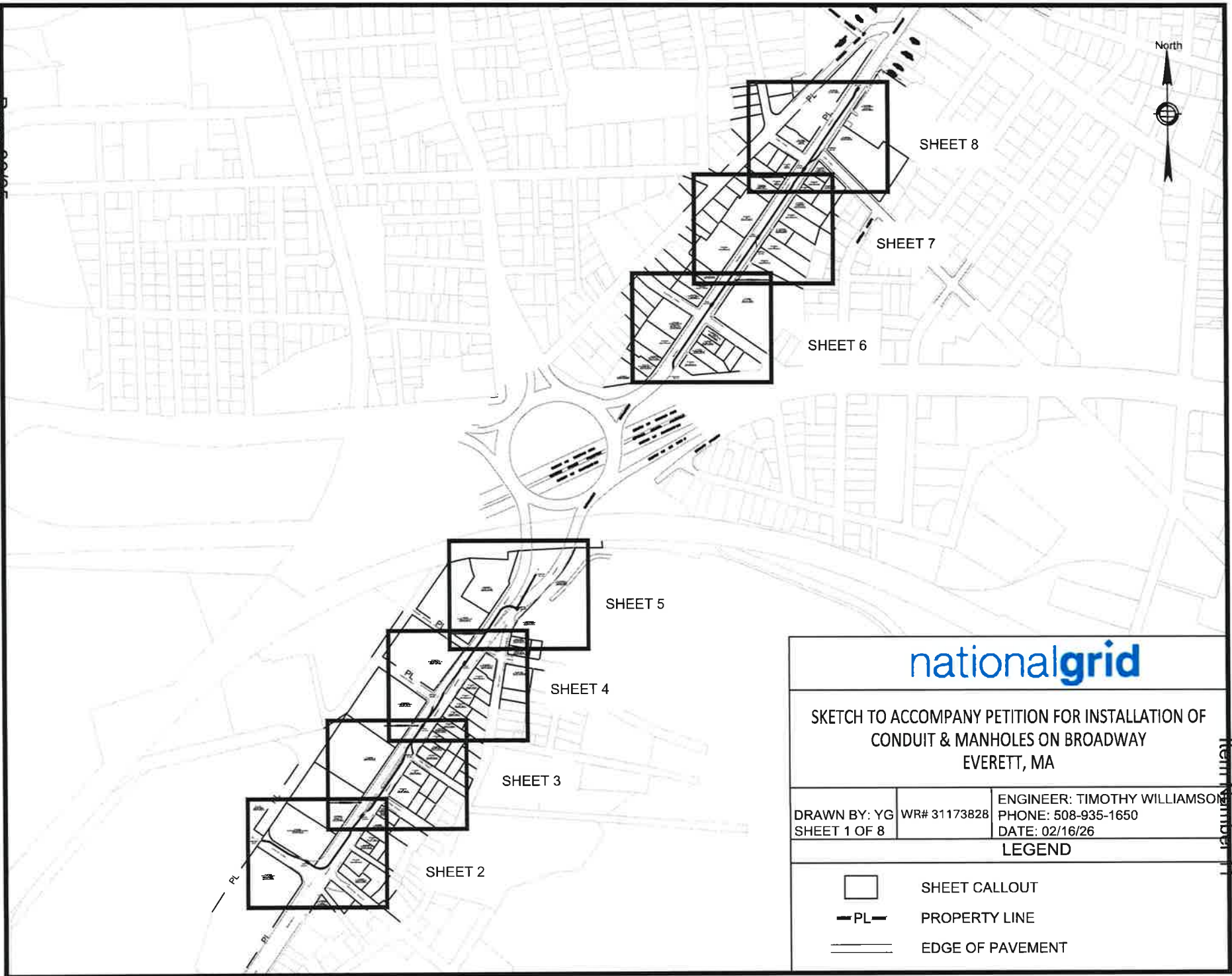
.....

..... hereby certify that on20....., at o'clock,M

at, a public hearing was held on the petition of Massachusetts Electric Company d/b/a NATIONAL GRID for permission to construct the

underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

.....
.....
.....






nationalgrid

SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA

DRAWN BY: YG	WR# 31173828	ENGINEER: TIMOTHY WILLIAMSON
SHEET 1 OF 8		PHONE: 508-935-1650
		DATE: 02/16/26

LEGEND

-  SHEET CALLOUT
-  PROPERTY LINE
-  EDGE OF PAVEMENT

MATCHLINE - SHEET 3
MATCHLINE - SHEET 2



84 BROADWAY
N/F WYNN MA, LLC
BOOK 64987 PAGE 327
PARCEL ID: H0-04-000013

128 BROADWAY
N/F GOLDEN ARCHES LIMITED PARTNERSHIP
BOOK 28465 PAGE 153
PARCEL ID: H0-04-000004

140 BROADWAY
N/F SELF STORAGE
BROADWAY LLC
BOOK 63575 PAGE 35
PARCEL ID: H0-04-000005

151 BROADWAY
N/F 151
BROADWAY LLC
BOOK 79438
PAGE 535
PARCEL ID:
H0-03-000019

147 BROADWAY
N/F 147 BROADWAY LLC,
BOOK 80333 PAGE 68
PARCEL ID: H0-03-000017

NEW
MH 6702

EXISTING
MH 6

143 BROADWAY
N/F
BOOK 77137 PAGE 278
PARCEL ID: H0-03-000015

139 BROADWAY
N/F SAPALA MALDEN LLC,
BOOK 82664 PAGE 563
PARCEL ID: H0-03-000014

NEW
MH 6701

100 BROADWAY
N/F ROBERT A. MONDELLO &
EUGENE P. GIACCHINO
BOOK 29227 PAGE 395
PARCEL ID: H0-04-000003

115 BROADWAY
N/F ENCORE BOSTON
HARBOR
127 BROADWAY, LLC
BOOK 81396 PAGE 432
PARCEL ID: H0-05-000071











SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA

DRAWN BY: YG
SHEET 2 OF 8

WR# 31173828

ENGINEER: TIMOTHY WILLIAMSON
PHONE: 508-935-1650
DATE: 02/16/26

LEGEND

-  REFERENCE MANHOLE
-  REFERENCE 3-WAY MANHOLE
-  PROPOSED 2-WAY MANHOLE
-  PROPOSED 3-WAY MANHOLE
-  REFERENCE CONDUIT
-  PROPOSED CONDUIT
-  ROAD
-  LOT LINES

Item Number 11



MATCHLINE - SHEET 4
MATCHLINE - SHEET 3

183 BROADWAY
N/F
BOOK 62845 PAGE 236
PARCEL ID: H0-01-000006

181 BROADWAY
N/F JOSEPH TR. BONO
BOOK 82337 PAGE 429
PARCEL ID: H0-01-000004

179 BROADWAY
N/F
BOOK 62828 PAGE 401
PARCEL ID: H0-01-000003

177 BROADWAY
N/F MANDIP SINGH
BOOK 86280 PAGE 470
PARCEL ID: H0-01-000002

173 BROADWAY
N/F
BOOK 57243 PAGE 322
PARCEL ID: H0-01-000001

171 BROADWAY
N/F
BOOK 61997 PAGE 211
PARCEL ID: H0-03-000035

167 BROADWAY
N/F
BOOK 58055 PAGE 254
PARCEL ID: H0-03-000033

151 BROADWAY
N/F 151
BROADWAY LLC.
BOOK 79438
PAGE 535
PARCEL ID: H0-03-000019

147 BROADWAY
N/F 147 BROADWAY LLC.
BOOK 80333 PAGE 66
PARCEL ID: H0-03-000017

160 BROADWAY
N/F W.W. GRAINGER INC.
PARCEL ID: H0-02-000084

140 BROADWAY
N/F SELF STORAGE
BROADWAY LLC
BOOK 63575 PAGE 35
PARCEL ID: H0-04-000005

NEW
MH 6703

EXISTING
MH 308

NEW
MH 6702

nationalgrid

**SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA**

DRAWN BY: YG	WR# 31173828	ENGINEER: TIMOTHY WILLIAMSON
SHEET 3 OF 8		PHONE: 508-935-1650
		DATE: 02/16/26

LEGEND

	REFERENCE MANHOLE
	REFERENCE 3-WAY MANHOLE
	PROPOSED 2-WAY MANHOLE
	PROPOSED 3-WAY MANHOLE
	REFERENCE CONDUIT
	REFERENCE CONDUIT
	PROPOSED CONDUIT
	ROAD
	LOT LINES

Form Number 11



MATCHLINE - SHEET 5
MATCHLINE - SHEET 4

1 BOWDOIN STREET
N/F BATCH APARTMENTS LLC.
BOOK 83419 PAGE 426
PARCEL ID: H0-04-000005

NEW
MH 6704

207 BROADWAY
N/F BROADWAY ASSETS LLC.
BOOK 62815 PAGE 142
PARCEL ID: H0-01-000014

207 BOW STREET
N/F RITA M. BRANDANO
BOOK 64110 PAGE 260
PARCEL ID: H0-01-000120

205 BOW STREET
N/F KEVIN V. NGUYEN
BOOK 83712 PAGE 262
PARCEL ID: H0-01-000119

197 BOW STREET
N/F JOSEPH A. BAGNRELL
PARCEL ID: H0-01-000104

2 BOWDOIN STREET
N/F BATCH APARTMENTS LLC.
BOOK 83419 PAGE 426
PARCEL ID: H0-04-000005

EXISTING
MH 688

199 BROADWAY
N/A
PARCEL ID: H0-01-000012

197 BROADWAY
N/F
BOOK 72424 PAGE 49
PARCEL ID: H0-01-000011

195 BROADWAY
N/F
PARCEL ID: H0-01-000010

191 BROADWAY
N/F
BOOK 76932 PAGE 184
PARCEL ID: H0-01-000009

187 BROADWAY
N/F
BOOK 71642 PAGE 514
PARCEL ID: H0-01-000008

183 BROADWAY
N/F
BOOK 62845 PAGE 236
PARCEL ID: H0-01-000006

181 BROADWAY
N/F JOSEPH TR. BONO
BOOK 82337 PAGE 429
PARCEL ID: H0-01-000004

179 BROADWAY
N/F
BOOK 62828 PAGE 401
PARCEL ID: H0-01-000003

MATCHLINE - SHEET 4
MATCHLINE - SHEET 3

NEW
MH 6703











SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA

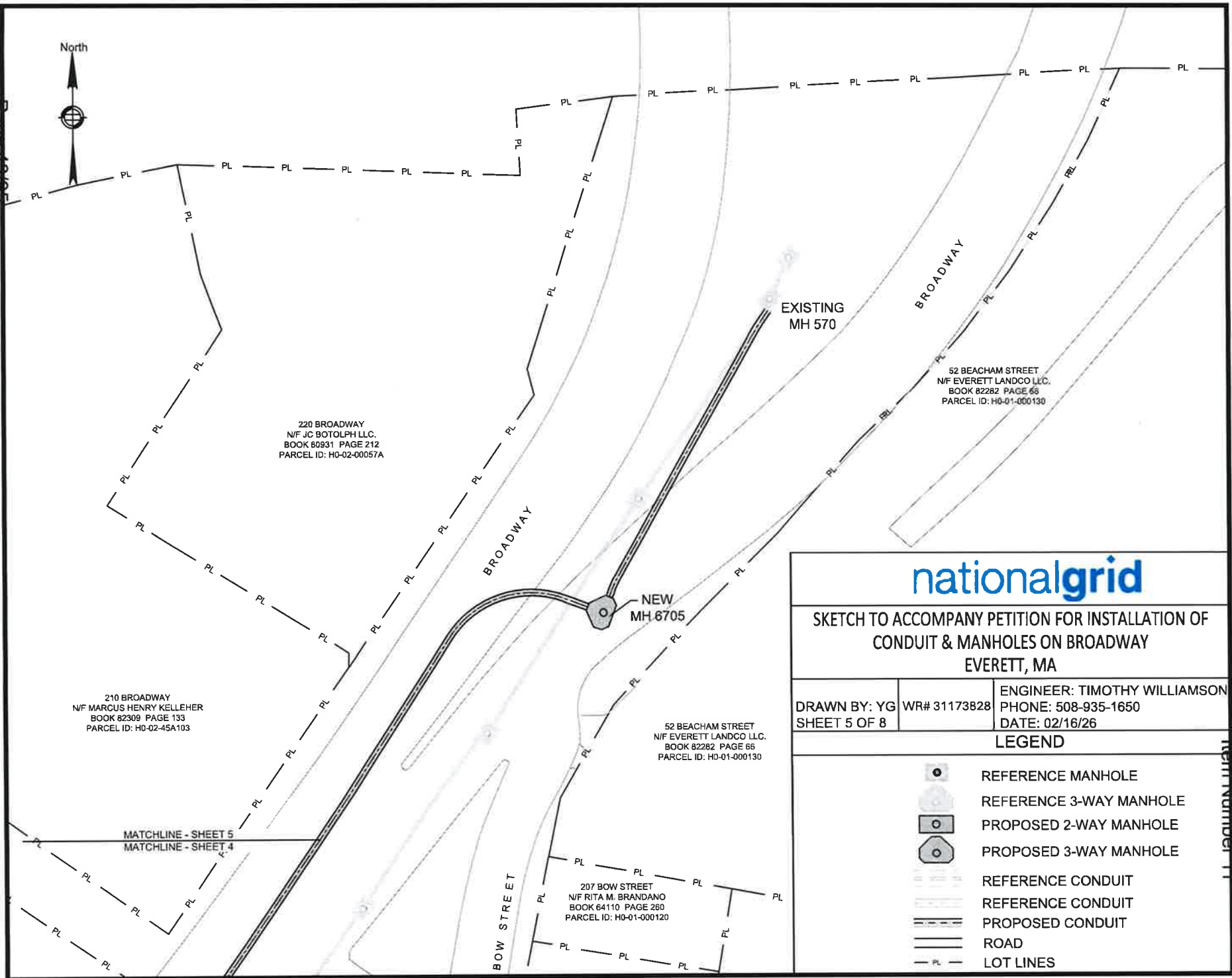
DRAWN BY: YG
SHEET 4 OF 8

ENGINEER: TIMOTHY WILLIAMSON
PHONE: 508-935-1650
DATE: 02/16/26

LEGEND

-  REFERENCE MANHOLE
-  REFERENCE 3-WAY MANHOLE
-  PROPOSED 2-WAY MANHOLE
-  PROPOSED 3-WAY MANHOLE
-  REFERENCE CONDUIT
-  PROPOSED CONDUIT
-  ROAD
-  LOT LINES

Item Number 11



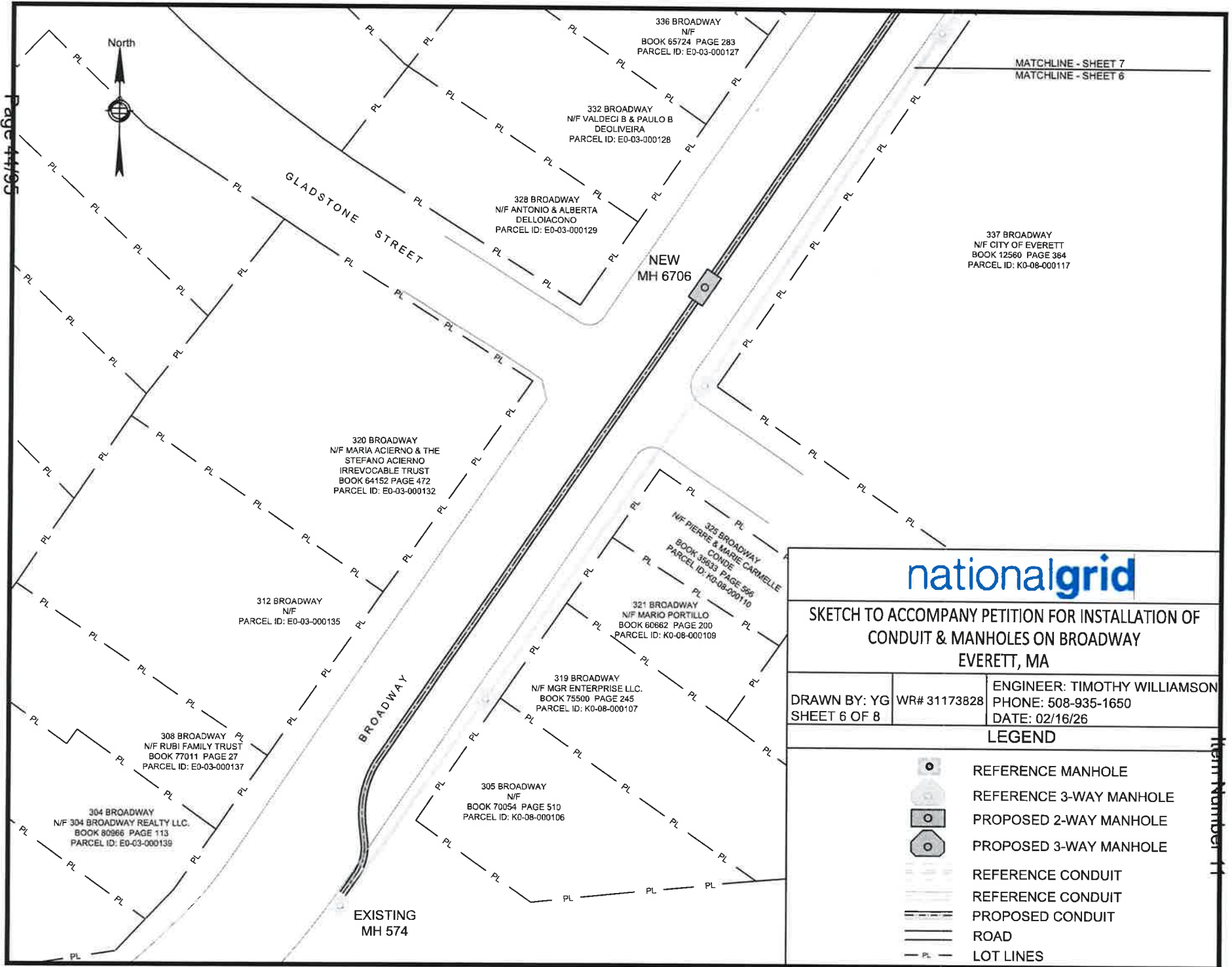
**SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA**

DRAWN BY: YG	WR# 31173828	ENGINEER: TIMOTHY WILLIAMSON
SHEET 5 OF 8		PHONE: 508-935-1650
		DATE: 02/16/26

LEGEND

	REFERENCE MANHOLE
	REFERENCE 3-WAY MANHOLE
	PROPOSED 2-WAY MANHOLE
	PROPOSED 3-WAY MANHOLE
	REFERENCE CONDUIT
	PROPOSED CONDUIT
	ROAD
	LOT LINES

Item Number 11



MATCHLINE - SHEET 7
MATCHLINE - SHEET 6

NEW
MH 6706

337 BROADWAY
N/F CITY OF EVERETT
BOOK 12560 PAGE 364
PARCEL ID: K0-08-000117

336 BROADWAY
N/F
BOOK 65724 PAGE 283
PARCEL ID: E0-03-000127

332 BROADWAY
N/F VALDECI B & PAULO B
DEOLIVEIRA
PARCEL ID: E0-03-000128

328 BROADWAY
N/F ANTONIO & ALBERTA
DELLOIACONO
PARCEL ID: E0-03-000129

320 BROADWAY
N/F MARIA ACIERNO & THE
STEFANO ACIERNO
IRREVOCABLE TRUST
BOOK 64152 PAGE 472
PARCEL ID: E0-03-000132

312 BROADWAY
N/F
PARCEL ID: E0-03-000135

308 BROADWAY
N/F RUBI FAMILY TRUST
BOOK 77011 PAGE 27
PARCEL ID: E0-03-000137

304 BROADWAY
N/F 304 BROADWAY REALTY LLC.
BOOK 80966 PAGE 113
PARCEL ID: E0-03-000139

319 BROADWAY
N/F MGR ENTERPRISE LLC.
BOOK 75500 PAGE 245
PARCEL ID: K0-08-000107

321 BROADWAY
N/F MARIO PORTILLO
BOOK 60662 PAGE 200
PARCEL ID: K0-08-000109

325 BROADWAY
N/F PIERRE & MARIE CARMELLE
CONDE
BOOK 35533 PAGE 586
PARCEL ID: K0-08-000110

305 BROADWAY
N/F
BOOK 70054 PAGE 510
PARCEL ID: K0-08-000106

EXISTING
MH 574











SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA

DRAWN BY: YG
SHEET 6 OF 8

WR# 31173828

ENGINEER: TIMOTHY WILLIAMSON
PHONE: 508-935-1650
DATE: 02/16/26

LEGEND

-  REFERENCE MANHOLE
-  REFERENCE 3-WAY MANHOLE
-  PROPOSED 2-WAY MANHOLE
-  PROPOSED 3-WAY MANHOLE
-  REFERENCE CONDUIT
-  PROPOSED CONDUIT
-  ROAD
-  LOT LINES

Item Number 11



MATCHLINE - SHEET 8
MATCHLINE - SHEET 7

366 BROADWAY
N/F 366 BROADWAY
REALTY TRUST
PARCEL ID: E0-03-000112

370 BROADWAY
N/F
PARCEL ID: E0-03-000114

383 BROADWAY
N/F
PARCEL ID: K0-08-000146

588 SECOND ST
N/F MARLENE G
PARCEL ID: K0-08-

373 BROADWAY
N/F
BOOK 76838 PAGE 472
PARCEL ID: K0-08-000145

369 BROADWAY
N/F 369 BROADWAY
HOLDINGS LLC.
BOOK 79142 PAGE 56
PARCEL ID: K0-08-000143

356 BROADWAY
N/F
BOOK 61798 PAGE 472
PARCEL ID: E0-03-000119

365 BROADWAY
N/F
PARCEL ID: K0-08-141001

357, 361 BROADWAY
N/F CARMINE ROMANO
BOOK 82946 PAGE 404
PARCEL ID: K0-08-000140

NEW
MH 6707

350 BROADWAY
N/F
PARCEL ID: E0-03-000124

335 BROADWAY
N/F
PARCEL ID: K0-08-000135

EXISTING
MH 416

349 BROADWAY
N/F
PARCEL ID: K0-08-000132

336 BROADWAY
N/F
BOOK 65724 PAGE 283
PARCEL ID: E0-03-000127










MATCHLINE - SHEET 7
MATCHLINE - SHEET 6



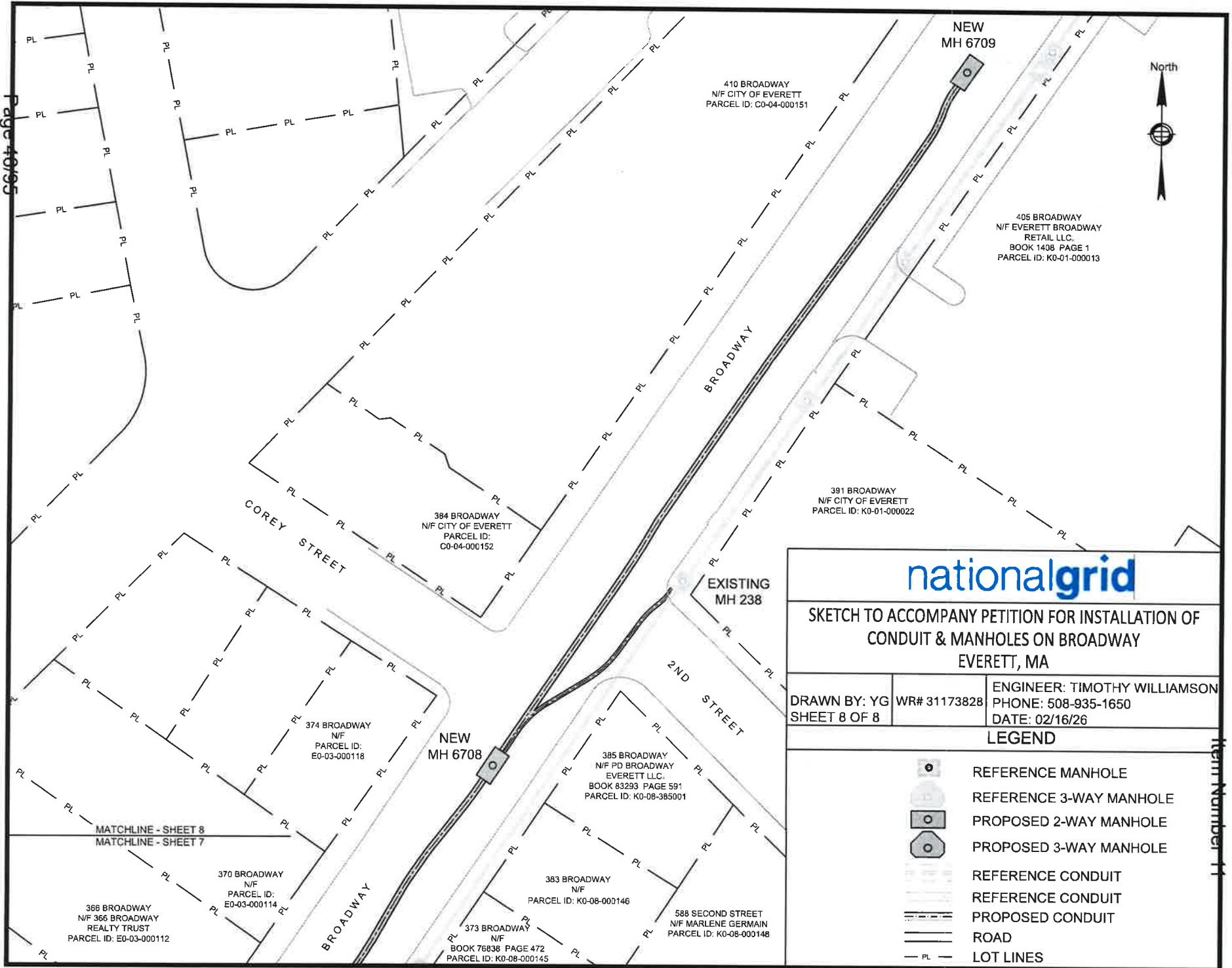
SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF
CONDUIT & MANHOLES ON BROADWAY
EVERETT, MA

DRAWN BY: YG SHEET 7 OF 8	WR# 31173828	ENGINEER: TIMOTHY WILLIAMSON
		PHONE: 508-935-1650 DATE: 02/16/26

LEGEND

-  REFERENCE MANHOLE
-  REFERENCE 3-WAY MANHOLE
-  PROPOSED 2-WAY MANHOLE
-  PROPOSED 3-WAY MANHOLE
-  REFERENCE CONDUIT
-  REFERENCE CONDUIT
-  PROPOSED CONDUIT
-  ROAD
-  LOT LINES









Item Number 11



SKETCH TO ACCOMPANY PETITION FOR INSTALLATION OF CONDUIT & MANHOLES ON BROADWAY EVERETT, MA

DRAWN BY: YG SHEET 8 OF 8	WR# 31173828	ENGINEER: TIMOTHY WILLIAMSON PHONE: 508-935-1650 DATE: 02/16/26
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LEGEND

-  REFERENCE MANHOLE
-  REFERENCE 3-WAY MANHOLE
-  PROPOSED 2-WAY MANHOLE
-  PROPOSED 3-WAY MANHOLE
-  REFERENCE CONDUIT
-  PROPOSED CONDUIT
-  ROAD
-  LOT LINES

Item Number 11



C0107-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 13, 2026

Agenda Item:

An order requesting confirmation of the appointment of Jeremiah F. Sheehan to the Everett Public Works Commission/Glenwood Cemetery Commission for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

Item Number 12

April 8, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Pursuant to the City of Everett Administrative Code, § III(D), I hereby appoint, subject to confirmation by the City Council, Jeremiah F. Sheehan to the Everett Public Works Commission/Glenwood Cemetery Commission for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029.

Jeremiah T. Sheehan will replace Carmine DeMaria, whose term expired on June 30, 2025.

I respectfully request that the City Council confirm the appointment of Jeremiah F. Sheehan in accordance with the above-mentioned laws.

Thank you for your attention to this matter.

Thank you,

A handwritten signature in blue ink, appearing to read "R. Van Campen".

Robert J. Van Campen
Mayor of the City of Everett



City of Everett

484 Broadway, Everett, MA 02149 • 617-394-2270 • www.cityofeverett.com



C0108-26

To: Mayor and City Council
From: Councilor Stephanie V. Smith
Date: April 13, 2026

Agenda Item:

An order requesting the confirmation of the appointment of Michael Piazza to the Everett Housing Authority Board as a member, for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029.

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

April 8, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Please be advised that in accordance with Sections 2-10 and 3-3 of the City Charter and Chapter 121B § 5 of Massachusetts General Laws, I hereby appoint Michael Piazza to the Everett Housing Authority Board as a member, for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on February 1, 2029. I respectfully request that the City Council confirm the appointment of Michael Piazza in accordance with the above-mentioned laws.

Michael Piazza is being appointed to replace Philip Colameta, whose term ended on March 9, 2026 in accordance with established removal procedures. In accordance with law, Mr. Piazza's appointment shall be for the duration of Mr. Colameta's unexpired term.

I respectfully request that the City Council confirm the appointment of Michael Piazza in accordance with the above-mentioned laws.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. J. Van Campen".

Robert J. Van Campen
Mayor of the City of Everett



City of Everett



C0109-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 13, 2026

Agenda Item:

An order requesting the confirmation of the appointment of Mary Puleo to the City of Everett Library Board of Trustees for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

Item Number 14

April 8, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Pursuant to Massachusetts General Laws Ch. 78 §§ 10-11 and the City of Everett Administrative Code, § III(I), I hereby appoint, subject to the confirmation by City Council, Mary Puleo to the City of Everett Library Board of Trustees for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029.

This appointment of Mary Puleo will fill a current vacancy on the Everett Library Board of Trustees.

I respectfully request that the City Council confirm the appointment of Mary Puleo in accordance with the above-mentioned laws.

Thank you for your attention to this matter.

Thank you,

Robert J. Van Campen
Mayor of the City of Everett



City of Everett

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C0110-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 13, 2026

Agenda Item:

An order requesting the confirmation of the appointment of Beverly Leonard to the City of Everett Library Board of Trustees for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

Item Number 15

April 8, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Pursuant to Massachusetts General Laws Ch. 78 §§ 10-11 and the City of Everett Administrative Code, § III(I), I hereby appoint, subject to confirmation by the City Council, Beverly Leonard to the City of Everett Library Board of Trustees for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029.

This appointment of Beverly Leonard will fill a current vacancy on the Everett Library Board of Trustees.

I respectfully request that the City Council confirm the appointment of Beverly Leonard in accordance with the above-mentioned laws.

Thank you for your attention to this matter.

Thank you,

Robert J. Van Campen
Mayor of the City of Everett



City of Everett

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C0111-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 13, 2026

Agenda Item:

An order requesting the confirmation of the appointment of Farah Costa to the City of Everett Licensing Commission for a term not to exceed six (6) years, commencing on April 27, 2026 and ending on April 27, 2032

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

Item Number 16

April 8, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Pursuant to Massachusetts General Laws Ch. 138, § 4 and the City of Everett Administrative Code, § III(O)(II)(a) - (b), I hereby appoint, subject to confirmation by the City Council, Farah Costa to the City of Everett Licensing Commission for a term not to exceed six (6) years, commencing on April 27, 2026 and ending on April 27, 2032.

Farah Costa will replace Filipo Arloro Jr., whose term expired on November 23, 2024.

I respectfully request that the City Council confirm the appointment of Farah Costa in accordance with the above-mentioned laws.

Thank you for your attention to this matter.

Respectfully Submitted,

Robert J. Van Campen
Mayor of the City of Everett



City of Everett

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C0112-26

To: Mayor and City Council

From: Councilor Stephanie V. Smith

Date: April 13, 2026

Agenda Item:

An order requesting confirmation of the appointment of Laura Evans to the Everett Disability Commission for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029

Background and Explanation:

Attachments:



Office of Mayor
Robert J. Van Campen

Item Number 17

April 8, 2026

The Honorable Stephanie Smith
President, Everett City Council
484 Broadway
Everett, Massachusetts 02149

Dear Madam President:

Pursuant to the City of Everett Administrative Code, Section III(F), I hereby appoint, subject to confirmation by the City Council, Laura Evans to the Everett Disability Commission for a term not to exceed three (3) years, commencing on April 27, 2026 and ending on April 27, 2029.

This appointment of Laura Evans will fill a current vacancy on the Everett Disability Commission.

I respectfully request that the City Council confirm the appointment of Laura Evans in accordance with the City's administrative code.

Thank you for your attention to this matter.

Thank you,

Robert J. Van Campen
Mayor of the City of Everett



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C0007-26

To: Mayor and City Council

From: Councilor Katy L. Rogers

Date: January 12, 2026

Agenda Item:

An ordinance recommending the amendment of Section 37 (Everett Docklands Innovation District ("EDID")) of the city's Zoning Ordinance to add data centers to the prohibited uses portion of the section's use category table

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/2026

DATE OF PROPOSED ORDAINMENT: MM/DD/2026



CITY COUNCIL..... No. C0007-26

IN THE YEAR TWO THOUSAND AND TWENTY-SIX

Councilors Katy P. Rogers, Stephanie Martins & Vivian Nguyen

AN ORDINANCE AMENDING SECTION 37 (EVERETT DOCKLANDS INNOVATION DISTRICT (“EDID”)) OF THE CITY’S ZONING ORDINANCE TO ADD DATA CENTERS TO THE PROHIBITED USES PORTION OF THE SECTION’S USE CATEGORY TABLE

WHEREAS: The City of Everett has established the Docklands Innovation District to foster a vibrant, mixed-use environment characterized by high-density employment, creative industries, and active waterfront engagement; and

WHEREAS: The City Council finds that the long-term economic health of the Docklands depends on "active" land uses that generate significant job density, foot traffic, and synergy between neighboring businesses; and

WHEREAS: Data centers, while essential to the modern digital economy, are characterized by exceptionally low employee-to-square-foot ratios and minimal contribution to street-level vitality or the local "innovation ecosystem"; and

WHEREAS: The high energy and cooling demands of data centers may place an undue burden on the local power grid and municipal infrastructure without providing a proportional benefit in terms of workforce development or public use; and

WHEREAS: The City Council seeks to preserve the limited acreage within the Docklands Innovation District for research and development, advanced manufacturing, and commercial uses that better align with the district’s vision.

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 the Zoning Ordinance (Appendix A, Section 37 - Everett Docklands Innovation District (“EDID”)) is hereby amended as follows:

SECTION I: AMENDMENT TO USE TABLE

Subsection (d)(4)e. (“The Docklands Innovation District Use Category Table”) is hereby amended as follows:

1. Modify the table entry for “Data Centers” in the Innovation portion of the Use Category Table, to set the use value for each of the sub-districts to blank to indicate the usage is not allowed; and
2. Add an entry for "Data Centers / Data Processing Facilities" in the Prohibitions portion of the Used Category Table. This new entry shall be inserted in a manner to maintain the alphabetical order of the entries in this portion of table. As with the other entries in this portion of the table, the use value for each of the sub-districts will be set to blank to indicate the usage is not allowed.

SECTION II: DEFINITIONS

Subsection (e)(4) is hereby amended by deleting the current definition of “Data Center” and replacing it with the following new definition:

- (4) Data Center / Data Processing Facility: A facility or specialized space primarily used for the centralized housing and operation of computer servers, data storage systems, and associated telecommunications equipment. Such facilities are characterized by high-density power requirements and specialized climate control systems. This definition shall not include small-scale server rooms or IT closets that are clearly incidental and accessory to a primary permitted office, research, or industrial use.

(C0007-26)

SECTION III: SEVERABILITY

If any part of this ordinance is deemed invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in full force and effect.

SECTION IV: EFFECTIVE DATE

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



A true copy attest

A handwritten signature in black ink that reads "Sergio Cornelio".

Sergio Cornelio, City Clerk

From: [Stephanie McColaugh](#)
To: [Michael Mangan](#)
Subject: Re: Data Center Research - Everett
Date: Tuesday, January 13, 2026 1:36:48 PM

Thank you!

On Tue, Jan 13, 2026 at 12:40 PM Michael Mangan <Michael.Mangan@ci.everett.ma.us> wrote:

Good morning Stephanie,

I will attach this document to the agenda item

Sincerely, Mike
Sent from my iPhone

> On Jan 13, 2026, at 12:04 PM, Stephanie McColaugh <smccolaugh@gmail.com> wrote:

>

> Hello,

>

> Following up on last night's City Council meeting, here is an electronic version of the document I distributed. As you know, there is a push to construct a data center in the innovation district. I have put together some resources for you to better understand the impacts a data center may have on Everett (attached- "Data Center Research"). Note that due to a lack of reporting requirements and various facility sizes, data varies. Please take the time to review, do your own additional research, and consider your position. I have also attached the Davis Company "uses table" (Attachment A), which shows a potential data center at the bottom of page two.

>

> I ask that the City Councilors of Everett, in collaboration with the Administration, and the Planning Board, work expeditiously to revise current zoning to ban the construction of data centers in Everett.

>

> As a blue collar, environmental justice community, subjecting residents to increased electric rates, future water insecurity, diminished air quality, and increased noise is a step in the wrong direction. While this may appear to be a quick economic win (despite minimal jobs after construction), the strain on our electric grid and water systems may very well hamstring more fruitful future development. Particularly should multiple data centers be constructed.

>

> The Davis Company has been in communication with National Grid and Jupiter, indicating that they are pushing this through with no community input, engagement, or transparency on the impact this would have on our utilities or future growth.

>

> Many communities have been blindsided by the construction of data centers in their cities and their negative impacts. I ask that you act now before it is too late. Please allow state and federal regulations time to develop AI regulations, required impact assessments, utility forecasts, and reporting so should Everett in the future choose to allow a data center, it can be constructed and operated in a responsible, sustainable way to ensure that it benefits the long-term growth of our community.



Department of
**Planning &
Development**

April 27, 2026

City Council President Stephanie Smith and Honorable Members of the Everett City Council
Everett City Hall, 484 Broadway, Room 38
Everett, MA 02149

RE: Everett Docklands Innovation District – Proposed Ordinance related to Data Centers

Dear Madam President and Honorable Members of the Everett City Council:

On January 12, 2026, the City Council voted to refer a proposed Zoning Amendment aimed at prohibiting the construction of Data Centers within the Everett Docklands Innovation District (“EDID”) to the Planning Board for review and recommendation. The matter was introduced to the Planning Board on February 2, 2026 and discussed again on March 2, 2026. During the March 2, 2026 meeting, the Planning Board requested that Planning staff conduct additional research and put together a draft Ordinance addressing the concerns raised by Planning Board members, City Councilors, and residents.

Stemming from this request, staff conducted research, including reading public reports and reaching out to relevant government and public entities around the country, to better understand the impacts of the construction and operation of Data Centers, and compiled mitigation strategies to address these impacts. Performed in conjunction with the two Sponsors of the original Ordinance, the updated Ordinance includes both new and revised definitions of Computer Rooms and Data Centers, proposes changes to the existing Use Table for the EDID, codifies required Findings of Fact that the Planning Board – as the Special Permit Granting Authority – must consider in their review of a Data Center proposal, and outlines submission requirements that a Proponent of a Data Center must provide to the Planning Board in connection with their proposal. Separate from the Ordinance, a list of potential conditions of approval for the construction of a Data Center has also been provided to the Board that can be utilized during the review of a Data Center proposal. The draft ordinance proposed by the Planning Board is intended to replace in full the original draft sent by the City Council to the Planning Board, i.e., the draft ordinance, as proposed, does not contemplate making all data centers of all sizes as a prohibited use within the district.

The Planning Board voted unanimously on Monday, April 6th to provide a **FAVORABLE RECOMMENDATION** of the draft Ordinance to the City Council for their consideration with the following proposed amendments made on the floor:

1. Amend Section 37(f)(3)(a)(iii)(A) as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):
 - A. Backup-Electricity: Any generators that are to be used as a backup energy source to support the Data Center may only be used when the electrical grid goes down.



City of Everett

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These generators shall be supported by the least-intrusive energy source possible, including ~~natural gas or~~ sustainable energy. Under no circumstance can diesel be the source of energy for these generators.

2. Amend Section 37(f)(3)(a)(iv) as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):
 - iv. Local Job Creation: The proposed Data Center will substantially add to local permanent jobs, with a livable wage, by directly supporting high-employment industries within 1,000' of the proposed Data Center ***the city of Everett.***

Please note that this proposed Ordinance pertains solely to the EDID; a separate Citywide Ordinance will be introduced to the City Council shortly for their consideration.

Thank you.

A handwritten signature in blue ink, appearing to read "Matt Lattanzi", is written over a horizontal line.

Matt Lattanzi, Esq.
Director, Department of Planning & Development

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

ENROLLED:
DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo. C0--- - 26

IN THE YEAR TWO THOUSAND AND TWENTY-SIX

**AN ORDINANCE TO AMEND SECTION 37 – “EVERETT DOCKLANDS
INNOVATION DISTRICT (EDID)” – OF THE CITY OF EVERETT ZONING
ORDINANCE**

Councilor /s/ Stephanie Smith, as President

Whereas: This ordinance is to amend Section 37, “Everett Docklands Innovation District (EDID)”, of the City of Everett Zoning Ordinance;

Whereas: Section 12 of the City of Everett Zoning Ordinance enables the City Council to “...amend, supplement, or change these [Zoning] regulations or districts as provided by statute”;

Whereas: Data Centers are a new and emerging industry which, until now, has not been defined nor regulated in our Ordinances;

Whereas: Concerns have been raised over the environmental impacts, including, but not limited to, air pollution and noise pollution, that Data Centers may bring to the community;

Whereas: Data Centers may increase air pollution, including the release of fine particulate matter, which have been linked to respiratory-health consequences including asthma, lung cancer, and heart issues (see Ren., S. & Wierman, A. (2025, November 5). “Mitigating the Public Health Impacts of AI Data Centers”. Harvard Business Review.)

Whereas: Data Centers that utilize diesel generators and HVAC systems may generate significant noise pollution, reaching levels that are harmful to both humans and local wildlife (see Tao, Y. & Gao, P. (2025, September). *Global data center expansion and human health: A call for empirical research*. Science Direct. Global data center expansion and human health: A call for empirical research – ScienceDirect)

Whereas: Everett has been identified as an Environmental Justice Community, having met specific income, minority, and/or English-proficiency criteria, and bears the burden of

significant environmental pollution risks;

Whereas: The City of Everett has higher mortality rates than the State average (178.6/100,000 in Everett vs. 156.0/100,000 in Massachusetts), including lung cancer, as well as higher respiratory disease hospitalizations than the State average (92.9/100,000 in Everett vs. 66.5/100,000 in Massachusetts for Asthma Emergency Department Visits and 34.7/100,000 in Everett vs. 26.3 in Massachusetts for COPD Hospitalizations) (see “Massachusetts Department of Public Health, Registry of Vital Records and Statistics. Grouped for 2012-2016” | “Massachusetts Department of Public Health, MA Division of Health Care Finance and Policy Uniform Hospital Discharge Dataset System, 2015”).

Whereas: The large amount of electricity consumed by Data Centers could have a negative impact on the electric utility rates paid by our local residents (see Kimball, S. & Cortes, G. (2025, November 14). “Data centers are concentrated in these states. Here’s what’s happening to electricity prices”. CNBC);

Whereas: Water usage to operate Data Centers can far exceed that of similarly-sized industry, potentially placing a strain on local water supply (see Offutt, M.C. & Zhu, L. (2025, August 26). “Data Centers and Their Energy Consumption: Frequently Asked Questions”. Congress.gov.);

Whereas: The originally-referred Zoning Amendment from the City Council to the Planning Board on January 12, 2026 sought an outright prohibition on the construction of Data Centers within the Everett Docklands Innovation District; and

Whereas: Properly regulated and properly situated Data Centers could spur local economic development through the redevelopment of the Everett Docklands Innovation District by way of job creation and revenue generation;

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

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

1. Amend the Use Table codified in Section 37 Everett Docklands Innovation District (“EDID”), (d) Master Planned Development Standards (4) Use Provisions (c) as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike throughs~~):

USE CATEGORY	Master Planned Uses		Non-Master Planned Uses Less Than 5,000 sq ft of Gross Floor Area		Non-Master Planned Uses Greater Than 5,000 sq ft of Gross Floor Area	
	Sub A	Sub B	Sub A	Sub B	Sub A	Sub B
INNOVATION						
Data Center <i>Small <20,000</i>	<i>SP</i>	<i>SP</i>	SP	SP	SP	SP

USE CATEGORY	Master Planned Uses		Non-Master Planned Uses Less Than 5,000 sq ft of Gross Floor Area		Non-Master Planned Uses Greater Than 5,000 sq ft of Gross Floor Area	
	Sub A	Sub B	Sub A	Sub B	Sub A	Sub B
INNOVATION						

*sf*³

³ "Data Center Small" shall be limited up to 20,000 sq. ft. and/or up to 5 MW capacity, whichever is less, and shall not be the primary use of the structure.

- Amend the Use Table codified in Section 37 Everett Docklands Innovation District ("EDID"), (d) Master Planned Development Standards (4) Use Provisions (c) as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):

USE CATEGORY	Master Planned Uses		Non-Master Planned Uses Less Than 5,000 sq ft of Gross Floor Area		Non-Master Planned Uses Greater Than 5,000 sq ft of Gross Floor Area	
	Sub A	Sub B	Sub A	Sub B	Sub A	Sub B
PROHIBITED USES						
<i>Data Center Large ≥20,000 sf</i>	-	-	-	-	-	-

⁴ "Data Center Large" shall be defined as any Data Center occupying over 20,000 sq. ft. and/or having a capacity over 5 MW, whichever is less.

- Amend Section 37 Everett Docklands Innovation District ("EDID"), (e) Definitions applicable to EDID to add new definition (3) as follows, and renumber the succeeding, existing definitions (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):

(3) Computer room: A room within a building whose primary function is to house electronic equipment for an entity located on site and that has a design information technology equipment (ITE) power density exceeding 20 watts/ft² (215 watts/m²) of conditioned floor area. A computer room is ancillary to the onsite use and shall constitute no more than 10% of square footage without a special permit.¹

- Amend Section 37 Everett Docklands Innovation District ("EDID"), (e) Definitions applicable to EDID, (4) Data Center as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):

~~(4) Data Center: Data Center shall mean a use involving a building/premise in which the primary use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.~~
Building(s) or portions of buildings used to house information technology or telecommunications equipment with which digital information is processed, transferred, and/or stored on behalf of or owned by off-site enterprises. A data center may include

¹ American Society of Heating, Refrigerating, and Air-Conditioning Engineers ("ASHRAE") 90.1

associated ancillary structures, including but not limited to, offices, security buildings, cooling water tanks, and backup power systems. This definition does not include on-site computer rooms associated directly with allowable uses.

5. Amend Section 37 Everett Docklands Innovation District (“EDID”), (f) Administration to add new subsection (3), entitled “Data Center Special Permit Requirements” as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):

(3) Data Center Special Permit Requirements.

- a. For any proposed Data Center (Small), as defined in Section 37(d)(4), the Special Permit Granting Authority shall make the following findings of fact prior to issuance of a Special Permit for such use:***
- i. Water: Data Centers shall implement a closed-loop or similar cooling system, which utilizes only non-potable water for the cooling of a Data Center. This may be achieved through purple pipe systems, grey-water systems, or other adequate technology evidenced to the SPGA.***
 - ii. Noise: A minimum of a 200’ setback shall be provided between a Data Center and residential and/or noise-sensitive uses, unless the Proponent provides a noise study that satisfactorily shows that, as determined by the SPGA, the proposed design is sufficient to mitigate any potential noise impacts such that the project will not adversely impact residential and/or noise sensitive uses.***
 - iii. Electricity: Sufficient renewable on-site power generation or off-site power generation with a dedicated transmission line to their site (which shall be paid for entirely by the Proponent of the Data Center so as not to impact local rate payers) to operate and maintain the proposed Data Center shall be provided. This may be achieved in a variety of ways, including power purchase agreements, solar energy, wind energy, etc. Proponent shall make publicly available their utility usage on a monthly basis.***
 - A. Backup-Electricity: Any generators that are to be used as a backup energy source to support the Data Center may only be used when the electrical grid goes down. These generators shall be supported by the least-intrusive energy source possible, including natural gas or sustainable energy. Under no circumstance can diesel be the source of energy for these generators***
 - iv. Local Job Creation: The proposed Data Center will substantially add to local permanent jobs, with a livable wage, by directly supporting high-employment industries within 1,000’ of the proposed Data Center.***

6. Amend Section 37 Everett Docklands Innovation District (“EDID”), (f) Administration to add new subsection (4), entitled “Data Center Submittal Requirements” as follows (additions are identified as ***bold/italics*** and deletions are identified as ~~strike-throughs~~):

(4) Data Center Submittal Requirements.

- i. Water: Proponent must provide a maintenance plan to the SPGA any proposed cooling system, specifying the expected daily water use, the maintenance of the***

water system, the frequency of “flushing” the used-water, and an explanation on how the water is treated prior to discharge.

- ii. Noise: Proponent shall show on a plan the location(s) of any noise monitors that will be installed on/around the site.*
- iii. Electricity: Proponent must submit a generator report if any generators will be utilized on the site. This report must contain: (1) the location of the generator(s); (2) the capacity of the generators; (3) the estimated cycling frequency of the generators; (4) the source of energy utilized for these generators; and (5) a Noise Study submitted specifically in relation to the generators.*



City of
Everett
Massachusetts

C0056-26

To: Mayor and City Council

From: Councilor Stephanie Martins

Date: February 23, 2026

Agenda Item:

An ordinance promoting fair labor standards and preventing wage theft in the City of Everett.

Background and Explanation:

Attachments:

ENROLLED ORDINANCE

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

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo.
IN THE YEAR TWO THOUSAND AND TWENTY SIX

AN ORDINANCE PROMOTING FAIR LABOR STANDARDS AND PREVENTING WAGE THEFT IN THE CITY OF EVERETT

/s/ Stephanie Martins

WHEREAS, the City of Everett recognizes that fair payment of wages is essential to the economic stability, public health, and general welfare of its residents; and

WHEREAS, wage theft—including the failure to pay earned wages, minimum wage, overtime compensation, or prevailing wage, and the misclassification of employees—harms workers and their families, particularly low-income workers, immigrant workers, and workers with limited English proficiency; and

WHEREAS, wage theft creates unfair competition that disadvantages law-abiding businesses and undermines responsible employers operating within the City of Everett; and

WHEREAS, the Commonwealth of Massachusetts provides strong protections through M.G.L. c. 149 and c. 151 and enforcement by the Attorney General’s Fair Labor Division; and

WHEREAS, municipalities have the authority to condition the award of municipal contracts, tax agreements, and licenses upon compliance with applicable labor and wage laws in order to protect the public interest; and

WHEREAS, the City of Everett seeks to ensure that public funds and municipal benefits are not awarded to entities that have engaged in wage theft; and

WHEREAS, the City Council finds that establishing a local reporting and compliance process will strengthen enforcement and promote accountability while working in coordination with state and federal agencies;

NOW, THEREFORE, be it ordained by the Everett City Council as follows:

Section 1. Title

This chapter shall be known as the "City of Everett Wage Theft Prevention Ordinance."

Section 2. Purpose

The purpose of this chapter is to:

1. Promote fair labor standards and lawful wage practices within the City of Everett;
2. Prevent wage theft;
3. Ensure that the City contracts only with responsible employers;
4. Protect workers through a transparent complaint and referral process; and
5. Safeguard taxpayer funds from supporting employers who violate wage and hour laws.

Section 3. Definitions

For purposes of this chapter:

A. Wage Theft

Any act or omission by an employer that results in the failure to pay wages lawfully owed under Massachusetts or federal law, including but not limited to:

- Failure to pay minimum wage;
- Failure to pay overtime;
- Failure to pay prevailing wage;
- Failure to timely pay earned wages;
- Unlawful deductions from wages;
- Misclassification of employees as independent contractors.

B. Administrative Citation

A civil citation, order, or final determination issued by a state or federal agency for violations of wage or labor law.

C. Employer

Any individual, partnership, corporation, limited liability company, business entity, or person acting directly or indirectly in the interest of an employer in relation to an employee.

Section 4. Complaint and Referral Process

A. Establishment of Process

The City Solicitor's Office shall establish a process, including an online form, for receiving complaints alleging wage theft within the City of Everett.

B. Posting of Notice

Notice of the complaint process shall be posted:

1. At Everett City Hall;
2. On the City's official website;
3. In languages spoken by at least five percent (5%) of Everett residents, as determined by the most recent census data.

C. Referral to Enforcement Agencies

Within thirty (30) days of receipt, complaints alleging violations of state or federal wage laws shall be referred to the Massachusetts Attorney General's Office and/or the United States Department of Labor, unless the complainant requests otherwise.

D. Anonymous Complaints

Complaints may be filed anonymously; however, anonymous complaints may limit the City's ability to investigate or refer the matter.

Section 5. City Contracts

A. Certification Requirement

Any entity seeking to enter into a contract with the City of Everett shall certify under penalty of perjury that, within the previous five (5) years, neither the entity nor any controlling person has been subject to a final judgment, administrative citation, order, or debarment for wage theft, unless such violation has been fully satisfied and remedied.

B. Documentation

The City may require documentation demonstrating compliance with wage and hour laws and proof of payment of any penalties or restitution.

C. Disqualification

Failure to provide certification or documentation may result in rejection of a bid or termination of a contract.

Section 6. Tax Incentives and Agreements

Any entity applying for tax increment financing (TIF), tax relief agreements, or other economic development incentives from the City of Everett shall certify compliance with applicable wage laws and disclose any wage theft violations within the prior five (5) years.

The City may deny or revoke such benefits upon finding noncompliance.

Section 7. Licensing and Permits

A. Disclosure Requirement

Applicants for licenses or permits issued by the City of Everett shall disclose any final judgments, citations, or debarments for wage theft within the previous five (5) years.

B. Grounds for Denial or Revocation

The licensing authority may deny, suspend, or revoke a license or permit upon determination that an applicant or licensee has engaged in wage theft and failed to remedy such violation.

Section 8. Wage Bond Requirement for Repeat Violators

A. Applicability

If an employer applying for or holding:

1. A contract with the City of Everett;
2. A business license or permit issued by the City; or
3. A tax incentive, tax increment financing agreement (TIF), or other municipal economic development benefit;

has been found, within the previous five (5) years, to have committed **two (2) or more final violations** of state or federal wage and hour laws, the City may require the employer to post a Wage Bond as a condition of:

- Award or renewal of a contract;
- Issuance or renewal of a license or permit; or
- Approval or continuation of a tax agreement or municipal benefit.

B. Determination of Repeat Violator

A "repeat violator" shall mean any employer that has been subject to:

- a. Two or more final judgments;

- b. Administrative citations;
- c. Orders of restitution; or
- d. Debarments

for violations of M.G.L. c. 149, c. 151, prevailing wage laws, or equivalent federal wage laws within the prior five (5) years.

Violations shall be considered "final" when appeal rights have been exhausted or waived.

C. Amount of Wage Bond

The amount of the Wage Bond shall be determined by the City Solicitor in consultation with the Chief Financial Officer and shall be:

- a. Not less than \$25,000; and
- b. Not more than \$150,000;

or

An amount equal to the total of any outstanding wage assessments, penalties, and restitution orders, whichever is greater.

The bond amount may take into consideration:

- a. The size of the employer's workforce;
- b. The severity and number of prior violations;
- c. The dollar amount of prior unpaid wages;
- d. Whether violations were remedied promptly.

D. Form of Bond

The Wage Bond shall:

1. Be issued by a surety authorized to do business in Massachusetts;
2. Run to the benefit of affected employees;
3. Remain in effect for a minimum of two (2) years;
4. Be payable upon proof of additional wage violations occurring during the bond period.

Cash escrow may be accepted in lieu of a surety bond at the City's discretion.

E. Failure to Post Bond

Failure to post a required Wage Bond shall constitute grounds for:

- a. Denial of contract award;
- b. Suspension or revocation of a license or permit;
- c. Termination or suspension of a tax agreement or municipal benefit.

F. Release of Bond

The Wage Bond may be released after two (2) years if:

- 1. The employer has not committed additional wage violations; and
- 2. All outstanding wage judgments or citations have been satisfied.

Section 9. Non-Retaliation

No employer shall retaliate against any worker for:

- a. Filing a complaint;
- b. Cooperating in an investigation;
- c. Providing information regarding wage theft;
- d. Exercising rights under this ordinance or state/federal wage laws.

Retaliation shall constitute independent grounds for denial, suspension, or revocation of municipal benefits.

Section 10. Enforcement Authority

The City Solicitor, in coordination with:

- a. The Chief Procurement Officer;
- b. The Inspectional Services Department;

c. The Mayor's Office;

d. The City Council (as applicable);

shall have authority to administer and enforce this ordinance.

The City may adopt administrative rules and regulations to implement this chapter.

Section 11. Severability

If any provision of this ordinance is found invalid, the remainder shall remain in full force and effect.

Section 12. Effective Date

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



A true copy attest

A handwritten signature in black ink that reads "Sergio Cornelio".

Sergio Cornelio, City Clerk

#4- C0056-26

Legislative Affairs & Election Committee
March 9, 2026

The Committee on Legislative Affairs & Elections met on Monday, March 9, 2026 at 6:00pm 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 Martins, Anthony DiPierro and Katy Rogers.

The Committee considered an Ordinance offered by Councilors Stephanie Martins, Vivian Nguyen, Wayne Matewsky, Katy Rogers, Anthony DiPierro and Holly Garcia: An Ordinance promoting fair labor standards and preventing wage theft in the City of Everett.

City Solicitor Jaclyn Munson and former Salem City Councilor Jeff Cohen were also present.

Councilor Martins provided the Committee with a revised copy of the proposed ordinance at the start of the discussion on the matter. She stated that the City Council has authority to adopt ordinances to protect the health, safety, and welfare of all residents of the City of Everett. By passing this proposed ordinance the City will be able to protect its residents from a practice commonly known as wage theft, which is the improper withholding of payment from employees and failing to pay them according. She mentioned that low-income, immigrant, and limited English proficient workers, who represent a large percentage of the population of the City of Everett, are most vulnerable to this practice, as are workers in the hospitality, service, and construction industries. She stated that the intent of the ordinance is so the City will be able to ensure that its vendors comply with federal and state wage laws and that City resources are not used to support vendors responsible for wage law violations. She noted that the enforcement authority for wage theft in Massachusetts is the State's Attorney General. Mr. Cohen provided an overview of the wage theft legislation that he helped get passed in his hometown of Salem as well as the City of Revere. He mentioned several examples to the Committee on how potential wage theft was committed amongst the most vulnerable. He explained that the most important aspect of the proposal is the actual reporting of wage theft, but acknowledged that many employees were fearful of reporting because they were scared to lose their jobs. He remarked that he hoped the City of Everett becomes the third community to pass such legislation on wage theft. Solicitor Munson confirmed that this was a mechanism in which individuals impacted by wage theft can come forward to open up the procedures for reporting to the Attorney General and Department of Labor. She mentioned that she had worked on a similar ordinance for the City of Boston and didn't believe that it would be a conflict to get information on wage theft to the Attorney General, but reminded the Committee that the City cannot represent individuals harmed by wage theft. Councilor Martins informed the Committee that she needed to make some minor changes based on the recommendations of the City Solicitor but wanted the Committee to know that this was supported by many labor groups. She requested that the matter be referred out to the City Council regular meeting on Monday March 23, 2026 with the appropriate revisions provided at that time for passage.

The Committee voted: To report back to the City Council regular meeting on Monday March 23, 2026 with a recommendation for Favorable action pending receipt of the appropriate revisions.

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, SecDon 23.

ENROLLED:

DATE OF PROPOSED ORDAINMENT:



CITY COUNCILNo.

IN THE YEAR TWO THOUSAND AND TWENTY SIX

AN ORDINANCE PROMOTING FAIR LABOR STANDARDS AND PREVENTING WAGE THEFT IN THE CITY OF EVERETT

/s/ Stephanie Martins, Katy Rogers, Holly Garcia, Vivian Nguyen, Anthony Dipierro, Wayne Matewsky

WHEREAS, the City of Everett recognizes that fair payment of wages is essential to the economic stability, public health, and general welfare of its residents; and

WHEREAS, wage theft—including the failure to pay earned wages, minimum wage, overtime compensation, or prevailing wage, and the misclassification of employees—harms workers and their families, particularly low-income workers, immigrant workers, and workers with limited English proficiency; and

WHEREAS, wage theft creates unfair competition that disadvantages law-abiding businesses and undermines responsible employers operating within the City of Everett; and

WHEREAS, the Commonwealth of Massachusetts provides strong protections through M.G.L. c. 149 and c. 151 and enforcement by the Attorney General’s Fair Labor Division; and

WHEREAS, municipalities have the authority to condition the award of municipal contracts, tax agreements, and licenses upon compliance with applicable labor and wage laws in order to protect the public interest; and

WHEREAS, the City of Everett seeks to ensure that public funds and municipal benefits are not awarded to entities that have engaged in wage theft; and

WHEREAS, the City Council finds that establishing a local reporting and compliance process will strengthen enforcement and promote accountability while working in coordination with state and federal agencies;

NOW, THEREFORE, be it ordained by the Everett City Council as follows:

Section 1. Purpose

The Everett City Council has authority to adopt ordinances to protect the health, safety, and welfare of all residents of the City of Everett. In adopting this article, the City shall protect residents from a practice commonly known as “**wage theft**,” the improper withholding of payment from employees and failing to pay them according to required schedules.

Low-income, immigrant, and limited English proficient workers, who represent a high percentage of the population of the City of Everett, are most vulnerable to this practice, as are workers in the hospitality, service, and construction industries.

Through this article, the City shall ensure that its vendors comply with federal and state wage laws and that City resources are not used to support vendors responsible for wage law violations. Finally, this article shall ensure that potential and current recipients of tax relief agreements and licenses issued under Massachusetts General Law (M.G.L.) Chapter 138 and Chapter 140 comply with applicable wage laws.

Section 15.15.020 — Definitions

For the purposes of this ordinance, the following definitions shall apply:

A. Administrative Citation

A civil citation issued by the Attorney General pursuant to M.G.L. c.149 §27C, a civil citation issued by the Department of Labor pursuant to 29 U.S.C. §201 et seq. and/or 29 C.F.R. §578, or any other civil citation for violation of M.G.L. c.149 or c.151 and/or 29 U.S.C. §201 et seq. issued by any other federal, state, or local administrative agency.

B. Application

An initial application or a renewal of a license or permit.

C. City

The City of Everett and/or any of its political subdivisions or departments.

D. Contractor

A person or entity that holds a contract or seeks to contract with the City of Everett to provide a service, perform work, or provide materials, machinery, or labor necessary to perform work on real property. “Contractor” includes all bidders or proposers, contractors, construction managers, and subcontractors of any tier, including subcontractors that are not subject to M.G.L. Chapter 149 §44F and trade contractors under the bidder.

E. Debarment/Debarred

An exclusion from contracting and financial assistance by state or federal entities for a set period of time.

F. EACC (Economic Assistance Coordinating Council)

As defined by M.G.L. c.23A §3A and established by M.G.L. c.23A §3B.

G. Employ

To suffer or permit to work.

H. Employee

A natural person who performs work for an employer operating within the geographic boundaries of Everett, but shall not include any bona fide independent contractor as defined by M.G.L. c.149 §148B.

I. Employer

Any natural person or business, whether or not incorporated or unincorporated, who suffers or permits another to work in the City of Everett, under a contract to which the City of Everett or one of its departments is a signatory, or under agreement with the City for tax incentives, or who otherwise maintains a commercial presence in the City of Everett. This definition excludes the United States, or a corporation wholly owned by the government of the United States, and the Commonwealth of Massachusetts, its subdivisions, and corporate bodies.

J. Independent Contractor

As defined in M.G.L. c.149 §148B (“Massachusetts Independent Contractor Law”) and any applicable regulations or advisory guidance implementing that statute.

K. Minimum Wage

As defined at M.G.L. c.151 §1 as well as any other state or federal statute or regulation establishing a minimum fair wage for particular occupations or classes of workers.

L. Overtime

As defined in M.G.L. c.151 §1A.

M. Prevailing Wage

As defined in M.G.L. c.149 §§26–27H.

N. Stop Work Order

As defined in M.G.L. c.152 §25C and 452 C.M.R. §8.00.

O. Tax Relief

Any issuance of tax relief provided under a Tax Increment Financing agreement, a housing development exemption agreement, or any other provision of law or regulation authorizing the issuance of tax relief.

P. Tax Relief Agreement

Any agreement or other form of document governing the terms and conditions of the issuance of tax relief by the City of Everett.

Q. Timely Payment of Wages

As defined by M.G.L. c.149 §148.

R. Tipped Employee

An employee engaged in an occupation in which they customarily and regularly receive tips in an amount equal to or more than the dollar amount provided in the Fair Labor Standards Act.

S. Wage

As defined by M.G.L. c.149 §148.

T. Wage Theft

Any action by an employer, their officers, agents, or employees causing employer not to make a timely and/or complete payment of wages, to pay the minimum wage or prevailing wage, or to pay overtime earned and owing to an employee.

Section 15.15.030 — Wage Theft Compliance Process

A. Reporting Complaints and Violations

The Chief Procurement Officer's Office shall create an online complaint form that affected employees, or any other persons, may use to report complaints and violations.

Printed notice, a digital copy of which shall be prepared by the solicitor, shall be displayed in all businesses with employees where mandatory state and federal labor law posters are posted. Such notice shall specify that complaints can be made anonymously.

The notices shall be in all languages spoken by at least five percent (5%) of the city population in the most recent United States Census and displayed on the City's web page, City Hall, and City Hall Annex. The notice shall also be provided to all businesses seeking a business certificate from the City Clerk's Office.

B. Filing and Receipt of Complaints

Complaints of violations of state law under M.G.L. c.149 and c.151 may be reported to the Procurement Office. The Chief Procurement's Office shall refer reports of employees affected by wage theft in Everett to appropriate agencies.

Affected employees may fill out complaint forms at the Procurement Office. Complaints may be filed by an affected employee or any other person.

C. Required Communication with the Attorney General's Office

Unless otherwise specified in writing by the complainant, the City shall forward each complaint submitted pursuant to M.G.L. c.149 and c.151 to the Commonwealth's Office of the Attorney General within thirty (30) days of receipt.

D. Required Communication with Other City Departments

The Procurement Office shall forward each verified and sustained complaint submitted to the Planning Board, Inspectional Services Department, Licensing Commission, and City Council.

If a complaint pertains to work performed at any property subject to a City-issued Tax Increment Financing (TIF) or Tax Increment Exemption (TIE) agreement, collectively referred to as "tax relief agreements," the Procurement Office shall also send a copy to the Commonwealth's Economic Assistance Coordinating Council (EACC).

E. Annual Reporting

The Procurement Office shall maintain a report detailing all verified and sustained wage theft complaints received and action taken in response to such complaints, including the status or final disposition of each complaint.

Section 15.15.040 — Requirements for Contractors

A. Requests for Proposals (RFP) and Invitation for Bids Requirements

All bidders, contractors, and subcontractors must verify under oath that they comply with this article before entering into a contract with the City of Everett and must continue to comply throughout the duration of the project.

All RFPs and bid solicitations shall require disclosure of any wage theft judgments, administrative citations, final determinations, or debarments within the previous five years.

Entities that have been debarred for wage theft by federal, state, or municipal governments may not contract with the City during the period of debarment.

B. Certification and Disclosures

All bidders, contractors, and subcontractors must certify to the City that neither they nor their subcontractors have been subject to criminal or civil judgments, administrative citations, final determinations, or debarments for wage law violations within the previous five years, or must disclose such violations and provide documentation that fines and penalties have been paid.

C. Notice Requirements

Contractors must report any wage theft judgments, citations, administrative determinations, or debarments within five business days if such actions occur during the term of the contract.

D. Reporting and Compliance During the Contract Term

Contractors must:

- a) Maintain industrial accident insurance coverage in accordance with M.G.L. Chapter 152
- b) Properly classify employees in compliance with M.G.L. Chapter 149 §148B.
- c) Maintain daily sign-in/sign-out logs for construction workers on City projects.
- d) Comply with Massachusetts Health Care Reform law (Chapter 58 of the Acts of 2006).
- e) Submit monthly certified payroll records for construction projects.
- f) Report any wage theft related judgments or citations received during the contract period.

E. Wage Bonds

Contractors with wage law violations within the previous five years may be required to obtain a wage bond or other suitable insurance equal to one year of gross wages for employees, with a minimum bond of \$5,000.

F. Suspension or Revocation of Contracts

If a contractor violates applicable wage laws or this ordinance, the City may take the following actions with ten days' notice:

- 1. Revoke the contract
- 2. Suspend the contract
- 3. Impose additional conditions on future contracts, including wage bond requirements

G. Applicability to Successor Employers

These requirements shall apply to successor employers that share principals or officers with the original employer and engage in the same or similar business activity.

Section 15.15.050 — Requirements for Tax Relief Agreements

Any tax relief agreement entered into between the City of Everett and the recipient of tax relief shall include mandatory compliance with this ordinance.

Entities performing construction work on property receiving tax relief must disclose all contractors and subcontractors engaged on the project and certify that those entities are not subject to wage theft violations, debarments, or unpaid judgments.

Contractors performing work must:

- a) Maintain workers' compensation insurance
- b) Properly classify employees
- c) Comply with wage payment laws
- d) Comply with Massachusetts health care reform requirements

If a complaint or legal determination finds a wage theft violation and the issue is not resolved within fourteen (14) business days, the violation may be deemed to materially frustrate the public purpose of the tax relief agreement.

If such frustration occurs, the Everett City Council may hold a public hearing and vote on whether to terminate the tax relief agreement and petition the Economic Assistance Coordinating Council for revocation of certification.

Section 15.15.060 — Requirements for Licensees and Prospective Licensees

A. Violations by License Applicants

Any application filed by an employer to the Everett Licensing Board for a license issued pursuant to M.G.L. Chapter 138 or Chapter 140 may be denied if the applicant has been subject to a criminal or civil judgment, administrative citation, order, debarment, or final administrative determination related to wage law violations within the previous five years.

Applicants must certify that they have not been found responsible for such violations during the previous five years.

B. Requirements for License Holders

Any license or permit issued by the Everett Licensing Board under M.G.L. Chapter 138 or Chapter 140 may be modified, suspended, or revoked if the license holder becomes subject to a criminal or civil judgment, administrative citation, final determination, order, or debarment related to wage law violations during the license term.

C. Wage Bonds for License Holders

Employers granted licenses who have wage law violations within the previous five years may be required to obtain a wage bond or other insurance equal to one year of gross wages for all employees, including tipped employees.

Failure to maintain such bond may result in modification, suspension, or revocation of the license.

Section 15.15.070 — Severability

If any provision of this article is held invalid or unenforceable by a court of competent jurisdiction, such a holding shall not invalidate or render unenforceable any other provision of this article. The remainder of the ordinance shall remain in full force and effect.

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: 03/23/2026

DATE OF PROPOSED ORDAINMENT: 04/27/2026



CITY COUNCIL..... No. C0056-26

IN THE YEAR TWO THOUSAND AND TWENTY-SIX

AN ORDINANCE PROMOTING FAIR LABOR STANDARDS AND PREVENTING WAGE THEFT IN THE CITY OF EVERETT

/Councilors Stephanie Martins, Vivian Nguyen, Wayne Matewsky, Katy L. Rogers, Anthony DiPierro & Holly D. Garcia

WHEREAS, the City of Everett recognizes that fair payment of wages is essential to the economic stability, public health, and general welfare of its residents. Wage theft—including the failure to pay earned wages, minimum wage, overtime compensation, or prevailing wage, and the misclassification of employees—harms workers and their families, particularly low-income workers, immigrant workers, and workers with limited English proficiency; and

WHEREAS, wage theft creates unfair competition that disadvantages law-abiding businesses and undermines responsible employers operating within the City of Everett; and

WHEREAS, the Commonwealth of Massachusetts provides strong protections through M.G.L. c. 149 and c. 151 and enforcement by the Attorney General’s Fair Labor Division; and

WHEREAS, municipalities have the authority to condition the award of municipal contracts, tax agreements, and licenses upon compliance with applicable labor and wage laws in order to protect the public interest, the City of Everett seeks to ensure that public funds and municipal benefits are not awarded to entities that have engaged in wage theft.

NOW, THEREFORE, be it ordained by the Everett City Council as follows:

A full copy of the proposed Ordinance shall be located at the City Clerk’s Office for public inspection.

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: 03/23/2026

DATE OF PROPOSED ORDAINMENT: 04/27/2026



CITY COUNCILNo. C0056-26

IN THE YEAR TWO THOUSAND AND TWENTY SIX

AN ORDINANCE PROMOTING FAIR LABOR STANDARDS AND PREVENTING WAGE THEFT IN THE CITY OF EVERETT

/s/ Stephanie Martins, Katy Rogers, Holly Garcia, Vivian Nguyen, Anthony Dipierro, Wayne Matewsky

WHEREAS, the City of Everett recognizes that fair payment of wages is essential to the economic stability, public health, and general welfare of its residents; and

WHEREAS, wage theft—including the failure to pay earned wages, minimum wage, overtime compensation, or prevailing wage, and the misclassification of employees—harms workers and their families, particularly low-income workers, immigrant workers, and workers with limited English proficiency; and

WHEREAS, wage theft creates unfair competition that disadvantages law-abiding businesses and undermines responsible employers operating within the City of Everett; and

WHEREAS, the Commonwealth of Massachusetts provides strong protections through M.G.L. c. 149 and c. 151 and enforcement by the Attorney General’s Fair Labor Division; and

WHEREAS, municipalities have the authority to condition the award of municipal contracts, tax agreements, and licenses upon compliance with applicable labor and wage laws in order to protect the public interest; and

WHEREAS, the City of Everett seeks to ensure that public funds and municipal benefits are not awarded to entities that have engaged in wage theft; and

WHEREAS, the City Council finds that establishing a local reporting and compliance process will strengthen enforcement and promote accountability while working in coordination with state

and federal agencies;

NOW, THEREFORE, be it ordained by the Everett City Council as

follows: **Section 1 — Purpose**

The Everett City Council has authority to adopt ordinances to protect the health, safety, and welfare of all residents of the City of Everett. In adopting this article, the City shall protect residents from a practice commonly known as “**wage theft**,” the improper withholding of payment from employees and failing to pay them according to required schedules.

Low-income, immigrant, and limited English proficient workers, who represent a high percentage of the population of the City of Everett, are most vulnerable to this practice, as are workers in the hospitality, service, and construction industries.

Through this article, the City shall ensure that its vendors comply with federal and state wage laws and that City resources are not used to support vendors responsible for wage law violations. Finally, this article shall ensure that potential and current recipients of tax relief agreements and licenses issued under Massachusetts General Law (M.G.L.) Chapter 138 and Chapter 140 comply with applicable wage laws.

Section 2 — Definitions

For the purposes of this ordinance, the following definitions shall apply:

A. Administrative Citation

A civil citation issued by the Attorney General pursuant to M.G.L. c.149 §27C, a civil citation issued by the Department of Labor pursuant to 29 U.S.C. §201 et seq. and/or 29 C.F.R. §578, or any other civil citation for violation of M.G.L. c.149 or c.151 and/or 29 U.S.C. §201 et seq. issued by any other federal, state, or local administrative agency.

B. Application

An initial application or a renewal of a license or permit.

C. City

The City of Everett and/or any of its political subdivisions or departments.

D. Contractor

A person or entity that holds a contract or seeks to contract with the City of Everett to provide a service, perform work, or provide materials, machinery, or labor necessary to perform work on real property. “Contractor” includes all bidders or proposers, contractors, construction managers, and subcontractors of any tier, including subcontractors that are not subject to M.G.L. Chapter 149 §44F and trade contractors under the bidder.

E. Debarment/Debarred

An exclusion from contracting and financial assistance by state or federal entities for a set period of time.

F. EACC (Economic Assistance Coordinating Council)

As defined by M.G.L. c.23A §3A and established by M.G.L. c.23A §3B.

G. Employ

To suffer or permit to work.

H. Employee

A natural person who performs work for an employer operating within the geographic boundaries of Everett, but shall not include any bona fide independent contractor as defined by M.G.L. c.149 §148B.

I. Employer

Any natural person or business, whether or not incorporated or unincorporated, who suffers or permits another to work in the City of Everett, under a contract to which the City of Everett or one of its departments is a signatory, or under agreement with the City for tax incentives, or who otherwise maintains a commercial presence in the City of Everett. This definition excludes the United States, or a corporation wholly owned by the government of the United States, and the Commonwealth of Massachusetts, its subdivisions, and corporate bodies.

J. Independent Contractor

As defined in M.G.L. c.149 §148B (“Massachusetts Independent Contractor Law”) and any applicable regulations or advisory guidance implementing that statute.

K. Minimum Wage

As defined at M.G.L. c.151 §1 as well as any other state or federal statute or regulation establishing a minimum fair wage for particular occupations or classes of workers.

L. Overtime

As defined in M.G.L. c.151 §1A.

M. Prevailing Wage

As defined in M.G.L. c.149 §§26–27H.

N. Stop Work Order

As defined in M.G.L. c.152 §25C and 452 C.M.R. §8.00.

O. Tax Relief

Any issuance of tax relief provided under a Tax Increment Financing agreement, a housing development exemption agreement, or any other provision of law or regulation authorizing the issuance of tax relief.

P. Tax Relief Agreement

Any agreement or other form of document governing the terms and conditions of the issuance of tax relief by the City of Everett.

Q. Timely Payment of Wages

As defined by M.G.L. c.149 §148.

R. Tipped Employee

An employee engaged in an occupation in which they customarily and regularly receive tips in an amount equal to or more than the dollar amount provided in the Fair Labor Standards Act.

S. Wage

As defined by M.G.L. c.149 §148.

T. Wage Theft

Any action by an employer, their officers, agents, or employees causing employer not to make a timely and/or complete payment of wages, to pay the minimum wage or prevailing wage, or to pay overtime earned and owing to an employee.

Section 3 — Wage Theft Compliance Process

A. Reporting Complaints and Violations

The Chief Procurement Officer's Office shall create an online complaint form that affected employees, or any other persons, may use to report complaints and violations.

Printed notice, a digital copy of which shall be prepared by the Procurement Office, shall be displayed in all businesses with employees where mandatory state and federal labor law posters are posted. Such notice shall specify that complaints can be made anonymously.

The notices shall be in all languages spoken by at least five percent (5%) of the city population in the most recent United States Census and displayed on the City's web page. The notice shall also be provided to all businesses seeking a business certificate from the City Clerk's Office.

B. Filing and Receipt of Complaints

Complaints of violations of state law under M.G.L. c.149 and c.151 may be reported to the Procurement Office. The Chief Procurement Officer shall refer reports of employees affected by wage theft in Everett to appropriate agencies.

Affected employees may fill out complaint forms at the Procurement Office. Complaints may be filed by an affected employee or any other person.

C. Required Communication with the Attorney General's Office

Unless otherwise specified in writing by the complainant, the City shall forward each complaint submitted pursuant to M.G.L. c.149 and c.151 to the Commonwealth's Office of the Attorney General within thirty (30) days of receipt.

D. Required Communication with Other City Departments

The Procurement Office shall forward each verified and sustained complaint submitted to the Planning Board, Inspectional Services Department, Licensing Commission, and City Council.

If a complaint pertains to work performed at any property subject to a City-issued Tax Increment

Financing (TIF) or Tax Increment Exemption (TIE) agreement, collectively referred to as “tax relief agreements,” the Procurement Office shall also send a copy to the Commonwealth’s Economic Assistance Coordinating Council (EACC).

E. Annual Reporting

The Procurement Office shall maintain a report detailing all verified and sustained wage theft complaints received and action taken in response to such complaints, including the status or final disposition of each complaint.

Section 4 — Requirements for Contractors

A. Requests for Proposals (RFP) and Invitation for Bids Requirements

All bidders, contractors, and subcontractors must verify under oath that they comply with this article before entering into a contract with the City of Everett and must continue to comply throughout the duration of the project.

All RFPs and bid solicitations shall require disclosure of any wage theft judgments, administrative citations, final determinations, or debarments within the previous five years.

Entities that have been debarred for wage theft by federal, state, or municipal governments may not contract with the City during the period of debarment.

B. Certification and Disclosures

All bidders, contractors, and subcontractors must certify to the City that neither they nor their subcontractors have been subject to criminal or civil judgments, administrative citations, final determinations, or debarments for wage law violations within the previous five years, or must disclose such violations and provide documentation that fines and penalties have been paid.

C. Notice Requirements

Contractors must report any wage theft judgments, citations, administrative determinations, or debarments within five business days if such actions occur during the term of the contract.

D. Reporting and Compliance During the Contract Term

Contractors must:

- a) Maintain industrial accident insurance coverage in accordance with M.G.L. Chapter 152
- b) Properly classify employees in compliance with M.G.L. Chapter 149 §148B.
- c) Maintain daily sign-in/sign-out logs for construction workers on City projects.
- d) Comply with Massachusetts Health Care Reform law (Chapter 58 of the Acts of 2006).
- e) Submit

monthly certified payroll records for construction projects.

f) Report any wage theft related judgments or citations received during the contract period.

E. Wage Bonds

Contractors with wage law violations within the previous five years may be required to obtain a wage bond or other suitable insurance equal to one year of gross wages for employees, with a minimum bond of \$5,000.

F. Suspension or Revocation of Contracts

If a contractor violates applicable wage laws or this ordinance, the City may take the following actions with ten days' notice:

1. Revoke the contract
2. Suspend the contract
3. Impose additional conditions on future contracts, including wage bond requirements

G. Applicability to Successor Employers

These requirements shall apply to successor employers that share principals or officers with the original employer and engage in the same or similar business activity.

Section 5 — Requirements for Tax Relief Agreements

Any tax relief agreement entered into between the City of Everett and the recipient of tax relief shall include mandatory compliance with this ordinance.

Entities performing construction work on property receiving tax relief must disclose all contractors and subcontractors engaged on the project and certify that those entities are not subject to wage theft violations, debarments, or unpaid judgments.

Contractors performing work must:

- a) Maintain workers' compensation insurance
- b) Properly classify employees
- c) Comply with wage payment laws
- d) Comply with Massachusetts health care reform requirements

If a complaint or legal determination finds a wage theft violation and the issue is not resolved within fourteen (14) business days, the violation may be deemed to materially frustrate the public purpose of the tax relief agreement.

If such frustration occurs, the Everett City Council may hold a public hearing and vote on whether to terminate the tax relief agreement and petition the Economic Assistance Coordinating Council for revocation of certification.

Section 6 — Requirements for Licensees and Prospective Licensees

A. Violations by License Applicants

Any application filed by an employer to the Everett Licensing Board for a license issued pursuant to M.G.L. Chapter 138 or Chapter 140 may be denied if the applicant has been subject to a criminal or civil judgment, administrative citation, order, debarment, or final administrative determination related to wage law violations within the previous five years.

Applicants must certify that they have not been found responsible for such violations during the previous five years.

B. Requirements for License Holders

Any license or permit issued by the Everett Licensing Board under M.G.L. Chapter 138 or Chapter 140 may be modified, suspended, or revoked if the license holder becomes subject to a criminal or civil judgment, administrative citation, final determination, order, or debarment related to wage law violations during the license term.

C. Wage Bonds for License Holders

Employers granted licenses who have wage law violations within the previous five years may be required to obtain a wage bond or other insurance equal to one year of gross wages for all employees, including tipped employees.

Failure to maintain such bond may result in modification, suspension, or revocation of the license.

Section 7 — Severability

If any provision of this article is held invalid or unenforceable by a court of competent jurisdiction, such a holding shall not invalidate or render unenforceable any other provision of this article. The remainder of the ordinance shall remain in full force and effect.

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 horizontal line extending from the end of the name.

Sergio Cornelio, City Clerk

