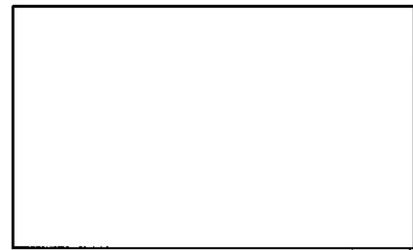




GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS
TUESDAY, JUNE 28, 2011
7:00 P.M.
KYROUZ AUDITORIUM, CITY HALL
COUNCIL MEETING #2011-012



- FLAG SALUTE & MOMENT OF SILENCE
- ORAL COMMUNICATIONS
- PRESENTATIONS/COMMENDATIONS
- CONFIRMATION OF NEW APPOINTMENTS

Michele Holovak Harrison Licensing Board TTE 05/31/2017

CONSENT AGENDA

ACTION

- **MAYOR'S REPORT**
- 1. Invoice and request from DPW for payment of invoice for goods procured without a purchase order for the Downtown Improvement Committee (Refer B&F)
- 2. Request from Veteran's Director to pay an invoice for goods procured without a purchase order (Refer B&F)
- 3. Memo from DPW Director requesting approval to enter into a joint agreement with abutting owners of Crowell Way to resurface Crowell Way (Refer B&F)
- 4. Grant Application and Checklist from the Committee for the Arts for a \$8,000 grant from Bruce J. Anderson Foundation for City Hall mural restoration (Refer B&F)
- 5. Memorandum from CFO-Gloucester Public Schools requesting permission to pay an "extraordinary reimbursement" to School Department employee for classroom supplies and materials purchased outside of required procurement procedures (Refer B&F)
- **COMMUNICATIONS/INVITATIONS**
- 1. Request from YuKan Sports, LLC re: October 23, 2011 Marathon (Refer P&D)
- **COUNCILLORS ORDERS**
- 1. CC2011-030(Whynott) Traffic Commission investigate limited or no parking in front of WWI Memorial on Western Avenue (Refer TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting 06/14/11 (Approve/File)
- 2. Special City Council Meeting 06/21/11 (under separate cover) (Approve/File)
- 3. Standing Committee Meetings: O&A 06/20/11, P&D 06/22/11, 06/23/11 (under separate cover) (Approve/File)

ACTION

STANDING COMMITTEE REPORTS

O&A 06/20/11, P&D 06/22/11, B&F 06/15/11, 06/23/11

SCHEDULED PUBLIC HEARING

1. PH2011-039: Loan Authorization in the amount of \$4,500,000 re: Phase 3 Public Water System Upgrades
2. PH2011-040: Loan Authorization in the amount of \$450,000 re: Nate Ross Field - \$50,000 and Dorothy Talbot Memorial Rink \$400,000

FOR COUNCIL VOTE

Extension of Emergency Ordinance to Amend Sec. 22-242 "Parking Prohibitions, Towing, Immobilization, Signs" re: Magnolia Woods (FCV)

UNFINISHED BUSINESS

Budgetary Issues related to FY11 Year End
 Budgetary Issues related to FY2012

INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES

COUNCILLOR'S REQUESTS TO THE MAYOR

ROLL CALL – Councillor Greg Verga

Linda T. Lowe, City Clerk

The dates are subject to change. Check with City Clerk's Office.

NEXT REGULAR CITY COUNCIL MEETING, JULY 12, 2011

Minutes filed in City Clerk's Office of other Boards and Commission 05/20/11 thru 06/23/11:

Clean Energy Commission 03/22/11, Community Preservation Commission 03/22/11, EDIC 04/27/11, 06/08/11
 Traffic Commission 05/26/11

NOTE: The Council President may rearrange the Order of Business in the interest of public convenience.

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council
FROM: Carolyn A. Kirk, Mayor
DATE: June 17, 2011
RE: Mayor's Report for the June 28, 2011 City Council Meeting

11 JUN 22 AM 8:46
CITY CLERK
GLOUCESTER, MA

Councilors:

The following matters require your attention and action:

Enclosure 1 is an invoice from the Department of Public Works for the Downtown Improvement Committee. Request is being made to pay the invoice for goods procured without a Purchase Order in place. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Jim Duggan will be available to answer questions and provide further information as required.

Enclosure 2 is a memorandum from Jeffrey M. Williams, Director of Veterans Services, requesting permission to pay an invoice for goods procured without a Purchase Order in place. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Jeff Williams will be available to answer questions and provide further information as required.

Enclosure 3 is a memorandum from Michael Hale, Director of Public Works, requesting City Council approval to enter into a joint agreement with abutting owners of Crowell Way to resurface Crowell Way. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Mike Hale, or his designee, will be available to answer questions and provide further information as required.

Enclosure 4 is a Grant Application and Checklist from the Committee for the Arts for a grant in the amount of \$8,000 from the Bruce J. Anderson Foundation for City Hall mural restoration. The Committee for the Arts is requesting that the City Council accept the grant. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Dale Brown, Committee for the Arts Treasurer, will be available to answer questions and provide further information as required.

Enclosure 5 is a memorandum from Thomas Markham, CFO-Gloucester Public Schools, requesting permission to pay an "extraordinary reimbursement" to a School Department employee who purchased classroom supplies and materials outside of required procurement procedures. *Please refer this matter to the **Budget and Finance** subcommittee for review and approval.* Tom Markham will be available to answer questions and provide further information as required.

ENCLOSURE 1

6/10 1103453

RILEIGHS OUTDOOR DECOR
PO Box 4365
Bethlehem, PA 18018

10 1000 10470 5218

Invoice

Invoice Number:
17330

Invoice Date:
May 27, 2011

Page:
1

Voice: (877)444-8888 TOLL FREE
Fax: (610) 432-0242

cmann@rileighsdecor.com

Sold To: DPW/City of Gloucester
Shirley Henderson
9 Dale Avenue
Gloucester, MA 01930

Ship to:

Customer ID		Customer PO		Payment Terms	
GLOUCESTERMA				Net 30 Days	
Sales Rep ID		Shipping Method		Ship Date	Due Date
MB		Best Way			6/26/11
Quantity	Item	Description	Unit Price	Extension	
20.00	ROD FLEX	Deluxe Banner Bracket Kits	79.00	1,580.00	
40.00	ROD BANDS/LONG	39" Long Bands	3.95	158.00	
9.00		Custom Banners	80.00	720.00	

Michael B. Hill

Subtotal	2,458.00
Sales Tax	
Freight	73.31
Total Invoice Amount	2,531.31
Payment Received	
TOTAL AMOUNT DUE	2,531.31

Past Due Balances are Subject to a Monthly Finance Charge of 1.5%

Purchase Order

CITY OF GLOUCESTER

No. 1103453

City Hall

9 Dale Avenue

Gloucester MA 01930

Prices as quoted are less any and all federal taxes.
Please indicate delivery date and any and all discounts.

Invoice/Inquiries to above address
All invoices must reference PO number
Sales Tax Exempt #: E-046001390

P.O. Date: 06/01/2011

Questions ? Purchasing (978) 281-9710

Account:

P.O. Issued To :

Ship To:

Reference:

RILEIGHS OUTDOOR DECOR
PO BOX 4365
BETHLEHEM PA 18018

Poplar Street DPW
Attn: Michael Hale
28 Poplar Street
Gloucester MA 01930
(978) 281-9785

Contact: 27243

Location: Poplar Street DPW

Phone:

Fax:

Project: undesignated

Req# 3739

Qty	Unit	Part#	Description	Account Number	Unit Price	Extended	Tax	Freight
2550	EA		Downtown Improvement Commissions- Banners & Brackets	101000.10.470.52180.0000.00.000.00.052	1.00	2,550.00	0.00	0.00

APPROVAL SIGNATURES:

The unencumbered balance of the appropriation to be charged is sufficient to liquidate the amount of this order and the amount has been recorded as an encumbrance against said appropriation.

By _____

Auditor

I hereby certify -
That this order is authorized by a properly executed and approved requisition on file in this office.

City Purchasing Agent

Sub-Total:	2,550.00
Freight:	0.00
Tax:	0.00
Total Amount:	2,550.00

To do business with the City of Gloucester, all vendors should be aware of Mass. Gen. Laws (c. 30B, c. 149, dec. 44 et seq., c30, sec. 39 et seq.)

1. No work, services, or supplies can be received by any City agency without a proper Purchase Order or Contract in place.
2. All Purchase Orders/Contracts exceeding \$5000 in value will follow the quotation/bid process prior to award. No contracts for Construction-related services subject to MGL Chap. 149, and MGL Chap. 30, sec. 39 will be awarded until all required documentation is received, i.e., Certificate of Eligibility, Update Statement, etc.
3. All invoices must detail the services performed and/or materials delivered. Any invoices submitted for work, services, or supplies performed or provided after the expiration date of a Purchase Order/Contract, or after the \$5 limit of a Purchase Order/Contract has been reached will likewise not be honored by the City. All packing slips for delivered goods which are submitted with invoice for payment must be signed by authorized personnel from the contracting City department at the time of delivery.
4. Any work, services, or supplies provided without following the above mentioned guidelines are not the responsibility or liability of the City, and any invoice that violates these provisions will not be honored for payment.

NOTES:

Order Via: **Mail**

ENTITY COPY

ENCLOSURE 2



Office: 12 Emerson Avenue
Mail: City Hall, Nine Dale Avenue
Gloucester, MA 01930

City of Gloucester
Office of Veterans' Services

TEL 978-281-9740
FAX 978-282-3053
jwilliams@gloucester-ma.gov

MEMORANDUM

DATE: 14 June 2011
TO: Mayor Carolyn A. Kirk
FROM: Jeffrey M. Williams, Director of Veterans Services. *JMW*
SUBJECT: Request to Pay Invoice

I am writing to request that invoice #050611 in the amount of \$3225.60 from Pauline's Gifts be added to the Mayor's Report to Council so that I may pay it. I have attached both the invoice and City of Gloucester Purchase Order 1103471 to this request.

This invoice is for our Memorial Day flags. The reason for this request is my failure to understand the purchase order process.

Please let me know if I can provide any additional information regarding this request.

GIFTS FROM THE HEART

512 ESSEX AVE. (RTE. 193)
GLOUCESTER, MA 01930

978-281-5558

fax 978-281-7200

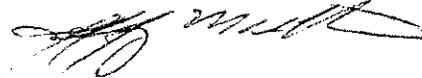
Invoice# 050611

To: Veterans Services
12 Emerson Ave.
Gloucester MA 01930
978-281-9740

Part # Description	Quantity		Price ea.	Extension
12x18 American Stick Flags	4,032 (28 gross)		.80	\$3225.60
4x6 American Stick Flags	1,008 (7 gross)		No Charge	No Charge
xxFreightxx				no Charge
			Total Due	\$3225.60

OK To Pay

101000.16.543.57870.0000.00.0001.00.057



Purchase Order

CITY OF GLOUCESTER

No. 1103471

City Hall

9 Dale Avenue

Gloucester MA 01930

Prices as quoted are less any and all federal taxes.
Please indicate delivery date and any and all discounts.

invoice/inquiries to above address
All invoices must reference PO number
Sales Tax Exempt #: E-046001390

P.O. Date: 06/02/2011

Questions ? Purchasing (978) 281-9710

Account:

P.O. Issued To :

Ship To:

Reference:

PAULINES GIFTS
514 ESSEX AVE
GLOUCESTER MA 01930

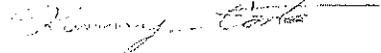
Veterans Agent
Attn: Jeffrey M. Williams
Veterans Department
12 Emerson Avenue
Gloucester MA 01930
(978) 281-9740

Contact: Location: Veterans Agent
Phone: (978) 281-5558 Fax: (978) 281-7200 Project: undesignated Req# 3918

Qty	Unit	Part#	Description	Account Number	Unit Price	Extended	Tax	Freight
3225.6	EA		Memorial Day flags	101000.10.543.57890.0000.00.000.00.057	1.00	3,225.60	0.00	0.00

APPROVAL SIGNATURES:

The unencumbered balance of the appropriation to be charged is sufficient to liquidate the amount of this order and the amount has been recorded as an encumbrance against said appropriation.

By 
Auditor

I hereby certify -
That this order is authorized by a properly executed and approved
requisition on file in this office.


City Purchasing Agent

Sub-Total:	3,225.60
Freight:	0.00
Tax:	0.00
Total Amount:	3,225.60

To do business with the City of Gloucester, all vendors should be aware of Mass. Gen. Laws (c. 30B, c. 149, dec. 44 et seq., c30, sec. 39 et seq.)

1. No work, services, or supplies can be received by any City agency without a proper Purchase Order or Contract in place.
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3. All invoices must detail the services performed and/or materials delivered. Any invoices submitted for work, services, or supplies performed or provided after the expiration date of a Purchase Order/Contract, or after the \$5 limit of a Purchase Order/Contract has been reached will likewise not be honored by the City. All packing slips for delivered goods which are submitted with invoice for payment must be signed by authorized personnel from the contracting City department at the time of delivery.
4. Any work, services, or supplies provided without following the above mentioned guidelines are not the responsibility or liability of the City, and any invoice that violates these provisions will not be honored for payment.

NOTES:

Order Via: Phone

ENTITY COPY

ENCLOSURE 3

Public Works
28 Poplar Street
Gloucester, MA 01930



TEL 978-281-9785
FAX 978-281-3896
mhale@gloucester-ma.gov

CITY OF GLOUCESTER
DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

Date: 9 June 2011

To: Mayor Carolyn Kirk
CAO, James Duggan

From: Michael B. Hale, Director of Public Works

RE: Private way paving Section 21-84 GCO– Crowell Avenue

The Department of Public Works has received a copy of the petition signed by the abutting owners of Crowell Avenue requesting the City contribute fifty percent of the total cost to resurface the private way in accordance with section 21-83 of the Gloucester Code of Ordinances. The condition of Crowell Avenue warrants the necessity of enter into a joint agreement with the abutters for the resurfacing of the way. Public Works has received a written proposal from a private contractor to complete the resurfacing for \$22,900.00. Public Works will submit a request to the City Council to transfer \$22,900.00 from the Highway Force Account to departmental paving account to fund the paving project.

Should you have any questions, please do not hesitate to contact my office.

ENCLOSURE 4



City of Gloucester
Grant Application and Check List

Granting Authority: State _____ Federal _____ Other X (private Foundation)

Name of Grant: City Hall Mural Restoration

Department Applying for Grant: Committee For the Arts

Agency-Federal or State application is requested from: Bruce J. Anderson Foundation

Object of the application: Funding of City Hall Mural Restoration

Any match requirements: NO

Mayor's approval to proceed: [Signature] 6/21/11
Signature Date

City Council's referral to Budget & Finance Standing Committee: _____
Vote Date

Budget & Finance Standing Committee: _____
Positive or Negative Recommendation Date

City Council's Approval or Rejection: _____
Vote Date

City Clerk's Certification of Vote to City Auditor: _____
Certification Date

City Auditor:
Assignment of account title and value of grant: _____
Title Amount

Auditor's distribution to managing department: _____
Department Date sent

NOTE: A copy of all grant paperwork must be submitted to the Auditor's Office

FORM: AUDIT GRANT CHECKLIST - V.1



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www.iceni.com/unlock.htm



**City of Gloucester
Grant Application and Check List (Continued)**

The following are documents needed by the Auditing Office for grant account creation:

1. Grant Application ()
2. Grant Award Letter/Standard Contract Approval Form ()
3. Council Order Approval
4. Original Grant Account Budget as approved by Grantor
5. Amended Grant Account Budget as approved by Grantor (if applicable)
6. Any additional information as requested by the Auditing Department

Note: All documents must be complete signed copies.

Please attach the following documents with the Grant Application and Check List and send to the Auditors' Office.

CITY OF GLOUCESTER

ACCOUNT BUDGET

DEPARTMENT NAME: Committee For the Arts

ACCOUNT NAME: _____

FUND NUMBER AND NAME: (N/A FOR NEW FUND) _____

CFDA # (Required for Federal Grants): _____

DATE PREPARED: _____

APPROVED
AMENDED BUDGET

OBJECT	ORIGINAL BUDGET	(IF APPLICABLE)	AMENDED REQUEST	REVISED BUDGET
REVENUE (4 _____)	\$8,000.00			
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00
EXPENSE (5 _____)				
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
Total:	\$0.00	\$0.00	\$0.00	\$0.00

DEPARTMENT HEAD SIGNATURE _____

DATE ENTERED (AUDIT) _____ AUDITING DEPARTMENT INITIALS _____



2011
Request for Proposals

for the

BRUCE J. ANDERSON FOUNDATION

*a supporting organization
of the
Boston Foundation*

Application Submission Deadline:

Friday, February 4, 2011

5:00 p.m.

****received, not postmarked****

The Bruce J. Anderson Foundation

Grant Guidelines and Request for Proposals

The Bruce J. Anderson Foundation is a family foundation organized as a supporting organization of the Boston Foundation. The Foundation was established in 1980 to memorialize Bruce by his six siblings. Governed by a five-member Board of Directors, and in consultation with Anderson family members, grants are made in support of preventative programs, direct services, and new initiatives in the fields of:

- Mental health, focusing on young adults, treatment, research and suicide prevention;
- Historic and archival preservation;
- Environmental protection; and
- The arts.

The Bruce J. Anderson Foundation focuses its grantmaking in two geographical areas of Massachusetts:

- Cape Ann (specifically, the communities of Gloucester, Rockport, Essex and Manchester), and
- Nashoba Valley (specifically, the communities of Harvard, Ayer, Groton, Pepperell, Shirley and Townsend)

Requests are sought in the \$5,000 to \$12,000 range. ***Please note that the Board of Directors favors:***

- Programs that will serve a wide segment of the community and assist those who are not served adequately by existing resources,
- Demonstration projects that provide practical approaches for dealing with specific problems, and
- Programs where the Foundation's contribution is likely to leverage additional support.

The Board does not customarily make grants for:

- scholarships or loans,
- conferences or films, and/or
- religious programs.

Nor does the Foundation make grants to individuals.

Proposal review is conducted by Boston Foundation staff and affiliated consultants, which make recommendations to the Board of Directors of the Bruce J. Anderson Foundation. The review process may include a site visit or phone conversation. Generally, the Board of Directors meets in mid May to review the recommendations and make final decisions. Notification of action on your request occurs after the Board's meeting.

COVER SUMMARY

Date: January 31, 2011

CONTACT INFORMATION

Organization: Gloucester Committee for the Arts (GCFA), City of Gloucester

Address: Gloucester Committee for the Arts, c/o Office of the Mayor, 9 Dale Avenue, Gloucester, MA 01930

Executive Director: Judith Hoglander, Chair & Dale Brown, Treasurer

Contact for this Proposal: Dale Brown

Title: Treasurer

Phone: 978-281-4104

Email:
daletb@verizon.net

Fax:

ORGANIZATION INFORMATION

Is the Organization an IRS 501 (c)(3) nonprofit? Yes No

If no, please identify your fiscal agent: See attached print out demonstrating that GCFA is a city committee
Please attach the written agreement from your fiscal agent.

Organization mission: GCFA's mission is to further the City's deep cultural heritage and promote its contemporary arts by: maintaining Gloucester's WPA murals and other City-owned art; developing and promoting educational programs; establishing awards and honors that recognize local artists; implementing a City-wide public art policy; developing mutually beneficial arts partnerships; encouraging the creation and promotion of arts projects in Gloucester; advising City officials on the value of a diverse, cultural life for all citizens; and encouraging arts programs within the public schools.

Total annual organization budget: \$3,000

Total number of staff Full Time: 0 Part Time: 0

Total number of Board members: 6 Total number of volunteers:

PROJECT INFORMATION

Amount Requested: \$8,000

Project Name: WPA Mural Restoration Project

Proposal Summary (in 4 sentences or less): Based on a 2010 condition report, GCFA will commence restoration work on the Works Progress Administration (WPA) murals of Charles Allen Winter located in City Hall, Gloucester. These murals are significant to the region and the nation due to their artistic merit and political, social, and art historical value. They depict Gloucester's origins and renowned fishing industry as well as themes in the humanities—poetry, architecture, music, and the value of education. If these murals were to deteriorate, Gloucester and the nation would lose a valuable cultural and historical resource.

The period this grant will cover (date range): 7/1/11 – 6/30/12

PREVIOUS SUPPORT FROM BRUCE J. ANDERSON FOUNDATION

Date:	Project:	Amount:



Application Procedures (please include one complete copy)

1. A cover letter, signed by the Executive Director or Board President of the organization, which includes a brief summary of the project and the amount of money requested.
2. A proposal narrative of no more than 5 pages which includes:
 - Background material about the organization, including a brief description of its history, mission and current programs.
 - A clear, concise description of the project, with goals and objectives stated.
 - A funding plan for the project, including a list of other sources of support and an explanation of how the project will be financed in the future.
 - A short discussion about how the project's work will be evaluated (what will success look like?).
3. The following attachments also are required:
 - A list of the organization's Board of Directors and their affiliations.
 - A copy of the organization's federal tax-exempt ruling from the Internal Revenue Service (501c3 letter), or if the organization is applying under a fiscal agent, the fiscal agent's letter of exemption along with a letter from the fiscal agent indicating agreement to act in that capacity.
 - The organization's current fiscal year operating budget and sources of revenue, **and** a copy of the organization's audit for the most recent fiscal year (a financial statement is sufficient for those not required to complete an audit).
 - A detailed budget for the project, including other possible sources of funding, both public and private, and the status of outstanding requests for funds.
 - A brief status report on your organization's last grant from the Bruce J. Anderson Foundation, if not already submitted. The report should be no more than 2 pages in length and should include a narrative of accomplishments and challenges as well as a financial report on the use of grant funding, including a list of other funds raised.

We hope you will carefully review the requirements of this Request for Proposals (RFP) and submit a proposal only if your project matches funding guidelines. **Your proposal must be received by Friday,**

February 4, 2011 at the address below. No fax or electronic proposals will be accepted.

***Amy Park Appleby, Bruce J. Anderson Foundation, c/o The Boston Foundation
75 Arlington Street, 10th Floor, Boston, MA 02116***

Questions or requests for additional information should be directed to
Amy Park Appleby at apa@tbf.org.



January 31, 2011

Amy Park Appleby
Bruce J. Anderson Foundation
c/o The Boston Foundation
75 Arlington Street, 10th Floor
Boston, MA 02116

Dear Ms. Appleby:

On behalf of the Gloucester Committee for the Arts (GCFA), we are pleased to submit our first funding proposal to the Bruce J. Anderson Foundation. We respectfully ask for your consideration of an \$8,000 grant to help GCFA fund the restoration work of Gloucester City Hall's Works Progress Administration (WPA) murals.

GCFA is a municipal committee consisting of six Gloucester residents who are appointed by the mayor for four-year terms based on their qualifications in the arts. GCFA's mission is to further the City's deep cultural heritage and promote its contemporary arts by: maintaining Gloucester's WPA murals and other City-owned art; developing and promoting educational programs; establishing awards and honors that recognize local artists; implementing a City-wide public art policy and commissioning process; developing mutually beneficial arts partnerships; encouraging the creation and promotion of arts projects created in and/or about Gloucester; advising City officials on the value of a diverse, cultural life for all citizens; and encouraging arts programs within the public schools.

Based on a 2010 condition report, GCFA will commence restoration work on the WPA murals of Charles Allen Winter. These murals are considered some of the most important pieces in the City's collection and are significant to Gloucester and the nation because of their artistic merit and political, social, and art historical value. The murals depict Gloucester's origins and renowned fishing industry as well as themes in the humanities—poetry, architecture, music, and the value of education. If these murals were to deteriorate, Gloucester and the nation would lose a valuable cultural and historical resource.

This restoration work is part of GCFA's overall strategic plan for preserving the cultural and historical heritage of Gloucester. We hope the Bruce J. Anderson Foundation will join us in helping preserve Gloucester's WPA murals. If you need further information please contact Dale Brown, GCFA Treasurer, at 978-281-4101 or daletb@verizon.net. Thank you for your consideration.

Sincerely,

Judith Hoglander, Chair

Dale Brown, Treasurer

WPA Mural Restoration Project – Gloucester Committee for the Arts

Mission & History

Gloucester, Massachusetts, founded in 1623, is home to America's oldest fishing port and oldest working art colony. Many famous artists such as Winslow Homer, Milton Avery, and Edward Hopper spent significant time in Gloucester creating art. Gloucester's rich cultural and industrial history is evident in the City's many historic buildings and landmarks, art collections, and historical archives. Gloucester Committee for the Arts (GCFA) is the steward of Gloucester's public art collections, including several dozen City-owned 19th and 20th century artworks by artists such as Fitz Henry Lane, Walker Hancock, and Alice B. Winter, in addition to thirty-six Works Progress Administration (WPA) murals ranging in date from 1934 to 1942.

GCFA's mission is to further the City's deep cultural heritage and promote its contemporary arts by: maintaining Gloucester's WPA murals and other City-owned art; developing and promoting educational programs; establishing awards and honors that recognize local artists, including the position of Gloucester Poet Laureate; implementing a City-wide public art policy and commissioning process; developing mutually beneficial arts partnerships; encouraging the creation and promotion of arts projects created in and/or about Gloucester; advising City officials on the value of a diverse, cultural life for all citizens; and encouraging arts programs within the public schools.

Created by a City ordinance on November 11, 2000, GCFA is a municipal committee consisting of six Gloucester residents who are appointed by the mayor for four-year terms based on their qualifications in the arts. GCFA coordinates with other City departments such as the Mayor's Office, Legal Department, Department of Public Works, and City Hall Restoration Committee to accomplish its goals. GCFA's funds are managed through the City's accounting system. In fiscal year 2010, GCFA started receiving a modest, \$3,000 budget from the City, but is generally expected to raise its own funds through grants, donations, and earned income. Although there is no paid staff, GCFA has the equivalent of a full-time staff member through the combined part-time work of the six volunteer committee members. Through grant funding GCFA has hired consultants to inventory the City art collection, offered public WPA lectures and tours, developed wall text for the WPA murals, and commissioned condition assessment reports on the WPA murals.

Need & Request

The WPA was the largest of the federal relief programs created during the Great Depression. Under it, Federal Project #1 provided jobs in visual art, theater, literature, music, and arts documentation and education. It funded 2,566 murals across the United States depicting Americans and their lives and ideals, creating jobs for artists and cultural resources for communities. Gloucester's WPA murals represent strong examples of this artistic and historical period. Gloucester's WPA artists, Charles Allen Winter, Frederick Mulhaupt, Oscar Anderson, and Frederick Stoddard (attributed), were all leading WPA artists with strong ties to the Cape Ann arts community. The Winter and Mulhaupt murals, considered the most important pieces in the City's collection, are significant to the nation and to the humanities due to their artistic merit and political, social, and art historical value. They depict Gloucester's origins and renowned fishing industry as well as themes in the humanities—poetry, architecture, music, and the value of education. If these murals were to deteriorate, Gloucester and the nation would lose a valuable cultural and historical resource.

WPA Mural Restoration Project – Gloucester Committee for the Arts

The Gloucester City Hall WPA murals are in critical need of restoration. After nearly eighty years since the murals were created, they now have peeling and fading paint and damaged edges and backings. GCFA respectfully requests \$8,000 from the Bruce J. Anderson Foundation to help fund restoration work on seven WPA murals painted by Charles Allen Winter. The proposed restoration work represents the next phase in GCFA's preservation plan and the first restoration project undertaken by GCFA.

In 2010 GCFA received funding from the National Endowment for the Humanities Preservation Assistance program to assess the preservation needs of the murals. The contracted conservator, Peter Williams of Museums Services in Boston, used all appropriate and necessary techniques to complete his evaluation. The assessment process included an examination of each mural to determine the optimal professional method of repair and treatment, an in-depth written report that outlined findings and recommendations, digital images detailing the present condition of each mural, and a total cost estimate for the restoration work. Prior to this, the only existing condition report on record was written in 1972 by Roy Blankenship, a New England-based paintings conservator. The murals at that time needed a professional cleaning and new protective coatings, but the work was not completed due to lack of funding.

Strategic Planning / Goals

This restoration work is an essential component to GCFA's overall preservation plan. The first step in this process was completing the inventory of City-owned artwork so GCFA could begin to assess the needs of the collection and raise assessment funds. GCFA then developed education programs and services and built partnerships to generate public awareness of the WPA murals. With the condition report complete, GCFA will now focus on the mural restoration work. Once the City Hall murals are restored, GCFA's will move to the next phase of the project, which is raising funds to commission an appraisal of the fifteen murals in storage at City Hall and the murals located at O'Maley Middle School to determine their value and condition. In the future, GCFA's will launch a new project digitizing the City's art collection to make the murals accessible on the Internet.

The restoration of the WPA murals will allow GCFA to meet short- and long-term goals. Short-term goals include moving from the assessment to the restoration phase of this initiative, fulfilling GCFA's mandate to preserve and protect Gloucester's WPA mural collection, and using this restoration process to promote the murals through cultural tourism and community education programs. Long-term goals include ensuring the murals are properly cared for and protected into the future, preserving these examples of nationally significant murals that depict Gloucester's identity and history for future generations to learn from and enjoy, and using this restoration process as a catalyst to lead to future preservation practices in City Hall and beyond.

Project Description

Based on the condition report, GCFA will focus grant funds on restoring the WPA murals painted by Charles Allen Winter. His murals are of first priority because they meet the following combined criteria: murals with critical restoration needs, the artistic and cultural significance of the murals as examples of WPA era art, and the public accessibility of the murals. The conservator's report states that each mural needs a thorough cleaning to remove a layer of grime, in-painting to fill cracks and flaking paint, and the re-adhering of painting edges to their

WPA Mural Restoration Project – Gloucester Committee for the Arts

backboards. One mural, *Poetry*, requires the installation of a projecting ledge or shield over an adjacent radiator to protect the mural from further heat damage. The conservator's estimated cost to restore all of the Winter murals is approximately \$55,000, averaging \$7,800 per mural. The restoration work will commence as soon as grant funding becomes available and will continue as funds come in until all of the Winter murals are restored. GCFA anticipates that the restoration work will begin in fall 2011 and take up to two years to complete.

Charles Allen Winter (1869-1942): Winter was an illustrator, painter, and muralist who used bright colors and a realistic style. Originally from the Midwest, he studied at the Cincinnati Art Academy, St. Louis School of Fine Arts, and in Paris, and exhibited at the Paris Salon and the Art Institute of Chicago. He lived in New York and began to summer in Gloucester in 1914. He became a full time resident and a leading member of Gloucester's art community in 1931.

Winter's WPA murals include:

- ***The Founding of Gloucester, 1934:*** This mural, completed under the Public Works of Art Program, which predated the WPA of 1935, depicts moments from Gloucester's history including the arrival of European settlers, the first City selectmen discussing plans for Gloucester (based on portraits of 1934 City officials), and men building fishing wharves at Stage Fort Park, Gloucester's first settlement. The mural shows waterfront landmarks and men building boats and carrying baskets of mackerel and haddock, representing Gloucester's historic fishing industry. The mural includes History, a gray-robed woman with a quill and book recording events, and Vision, a boy looking outward and upward into the future.
- ***Education, 1935:*** The thirty-eight figures are portraits of students from Gloucester's 1935 graduating class. Students are shown holding objects symbolic of educational inquiry. Geometry, typewriting, lathe working, and music represent the arts and humanities, and geometry, biology, and chemistry represent the sciences. The figure of Alma Mater gives diplomas and Gloucester High School and colleges are in the distance.
- ***Poetry, 1936:*** *Poetry* is an allegorical piece, a symbolic depiction of the spirit of poetry. Winter used figures from classical mythology, as well as Dante and Virgil, the fathers of poetry, as his subjects. Clio, the muse of history, holds a scroll, and Terpsichore, the muse of dance and choral songs, holds a lyre. Other figures include a woman pouring water from a jug, perhaps symbolizing poetic fertility; the figure of Life trimming a lamp, bringing light to the mind; and Imagination on a winged horse, a horse of fantasy and flight.
- ***Civic Virtues, 1937:*** This mural is about idealism and social and governmental responsibility. Winter immortalizes workers and community members from the powerful to the ordinary citizen. He used community members as models for portraits, wanting the murals to belong to and come out of the community. The four mural sections, titled *Health, Planning, Welfare, and Protection*, depict Winter's vision for particular roles of city government. The basic duties of government are represented by figures caring for community members in different capacities and by images of Gloucester's progress and development.
- ***City Government, 1937:*** The thirty-three figures in this mural are all realistic portraits of city planners, fire-fighters, police officers, city council members, nurses, and teachers, symbolizing the responsibilities of municipal government. Sitting on a throne is the holder of the fasces, the ancient symbol of the law. The flags of Massachusetts and the United States stand behind the marble throne, giving the seated figure authority. Genii, protective spirits of the law, hold the city seal and a lamp of enlightenment.

WPA Mural Restoration Project – Gloucester Committee for the Arts

- ***City Council in Session, 1937:*** This mural depicts the governmental process at an official meeting with the mayor, aldermen, and various officials. A key to the actual individuals depicted hangs below the mural. A Gloucester map on the back wall shows its wards in different colors. A Gloucester Daily Times and a Boston Globe reporter are depicted, possibly to show the transparency of government proceedings.
- ***Protection of Fishing, 1942:*** This is the last of Winter's murals, painted soon before he died in September of 1942. The painting depicts the danger and activity of schooner fishing. The saints in the clouds above the fisherman emphasize the tenuous survival of the men hauling fish into the schooner.

As a permanent public exhibition at City Hall, these murals are used on an ongoing basis for tours, lectures, and research opportunities in collaboration with community partners. The main themes addressed in the educational programs are the history and significance of the WPA and its art on a national level, and Gloucester's WPA murals and how they relate to Gloucester's maritime, art, and civic history and to the broader social themes typical of WPA era art. The lectures and tours offer biographical information on the WPA artists, discuss the impact of WPA art on the public schools, reflect on the value of public art, question the role of art in society, and investigate the role of government participation in the arts. These educational initiatives enhance public awareness and appreciation of Gloucester's cultural heritage and local arts resources, builds new audiences for Gloucester's historical and cultural assets, and ensures an ongoing interest in preserving the WPA murals for future generations to learn from and enjoy.

Guided Tours

- Since 2006 GCFA has partnered with *Trails and Sails*, an annual weekend cultural heritage tour sponsored by the Essex National Heritage Area and promoted by the Essex National Heritage Commission, to offer guided tours of City Hall's mural collection. Local art historian and WPA mural expert, Susan Erony, offers two tours each weekend.
- In 2008, self-guided tours of the City Hall murals were included in an Art Lovers Package, developed by the Gloucester Stage Company, in coordination with area accommodations, restaurants, and other cultural attractions, to promote cultural tourism.
- In April 2009, Susan Erony led a tour sponsored by the Cape Ann Museum. The tour began at the Cape Ann Museum for a painting exhibition by Howard Curtis (1906-1989), a local artist and Frederick Stoddard's assistant, and progressed to City Hall and the Saunders House, an historic building belonging to the Sawyer Free Library, to view Charles Allen Winter, Frederick Mulhaupt, and Frederick Stoddard murals. The tour emphasized Curtis' role in saving the WPA murals from destruction when few other people understood their social, historical, and aesthetic value.
- In 2009, GCFA provided guidance and oversaw the restoration work of a WPA mural housed in the National Oceanic and Atmospheric Administration's (NOAA) facility.
- In May 2010 GCFA participated in the Preserving Gloucester event. For this event, GCFA held a joint open house with the City Hall Restoration Committee to showcase City Hall and the WPA murals, and board member Roger Armstrong gave a presentation on GCFA's preservation strategy for the WPA murals.

WPA Mural Restoration Project – Gloucester Committee for the Arts

murals by the end of Bruce J. Anderson's funding period in June 2012; and promoting the restoration work through heritage and cultural tourism venues to attract further funding and interest.

**Gloucester Committee for the Arts
2011-2012 Special Project
WPA Mural Restoration Project**

INCOME

	Income	Status
Private Donations	2,500	projected
Government Support		
City of Gloucester	3,000	committed for fall 2011
City of Gloucester	3,000	committed for fall 2012
MA Community Preservation Act	3,000	projected
Save America's Treasures	25,000	projected
NEH Preservation Assistance Grant	6,000	projected
NEA Access to Artistic Excellence	4,000	projected
Sub-total Government Support	44,000	
Foundation Support		
Bruce J. Anderson Foundation	8,000	projected
Earned Income		
Sales from WPA merchandise	500	projected
TOTAL INCOME	55,000	

EXPENSE

	Expense	Notes
Consultants		
Restoration Consultant Estimate	40,000	restoration on 7 murals
Supplies		
Scaffolding	3,000	
Conservation supplies	6,000	billed by conservator
Protective ledge	6,000	
Sub-total Supplies	15,000	
TOTAL EXPENSE	55,000	

Members – Gloucester Committee for the Arts

Judith Hoglander: Judith is a GCFA founding member and has served as Chairperson since 2007. She has organized educational initiatives for the WPA murals, an arts education forum for the public schools, and an Arts and Culture Town Meeting for Governor Patrick. Judith is a founding member of local arts nonprofits, seARTS and Arts North, serves on the Gloucester Stage Company and Massachusetts Advocates for the Arts and Humanities Boards of Directors, and has been an Americans for the Arts delegate.

Dale Brown: Dale originally joined GCFA as the Mayor's representative during her tenure as the City's Community Development Director from 2002 to 2005. She was later re-appointed as the Mayor's representative to the Committee in 2006. In 2008 she was appointed as a regular member of the Committee and serves as the Treasurer. Dale has worked in municipal public administration for over twenty years. She is an active member of the Chorus North Shore.

Roger Armstrong: Roger, a GCFA member since January 2009, has been a co-owner of two art galleries for the past ten years, State of the Art I on Rocky Neck and State of the Art II in downtown Gloucester. He has been a member of the North Shore Arts Association (NSAA) Board of Directors for the past eleven years, serving as President from 2003 to 2005. He was instrumental in mounting a highly successful Frederick Mulhaupt retrospective at NSAA in 1998. Roger designed Gloucester's WWII Veterans Memorial in 2006.

Marcia Hart: Marcia has been a GCFA member since 2008. She is a working member of the Rocky Neck Art Colony, the nation's oldest artist colony, and was the chairperson for the successful effort to have Rocky Neck designated "One of the Ten Most Endangered Resources in the Commonwealth" by Preservation Mass in 2005. She participated in the development of the on-line Rocky Neck Historic Art Trail, and served on the Gloucester Historic Commission sub-committee for the preservation of the Tarr and Wonson Paint Manufactory. She is the gardener at the Beauport Museum, a historic New England property in Gloucester. Marcia is also a part-time visiting nurse and manages a small landscaping business.

Barbara Markell: Barbara joined GCFA in 2011. She began her professional career as a ballet dancer in New York City. Upon her retirement from the ballet company, she successfully taught dance for many years in both New York and the Boston area. Since moving to Gloucester, Barbara has been active in community causes and organizations with special efforts involving the Gloucester Historical Committee and the Magnolia Historical Society.

Eric Schoonover: Eric joined GCFA in 2011. He is a Professor Emeritus of American Literature and New England Studies, specializing in maritime culture and literature. His most recent publication is *The Gloucester Suite and Other Poems*. He is also a watercolorist and a boat builder.

Consultants – Gloucester Committee for the Arts

Susan Erony: Susan was Associate Curator for Exhibitions at Cape Ann Museum and Executive Director of seARTS in Gloucester. She consulted on the role of art in society to *Facing History and Ourselves*, an international human rights organization. She has twenty years experience teaching and lecturing on art history and art practice and curating arts exhibitions. She was a GCFA member from 2004 to 2006, and an independent consultant from 2006 to 2009 with a focus on WPA mural research and public education. Her WPA research led to features on WBUR National Public Radio and the Boston Globe, resulting in people from outside of Gloucester expressing interest in using Gloucester's murals for their research purposes.

Peter Williams: Williams, who founded Museum Services in 1972, specializes in the conservation and restoration of 19th and 20th century American and European oil paintings, murals, and picture frames. He has completed condition assessments and restoration work on Frederick Mulhaupt and Charles Allen Winter paintings for private collectors and galleries. A selection of major clients includes Boston Symphony Orchestra, Massachusetts Historical Society, and Boston Public Library.

FY2010

Comm for the Arts Account 295031

		Transaction	Balance
7/1/2009	Opening Balance FY 2010		1380.91
7/16/2009	Postcard Sales at Quinn book lecture	20.00	1400.91
7/16/2009	Donations at Quinn book lecture	20.00	1420.91
8/25/2009	Fund transfer request for custodian OT for Trails and Sails	-320.00	1100.91
8/31/2009	Request payment of invoices to move Mayor's Office Mural Peter Tysver	-225.00	875.91
	Don Parsons	-270.00	605.91
10/8/2009	Postcard sales at Trails and Sails 9/26 & 9/27	82.00	687.91
10/13/2009	Reimbursement from NOAA for cost of mural assessment funds wired from NOAA	300.00	987.91
12/21/2009	Deposit: seARTS Matching Grant check dated 11-17-09	1600.00	2587.91
12/21/2009	Deposit: Postcard Sales Middle St. Walk 12-12-09	22.00	2609.91
6/2/2010	Purchase Order for Grant Writing P.O. 1003680 split on two accts PO carried forward to FY11	-500.00	2109.91
6/30/2010	Current Balance		2109.91

Comm for the Arts Line in Tourism Budget (Acct 101000)

7/1/2009	Appropriation	3000.00	\$ 3,000.00
12/28/2009	Payment to seARTS for match	-800.00	\$ 2,200.00
2/24/2010	Purchase Order for seARTS City dues invoice submitted for payment on 3/22	-250.00	\$ 1,950.00
5/27/2010	Purchase Order for seARTS Dues increased to pay 2011 dues invoice submitted for payment on 5/27/10	-250.00	\$ 1,700.00
6/2/2010	Purchase Order for Grant Writing P.O. 1003680 split on two accts PO carried forward to FY11	-1250.00	\$ 450.00
6/30/2010	Current Balance		450.00

Approved NEH Grant Funds

Dedicated to City Hall Murals Condition Assessment

\$2,500.00

3/23/2010	Purchase Order to Peter Williams 1/2 upfront, 1/2 at completion 1st invoice processed 3/31 for \$1250 2nd invoice approved for payment 5/20/10	-2500.00	0.00
6/30/2010	Current Balance		0.00

Gloucester Committee for the Arts Treasurer's Report 5-Dec-10

FY2011

Comm for the Arts Account 295031		Transaction	Balance
7/1/2010		Opening Balance FY2011	2109.91
7/1/2010		PO1003680 for Grant Writing Svcs Split between two accounts \$500 encumbered and carried forward from FY2010	0.00
10/5/2010		Post Card Sales - Trails and Sails	20.00
12/5/2010		Current Balance	2129.91

Comm for the Arts Line in Tourism Budget (Acct 101000)

7/1/2010		Appropriation	3000.00
7/1/2010		PO 1003680 for Grant Writing Svcs Split between two accounts \$1250 encumbered and carried forward from FY2010	0
12/5/2010		Current Balance	3000.00

Approved NEH Grant Funds

	Dedicated to City Hall Murals Condition Assessment	\$2,500.00
	Convervator completed study, invoices paid	(\$2,500.00)
	Balance	\$0.00

Grant funds have been spent. Invoices paid.
Federal funds (\$2500) have been received by the City from NEH

Addendum to enclosed financial documents:

GCFA started receiving funds from the City in fiscal year 2010, which began in July 2009. This information is reflected in the GCFA's FY2010 Treasurer's Report, but not in the City's audited financial statement included with this submission. The City's FY2010 audited financial report will not be ready until late February 2011. In its place, we have enclosed the City's FY2009 audited financial report, which will not reflect the \$3,000 appropriation to GCFA.

Addendum to enclosed City website print-out:

Upon your request we have included a print out of the Gloucester Committee for the Arts webpage from the City of Gloucester's website as proof that GCFA is a City committee.



May 19, 2011

Ms. Judith M. Hoglander
Chair, Gloucester Committee for the Arts
City of Gloucester
Conservation Commission & Health Department
22 Poplar Street
Gloucester, MA 01930

Dear Ms. Hoglander:

It is a pleasure to tell you that the Board of Directors of the Bruce J. Anderson Foundation, Inc., a supporting organization of the Boston Foundation, at their meeting on May 7, 2011 voted to City of Gloucester an \$8,000.00 grant for support of Gloucester City Hall's Works Progress Administration (WPA) murals.

Informed by intelligence, sensitivity, and the knowledge of many countries and cultures, Bruce J. Anderson was a serious and idealistic young man who cared deeply about the problems he saw around him. The Bruce J. Anderson Foundation was established by Bruce's brothers and sisters to honor Bruce and support the causes he championed.

We encourage grantees to make their own announcements of the Boston Foundation's support. Often this can best be done in the context of a story about the purpose and usefulness of the project for which the grant was made. The Foundation's staff will be glad to give advice or assistance if you feel that would be helpful.

The Board of Directors requests that your organization submit a brief report (no more than three pages) on the expenditure of the grant and on the development of the project by July 15 of next year. Should City of Gloucester reapply for funding next year, we kindly ask that you submit an interim progress report with your reapplication. We wish you continued success with your efforts.

Sincerely,

Kate Guedj
Vice President, Philanthropic & Donor Services

KRG/apa
Enc.

S2011-0021

BOSTON FOUNDATION
75 ARLINGTON STREET
BOSTON, MA 02116
(617) 338-1700

WAINWRIGHT BANK & TRUST COMPANY
BOSTON, MA 02110 01

64017

NUMBER 64017

5-255/110

05/18/2011

DATE

AMOUNT
\$8,000.00

Eight Thousand Dollars and Zero Cents

PAY TO THE ORDER OF
CITY OF GLOUCESTER
ATTN: MS. JUDITH M. HOGLANDER
CONSERVATION COMMISSION & HEALTH DEPT.
22 POPLAR STREET
GLOUCESTER, MA 01930

VOID AFTER 180 DAYS - ALL CHECKS REQUIRE TWO SIGNATURES

MP
AUTHORIZED SIGNATURE
Van Ranst
MP
AUTHORIZED SIGNATURE

⑈064017⑈

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Vice President, Philanthropic & Donor Services

KRG/apa
Enc.

S2011-0021

ENCLOSURE 5



THE GLOUCESTER PUBLIC SCHOOLS

OFFICE OF BUDGET & FINANCE

6 SCHOOL HOUSE ROAD
GLOUCESTER, MASSACHUSETTS 01930

TEL: 978-281-9812

FAX: 978-281-9899

WWW.GLOUCESTERSCHOOLS.COM

TO: Mayor Carolyn Kirk
FROM: Thomas Markham, CFO *John J. Markham*
RE: Request for extraordinary reimbursement
DATE: June 16, 2011

This memo is to request an extraordinary reimbursement be made to John Madama, a school department employee, as he purchased classroom supplies and materials outside of the required procurement procedures of the City of Gloucester and he seeks to be paid back. Mr. Madama seeks \$819.64 for purchases he made between April 19, 2011 and May 17, 2011.

This matter was brought before the Gloucester School Committee on June 8, 2011 and they voted to authorize me to seek extraordinary reimbursement for Mr. Madama, through your office, from the City Council. I have attached hereto the memo to the School Committee along with the completed school department reimbursement forms, receipts and other back-up material.

I respectfully request that this matter be included in an upcoming Mayor's Report and brought before the City Council for action before June 30, 2011.

Thank you.



THE GLOUCESTER PUBLIC SCHOOLS

OFFICE OF BUDGET & FINANCE

6 SCHOOL HOUSE ROAD
GLOUCESTER, MASSACHUSETTS 01930

TEL: 978-281-9812

FAX: 978-281-9899

WWW.GLOUCESTERSCHOOLS.COM

TO: Gloucester School Committee

FROM: Thomas Markham, CFO 

RE: Request for extraordinary reimbursement

DATE: June 8, 2011

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On several occasions in the past I have informed Mr. Madama that purchases of classroom supplies and materials must be planned in advance and procured in compliance with both state and city requirements. On May 18, 2011 he brought forward the above referenced reimbursement documents (attached) which I reluctantly approved at the request of the Assistant Superintendent. However, I noted that it was quite likely that the City Auditor would not process this payment without further approval.

The City Auditor, in fact, removed this reimbursement request from the May 27, 2011 ordinary warrant informing me that he sought both School Committee and City Council approval before he would process this reimbursement. I have met with Mr. Madama and Dr. Trubisz informing them of the situation, reminding them again about following proper purchasing procedures, and requested Mr. Madama's presence at upcoming meetings of the both bodies. Further, Mr. Madama assured me that he would be following proper procedures in the future.

I request that the School Committee approve this extraordinary reimbursement at the School Department level and authorize me to forward a request for City approval to the City Council for their review and consideration.

Thank you.



Gloucester Public Schools

Expense Reimbursement Request

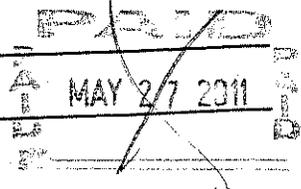
Name: JOHN MADAMA

Address: _____

City, State, Zip _____

School/Project: ROBOTICS EVENT

Date: 5/11/11



Expense Account Number: 285030.20.370.54040.3520.00.000.00.054

Receipt Date	Vendor/Merchant	Description	Amount
4/19	FARGO	GEARBOX KIT	41.90
4/28	MIKE'S PLACE	FOOD FOR STAFF	44.79
4/29	MIKE PLACE	" "	41.55
4/19	STOP & SHOP	BATTERY	5.99

Total Reimbursement Amount: \$ 134.23

Employee Signature: [Signature] Date: 5/11/11

Supervisor's Signature: [Signature] Date: 5/17/11

CFO: [Signature] Date: 5/18/11

Mike's Place
 8 Railroad Avenue
 Gloucester, MA 01930
 (978) 282-0777

Server: SCHENEIDER Station: 4

Order #: 370108 Pick Up (Phone)
 (978) 290-3989 alex
 Guests: 1

>> SETTLED <<

5 LG CHEESE PIZZA(m) 43.75
 2 <SPECIAL DISCOUNT> -11.02
 2 2 LITER 5.88
 Coke
 1 2 LITER 2.94
 SPRITE
 30 SIDE OF PLATES 0.00
 CUPS

SUB TOTAL: 41.55
 State & Local Taxes: 2.91

AMOUNT DUE: \$44.46

Cash Tendered: 60.00

CHANGE: -15.54

Created: 4/29/2011 11:21:58 AM
 SETTLED: 4/29/2011 11:49:59 AM

THANK YOU!



STOP & SHOP #410
 GLOUCESTER, MA
 978-281-0010
 WWW.STOPANDSHOP.COM

WELCOME, I'M KAYLEE! 12:31pm 4/19/11
 Tran 84428 Terminal 14 Cashier 00106

Customer Card Number 1099900001
 GENERAL MERCHANDISE
 DURACELL CT AAA 8.49 T
 Stop & Shop Card Savings -2.50
 Price with your card 5.99
 Total before savings \$8.49
 Your Total Savings \$2.50
 Total after savings \$5.99
 Tax paid \$0.37
 Total \$6.36
 Cash Tnd \$7.00
 Change \$0.64

YOUR SAVINGS SUMMARY
 Stop & Shop Card Savings \$2.50
 Total Stop & Shop Card Saving \$2.50
 Your Total Savings \$2.50

THANK YOU FOR SHOPPING AT STOP & SHOP.
 WE'VE ENJOYED SERVING YOU, AND WE
 LOOK FORWARD TO SERVING ALL YOUR
 FUTURE SHOPPING NEEDS.

ANDREW ZINER, STORE MGR 978-281-0010

STOP & SHOP #410



THANK YOU!

Created: 4/28/2011 11:01:12 AM
 SETTLED: 4/28/2011 11:21:11 AM

CHANGE: -52.07
 Cash Tendered: 100.00
AMOUNT DUE: \$47.93
 SUB TOTAL: 44.79
 State & Local Taxes: 3.14

>> SETTLED <<
 1 2 LITER 2.94
 SPRITE
 6 LG CHEESE PIZZA(m) 52.50
 SIDE cups 20 cups
 30 plates
 3 <SPECIAL DISCOUNT> -16.53
 2 2 LITER 5.88
 Coke

Server: ROBERTA Station: 2
 Order #: 369632 Pick Up (Phone)
 (978) 290-3989 alex
 Guests: 1

Mike's Place
 8 Railroad Avenue
 Gloucester, MA 01930
 (978) 282-0777



Fargo Enterprises, Inc.

Home of www.Micro-Tools.com

1270 Callen St
Vacaville, CA, 95688
U.S.A.

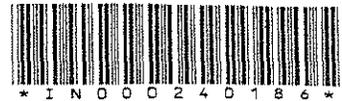
Phone: (707) 446-1120
Fax: (707) 446-3319

Invoice

3

Date: Apr 19, 2011 Page: 1

Invoice Number
IN000240186



Sold To:

Ship To:

John Madama 978-281-8770

JOHN MADAMA 978-281-8770
16 ROCKY NECK AVE
2ND FLOOR REAR
GLOUCESTER, MA 01930
US

**RUSH ORDER
EXPEDITED
DO NOT DELAY**

Order No. AMA10300170425125828	Order Date Apr 19, 2011	Customer No. AMAZON	PO Number 103-0017042-5125828	Ship Via UPS 3 Day Select	Terms AMAZON
--	-----------------------------------	-------------------------------	---	-------------------------------------	------------------------

Qty. Ord.	Qty. Shp.	Qty. B/O	Item Number	Description	Unit Price	Bin	Extended Price
2	2	0	21-130 FRT	2-in-1 Gearbox Kit Shipping charge	9.95	F030A	19.90 22.00

PAID: In Full By Amazon

We want you to be **100% satisfied** with the products and our customer service.
Any **Question, Complaints, Concerns** about your order?
Please do call us at (800) 359-2878, or email us at orders@micro-tools.com.

Thank You!!

* **On-Line Store: www.Micro-Tools.com** *

Sensor Cleaning Instructions: CleaningDigitalCameras.com • Watch Repair Tool Help: WatchRepairToolGuide.com

**RUSH ORDER
EXPEDITED
DO NOT DELAY**

Comments:	Tax summary:	Subtotal	41.90
	OE0001 0.00	Total sales tax	0.00
		Total amount	41.90
		Less payment	0.00
		Less pmt. disc	0.00
		Amount due	41.90

Picking Slip



Fargo Enterprises, Inc.

Home of www.Micro-Tools.com

1270 Callen St
Vacaville, CA 95688
U.S.A.

Phone: (707) 446-1120
Fax: (707) 446-3319

Date: Apr 19, 2011
Page: 1

Order Number
AMA10300170425125828



Sold To:

RUSH ORDER

John Madama

EXPEDITED
DO NOT DELAY

Ship To:

JOHN MADAMA
16 ROCKY NECK AVE.
2ND FLOOR REAR
GLOUCESTER, MA 01930
US

Reference FS	PO Number 103-0017042-5125828	Customer No. AMAZON	Ship Via USPS First Class Mail	Ship Date Apr 19, 2011
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Picking Sequence	Qty. Ordered	UOM	Qty. Shipped	Qty. Backord.	Item Number	Description
F030A	2	EA			21-130	2-in-1 Gearbox Kit
<p>RUSH ORDER EXPEDITED DO NOT DELAY</p>						

F

www.Micro-Tools.com



Gloucester Public Schools

Expense Reimbursement Request

Name: JOHN MADAMA

Address: _____

City, State, Zip _____

School/Project: ROBOTICS EVENT

Date: 5/11/11

PAID
MAY 27 2011

Expense Account Number: 285030.20.370.54040.3520.00.000.00.054

Receipt Date	Vendor/Merchant	Description	Amount
4/28	ACE	BATTERIES	63.92
4/27	RADIO SHACK	BATTERIES	10.98
4/19	PITCO	HYPER LINE TRACKERS	180.29
4/19	DEUTA/FREM	SOLAR CAR	82.66

Total Reimbursement Amount: \$ 337.85

Employee Signature: John Madama

Date: 5/11/11

Supervisor's Signature: Shirley Tubbing

Date: 5/17/11

CFO: Glenn J. McLean

Date: 5/18/11

Memo: FLANNAGAN'S GLOUCESTER MA 5644

04/25/2011 POS Debit \$22.68 \$5,191.56

Memo: HOMETOWN ACE H GLOUCESTER MA 5644

04/25/2011 POS Debit \$87.27 \$5,214.24

Memo: STOP & SHOP #4 GLOUCESTER MA 5644

04/25/2011 Check 342 \$775.00 \$5,301.51

04/21/2011 DBT Purchase \$27.00 \$6,076.51

Memo: BERTUCCI'S #021 WEST PEABODY MA 5644

04/21/2011 Check 344 • \$72.24 \$6,103.51

04/21/2011 DBT Purchase \$82.66 \$6,175.75

Memo: SSI DELTA CPOFREYNE800-258-1302 WI 5644

04/21/2011 DBT Purchase \$180.29 \$6,256.41

Memo: PITSCO INC 620-231-0000 KS 5644

04/21/2011 Direct Deposit \$1,819.36 \$6,438.70

Memo: CITY OF GLOUCEST PAYROLL

04/20/2011 DBT Purchase \$29.33 \$4,619.34

Delta Education

100 Paragon Parkway
MANSFIELD OH 44903
Toll Free Phone: 800-258-1302
Toll Free Fax: 800-282-9560
www.delta-education.com

Ship To: JOHN MADAMA
16 ROCKY NECK AVE
GLOUCESTER MA 01930

Packing Slip

(Last) Page: 1

Printed: 04/20/11 08:27:56

Order Number: **17727571**
Ship Date: **04/19/11**
Customer Number: **1340390**
Shipper Number: **07431961**
Customer PO: **CC041911**
Attn: **JOHN MADAMA**

Order Information: **ATTN UPS:NO SIGNATURE REQ'D FOR THIS ORDER**

Delivery Information:

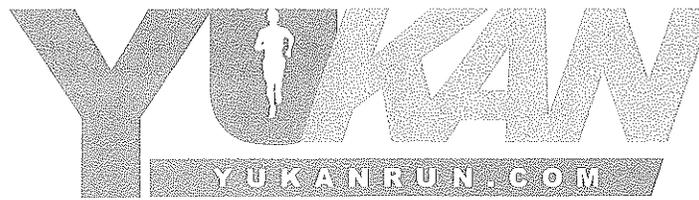
- Your order may ship in multiple boxes and may deliver at different times.
- One packing slip is provided per shipment; there is not one included in every carton.

The following items are in this shipment:

Line	Product No	Cust Item No	Description	UOM	Qty Ord	Qty Ship	Qty B/O
	1360729	1360729	KIT SOLAR PHOTON RACER	EA	2	2	

\$ 52.66

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<http://www.surveymonkey.com/s/SS2>



Imagine What YuKan Do.

CITY OF GLOUCESTER
11 JUN 21 AM 10:52

June 20, 2011

Jacqueline Hardy
Gloucester City Hall
9 Dale Ave.
Gloucester, MA 01930

Dear Jacqueline:

Thank you for your help with the YuKanRun.com Road Race Series. The series includes nine races that are spread out among communities on the North Shore including Gloucester, Ipswich, Newbury, Rockport, Beverly and others. Early this spring we were able to host the successful Building Center YuKanRun.com 1-mile road race in Gloucester. Later this summer, we'll be hosting the 13.1 mile half marathon on Cape Ann as well. The series is coming together nicely and the response has been very encouraging.

The final race in the series is the marathon that will start and finish at Rockport High School on Sunday, October 23, 2011. The 26.2 mile race will begin at 8:00am. After starting in Rockport, the course will pass over into Gloucester before the runners turn around and head back into Rockport for the finish. I'm writing today to request permission for this race from the Gloucester City Council, Police Department and Fire Department as well.

As with other races, I've prepared a well-organized race plan to ensure a safe environment for all participants. I've attached a course description for your review. The race will include:

- Police Detail
- Event Insurance
- Bathroom Facilities
- Professional Timing
- Course Marshals
- Ambulance & Medical Staff
- Water Station & Refreshments
- Clearly Marked Course
- Parking Attendant
- Clean-up Crew

The race will include fundraising efforts to help support the Gloucester Fisherman's Athletic Association and the Friends of Rockport Athletics.

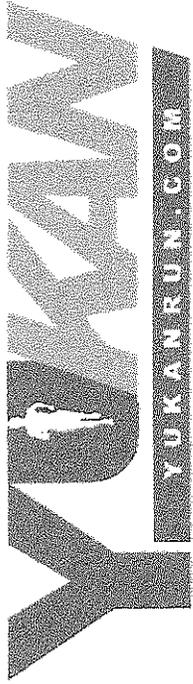
As the first and only marathon on the north shore, this will be a popular event. I'm very excited about bringing this race to Cape Ann. I greatly appreciate your cooperation and look forward to working with you again.

Sincerely,

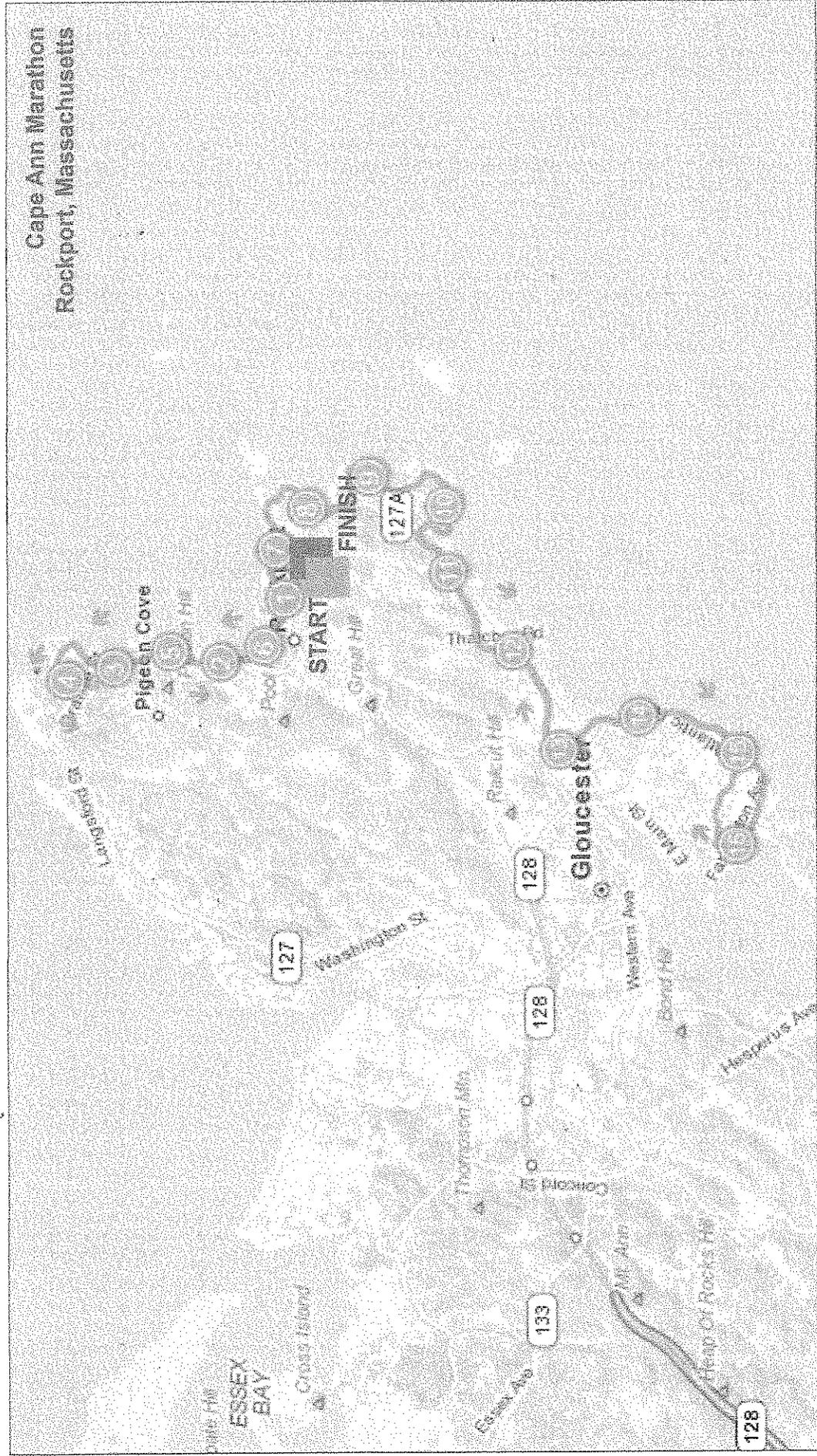
Richard A. Morrell, Jr.
YuKan Sports, LLC

cc: Chief Michael Lane
Gloucester Police Department
197 Main St.
Gloucester, MA 01930

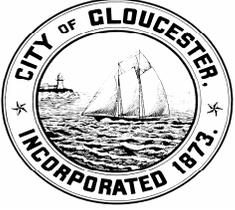
Chief Phil Dench
Gloucester Fire Department
8 School Street
Gloucester, MA 01930



Imagine What You Can Do.



Cape Ann Marathon
Rockport, Massachusetts



**CITY OF GLOUCESTER 2011
CITY COUNCIL ORDER**

ORDER: #CC2011-030
Councillor Bob Whynott

DATE RECEIVED BY COUNCIL: 06/28/11
REFERRED TO: Traffic Commission

ORDERED that the Traffic Commission investigate the possibility of limited or no parking in front of the WWI Memorial on Western Avenue, and what procedures are necessary to petition the State if needed.

Bob Whynott
Councillor At Large

GLOUCESTER CITY COUNCIL MEETING

Tuesday, June 14, 2011 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Vice President, Councilor Sefatia Theken; Councilor Bruce Tobey; Councilor Paul McGeary; Councilor Steven Curcuru; Councilor Greg Verga; Councilor Robert Whycott; Councilor Mulcahey

Absent: Councilor Hardy

Also Present: Linda T. Lowe; Jim Duggan; Kenny Costa; Bill Sanborn; Rick Noonan; Suzanne Egan

The meeting was called to order at 7:03 p.m. Some items were taken out of order.

Flag Salute and Moment of Silence.

Councilor Theken announced that **Councilor Hardy** was unable to attend due to illness and that **Councilor Tobey** was delayed would to arrive later in the proceedings.

Oral Communications: None

Consent Agenda:

• **MAYOR'S REPORT**

1. Memorandum from CFO re: Appropriation Request from the CPA Fund of \$215,000 as recommended by Community Preservation Committee to pay for costs of remodeling and making extraordinary repairs to the Gloucester City Hall (Refer B&F)
2. Memorandum from CFO re: Rescission of Two bond Authorizations: \$800,000 (I4-C2) and for \$215,000 (CPA-City Hall Restoration) (Refer B&F)
3. Memorandum from Community Dev. Director re: 2011 Applications for CPA Funding (Refer B&F)
4. Memorandum from Fire Chief re: Permission to pay an invoice without a purchase order in place (Refer B&F)
5. Memorandum from Interim Health Director re: City Council acceptance of US Fish & Wildlife Service grant for Mill Pond For \$16,000 (Refer B&F)
6. Memorandum from Interim Health Director re: City Council acceptance of a Coastal America Grant for Mill Pond Tide Gate Project of \$4,500 (Refer B&F)
7. Special budgetary Transfer Request (#2011-SBT-41) from Fire Department (Refer B&F)
8. Memorandum from Community Dev. Director re: Request for City Council to Amend GCO §22-288 and §22-291 (Off Street Parking) – Harbor Walk and Harbor Parking Lot (Refer B&F)
9. Memorandum from Police Chief re: School Zone Speed Limit in the area of 384 Washington Street (Refer TC and O&A)
10. Request by the Purchasing Agent for the Appointment of a Building Committee for the School Roof Replacement Project under City Charter §5.5, City Building Committee (Refer O&A)
11. Appointment: Licensing Board TTE 05/31/2017 Michele Holovak Harrison (Refer O&A)

• **COMMUNICATIONS/INVITATIONS**

1. Response to Oral Communications of May 10, 2011 City Council Meeting, re: Magnolia Woods (File)
2. Request from Talia DeWolfe to hold Breast Cancer Fundraising Walk on September 25, 2011 (Refer P&D)
3. Request from Habitat for Humanity for a 5K Road Race, October 2011 (Refer P&D)

• **INFORMATION ONLY**

1. Memorandum from Community Dev. Director re: Year End Report for 2010 and Account Statement from the Affordable Housing Trust (Info Only)

• **APPLICATIONS/PETITIONS (None)**

• **COUNCILORS ORDERS**

1. CC2011-026 (Hardy) Set Speed Limit for Gee Avenue (Refer TC and O&A)
2. CC2011-027 (McGeary) Amend GCO §22-270 (Parking Prohibited at All Times) by deleting "Eastern Ave., southerly Side from Hartz Street, westerly for a distance of forty (40) feet (Refer TC and O&A)

• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting 05/24/11 (Approve/File)
2. Special City Council Meeting 05/31/11 (Approve/File)
3. Special City Council Meeting 06/07/11 (Approve/File)
4. Standing Committee Meetings: O&A 06/06/11, P&D 06/08/11, B&F 05/31/11 06/09/11 (under separate cover) (Approve/File)

Items to be added/deleted from the Consent Agenda:

Councilor Curcuru noted there were two late additions to the Consent Agenda by the Administration.

Jim Duggan, CAO provided two brief memos and stated the Administration is requesting that two matters be added to the Consent Agenda and be referred out to the Budget & Finance Committee: a declaration of overlay surplus

and appropriation for Snow & Ice to help cover that deficit; and an amended Loan Authorization with language for the school roofs project which is now to include the cost of the roof replacement for the Dorothy Talbot Rink.

By unanimous consent these two matters were referred to B&F.

By unanimous consent the City Council adopted the Consent Agenda as amended.

Standing Committee Reports:

Ordinances & Administration: June 6, 2011

No motions were brought forward from this meeting for Council action.

Planning & Development: June 8, 2011

No motions were brought forward from this meeting for Council action.

By unanimous consent of the Council the “For Council Vote” was taken up at this time.

For Council Vote:

1. CC2011-025 (Verga) Report on adequacy of public water supply from Fire Chief and DPW Director re: Becker Lane area

Councilor Verga explained he had brought this order forward assuming the Fire Chief and/or the DPW Director would make a presentation on the matter of the adequacy of the public water supply in the Becker Lane area. In speaking to the Council Chair today, Councilor Hardy pointed out this order is to vote to ask for the presentation. The Councilor noted a resident from the Becker Lane area was in attendance; and explained a recent fire in the area that brought to light a complaint he had heard from the beginning of his Council term that the water supply is “if-y” at best in the Becker Lane area; and so he would like to hear the opinions of the DPW and Fire Department as soon as possible as to the status of the water supply; the location of the nearest fire hydrant; and any remediation that needs to be made to remediate any possible deficit in the area and asked for the Council’s support.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, that the Fire Chief and the DPW Director prepare a report on the adequacy of the public water supply in the area of the Becker Lane neighborhood, specifically for its use in firefighting, the nearest fire hydrants, and a plan to improve these capabilities should they be deemed insufficient to be presented at the July 12, 2011 City Council meeting.

Standing Committee Reports - Continued:

Budget & Finance: May 31, 2011 and June 9, 2011

No motions were brought forward from the May 31st meeting for Council action.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the transfer (2011-SBT-36) for \$200.00 from Software lease/purchases, Unifund Account #101000.10.155.62850.0000.00.000.00.052 to Wages – Full Time, Unifund Account #101000.10.155.51100.0000.00.000.00.051.

Discussion:

Councilor Curcuru explained that this is to fix an account deficit.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to transfer (2011-SBT-36) for \$200.00 from

Software lease/purchases, Unifund Account #101000.10.155.62850.0000.00.000.00.052 to Wages – Full Time, Unifund Account #101000.10.155.51100.0000.00.000.00.051.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the transfer (2011-SBT-37) for \$2,035.16 from Unifund Account #101000.10.121.51200.0000.00.000.00.051 to Tourism, Sal/Wage-Temp Pos., Unifund Account #101000.10.563.51200.0000.00.000.00.051.

Discussion:

Councilor Curcuru explained that this is to cover the salary for the Welcome Center Coordinator through the end of FY11 and the transition from the previous Welcome Center Coordinator and because there was so much to do at the Center to prepare it for the season.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to transfer (2011-SBT-37) for \$2,035.16 from Unifund Account #101000.10.121.51200.0000.00.000.00.051 to Tourism, Sal/Wage-Temp Pos., Unifund Account #101000.10.563.51200.0000.00.000.00.051.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the transfer (2011-SBT-38) for \$26,500.00, Public Services Permanent Position, Unifund Account #101000.10.470.51100.0000.00.000.00.051 to Public Services Electric, Unifund Account #101000.10.470.52110.0000.00.000.00.052.

Discussion:

Councilor Curcuru noted this transfer is for funds needed to replace the monies transferred to Facilities Heating Oil to correct a budgeting deficit in Public Services Electric. This is for Todd Oil bills. They transferred it out of electric, and this is to put this back in.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to recommend to the City Council the transfer (2011-SBT-38) for \$26,500.00, Public Services Permanent Position, Unifund Account #101000.10.470.51100.0000.00.000.00.051 to Public Services Electric, Unifund Account #101000.10.470.52110.0000.00.000.00.052.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the transfer (#2011-SBT-39) for \$21,000, from Engineering, Sal/Wage Perm Position, Unifund Account #101000.10.411.51100.0000.00.000.00.051 to DPW, Other, Street Light Power/Service, Unifund Account #101000.10.499.52130.0000.00.000.00.052.

Discussion:

Councilor Curcuru explained this transfer is for funds needed to replace the monies transferred to School Facilities under budgeted heating oil which is coming out of lag money from Engineering.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to transfer (#2011-SBT-39) for \$21,000, from Engineering, Sal/Wage Perm Position, Unifund Account #101000.10.411.51100.0000.00.000.00.051 to DPW, Other, Street Light Power/Service, Unifund Account #101000.10.499.52130.0000.00.000.00.052.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the transfer (2011-SBT-40) for \$91,553.50 from Treas/Collector, Debt Principal, Unifund Account #101000.10.145.59100.0000.00.000.00.059 to Unifund Account #101000.10.472.52103.4111.00.200.00.052.

Discussion:

Councilor Curcuru noted this transfer is to provide additional funding necessary for the remainder of FY11. They are holding invoices to be paid until this transfer is authorized for utilities, gas. There is still \$80,000 to \$90,000 that is still to come in year-end transfers; this is just to fill the gap.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to transfer (2011-SBT-40) for \$91,553.50 from Treas/Collector, Debt Principal, Unifund Account #101000.10.145.59100.0000.00.000.00.059 to Unifund Account #101000.10.472.52103.4111.00.200.00.052.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council the payment of invoices for professional services rendered from April 12, 2011 to April 30, 2011 for the Green Repair Roof Project through the MSBA for the Beeman, East Gloucester, Veteran’s Memorial and Plum Cove Elementary Schools and the O’Maley Middle School to CGKV Architects, Inc. as Designer for \$115,578.00 as follows to be paid from Fund #300077- CIP10-09 Schools Roof Replacements:

Beeman Memorial Elementary School	Invoice #2-1 dated 5/10/11	\$11,343.25
East Gloucester Elementary School	Invoice #3-1 dated 5/10/11	\$10,510.25
Plum Cove Elementary School	Invoice #4-1 dated 5/10/11	\$ 9,150.25
Veteran’s Memorial Elementary School	Invoice #5-1 dated 5/10/11	\$12,448.25
O’Maley Middle School	Invoice #1-1 dated 5/10/11	<u>\$36,063.00</u>
	TOTAL	\$115,578.00

Discussion:

Councilor Curcuru explained this request is for the first part of payments of invoices as they pertain to services rendered by Owner’s Project Manager (OPM) (Kevin Buckley of KBA Architects) and the Designer (CGKV Architects, Inc.) for the Green Repair Project through the MSBA for the replacement of the roofs at the Beeman, East Gloucester, Veteran’s Memorial and Plum Cove Elementary Schools and the O’Maley Middle School. At **Councilor Curcuru’s** request, **Mr. Duggan** stated the rate of reimbursement [from the MSBA] is 48.27%. He clarified for the Council that there was an “extremely tight timeline” the MSBA had imposed for any municipality to apply to this green roof program in order to make the submissions into their approval process. The design team that was a part of the City, they had selected a state approved OPM; and that manager helped them select a designer. They had to put in 20% spec plans to the MSBA; and this is where all these services were accumulated prior to a contract being in place. On inquiry by **Councilor Theken**, **Mr. Duggan** explained the architect will be paid about \$400,000 overall for their services, and the OPM, which is the City’s representative, will be paid about \$230,000 for this size of a project, for five roofs. **Councilor Theken** noted she didn’t see West Parish School included in this school roof project. **Mr. Duggan** responded that roof was not spec’d and slated to be done because at the time there had been a discussion as to whether the school would be replaced all or in part. Referring to the timeline, **Mr. Duggan** stated they were comfortable in selecting the five schools and go forward with them. **Councilor Theken** understood that but wanted the public to know they are not forgetting about West Parish School and that they are looking at that school’s needs; their ward Councilor nor the Council has forgotten them. **Councilor Ciolino** wanted to know that with this money they would get bid documents prepared. **Mr. Duggan** stated bids are scheduled to be picked up the following day; and bids are due on the 28th and 29th for the five schools. The OPM prepared the bid documents and the architects prepared the technical aspects, and a “boilerplate” was prepared by the City’s purchasing agent. He confirmed the architect’s payment is out of these funds they’re approving now and the next motion is for the OPM.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to pay invoices for professional services rendered from April 12, 2011 to April 30, 2011 for the Green Repair Roof Project through the MSBA for the Beeman, East Gloucester, Veteran’s Memorial and Plum Cove Elementary Schools and the O’Maley Middle School to CGKV Architects, Inc. as Designer for \$115,578.00 as follows to be paid from Fund #300077- CIP10-09 Schools Roof Replacements:

Beeman Memorial Elementary School	Invoice #2-1 dated 5/10/11	\$11,343.25
East Gloucester Elementary School	Invoice #3-1 dated 5/10/11	\$10,510.25
Plum Cove Elementary School	Invoice #4-1 dated 5/10/11	\$ 9,150.25
Veteran’s Memorial Elementary School	Invoice #5-1 dated 5/10/11	\$12,448.25
O’Maley Middle School	Invoice #1-1 dated 5/10/11	<u>\$36,063.00</u>
	TOTAL	\$115,578.00

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council the payment of invoices for professional services rendered from March 25, 2011 to April 23, 2011 for the Green Repair Roof Project through the MSBA for the Beeman, East Gloucester, Veteran’s Memorial, and Plum Cove Elementary Schools and the O’Maley Middle School to Knight, Bagge & Anderson, Inc. as Owner’s Project Management for a total of \$15,000.00 at \$3,000 per school, as invoiced on April 28, 2011 (all invoices annotated as Invoice Number 1). Funds are to be paid from Fund #300077- CIP10-09 Schools Roof Replacements.

Discussion:

Councilor Curcuru stated this motion also is the same circumstance; this is for the OPM. **Councilor Ciolino** asked if the work will be completed during school summer vacation period. **Mr. Duggan** was optimistic the work would be completed by the end of August; but that there may be a few small corrections, such as to flashing, to be done that may coincide with the start of school. With the assistance of the Superintendent, they have met with the teachers and principals at the affected schools and provided them with approximate start and anticipated completion dates. They expressed their concern of when they can come back to school to prepare and all concerned were satisfied.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to pay invoices for professional services rendered from March 25, 2011 to April 23, 2011 for the Green Repair Roof Project through the MSBA for the Beeman, East Gloucester, Veteran’s Memorial, and Plum Cove Elementary Schools and the O’Maley Middle School to Knight, Bagge & Anderson, Inc. as Owner’s Project Management for a total of \$15,000.00 at \$3,000 per school, as invoiced on April 28, 2011 (all invoices annotated as Invoice Number 1). Funds are to be paid from Fund #300077- CIP10-09 Schools Roof Replacements.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that the Community Development Department be permitted to apply for a grant from the PARCs grant program from the MA Division of Conservation Services for up to \$500,000 for the purpose of paying a portion of the cost to purchase and install “field turf” as a part of the Newell Stadium Renewal Project.

Discussion:

Councilor Curcuru related to the Council there was a ward meeting on this June 20th. This project is still a year away. By applying for this grant it allows \$500,000 to go towards the fundraising for Newell Stadium. **Councilor Ciolino** asked if it is a matching grant. **Councilor Curcuru** stated yes, but it is with the money already bonded and with the money raised through fundraisers.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, that the Community Development Department be permitted to apply for a grant from the PARCs grant program from the MA Division of Conservation Services for up to \$500,000 for the purpose of paying a portion of the cost to purchase and install “field turf” as a part of the Newell Stadium Renewal Project.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council that the Community Development Department be permitted to apply for grant requests from the PARCs grant program through the MA Division of Conservation

Services, and the Natural Resources Damages (NRD) Fund through the MA Department of Environmental Protection for the Community Revitalization and Restoration Projects in Essex County Projects for up to \$190,909 in order to fund focused recreational, accessibility and public safety improvements to Burnham's Field.

Discussion: None.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, that the Community Development Department be permitted to apply for grant requests from the PARCs grant program through the MA Division of Conservation Services, and the Natural Resources Damages (NRD) Fund through the MA Department of Environmental Protection for the Community Revitalization and Restoration Projects in Essex County Projects for up to \$190,909 in order to fund focused recreational, accessibility and public safety improvements to Burnham's Field.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c. 44, §53A a grant extension from Health Resources in Action for the funding of the City of Gloucester's Mass in Motion grant in the amount of \$30,000.

Discussion:

Councilor Curcuru reported this is to accept the grant extension funds of \$30,000 for the Mass in Motion grant. This funding supports the Get Fit Gloucester program, and supports the Senior Project Manager's position as noted by **Councilor Ciolino**. There is no match. **Sarah Garcia**, Community Development Director noted this is a continuation of funding for the past two years enabling the Get Fit Gloucester program.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to accept under MGL c. 44, §53A a grant extension from Health Resources in Action for the funding of the City of Gloucester's Mass in Motion grant in the amount of \$30,000.

MOTION: On motion by Councilor Hardy, seconded by Councilor , the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c. 44, §53A to accept Seaport Bond Funds from the Seaport Advisory Council administered through the Executive Office of Environmental Affairs in the amount of \$50,000.

Discussion:

Ms. Garcia explained this is a continuation of the funding for the Harbor Plan Coordinator position which is half of the Community Development Director's position. This will continue the funding for half her salary as well as covering all their harbor planning and port activities. They were pleased the Seaport Advisory Council was firmly behind them. **Councilor Ciolino** asked if this is money that sponsors half her salary, which **Ms. Garcia** confirmed; and the Councilor continued that they're weaning off this for her salary in FY12 or FY13. **Ms. Garcia** responded the Administration is planning to do that for the following year as suggested by Councilor Tobey at her reconfirmation in February that they wean off this year but that since the budget was so tight and so many people affected, they were unwilling to do it for this next fiscal year, and that this will hold for FY12.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, that under MGL c. 44, §53A to accept Seaport Bond Funds from the Seaport Advisory Council administered through the Executive Office of Environmental Affairs in the amount of \$50,000.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c. 44, §53A to accept \$700,000 from the Seaport Advisory Council for the purpose of funding design and construction of the downtown and waterfront Harborwalk.

Discussion:

Ms. Garcia noted the Harborwalk designers are finishing up the design. This Seaport Advisory Council as awarded the City with an additional \$700,000 for the design and construction of the downtown and waterfront Harborwalk. \$250,000 will be spent on the initial downtown phase and will leave \$450,000 for next spring to allow for a connection to Cruiseport and the Boulevard. The initial \$250,000 is welcome because they were short on money to complete the Harborwalk. This has an in-kind match of 20%. **Councilor Theken** stated if they didn't apply for this money the Seaport Advisory Council could give the money to another port. She thanked Ms. Garcia for making the application because if our City didn't take advantage of these funds another community would. **Ms. Garcia** pointed out to the Council that Gloucester's Harbor Walk will not be like a Newburyport Harbor Walk with a boardwalk. This will come in and out through the waterfront which makes it challenging; this will get visitors on a clear materials surface with story moments that will take them along the harbor to Harbor Loop and guide people to Main Street and the Civic Center, City Hall, the Cape Ann Museum, down to the west end of Main Street making it a mile and a quarter. She described some ways as to how this would take advantage of what the City already has. **Councilor Curcuru** asked would any City money be used outside of the \$1.2 million, besides the in-kind match. **Ms. Garcia** stated no. They're working on the I4-C2 RFP for which the Council voted to bond half that cost; but the State has subsidized the other half and these two pieces are working hand in hand. They're hopeful this will help to attract investors because they are investing in a Harbor Walk. On inquiry by **Councilor Curcuru, Ms. Garcia** stated it is \$100,000 for design with the construction taking the remainder, \$650,000 with \$50,000 of that for supervision and is in line for normal design costs for something this detailed. **Councilor Curcuru** asked if they will be able to finish the project with these funds. **Ms. Garcia** stated this will be for the completion of Phase 1; the remaining \$450,000 would be for Phase 2 which is part of the \$1.2 million would be the. **Councilor Ciolino** noted this Council approved about two years ago for the Boulevard on the West Gloucester side to be improved and asked why it remains untouched. **Ms. Garcia** stated the downtown and central harbor has been a focus of economic development, buying I4-C2 and the Harbor Walk has been a part of the strategy. She agreed that the path is falling in on Stacy Boulevard. The Division of Conservation and Recreation did a study on this. There is a \$3.8 million cost to replace Stacy Boulevard with its seawalls. The State will not be looking to release money too soon; seawall repairs are not a priority; and that Stacy Boulevard's seawalls are just one of 100 up and down the Massachusetts coast in need. They have engineered plans but have not been able to pursue funding.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, that under MGL c. 44, §53A to accept \$700,000 from the Seaport Advisory Council for the purpose of funding design and construction of the downtown and waterfront Harborwalk.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that the City Clerk draft a letter from the City Council in support of School Committee's Charter Funding Resolution.

Discussion:

Linda T. Lowe, City Clerk noted Council President and School Committee Chair are drafting a letter to go to State legislators. All the Council needs to do is to vote in support of the B&F vote on the matter to send a letter on the resolution expressing the agreement of the City Council joining together with the School Committee of how funding Charter Schools. **Councilor Verga** added that the essence of the Charter Funding resolution from the School Committee states that since it is a State initiative (to create and run charter schools), the State should pay for charter schools as a line item from the State budget.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to have the City Clerk draft a letter from the City Council in support of School Committee's Charter Funding Resolution.

Mr. Duggan requested the City Council to consider another matter not on the agenda by unanimous consent as the Consent Agenda had already been approved.

By unanimous consent the City Council allowed the Administration to present a matter not on the 6/14/11 Consent Agenda to be brought forward by the Administration.

Jeff Towne, CFO stated they had spoken about trying to figure out a way to restore the Collector's Principal Clerk supervisor's position in the budget was to look at the fees that are collected for the municipal lien certificates (MLC's) and demand fees that the City charges presently. They charge \$25.00 for almost all MLC's currently. Many communities have gone from \$25.00 to \$50.00 for MLC's and for demand fees they can go from \$5.00 to \$30.00. They're only proposing to go from \$5.00 to \$10.00. With those two changes, as they do about 1,100 MLC's a year, and the demand fees would be on top of this which he didn't calculate in when he was looking to restore this position. He asked that the matter of the increase to the MLC fee increase and the Demand Fee increase be referred out to B&F and O&A for review. They are attempting to create enough revenue in order to restore the Collectors Principal Clerk supervisor's position, which is the lead Collector that was laid off in April. He asked the Mayor to put this forward for consideration and was why they were bringing this forward tonight. He would have a list as to what other communities are charging for these fees for those Committee meetings. **Councilor Curcuru** asked how this would affect the FY12 budget as part of the revenue stream. **Mr. Towne** responded because of the way this was done and had originally talked of no fee increase in the budget; but that when initially speaking with the Mayor, the Mayor agreed this position was as important as any other position in the budget because it helps to collect revenue. He commented if they don't collect revenue they don't have cash to pay for everything else. **Councilors Theken** and **Curcuru** discussed the process of whether this had to go to a public hearing and if there was time to do so before the budget vote. **Mr. Towne** responded if they couldn't accomplish this before the budget vote, then it won't happen then. He felt this was something he wanted to do one way or another, even if they restore this position and implement the fee increases through a public hearing after year end and felt they were doing their best to support that position's restoration. **Councilor Theken** commented for an ordinance change they'd need a public hearing; and therefore wouldn't be included in this budget; and thought Mr. Towne could do a transfer after. **Mr. Towne** responded he would need an appropriation in the budget if they were to do it that way with the fee increase to come in even if it was after the beginning of the new fiscal year and thought they'd want to estimate the revenue on the other side as well.

By unanimous consent this matter is placed on the next O&A and B&F agenda.

Councilor Theken explained there was something in hand for Councilor McGeary and asked the City Clerk to explain the award. **Ms. Lowe** noted today the Council received an award from Colleen Harry of the U.S. Census Bureau in the Boston Regional Office which commends Councilor McGeary for running the local outreach program for the 2010 Federal Census. **Councilor Theken** presented the award on the behalf of the City of Gloucester to Councilor McGeary.

Scheduled Public Hearings:

- 1. PH2011-027: Amend GCO §22-287 (Disabled Veteran, handicapped parking) by ADDING Mt. Vernon Street #39, one handicapped parking space**

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the GCO §22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space in front of Mt. Vernon Street, #39.

Discussion:

Councilor Mulcahey noted that the Traffic Commission agreed with this installation of one handicapped space in front of #39 Mt. Vernon Street; the application was made by Former City Councilor Gus Foote who is aware that this is not a personal space but one to be used for anyone with a handicapped placard for their vehicle.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Ciolino, the City Council voted **BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to AMEND the GCO §22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space in front of Mt. Vernon Street, #39.**

2. **PH2011-028: Amend GCO §22-287 (Disabled Veteran, Handicapped Parking) by DELETING: Mason Street #25, one handicapped space**

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to Amend GCO §22-287 (Disabled Veteran, Handicapped Parking) by DELETING Mason Street #25, one handicapped space.

3. **PH2011-029: Amend GCO §22-269.1 Yield Intersections by DELETING Raymond Street, on the southerly side, at its intersection with shore Road and DELETING Fuller Street, on the northerly side at its intersection with Norman Avenue**

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend GCO §22-269.1 Yield Intersections by DELETING Raymond Street, on the southerly side, at its intersection with Shore Road and DELETING Fuller Street, on the northerly side at its intersection with Norman Avenue.

Discussion: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to Amend GCO §22-269.1 Yield Intersections by DELETING Raymond Street, on the southerly side, at its intersection with Shore Road and DELETING Fuller Street, on the northerly side at its intersection with Norman Avenue.

Councilor Theken explained that the O&A Committee fully reviewed and vetted these traffic issues as did the Traffic Commission and recommended them all unanimously to the Council (Public Hearings listed as #1, and #3-#8).

4. **PH2011-030: Amend GCO §22-269 (Stop Intersections) by ADDING a stop sign to the northeast corner Of Fuller Street where it meets Normal Avenue**

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the northeast corner of Fuller Street where it meets Norman Avenue.

Discussion: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Hardy, Tobey) absent, to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the northeast corner of Fuller Street where it meets Norman Avenue.

5. **PH2011-031 Amend GCO §22-269 (Stop Intersections) by ADDING a stop sign to the southwest corner of**

Raymond Street where it meets Shore Road

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the southwest corner of Raymond Street where it meets Shore Road.

Discussion: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Tobey, Hardy) absent, to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the southwest corner of Raymond Street where it meets Shore Road.

- 6. PH2011-032: Amend GCO §22-269 (Stop Intersections) by ADDING a stop sign to the northeast corner Of Lexington Avenue where it meets Hesperus Avenue**

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the northeast corner of Lexington Avenue where it meets Hesperus Avenue.

Discussion: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Tobey, Hardy) absent, to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the northeast corner of Lexington Avenue where it meets Hesperus Avenue.

- 7. PH2011-033: Amend GCO §22-269 (Stop Intersections) by ADDING a stop sign to the southwest corner of Hesperus Avenue and Lexington Avenue**

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the southwest corner of Hesperus Avenue and Lexington Avenue.

Discussion: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Tobey, Hardy) absent, to AMEND the GCO §22-269 (Stop Intersections) by ADDING a stop sign to the southwest corner of Hesperus Avenue and Lexington Avenue.

Councilor Verga stepped away from the dais at 8:02 p.m.

- 8. PH2011-034: Amend GCO §22-283 "Bus Stops and Taxi Stands" by ADDING Railroad Ave., northerly Side, three spaces at a point beginning at the east entrance to 33 Railroad Avenue for a distance of 80 ft.,**

And one space at a point 200 feet in an easterly direction for a distance of 30 ft. adjacent to the MBTA Train Station

This public hearing is open.

Those speaking in favor/Those speaking in opposition: None.

This public hearing is closed.

Councilor Theken noted as there was no one in the audience to speak in favor or oppose this and the other traffic matters for public hearing that she opened and closed the hearings because of it not asking for public comment; nor was there any communications received by the Council on those matters. She reiterated these matters were reviewed fully vetted by the O&A Committee and the Traffic Commission.

MOTION: On motion by Councilor Mulcahey, seconded by Councilor Tobey, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the GCO §22-283 (Bus Stops & Taxi Stands) be amended by adding Railroad Avenue, northerly side, three spaces at a point beginning at the east entrance to 33 Railroad Avenue, for a distance of 80 feet AND one space at a point 200 feet in an easterly direction for a distance of 30 feet adjacent to the MBTA train platform.

Discussion: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 6 in favor, 0 opposed, 3(Verga, Tobey, Hardy) to AMEND the GCO §22-283 (Bus Stops & Taxi Stands) be amended by adding Railroad Avenue, northerly side, three spaces at a point beginning at the east entrance to 33 Railroad Avenue, for a distance of 80 feet AND one space at a point 200 feet in an easterly direction for a distance of 30 feet adjacent to the MBTA train platform.

Councilor Verga returned to the dais at 8:04 p.m.

9. PH2011-009: 2011-001 Application to Amend Gloucester Zoning Ordinance §VI-Definitions, §2.2.3 Mixed Uses, §3.2.1 footnote (g), Appendix to §3-2 re: 77 Langsford Street and applicability to various areas in the City of Gloucester (Cont'd from 4/26/11)

This public hearing is open.

Those speaking in favor:

Attorney J. Michael Faherty spoke representing applicants Gregory Gibson and Ann Marie Crotty, owners of the property at 77 Langsford Street, Lanesville. The zoning ordinance and State statute provides that any property owner may apply for an amendment of the zoning ordinance. He felt it important to understand the Crotty's property as well as the "genesis" of this application but to also understand that the problem being solved by these small amendments to the ordinance are of long standing have an impact across the City. The property on Langsford Street is zoned Neighborhood Business District (NB); and there a number of NB areas in the City, which doesn't have any dimensional requirements of their own and depend on the abutting residential district for their zoning requirements; and in this case, it is R20 – the dimensional requirements within the NB district that abuts the R20 are R20. He gave the example if you abut an R4 or R3; they would be governed by those [dimensional requirements] and thereby have no independent dimensional requirements. On his client's property there was a commercial building of long standing, housing a book store and gallery. About 1-1/2 years ago, a tree fell from a neighbor's property onto his clients' building and crushed it. The Building Inspector determined the building had to be condemned. Consequently, his clients attempted to rebuild the building. At that time they looked to add an a two-bedroom apartment above the building previously there in the same approximate footprint with no other change except to have a residential use on the second story. He recalled when the City Council several years ago in an effort to expand housing in the City, particularly in the inner City, authorized as matter of right up to 3 units by right in buildings in the Central Business (CB) district and also eliminated parking requirements. In the NB district, where business is allowed and residences are allowed, he believed it was an "anomaly" that a residential use of a second floor should trigger such results; and that would be the trigger of a dwelling unit on top of a non-residential use on the first floor, is the multi-family definition. Multi-family is defined as three or more dwelling units and a catch all clause that states, "...or and any one dwelling unit above a non-residential unit on the ground floor." A line drawing of the property at 77 Langsford Street was handed out to the Council (same document as previously filed

and presented at the Planning Board public hearing and at the P&D Committee meeting during its initial deliberations on the matter). He explained the two lots shown on the plan are the entirety of the NB district on Langsford Street, 77 and 75. The boundary lines of the perimeter of the property are the dashed lines around 'the whole thing'. The green line on both lots represents the R2 requirements in that area with the savings provision. In 1999 the City Council made changes to the zoning in North and West Gloucester and sections of Magnolia, they inserted a provision that if you had a single family house or an accessory building in existence prior to March 1999, that alteration of those structures would be guided by dimensional requirements in place at the time the zoning was changed. Therefore, single family and two-family houses plus accessory buildings had a certain level of protection that wasn't otherwise afforded under the ordinance. If you had a single family dwelling or two-family or accessory the governing rules if the building was in place prior to March 1999, the green line on both lots represent what the setbacks from the boundaries are. The blue line inside of the green line represents the current R2 regulations. Because his clients had a commercial building on their property they were not afforded the protection of the savings provision but are governed by the blue line. The area of building is shrinking a great deal without the savings provision on both lots. They do not own both lots, but is the one shown on the left. The other is in the NB district but is exclusively residential. The yellow/orange lines are what the setbacks are once applied to the multi-family standard. They are contained in §3.2.2; this takes the regular dimension requirements for the R2 district and adds one foot for every foot that the building on the lot exceeds 15 ft. in height. An allowable height is 30 ft. That means 15 ft is added to the setback because it's called a multi-family dwelling even though the proposal is for one two-bedroom dwelling unit above an existing commercial unit on the first floor. This requires 55 ft. from the right hand property line. The rear yard line has to be 55 ft., and front yard of 40 ft – there is no place on this lot at all that could meet any spec for the dimensional requirements of a mutli-family dwelling on this lot. But both of the uses in this district (residential and business use) are allowable uses.

Councilor Tobey entered the meeting at 8:16 p.m.

Attorney Faherty continued that the adjacent lot which is bigger would have no place either where such dimensions could be accommodated. Their clients did apply to the Zoning Board of Appeals (ZBA) and were granted some variances. The decision was voted favorably; but before the decision was filed, the applicants withdrew due to a threat of litigation. This case, he believed, reinforces what has been going on for many years in the City regarding the definition of a multi-family dwelling. He related that as a regular practioner before the Council and the ZBA, it is significant the number of times an applicant must go to the ZBA to get zoning variance relief because of this requirement. For the application of this provision, he noted in 1984 the City Council voted on amendments to the Zoning Ordinances offered by the Planning Board. At that time, the key point was the idea of changing the definition of a multifamily dwelling was not discussed by the City Council and some discussion as to whether it was actually ever voted in because there is no specific vote on that definition. Three of the definitions, mobile home, yard sale and building height but none taken on the others. It is being enforced consistently in the City. He filed an application on behalf of his clients and also to have the changes made to the definition which would mean that a single unit above a non-residential unit would not be considered a multi-family. It would also clarify a mixed use; which he contended that when two uses are allowed there should not be something else in the ordinance that doesn't allow it to be done. Also, it is to seek protection similar to the other buildings in North and West Gloucester from the zoning change. Hearings were held at Planning Board & P&D. The Planning Board's principal concerns were to make sure this was "tight" and did not expand any uses that were not otherwise allowed in the ordinance. He noted it has been amended to reflect their concerns. It was a concern that the City Council retain jurisdiction over the permitting process. Even though a one-over-one would not be considered a multi-family dwelling, it would sill require the issuance of a Special Council Permit, just as it now for a multi-family hearing, and also remain with a hearing and no expansion of the uses. The amendments are before them as they were written. The definition of a dwelling, multi-family or apartment will be changed to read: "A structure containing 3 or more dwelling units whether for rental, condominium ownership or other form of tenancy including row or townhouse structures." This is currently in the ordinance so there is no change to the first clause. "...or a structure containing one or more permitted non-residential uses on the ground floor, or on the ground floor and other floors and also containing more than one dwelling unit above the ground floor." A one-over-one would not be a multi-family dwelling by definition and would not trigger those regulations but trigger the dimensional regulations for all other buildings other than single or two family. The second section is about mixed uses, "where a building or structure or land is proposed to be used for more than one principal use whether the uses are in separate buildings or in the same building either vertically or horizontally connected each of which use is permitted in the zoning district in question, neither of which is accessory to the other; such mixed uses shall be allowed." That is the only change being clarified is that

the vertical or horizontal location of the uses will not affect their dimensional requirements. He understood there would be an amendment offered to clarify that language; and as the applicants' representative, they have no objections on that amendment which was offered by Attorney Coakley. Lastly, "that the front, side and rear yard setbacks distances for building used as of right for any of the business uses as defined in §2.3.4 of this ordinance, or mixed use business as defined in the ordinance, which were in existence before March 1999 or for which a building permit was issued on or before March 1999 and are located in those portions of the R20 and R30 identified by the street listing in the Appendix to §3.2 of this ordinance shall be the same as the front, side and rear setbacks for single and two-family dwellings on the designated streets set out in the Appendix." He felt this meant that in order to qualify for the savings provision the use of the property has to have been allowed as a matter of right prior to the date of the change and in addition you have to be one of those streets otherwise identified. There is an amendment to the footnote which is added which becomes footnote (g) to the schedule. The Planning Board felt that the use table in §2.3.1 would have two lines; one would be conversion to or a new mixed use building with not more than one dwelling unit. That would still require the Special City Council Permit which would have the six criteria used for issuing Special Council Permits; (b) would be a conversion to a new multi-family or apartment dwelling up to two dwelling units which would also be a Special Council Permit and the rest of the schedule stays the same. The Council already has jurisdiction over three or more. This would not just impact his client's property but a number of properties throughout the City. It does not take away from the Council's jurisdiction to act on a case-by-case basis; it authorizes no new uses and no exceptions created by these definition changes. It does promote, in his opinion, in NB districts, to have an owner occupied dwelling above a ground floor.

Those speaking in opposition:

Bill Thoms, 1174 Washington Street asked the Council to imagine the owner of the Birdseye property came to them to take all business districts to allow a 12 story condo/hotel projects feeling that compared to what the Council was considering in this rezoning issue before them. He noted he had been to the Planning & Development Committee where they spoke of the Planning Board recommendations. He felt it affects 400 properties in the City with at least 800 abutters affected by these proposed changes. . He noted the dimensional requirements and claimed some of the plans submitted to the ZBA were not accurate. He felt this was asking for intensified use which was why they have a zoning ordinance which sets out greater dimensional requirements for intensified use. He noted Councilor Whycott had asked the City Solicitor if this constituted spot zoning; and Attorney Egan submitted an advisory memo that in her opinion this was not spot zoning because it doesn't apply to one parcel of land which he commended feeling she was technically correct. However, he believed, "This was worse." He further believed this was about intensified use being taken advantage of by neighbors in area consisting almost exclusively single family homes. He asked the Council to take a hard look as he didn't think it passed the "smell" test. Multi-family mixed use property on a six-sided lot, he contended, with these dimensions is inappropriate. He asked them to consider the other 400 parcels and the abutters of those properties. He felt the Council doesn't understand this proposal and urged them not to vote for these zoning amendments.

Rebuttal:

Attorney Faherty responded no one is stripping the Council of their Special Permitting process. Any one-over-one application would have to come before the Council. The intensification spoken about in this particular instance and anywhere else would be one dwelling unit over one business. They're not talking about anything else. If the Council doesn't accept this, they'll be saying housing in this City is not something they're not going to encourage in districts that are named Neighborhood Business. He didn't think it was 400 parcels as this will not affect existing buildings but rebuilds.

Rebuttal of Rebuttal:

Mr. Thoms noted the 2010 census figures showing the City's population has gone down 5% stating there is no housing shortage or crisis; and therefore there is no need of intensified use in Lanesville which is largely single family homes. They don't need greater intensified use in any Neighborhood Business district for that matter. They should not be seeking to intensify these parcels without the oversight of the City Council.

Communications: None.

Questions:

Councilor Mulcahey asked if the owner will live in the building; and if they have a business on the ground floor or is there some other plan by these owners. **Attorney Faherty** responded this particular facility permitted by the ZBA doesn't have an apartment in it now. This is a zoning amendment not an application for a zoning permit for relief with respect to this parcel. His clients own a home and live across the street. The "impetus" for putting the apartment above the building was to allow the couple to downsize; they were prevented from doing that and so this amendment came from that. They will be having a permit shortly for a commercial building which will have two stories on it. This is not an application for relief with regard to this parcel; but a general amendment to the ordinance

brought on by frustration and is an example of what happens. It was a commercial building until the tree from Mr. Thoms property fell and crushed the building. **Councilor Theken** noted this did not come in front of O&A but was in front of P&D because it is a zoning ordinance and not a Code of Ordinances amendment, and came forward from them, chaired by Councilor Ciolino. **Attorney Faherty** confirmed to **Councilor Theken** this went in before the ZBA as an application for relief with respect to this parcel; it as there twice. **Attorney Faherty**, in response to another question from **Councilor Theken** stated when the City Council amended the zoning ordinance to say in the Central Business (CB) district that if you had up to three dwelling units above commercial units on the first floor, they are allowed as a matter of right and don't have to meet the parking requirements. What the Council didn't do, and which he felt they should have done, was that they did not relieve those people from the requirement of going to the ZBA to seek variances required to do what they said could be done by a matter of right. He commented the Council should next also relieve those people of that requirement; as it was "silly to say" that while on one hand they are encouraging this, but when they go to see the Building Inspector about conversion, he has to instruct them to go to the ZBA to get dimensional relief for the exterior because by definition it is a multi-family. This change will not affect that but reiterated is something the Council should deal with. **Bill Sanborn**, Building Inspector was asked by **Councilor Theken** how many cases he comes across with this situation and responded it happens frequently – once you make an apartment with a business use it falls under a multi-family no matter the size. As it is a change of use, it needs to meet the dimensional requirements for a multi-family which has more stringent requirements than for a one or two-family; and if you get those from the ZBA then you have to go to the City Council for relief also. **Councilor Theken** asked if this zoning amendment passes this evening, would this now be a simpler process. **Mr. Sanborn** believed this would take the business use with a dwelling above it and keep it in the same category as a one or two family therefore bypassing the first stage for dimensional relief to the ZBA and go forward instead just to the City Council. **Councilor Theken** followed up asking Mr. Sanborn if he believed 400 parcels were affected. **Mr. Sanborn** replied NB districts are spread throughout the City. There are a lot of NB districts that have commercial buildings converted to two or three families. He added they were looking at a number of issues that need correction in the zoning ordinances and would hope to put them forward soon.

This public hearing is closed.

Councilor Ciolino stated the P&D Committee made a site visit and explained to the Council that the situation cited on Langsford street is an example of a correction that needs to be made [to the zoning ordinance] and noted that someone who has an existing structure on a property, they rezoned them so they couldn't build with an apartment 'over'. The Committee looked at the surrounding structures; most are single but also there two and three families. He contended it would not be detrimental to the neighborhood. The Committee felt that the proposal for Langsford Street would also be good for the rest of the City especially with oddly shaped lots. These motions they are making will correct this problem which started when they first adjusted the zoning amendments. He felt the City needs to be consumer friendly; and this is a situation where now there will be an opportunity not only for Langsford Street but on other properties to build a structure appropriately.

MOTION: On motion by Councilor McGeary, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the City of Gloucester Zoning Ordinances as follows:

Amend Section 2.3.1 Use table by deleting Section 5 and replacing it with:

Section 5(a) Conversion to or new mixed use building with not more than one (1) dwelling unit.

5(b) Conversion to or new multi-family or apartment dwelling, up to two dwelling units.

The uses permitted by right and by special permit for section 5 remain the same for sections 5(a) and 5(b).

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the City Council voted **BY ROLL CALL 8 in favor, 0 opposed, 1 (Hardy) absent, to AMEND the City of Gloucester Zoning Ordinances as follows:**

Amend Section 2.3.1 Use table by deleting Section 5 and replacing it with:

Section 5(a) Conversion to or new mixed use building with not more than one (1) dwelling unit.

5(b) Conversion to or new multi-family or apartment dwelling, up to two dwelling units.

The uses permitted by right and by special permit for section 5 remain the same for sections 5(a) and 5(b).

MOTION: On motion by Councilor McGeary, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the City of Gloucester Zoning Ordinances as follows:

Amend Section 3.2.3 by adding footnote g. to both VB and NB districts:

- g. The front, side and rear yard setback distances for buildings used as of right for any of the business uses described in Section 2.3.4 of this ordinance or mixed use business as defined in the Ordinance thereto which (1) were in existence on or before March 9, 1999 or for which are building permit was issued on or before March 9, 1999; and 2) are located in those portions of R-20 and R-30 districts identified by the street lists in the Appendix to section 3.2 at the end of Section 3.2 of this Ordinance shall be the same as front, side and rear setbacks for single and two-family dwellings on the designated streets as set out in the said Appendix.

Discussion:

MOTION: On motion by Councilor McGeary, seconded by Councilor McGeary, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Hardy) absent, to AMEND the City of Gloucester Zoning Ordinances as follows:

Amend Section 3.2.3 by adding footnote g. to both VB and NB districts:

- h. The front, side and rear yard setback distances for buildings used as of right for any of the business uses described in Section 2.3.4 of this ordinance or mixed use business as defined in the Ordinance thereto which (1) were in existence on or before March 9, 1999 or for which are building permit was issued on or before March 9, 1999; and 2) are located in those portions of R-20 and R-30 districts identified by the street lists in the Appendix to section 3.2 at the end of Section 3.2 of this Ordinance shall be the same as front, side and rear setbacks for single and two-family dwellings on the designated streets as set out in the said Appendix.**

MOTION: On motion by Councilor McGeary, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the City of Gloucester Zoning Ordinances as follows:

Amend Section 2.2.3 by deleting the current language and replacing it with the following:

2.2.3 Mixed Uses

Where a building or structure or land is proposed to be used for more than one principal use, whether the uses are in separate buildings or in the same building either vertically or horizontally connected, each of which use is permitted in the zoning district in question and neither of which is accessory to the other, such mixed uses shall be allowed. In the event that a provision of this ordinance applying to one of such uses is inconsistent with a provision applying to another, the more restrictive provision shall apply.

Discussion:

Councilor Ciolino stated there was a wish to have an amendment brought forward; that these amendments were vetted by the Planning Director, and by private attorneys in the City, not just that of the applicant for this motion and that it would be as follows:

“Amend Section 2.2.3 by deleting the current language and replacing it with the following:

2.2.3 Mixed Uses

Where a building or structure or land is proposed to be used for more than one principal use, whether the uses are in separate buildings or in the same building either vertically or horizontally connected, **all** of which uses **are** permitted in the zoning district in question and **none** of which is accessory to one **another**, such mixed uses shall be allowed. In the event that a provision of this ordinance applying to one of such uses is inconsistent with a provision applying to another, the more restrictive provision shall apply.”

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted 7 in favor, 0 opposed to **amend the main motion:** Amend Section 2.2.3 by deleting the current language and replacing it with the following:

2.2.3 Mixed Uses

Where a building or structure or land is proposed to be used for more than one principal use, whether the uses are in separate buildings or in the same building either vertically or horizontally connected, **all** of which uses **are** permitted in the zoning district in question and **none** of which is accessory to one **another**, such mixed uses shall be allowed. In the event that a provision of this ordinance applying to one of such uses is inconsistent with a provision applying to another, the more restrictive provision shall apply.

Councilor Theken commented that this is to make more of the community to help with affordable housing; and this will clean up some of the issues with the zoning ordinance. Applicants still have to come forward and get their permits and come before the Council. This was advertised in the newspaper appropriately; and that it was changing the zoning and not simply one property. It was done also appropriately through a City Council public hearing. She thanked Mr. Thoms for expressing his opinion this evening.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted **BY ROLL CALL 8** in favor, 0 opposed, 1 (Hardy) absent, to **AMEND** the City of Gloucester Zoning Ordinances as follows:

Amend Section 2.2.3 by deleting the current language and replacing it with the following:

2.2.3 Mixed Uses

Where a building or structure or land is proposed to be used for more than one principal use, whether the uses are in separate buildings or in the same building either vertically or horizontally connected, all of which uses are permitted in the zoning district in question and none of which is accessory to one another, such mixed uses shall be allowed. In the event that a provision of this ordinance applying to one of such uses is inconsistent with a provision applying to another, the more restrictive provision shall apply.

MOTION: On motion by Councilor McGeary, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to **AMEND** the City of Gloucester Zoning Ordinances Section VI Definitions by replacing the definition of Dwelling, Multi-Family or Apartment with the following:

Dwelling, Multi-Family or Apartment: A structure containing three (3) or more dwelling units, whether for rental, condominium ownership, or other form of tenancy, including row or town house structures; or a structure containing one or more permitted non-residential uses on the ground floor or on the ground and other floors, and also containing more than one dwelling unit above the ground floor.

Discussion: None.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted **BY ROLL CALL 8** in favor, 0 opposed, 1 (Hardy) absent, to **AMEND** the City of Gloucester Zoning Ordinances Section VI Definitions by replacing the definition of Dwelling, Multi-Family or Apartment with the following:

Dwelling, Multi-Family or Apartment: A structure containing three (3) or more dwelling units, whether for rental, condominium ownership, or other form of tenancy, including row or town house structures; or a

structure containing one or more permitted non-residential uses on the ground floor or on the ground and other floors, and also containing more than one dwelling unit above the ground floor.

Councilor Ciolino appreciated Attorney Coakley's bringing these changes to the attention of the P&D Committee and the Council and that they were properly vetted.

Councilor Verga left the meeting at 9:00 p.m.

10. PH2011-035: Proposed increase of Licensing Board Fees by City of Gloucester Licensing Board for FY12

This public hearing is open.

Those speaking in favor:

John Rando, 34 Eastern Point Boulevard, Chair of the Licensing Board recommended the increased fees for the Licensing Board. In reviewing these fees, they found they had not been raised in close to 15 years and wished to put them in line with other cities noting they specifically looked at Beverly and Peabody. They did hold a public hearing which was poorly attended; as well as discussed it at their meetings. As a businessman he didn't believe these increased fees would be a detriment to local businesses, which he stated clearly that it was "the last thing" any member of the Board wished to do. They also recognized the need for revenue to the City. These licenses are a privilege and not granted "willy-nilly". The fees need to be commensurate with that. **Allison O'Conner**, 54 Grapevine Road, Licensing Commission member also recommended the fee increases. She read the changes to the fees to the Council (on file in City Council packet) at **Councilor Theken's** request. She supports the needs of the City in challenging fiscal times; and the Board has to consider the support and needs of a three-person Commission; and that they are required to often examine substantial licenses proposed for greater economic development vs. focusing on latent non-use. Along with Chairman Rando, she felt greater accountability by the applicants re: self-ownership of the information that is implied taking on a license and applying for it. She believed people will take greater responsibility in the process so they don't have to pay for a license twice.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Ciolino asked how these fees compare to other communities.

Mr. Rando stated that they looked at Peabody and Beverly and the proposed increases are in line with theirs. These proposed fees are in the median. **Councilor Curcuru** asked what they would expect for additional revenue which **Mr. Rando** responded would be close to \$20,000; and this would take affect when the licensees reapply. **Ms. O'Conner** stated the fees are for any renewals and for any new applications. She commented right now with 30 annual licenses are for all alcohol for which they take in approximately \$35,000 and with the new fees would be \$45,000 with entertainment licenses taking in now \$9,000. The entertainment licenses take up a great deal of resources and time for the Board. **Councilor Theken** noted this would apply to any individual who has any kind of license, seasonal or year round. Answering another question from the Councilor, **Mr. Rando** stated the establishment pays the entertainment fee which is yearly. The Licensing Board didn't feel it was a burden on the businesses. **Councilor Theken** commented this fee increase will roll over to the customers of these establishments and wanted to make sure they were in line with other communities who are similar. They also discussed function halls and how Cruiseport is a mixed use situation as is the Gloucester House because the State does not yet allow the licensing for function halls. **Ms. O'Conner** also added they do have a new nominated commissioner, Michele Harrison, and as she would be unable to attend the O&A meeting, wished to lend her support at this time.

This public hearing is closed.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to adopt the License and Permit Fee adjustments as proposed by the Gloucester Licensing Board (on file) dated February 17, 2011.

Discussion: None.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted **ROLL CALL 7** in favor, 0 opposed, 2 (Verga, Hardy) to adopt the License and Permit Fee adjustments as proposed by the Gloucester Licensing Board dated February 17, 2011 as follows:

Club-All Alcohol Beverage Including Common Victualler Fee	\$1,500.00
Club – Seasonal All Alcoholic Beverage Including Common Victualler Fee	750.00
Yearly General on Premise All Alcoholic License	2,250.00
Yearly Wine and Malt License with Common Victualler Fee	1,500.00
Yearly 7-Day All Alcoholic License with Common Victualler Fee	2,400.00
Seasonal 7-Day All Alcoholic License Include Common Victualler Fee	2,000.00
Seasonal 7-Day Beer and Wine License Over Quota Non-transferable	750.00
Yearly Retail Package Store All Alcoholic	2,250.00
Yearly Retail Package Store Wine and Malt	1,500.00
Lodging House	100.00
Entertainment Fee	300.00
Common Victualler License	75.00
Special One-Day Liquor License	100.00
Automatic Amusement Devices (per device)	150.00
Late Filing Fee	150.00

The following item remained from the B&F meeting of June 9th and was taken up here as follows with the Council waiving the reading of the body of the Joint Resolution:

MOTION: On motion by Councilor McGeary, seconded by Councilor Curcuro, the Budget & Finance Committee voted 3 in favor, 0 opposed to send the following Joint Resolution back to the full City Council as follows with no formal recommendation for their consideration:

WHEREAS the Administration has presented a balanced budget for Fiscal Year 2012 to the City Council for its acceptance;

WHEREAS the City Council may reduce any amount recommended by the Administration for particular budget line items:

WHEREAS, the City Council may not, without the recommendation of the Mayor, increase an amount for a particular budget line item or the total budget, with the exception of the School Department;

WHEREAS the Administration must consent to additions to revenues;

WHEREAS the City Council may increase the total amount appropriated for the School Department;

WHEREAS the School Committee may determine the amount to be placed in each of its line items within its budget although the total appropriation is set by the City Council;

WHEREAS the Public Employee Committee through negotiation and agreement with the Administration has authority to accept changes to health insurance offered by the City;

WHEREAS, the Administration, City Council, School Committee, and Public Employee Committee desire to exercise their individual statutory authority in the interest of working cooperatively and collaboratively to finalize the Fiscal Year 2012 budget

NOW THEREFORE, the Administration and the Budget and Finance Sub-Committee have put forward a revised budget plan that funds an additional 18 jobs which otherwise will be lost if these budget adjustments are not made

ACCORDINGLY, PROVIDED THAT

- 1. The Public Employee Committee agrees to negotiated changes in health insurance which yields at least a total savings in the currently balanced FY12 budget of \$428,000;*
- 2. The School Committee agrees to fund a line item in its budget for payment of health insurance deductibles for its school employees which is estimated at \$100,000;*

3. *The City Council agrees to fund a line items in its budget for payment of health insurance deductibles for its employees along with the cost of administering the program for the schools and city which in total is estimated at \$150,000;*
4. *The Administration recommends, and the City Council agrees, to utilize \$300,000 stabilization funds to pay off a portion of the FY11 snow and ice deficit thereby freeing up \$300,000 in FY12 operating revenues now held in reserve for same purpose;*
5. *Every effort will be made to utilize available Free Cash generated from FY11 to fully or partially restore the city's stabilization fund and to fund city and school contracts.*

MAY IT BE RESOLVED that the revised budget plan incorporates the following changes:

1. *Reductions in expenses totaling \$439,000 from the Department of the Mayor (\$49,000) and employee health insurance (\$390,000);*
2. *Increases in revenues totaling \$568,198 which is comprised of:*
 - a. *\$100,000 increase in Ambulance revenue*
 - b. *\$168,198 increase across a variety of other local revenues line items;*
 - c. *\$300,000 increase in available revenues for FY12 currently held in reserve for the FY11 snow and ice deficit.*
3. *Program changes amounting to \$1,007,198 which brings the budget back into balance:*
 - a. *\$350,000 to restore the School Dept. to level funding. . NOTE: In addition, the School Dept will realize its \$282,000 in savings from health insurance savings but will have to fund \$100,000 towards offsetting deductibles.*
 - b. *\$150,000 to modify the custodial privatization plan. NOTE: modifications are limited in scope and will not restore all positions.*
 - c. *\$150,000 to fund the city's portion of offsetting deductibles along with program administration;*
 - d. *\$248,198 to restore public safety positions (police and fire departments);*
 - e. *\$58,000 to restore the position of Assistant City Auditor;*
 - f. *\$10,000 increase in Tourism budget;*
 - g. *\$41,000 increase in the Legal budget for contract services.*

MAY IT BE FURTHER RESOLVED that time is of the essence and a final budget plan must be in place no later than June 15, 2011.

Discussion:

Ms. Lowe read a statement received by email prior to this meeting that conveyed Council President Hardy' support of the Joint Resolution of the Mayor (on file) as follows:

"I am unable to be with you this evening due to illness and wish to convey my support of the motion that comes to the council this evening through the B&F committee report as it relates to the Mayor's Joint Resolution.

At the last Council meeting, the resolution was referred by Council to B&F for review. B&F reviewed the matter and sent it back to Council for vote this evening.

At the last meeting I indicated that I needed time to review the document and I asked Mayor Kirk to include a reference in the Joint Resolution related to Chapter 44, Section 32 and 33. Mayor Kirk has done so, and I now offer my support "in principal" to the measure with the following understanding:

1. That the Administration continues to acknowledge (as they did at the previous meeting) that the document is non-binding.

2. That the administration continues to recognize (as they did at the previous meeting) that the budget is still a work in progress and the amounts referred to in the resolution are not etched in stone.

I believe that the recent public hearing on the proposed budget managed to bring the "human touch" to a budget which up until then had been simply reduced to numbers on a page.

Thank you Mayor Kirk for working with the Council on this very difficult budget, and for bringing all parties to the table.

Respectfully,
Jackie Hardy
City Council President"

Councilor Tobey supported this as a useful roadmap to move forward and that it is not binding. It is a statement of the body's sentiment not of nine individuals and expressed he would vote for it and sign it as it has gone through the charter process of referral to the [B&F] Committee and returns with a Committee recommendation. He explained they aren't nine individuals when they sign documents as nine who are elected by the community to do its work. When a document says their names and titles, they need to observe the charter. **Councilor McGeary** joined Councilor Tobey in support of the Joint Resolution observing he also felt it important to follow the Charter. He thought this was a useful document as a framework, which he had indicated previously, and supports it as outlined by Councilor Hardy's note to the Council.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Tobey, the City Council voted 7 in favor, 0 opposed, 2 (Verga, Hardy) absent, to approve the Joint Resolution put forward by the Mayor as follows:

WHEREAS the Administration has presented a balanced budget for Fiscal Year 2012 to the City Council for its acceptance;

WHEREAS the City Council may reduce any amount recommended by the Administration for particular budget line items:

WHEREAS, the City Council may not, without the recommendation of the Mayor, increase an amount for a particular budget line item or the total budget, with the exception of the School Department;

WHEREAS the Administration must consent to additions to revenues;

WHEREAS the City Council may increase the total amount appropriated for the School Department;

WHEREAS the School Committee may determine the amount to be placed in each of its line items within its budget although the total appropriation is set by the City Council;

WHEREAS the Public Employee Committee through negotiation and agreement with the Administration has authority to accept changes to health insurance offered by the City;

WHEREAS, the Administration, City Council, School Committee, and Public Employee Committee desire to exercise their individual statutory authority in the interest of working cooperatively and collaboratively to finalize the Fiscal Year 2012 budget

NOW THEREFORE, the Administration and the Budget and Finance Sub-Committee have put forward a revised budget plan that funds an additional 18 jobs which otherwise will be lost if these budget adjustments are not made

ACCORDINGLY, PROVIDED THAT

6. *The Public Employee Committee agrees to negotiated changes in health insurance which yields at least a total savings in the currently balanced FY12 budget of \$428,000;*
7. *The School Committee agrees to fund a line item in its budget for payment of health insurance deductibles for its school employees which is estimated at \$100,000;*
8. *The City Council agrees to fund a line items in its budget for payment of health insurance deductibles for its employees along with the cost of administering the program for the schools and city which in total is estimated at \$150,000;*
9. *The Administration recommends, and the City Council agrees, to utilize \$300,000 stabilization funds to pay off a portion of the FY11 snow and ice deficit thereby freeing up \$300,000 in FY12 operating revenues now held in reserve for same purpose;*
10. *Every effort will be made to utilize available Free Cash generated from FY11 to fully or partially restore the city's stabilization fund and to fund city and school contracts.*

MAY IT BE RESOLVED that the revised budget plan incorporates the following changes:

4. *Reductions in expenses totaling \$439,000 from the Department of the Mayor (\$49,000) and employee health insurance (\$390,000);*
5. *Increases in revenues totaling \$568,198 which is comprised of:*
 - d. *\$100,000 increase in Ambulance revenue*
 - e. *\$168,198 increase across a variety of other local revenues line items;*
 - f. *\$300,000 increase in available revenues for FY12 currently held in reserve for the FY11 snow and ice deficit.*
6. *Program changes amounting to \$1,007,198 which brings the budget back into balance:*
 - h. *\$350,000 to restore the School Dept. to level funding. . NOTE: In addition, the School Dept will realize its \$282,000 in savings from health insurance savings but will have to fund \$100,000 towards offsetting deductibles.*
 - i. *\$150,000 to modify the custodial privatization plan. NOTE: modifications are limited in scope and will not restore all positions.*
 - j. *\$150,000 to fund the city's portion of offsetting deductibles along with program administration;*
 - k. *\$248,198 to restore public safety positions (police and fire departments);*
 - l. *\$58,000 to restore the position of Assistant City Auditor;*
 - m. *\$10,000 increase in Tourism budget;*
 - n. *\$41,000 increase in the Legal budget for contract services.*

MAY IT BE FURTHER RESOLVED that time is of the essence and a final budget plan must be in place no later than June 15, 2011.

11. **PH2011-037: SCP2011-002: Eastern Avenue #53, GZO §2.3.1.6 conversion to or new multi-family Dwelling units; three dwelling units, 1.10.1 and 3.1.6 building height over 35', §3.2.2(a) decrease in the Minimum lot area and open space per dwelling unit**

This public hearing is open.

Those speaking in favor:

Attorney Robert Coakley representing the applicants, Ashley A. and Jackie L. Sanborn, with Jackie Sanborn who purchased an existing two-family house at 53 Eastern Avenue and disclosed they are the daughter and wife of Bill Sanborn Building Inspector. He explained prior to ever filing for the relief from the ZBA and the Council, because Mr. Sanborn is the City's Building Inspector, they petitioned Mayor Kirk because of a potential conflict of interest to appoint a special Building Inspector to pass upon the ZBA and City Council application and inspect the property. Councilor Hardy, as acting Mayor in December 2010, appointed Greg Cefalo of the Building Department as Special Building Inspector over this application. Attorney Coakley filed a letter with the State Ethics Commission to advise them of this, and indicated the situation to them. He did not hear back from the Commission. He did make this same disclosure before P&D last month, is an existing two family. In 1947 a special permit was issued by the City

for the introduction of a third unit. This was a form of a City sponsored housing effort at that time as it was to help out during the housing shortage after WWII for returning veterans. This structure has all the accommodations of having been prior a three-family dwelling, which was reduced back to a two-family dwelling. The applicants propose to re-introduce an additional dwelling unit on the third floor. They are asking to reintroduce a third unit into this property. Because they are changing the use, they need the relief only the Council can give for the height. The existing structure is 39.6' (rounded to 40') as calculated under the requirements of the zoning ordinance. This is the existing height of the building and will not change as a result of the application. The guidelines for granting the height relief are no view obstruction, no overshadowing. The existing roof line does not change. As was previously discussed in the rezoning public hearing which just took place this evening, all the relief they needed to obtain from the ZBA was granted. During that process they met with two neighbors, one who lives across from the building on Neptune Place and another who lives behind the building. As an accommodation to these neighbors' suggestions, they revised a parking plan to provide room for snow loading with a position of a curb to provide a wider curve. Neighbors pointed out there are habits of folks living in that immediate area of parking in front of 53 Eastern Avenue, in particular service vehicles. They petitioned the Traffic Commission which Councilor McGeary has done for a "No Parking" sign on the street to be imposed in front of the building on Eastern Avenue, and the suggestions of the neighbors and were made a part of the ZBA relief and changes were made to the plan appropriately. The ZBA saw they had more parking than was needed and suggested that they might want to take out one space, which they did. By reintroducing one additional unit, they actually decreased the intensification on this property. Historically this property had six bedrooms. The first and second floors were used as one unit and had a total of five bedrooms; and the third floor had one. Ashley Sanborn's plan is to live on the third floor and to have smaller units on the first and second floors which he believed then de-intensified the use. This then would create a one bedroom apartment on the first floor with a two-bedroom apartment on the second floor and a one bedroom apartment on the third floor. These are apartments which would attract younger couples or older couples looking to downsize. It is not suitable for young children as there is no yard and is on a busy thoroughfare. There is a new three story staircase with landing on the back of the building. That was issued with a building permit from the Building Inspectors Office by Greg Cefalo prior to this process starting. Multi-families in the City are inspected annually by the Building Inspector's office. However, one and two families are not. When the Sanborn family went through the building they could see that the existing structure did not comply with the State building code with egresses. The staircase on the back which provides legal means of egress from the rear of the property for two units was structured to allow access for a third unit if the Council approves. The last form of relief needed is a decrease in minimum lot area per unit and open space per unit. This is a small lot with a house on it that accommodates the existing use and the parking needed, even with the decrease in spaces that the ZBA requested they still have more than the number of spaces required. They believe this is good for the City, good for the neighborhood. Multi-families are indicative of the area. He asked for the Council support.

He then explained to the Committee that this application meets the conditions as set forth in §1.8.3 as follows:

- A) **Social, Economic or Community Needs:** This is an appropriate reintroduction of a third unit to an existing multi-family that except for the exterior staircase requires no exterior modification. All necessary relief was received from the ZBA.
- B) **Traffic Flow & Safety:** The applicants' have addressed neighborhood concerns as to on-site parking and snow removal; and they have petitioned the Traffic Commission through Councilor McGeary to provide for the "No Parking" in front of the building because if there was a vehicle parked in front of the building it impedes the view of a vehicle attempting to exit Neptune Place.
- C) **Adequacy of Utilities and Other Public Services:** The building is on City water and sewer and all the utilities are in place and so there is no overburdening.
- D) **Neighborhood character and social structure:** The proposed three-family is consistent with the uses in the surrounding neighborhood of multi-families and mixed use buildings. The proposal will not obstruct views and will not be a detriment to the neighborhood.
- E) **Qualities of the natural environment:** There will be no impact on the natural environment by this conversion. Nothing is being introduced as new except for the exterior staircase. The rear of the property had been paved by a previous owner leaving very little grass on the site except on the front and a bit on the side.
- F) **Potential fiscal impact:** The proposal will add one additional unit to an existing multi-family dwelling. The addition of this unit will not adversely impact schools or public safety and will provide additional tax revenue to the City.

Attorney Coakley noted the criteria for open space applies for open space and lot area per unit as well as for the height relief of which no overshadowing or obstruction of view will not happen in this instance.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This public hearing is closed.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Planning & Development voted 3 in favor, 0 opposed to recommend to the City Council to grant to Ashley A. Sanborn and Jackie L. Sanborn a Special Council Permit (SCP2011-003) pursuant to §2.3.1.6 of the Gloucester Zoning Ordinance to convert an existing two unit multi-family dwelling located at Eastern Avenue #53, Gloucester, Massachusetts as shown on Assessors Map 49, Lot 1, to a three unit multi-family dwelling.

Discussion: None.

MOTION: On motion by Councilor Ciolino, seconded by Councilor McGeary, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Verga, Hardy) absent, to grant to Ashley A. Sanborn and Jackie L. Sanborn a Special Council Permit (SCP2011-003) pursuant to §2.3.1.6 of the Gloucester Zoning Ordinance to convert an existing two unit multi-family dwelling located at Eastern Avenue #53, Gloucester, Massachusetts as shown on Assessors Map 49, Lot 1, to a three unit multi-family dwelling.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Planning & Development voted 3 in favor, 0 opposed to recommend to the City Council to grant to Ashley A. Sanborn and Jackie L. Sanborn the Special Council Permit (SCP2011-003), pursuant to §1.10.1 and §3.16 of the Gloucester Zoning Ordinance for building height in excess of 35 feet not to exceed the 40 foot height of the existing building located at Eastern Avenue #53.

Discussion:

Councilor Ciolino stated the height has not changed but this is triggered due to the conversion of a two unit to three unit dwelling; and on the basis of the application, the plans submitted, the representations of the applicant and their agents, the Planning & Development Committee found that the requirements of §1.8.3 for granting a special permit have been met in that the six criteria are satisfied and applies to both motions related to SCP2011-003.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Verga, Hardy) absent, to grant to Ashley A. Sanborn and Jackie L. Sanborn the Special Council Permit (SCP2011-003), pursuant to §1.10.1 and §3.16 of the Gloucester Zoning Ordinance for building height in excess of 35 feet not to exceed the 40 foot height of the existing building located at Eastern Avenue #53.

The Council recessed at 9:36 p.m. and reconvened at 9:38 p.m.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Planning & Development voted 3 in favor, 0 opposed to recommend to the City Council to grant to Ashley A. Sanborn and Jackie L. Sanborn the Special Council Permit (SCP2011-003), pursuant to §3.2.2(a) to decrease the minimum lot area per dwelling unit to 1,200 square feet per unit totaling 3,600 square feet collectively; and to decrease the required open space per unit to 800 feet per unit totaling 2,400 square feet collectively on a property located at Eastern Avenue #53.

Discussion: None.

MOTION: On motion by Councilor Ciolino, seconded by Councilor McGeary, the City Council voted BY ROLL CALL 7 in favor, 0 opposed, 2 (Verga, Hardy) absent to grant to Ashley A. Sanborn and Jackie L. Sanborn the Special Council Permit (SCP2011-003), pursuant to §3.2.2(a) to decrease the minimum lot area per dwelling unit to 1,200 square feet per unit totaling 3,600 square feet collectively; and to decrease the required open space per unit to 800 feet per unit totaling 2,400 square feet collectively on a property located at Eastern Avenue #53.

Councilor Theken asked that the matter of the naming of the Harbor Patrol Boat (Order #CC2011-024) be returned to O&A

MOTION: On motion by Councilor Theken, seconded by Councilor Mulcahey, the City Council voted 6 in favor, 1 (Whynott) opposed, 2 (Verga, Hardy) absent, the City Council returned the matter of the naming of the Harbor Patrol Boat (Order #CC2011-024) back to the Ordinance & Administration Committee.

12. PH2011-036: SCP2011-001: Decatur Street #14, GZO §5.2 Earth Fill and Removal Regulations (TBC 07/12/11)

Ms. Lowe announced the Council was in receipt of a letter from the applicant's representative, Frederick J. Geisel, PE, asking for a continuation of this public hearing until July 12, 2011 because further testing needs to be done.

This public hearing was opened and continued to July 12, 2011.

Unfinished Business: None.

Individual Councilors' Discussion Including Reports by Appointed Councilors to Committees:

Councilor Tobey noted the first Fisheries Commission meeting will take place next Thursday, and would report back to the Council on it.

Councilors' Requests Other than to the Mayor:

Councilor McGeary congratulated Gloucester High School's Class of 2011 upon their graduation this past weekend.

Councilor Ciolino stated this Saturday the international dory races will take place. He suggested watching it at Gordon Thomas Park at the head of the harbor and take the opportunity to have breakfast which is a fundraiser for the dory races. The Rotary Club will do the cooking for the pancakes.

Councilor Mulcahey noted the Relay for Life Walk starts at 6 p.m. Friday, and ends 6 a.m. Friday. The luminaria starts at 9 p.m. and encouraged all to attend for this worthy cause.

Councilor Theken stated she would be participating also in the Relay for Life and that there is a new musical coming to town, "The Greasy Pole Musical" and she plays the role of Mama Calavata. It is for a good cause. She pointed out that Henry Allen has purchased the Blackburn Theatre, now renamed, "The Annie". She suggested they go onto "braincandyproject.org" to see about the program for childhood brain cancer.

Executive Session – Pending Litigation:

- 1. Charter School re: Peter Dolan et al and City of Gloucester, Plaintiffs vs. Mitchell D. Chester et al, Defendants**
- 2. Susan Taormina et al, Plaintiffs vs. Members of the Gloucester City Council and Gloucester Hotel LLC, Defendants**

Ms. Lowe stated in order for the City Council to go into executive session will now vote to go into Executive Session under MGL c. 39§23B, sub-section 3 to discuss litigation strategy.

MOTION: On motion by Councilor Theken, seconded by Councilor Mulcahey, the City Council BY ROLL CALL voted 6 in favor, 1 (Whynott) opposed, 2 (Verga, Hardy) absent, to call the City Council (plaintiff), City Council staff, and City Attorney enter into Executive Session (in accordance with MGL Chapter 39, sec. 23B, sub-section 3) to discuss litigation strategy with respect to Charter School litigation regarding the Dolan et. al. v. Chester et. al. Further, that the City Council (defendant), City Council staff, and City Attorney enter into Executive Session (in accordance with MGL Chapter 39, sec. 23B, sub-section 3) to discuss litigation strategy with respect to discuss litigation strategy with respect to Susan Taormina et al, Plaintiffs vs. Members of the Gloucester City Council and Gloucester Hotel LLC, Defendants.

Councilor Theken stated, "I hereby announce that the roll call vote is 6 in favor, 1 (Whynott) opposed. We shall now convene into Executive Session and will adjourn the City Council at the close of the Executive Session from the First Floor Council Committee Room.

The City Council voted by unanimous consent to recess their meeting at 9:45 p.m. and stated that they would come back into full public session only to adjourn their meeting. They then entered into Executive Session at 9:50 p.m. The Executive Session ended at 10:10 p.m. During that Executive Session no motions were entertained or voted upon other than to adjourn that session; and therefore, upon the close of the Executive Session, a motion was made, seconded and voted unanimously returning the Council to open session at 10:10 p.m. and then a motion was made, seconded and voted unanimously to adjourn the City Council meeting at 10:12 p.m.

Respectfully submitted,

**Dana C. Jorgenson
Clerk of Committees**

DOCUMENTS/ITEMS RECEIVED AT MEETING: None.

SPECIAL CITY COUNCIL
MINUTES

06/21/11

UNDER SEPARATE COVER

CITY COUNCIL STANDING COMMITTEE
Ordinances & Administration
Monday, June 20, 2011 – 7:00 p.m.
3rd Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Sefatia Theken; Councilor Joseph Ciolino (Alternate); Councilor Greg Verga (Alternate)

Absent: Councilor Tobey; Councilor Mulcahey

Also Present: Councilor Robert Whynott; Linda T. Lowe; Cate Banks; Michele H. Harrison; Jim Caulkett; Officer Scott Duffany; Tony Gross; Chief Michael Lane; Jim Duggan

The meeting was called to order at 6:57 p.m. Items were taken out of order.

1. Old Business

- A) Memorandum and Information regarding proposed changes to Gloucester City Ordinance Chapter 10-Waterways Administration Sections 10-1 and 10-2

Tony Gross, Chair of the Waterways Board spoke to the Committee about the proposal by the Administration to add two new members via ordinance amendment (This matter had been voted out of Committee on 5/16/11 for public hearing but was returning before them to correct/amend the motion language.) believing it diminishes the commercial fishing roles and was to maintain the commercial fisheries ratio on the Board as is. The Board hadn't heard a compelling reason from the Administration as to what type of individual they want to put on the Board. **Mr. Duggan** could not name at this time whom the economic development nominees might be. [Note: Mr. Duggan left the meeting at this time to attend an ongoing B&F Budget Review meeting] **Councilor Theken** recounted when the proposal to change the ordinance for Sections 10-1 and 10-2 was first in front of O&A the Mayor had wanted to take two fishermen off the board to put in two members representing economic development. However, she discussed with the Mayor the importance of leaving the fishermen slots on the Board and asked her instead to add two positions to the Board for economic development. There was a discussion between the Committee and Ms. Banks and Mr. Gross as to the composition of the Board with three positions opening up in February 2012. Members of the Board's assigned to the roles per the ordinance in place now are: Peter Bent and David Murray, recreational boating; Phil Cusumano and Cate Banks, At Large; Arthur "Sooky" Sawyer, Vito Calomo and Mr. Gross represent the fishing industry. He then read Sec. 10-1 and noted they haven't had a lot of cooperation with City staff but **Councilor Ciolino** countered there hasn't been much cooperation on the Board's side either. **Mr. Gross** agreed. But he asked for a chance first to allow the Board to move forward with himself now at the helm before making these changes to the composition of the Board. As an example he pointed out he met with the Community Development Director regarding 10-A floats and the DPA, and received something in writing from her. Much of the waterfront isn't used for commercial fishing. They're thinking and trying all the time for ways to change that. They've been working for two years on regulations. Further, he felt they're working hard and are looking for ways for the entire City to succeed all around for the fishing industry. He asked the Mayor and asked the Committee to postpone putting Waterways Sec. 10-1 and 10-2 out for public hearing in order to give them some time to prove this was a well motivated and dynamic board. On inquiry from **Councilor Theken**, **Mr. Gross** felt the new ratio would skew the Board and also make the subcommittees unwieldy. **Councilor Theken** asked how the Board would be diminished if they had two economic development persons added. **Ms. Banks** noted there are three fishermen right now on the Board; four are not. She pointed out she most always votes with the fishermen; and that at this time with this composition of the Board, the fishermen have a chance to "swing" a vote. She agreed with Mr. Gross that a nine member Board skews the ratio and assured the Committee she is not opposed to economic development. She requested that they not make it a nine member board. Instead, she proposed to make these two positions as alternates. **Mr. Gross** agreed with Ms. Banks' suggestion. **Linda T. Lowe**, **City Clerk** noted the reason this matter was reappearing on the O&A agenda was that when she went to advertise for public hearing the motions didn't match up with what was meant to go forward, confirming that in a meeting with Ms. Banks. They can take the "cleaned up" motions (memorandum on file dated 6/20/11) or start over. **Councilor Theken** thought it may be warranted to give the Waterways Board the leeway of some time first as Mr. Gross had indicated earlier. **Mr. Duggan**, who had returned to the meeting at the Chair's request, was brought up to date with the on-going discussion. He then stated these two new people would need to have a background in economic development. They need to have experience and a grasp on those kinds of projects and as an example; a person with an economic

development background could be a bank president. **Councilor Theken** also suggested instead of the permanent positions to create two alternates and then put them in for one or two years. When another term comes up for expiration then that person would be experienced with a working knowledge of the Waterways Board and available to fill that position. An alternate would allow them to have continuity. **Mr. Duggan** stated there had to be a balance especially now with several potentially large waterfront projects about to come forward making it all the more important. **Mr. Gross** asked for a chance as the new Chair of the Waterways board. The Board wants to prove they can do the work with seven. **Mr. Duggan** asked the Committee that the proposed amendments be allowed to go forward to public hearing before the Council. There was a discussion of whether alternates would work and what happens when positions become vacant. **Councilor Verga** agreed with the alternate concept. There was a discussion of removing members; and **Ms. Lowe** stated removal has to be for cause or to wait for the term to be completed. **Councilor Verga** also asked that they give the Board time to work before they go forward. **Councilor Ciolino** felt they should move the amendments forward believing it will make for a better Board. **Mr. Duggan** stated they'd not suggest putting anyone on the Board to make it difficult but rather to bridge the gap for economic development. **Mr. Gross** felt there was a lack of communication by the Waterways Board to City administration and the Council in the past. They're trying to change that, and felt they'll get the best work done if the Committee could table this matter for now. **Mr. Duggan** reiterated the economic development people will be subject matter experts. **Mr. Gross** understood the goal was to make this a better Board but felt this is what the At Large seats are for. **Councilor Ciolino** noted the previous lack of cooperation from the Waterways Board and did not wish to see that to continue. **Councilor Theken** wanted to talk again to the Mayor. It was noted that Dave Murray, Cate Banks and Phil Cusamano's terms expire in February 2012, and the following year Vito Calomo, Peter Bent and Sooky Sawyer's terms are up. **Ms. Banks** added the Board is finally working the way it should. **Ms. Lowe** clarified this matter came before the Committee to clean up the amendments but that is not what transpired. If it is tabled, she pointed out for the record they are tabling what was set out in the June 20th memo to the Committee from her regarding language clarification.

Councilor Theken concluded the discussion by stating this matter will now be tabled by the Committee. She did agree there should be economic development representation; but they need to do this correctly with a well thought-out plan for a working Board; and in the interim she would speak to the Mayor.

This matter is tabled until the August 1, 2011 meeting of the Committee.

- B) CC2011-024 (Whynott/Ciolino) Request that the Harbor Patrol Boat be named after the late Patrolman Stephen J. Amaral

Councilor Whynott who with Councilor Ciolino brought forward the Council Order on the matter explained he knew Officer Stephen Amaral for many years, well before he was a policeman and knew the family. The Councilor recounted that Officer Amaral crewed the patrol boat each summer for many years. Stating that it is boat owned by the City of Gloucester, he felt it was appropriate to name the boat in Officer Amaral's memory. He explained Councilor Hardy had discussed with after the order was filed that there was some objection from the Harbormaster. He spoke to Harbormaster Jim Caulkett, but didn't hear anything that changed his mind about the boat naming and decided not to withdraw the order. **Councilor Theken** asked what would happen if this boat were retired and replaced. **Councilor Whynott** stated Officer Amaral's name would be on the boat as long as it was on the water. A new replacement Harbor Patrol boat would be named for someone else. **Chief Lane** added he spoke to Harbormaster Caulkett and Lt. Aiello both of whom were instrumental in applying for the funding from the Dept. of Homeland Security with 20% made up from the City funds. The patrol boat was to be used as a shared asset between the departments. He expressed that his department will never man a police boat fully in the future. He also expressed that he believed protocol indicated it was inappropriate to name a shared asset for one department feeling it could be perceived as a snub to the Harbormaster's Department. He suggested that some kind of plaque be installed on the control panel or somewhere on the interior of the boat dedicated to Officer Stephen Amaral which he believed he could fund through his department which he offered this as an alternative to Officer Amaral's name being placed on the boat's hull. **Harbormaster Jim Caulkett** explained to the Committee small working boats generally are not named. This was discussed that it was a shared resource, and as such it was the "27441"; further, it was decided prior to the boat's delivery it would be the harbor patrol boat. He agreed with the Chief and didn't wish to force the issue but to dedicate the boat in Officer Amaral's memory would be appropriate. A nice plaque inside the cabin will be seen by whoever is operating the boat. **Officer Scott Duffany** expressed that he and Officer Stephen Amaral were not only fellow Police officers but close friend. He asked the Councilors to name the patrol boat in honor of Officer Amaral's service to the City. **Councilor Ciolino**, indicating respect for the Chief's and

Harbormaster's opinions, he was on the B&F Committee when they voted the shared asset. However, he pointed out the patrol boat belongs to the City of Gloucester; this officer worked on the water and felt it was an appropriate tribute to him to put his name on it. **Councilor Verga** agreed with Councilor Ciolino that this was a way to honor someone who did a lot for the City. **Councilor Whynott** noted yachts and pleasure boats have their names on the stern; and working boats on the stern and at times the bow and believed there must be some way to put a name on the boat. **Councilor Theken** felt if they put a name on the patrol boat it would possibly be confusing, that it could be misconstrued as a pleasure boat versus a patrol boat. **Ms. Banks**, Waterways Board stated it depends where you put the name. Traditionally it is on the stern and the bow on commercial boats. **Councilor Theken** thought a plaque on the boat was appropriate. The boat will eventually be replaced. The plaque could be moved from one boat to another. She will go with whatever the Council will want to do but reiterated the plaque would be worthwhile because it would go from boat to boat and be forever. She recounted so many people in the community knew and cared for Officer Amaral. **Councilor Whynott** thought a plaque was nice but the only people who would see are those on the boat; but a name on the hull of the boat can be seen by everyone. **Councilor Theken** expressed her disagreement with Councilor Whynott's opinion and reiterated she wanted to see a plaque placed on the boat and feeling the naming of the boat was appropriate as well. **Mr. Caulkett** recalled through the B&F process that when Lt. Aiello came to him and the Waterways Board knowing the Police Department didn't have the funds to maintain the boat, they had wanted to keep it "on the center line", that is a shared asset. **Mr. Gross** stated the Waterways Board has no position on this matter.

Councilor Theken stated the motion passed on June 6, 2011 to name the Harbor Patrol Boat in memory of Stephen Amaral will go forward now to City Council for their approval. **Councilor Theken** hoped that a plaque also would be installed which Chief Lane indicated he felt his department would be able to fund such a plaque and further added that Officer Amaral served the City admirably by his service for many years.

2. *Continued Business:*

- A) Emergency Order (Tobey) Amend GCO §22-242 "Parking Prohibition, Towing, Immobilization, Signs" by ADDING sub-part (14) re: Magnolia Woods

Councilor Theken explained that Councilor Tobey conveyed his wish for O&A to now make this Emergency Order into a permanent amendment to the Code of Ordinances. She also noted it was left to the discretion of the Police Department to have the handicapped persons be able to park in or around the field used by the model airplane group however; it was no more than two vehicles at a time. **Councilor Verga** noted that coming forward at the special City Council meeting the following day there is a Council order coming forward to O&A to amend the GCO in order to institute a Magnolia Woods Oversight Committee. [Note: Emergency Order expires 7/23/11.]

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND §22-242 "Parking Prohibition, Towing, Immobilization, Signs" by ADDING sub-part (14), "No Parking at Magnolia Woods east and south of the turnaround on the entrance road. This prohibition extends to all playing fields and surrounding slopes and to all paved walkways, with parking allowed only in designated parking areas, AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.

- B) CC2011-008 (Hardy) Creation of language for ballot question re: recently enacted Water Ordinance and Pending Home Rule Petition related to same

Councilor Theken announced that since Councilors Tobey and Hardy were unable to attend this evening's meeting, at their request this matter will be continued to the next regularly scheduled O&A Committee meeting.

This matter is continued to July 18, 2011.

2. *Appointments:*

Licensing Board

TTE 05/31/2017

Michele Holovak Harrison

The Committee questioned Attorney Harrison regarding her reasons for wishing to be appointed to the Licensing Board as well as touching upon her experience, background, professional affiliations as all three members were well acquainted with Ms. Harrison and her work in the City. She expressed her familiarity with the Open Meeting Laws

would file proof of having taken the State Ethics Commission test and reviewing and signing the Open Meeting Law certificate. She did not have a conflict with any other board, committee or commission. The Committee expressed their appreciation at Attorney Harrison's willingness to step forward and volunteer on behalf of their City and thanked her for their commitment.

Councilor Theken noted Councilor Tobey had questioned the affiliation of Ms. Harrison as to political party with regard to the composition of the Board and was found to be appropriate since the State law did not require the third member to be of a certain political party. She also asked if she was still the attorney for Sam Parks, developer and owner of Gloucester Crossing; and further, if so was there an ulterior motive for her seeking this appointment.

Attorney Harrison noted she was retiring from law practice and was not representing Gloucester Crossing any more. Attorney Deborah Eliason assumed her practice and didn't think that would be a conflict; and if it did, she would recuse herself from any deliberations that might involve Mr. Park. In her practice of law she recounted she had appeared before just about every board and commission in her practice. Now that she's retiring she felt it was time to give back wanting to treat applicants and applications with the same fairness and respect shown her. She felt there was a delicate balance between economic development for restaurants with alcohol and entertainment but to also make sure that they're following the laws related to alcohol and ABCC regulations. She served as chair of the Licensing Board in the '80's but did not choose to serve further. The issue of underage drinking is a major issue in Gloucester; and having worked with the Healthy Gloucester Collaborative she wanted to see point of purchase being watched over with more scrutiny and looked forward to working with law enforcement on that. **Councilor Verga** thanked Attorney Harrison for her professional manner which he experienced during his time as a School Committee member. **Councilor Ciolino** noted that while it is not a requirement, it is traditional to have an attorney on this Board and in his view was good practice stating Attorney Harrison is a welcome addition to the Board. He had conversed with the Licensing Board Chair, John Rando, and informed the Committee that Mr. Rando fully endorsed Attorney Harrison's appointment that he believed would bring a new professionalism to the Board as well as be a good working combination with himself and Allison O'Conner. **Councilor Whynott** expressed he had watched her before various boards and the Council for 17 years during his term as City Clerk and appreciated her even temper and professionalism and recommended her highly. **Councilor Theken** appreciated Attorney Harrison as a mentor. Mr. Rando did call her also expressing his endorsement of Attorney Harrison for the open position on the Licensing Board. The Councilor also endorsed Attorney Harrison's appointment and recommended her highly.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Michele Holovak Harrison to the Licensing Board, TTE 05/31/2017.

3. Request by Purchasing Agent for the Appointment of a Building Committee for the School Roof Replacement Project under City Charter §5.5, City Building Committee

Councilor Theken noted that the members of this proposed Building Committee are all people they are familiar with and are already serving on other committees and within the City. She felt this is a well put together team and wished to move this forward the Building Committee needed to be in place as soon as possible. Each of these folks has been before them for one board or another as well as the Newell Stadium Building Committee and so it was well known they had taken their State Ethics exam and had knowledge of the State's open meeting laws. She would endorse their appointment as did Councilors Ciolino and Verga.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint the following members for a School Roof Replacement Project Building Committee:

Jim Hafey, Facilities Manager, City of Gloucester	TTE 06/08/14
Bill Sanborn, Building Inspector, City of Gloucester	TTE 06/08/12
Kristin Michel, Public At Large	TTE 06/08/12
Mike Carrigan, Public At Large	TTE 06/08/12
Chris McCarthy, Public At Large	TTE 06/08/13
David Anderson, Building Trades	TTE 06/08/13
Mark Cole, DPW Operations Manager, City of Gloucester	TTE 06/08/14
Jim Duggan, CAO, City of Gloucester, Ex Officio	TTE 06/08/14

NOTE: The following **four matters** are all continued to the July 18th meeting of the O&A Committee (with a renumbering as a numeric assignment on the agenda was left off for Order #CC2011-026):

4. *Memorandum from Community Development Director re: Request for City Council to Amend GCO §22-288 and §22-291 (Off Street Parking) – Harbor Walk and Harbor Parking Lot*
5. *Memorandum from Police Chief re: School Zone Speed Limit in the area of 384 Washington Street*

Councilor Theken noted the Traffic Commission has not met and forwarded their recommendation on this matter. However, there being in the audience concerned citizens regarding this matter she asked to hear their views. **Donna Southworth** 16 Reservoir Road, Faith Christian School at 384 Washington Street requested that they have a school zone made at this address along with a blinking caution light. They see traffic “flying” by. At the crossing one month ago they witnessed a parent nearly being struck by a speeding vehicle. She noted an 8th grade student who walks to school, Abbey Francis, who was present, along with other children; and that the parents, teachers and students risk their lives crossing Washington Street at that location, even at the crosswalk. They use a (portable) stop sign which is frequently disregarded. **Councilor Theken** noted the presence of six other people: Diane Beauparlant, 6 Beacon Street; Christen Peterson, 81 Wheeler Street; Abigail Francis, 4 Sargent Street Extension; Laurie Francis, 4 Sargent Street Extension; Jean Lodge, 16B Reservoir Road. **Chief Lane** had requested and Bob Ryan of the Traffic Commission did utilize the JAMAR speed recorder; and there is his recommendation (on file in Agenda packet for this meeting) that it be set as a school zone at the Traffic Commission’s next meeting. There was a brief discussion with the Chief and the Committee about a flashing light. He thought the best solution is a flashing yellow light but signage could be improved in the meantime. **Ms. Francis** stated that the school is very small and that it is hard to notice. **Councilor Verga** noted school is out for the summer and that it gives them time to accomplish erecting improved signage. **Councilor Theken** noted that they will work towards improved signage and work with the Police Department on enforcement in the interim.

6. *CC2011-026 (Hardy) Set Speed Limit for Gee Avenue*
7. *CC2011-027 (McGeary) Amend GCO §22-270 (Parking Prohibited at all Times) by DELETING “Eastern Ave., Southerly side from Hartz Street, westerly for a distance of forty (40) feet*

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:26 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

CITY COUNCIL STANDING COMMITTEE

Planning & Development

Tuesday, June 22, 2011 – 6:00 p.m.

1st Fl. Council Committee Rm. – City Hall**-Minutes-****Present:** Chair, Councilor Joseph Ciolino; Vice Chair, Councilor Robert Whynott; Councilor Greg Verga**Absent:** None**Also Present:** Lt. Joseph Aiello**The meeting was called to order at 6:00 p.m.****1. Continued Business:**

A) Memorandum from Engineering Department re: proposed street naming for Pantry Way

Councilor Ciolino informed the Committee has all documentation received from the various required City departments per 21-3 (e) have been met. Subsequently, he reviewed with City Solicitor Suzanne Egan who suggested the matter should be referred to the DPW and the City Engineer in order for them to provide the Committee with a layout to the street to complete the appropriate documentation.

By unanimous consent the P&D Committee referred the matter of the proposed street naming for Pantry Way to the Engineering Department and the DPW for a plan of a layout of a street.

This matter was continued to July 20th.

2. Request from Talia DeWolfe to hold Breast Cancer Fundraising Walk on September 25, 2011

Councilor Ciolino stated the Committee had received emails from Fire Chief Dench and Lt. Aiello regarding the Save a Star Walk organized by Talia DeWolfe, an 11 year old fifth grader from East Gloucester Elementary School taking place September 25, 2011 to begin at 9 a.m. for registration, with the walk starting at 10 a.m. **Ms. DeWolfe** explained she organized this event from having family members who have been affected by cancer she wished to honor their memories as well as for cancer survivors. They plan on a DJ, a food table and a craft table. They have permission from Mark Cole, Operations Manager of the DPW for the use of Stage Fort Park. She informed the Committee the vending tables will be across from The Cupboard. **Councilor Whynott** believed they did not need to do anything else for vending in terms of seeking further permissions based on Ms. DeWolfe's description. **Lt. Aiello** stated he had no problem with the submitted plans of the Save A Star Walk. **Councilor Ciolino** stated since this walk has their permit from the City for the use of Stage Fort Park, and that the walk itself all takes place on City sidewalks and there are no road closures or road use involved, the Planning & Development Committee does not need to make a motion to put this matter before the City Council for permission. What they do down at Stage Fort Park is under the purview of the DPW. **Suzanna Wolfe**, 3 Old Salem Road stated that she and her husband have noticed that there are more and more events at Stage Fort Park; and with the increase in events there seems to be more amplification of sound. Even though they are not in the immediate vicinity, it impedes on their enjoyment of their home and outdoor space. She gave the example of the "Pow Wow" which has been held annually at Stage Fort Park for many years and yet she doesn't hear them. She believed that there was a way to have amplified sound in the park without it extending beyond Stage Fort Park. She has called the police, and they make a judgment regarding the noise level. She felt there should be some kind of sound regulation so that she can be outside and not listening to music for a variety of events or other loud noise from sporting events taking place there. The DPW told her they tell people to keep their sound "sane". Mr. Cole informed her he would need to have something in writing to dictate what level amplified sound should be in a City park. She asked that there is consideration of the neighbors and if the Committee could do something on regulations. **Dr. John Wolfe** noted on the first nice day this spring was the annual Pride Stride. An hour before it started there was blasting rock music. He and his wife couldn't even be outdoors; it was that uncomfortable. He asked if there was a way to have an ordinance regarding sound level for the use of the park. **Councilor Whynott** stated Pride Stride is up at the top of the hill enabling that sound to further amplify towards their home. He explained that the reason they don't hear the Pow Wow is because they are on the lower level of the park. He also noted there is a noise ordinance in place. A decibel meter has to be used to see if it

is exceeded. The hours run 8 a.m. to 8 p.m. and are different for later evening hours. **Mrs. Wolfe** felt there is a need for these one-time events to have sound parameters. **Councilor Verga** asked this be referred to O&A and that they look at the ordinance, to look to perhaps amending the ordinance for one-time open air events. **Councilors Ciolino** and **Whynott** agreed. **Dr. Wolfe** stated they are familiar with the noise ordinance and confirmed their understanding of it. **Councilor Ciolino** noted unfortunately sound does travel and that it is not something that can be controlled to a certain extent. **Mrs. Wolfe** felt it is doable to reduce the decibel level which determines how the sound travels. **Lt. Aiello** added that some common sense for the ordinance would be helpful, and encouraged Dr. and Mrs. Wolfe to contact the Police Department when they are being disturbed. He also informed the Committee that the Police Department was in support of Ms. DeWolfe's event. **Councilor Ciolino** stated Ms. DeWolfe has heard the concerns regarding sound and asked her and her group to be mindful of that which she assured they would. Her mother, **Alicia DeWolfe**, who was also present confirmed her daughter's plans for the race and also assured the Committee that they would be mindful of the noise situation, and that they had a permit from the DPW for use of Stage Fort Park. The Committee wished Ms. DeWolfe great success with her event.

MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to refer to the Ordinance & Administration Committee the matter of a re-examination of the noise ordinance under GCO §13-10 (6) with regard to one-time permitted open air events.

It was further recommended that the DPW Director be advised of this expression of concern regarding the noise level for one-time open air events at Stage Fort Park.

3. *7th Annual Reid's Ride Event at Stage Fort Park, July 17, 2011*

Councilor Ciolino noted that all documentation with the exception of a Certificate of Insurance was on file with the City Clerk's office. Brent "Ringo" Tarr, 18 Timberview Drive informed the Committee that he had submitted the Certificate of Insurance the previous day to the City Clerk's office. **Lt. Aiello** expressed the Police Department's full support of the 7th Annual Reid's Ride. **Lorraine Sacco**, Director of Reid's Ride of Lynnfield and founder of the organization, explained to the Committee this ride was started and a foundation established in memory of her son who passed away in his late teens from cancer. Their foundation has helped many other young adults with cancer to date. She expressed her family's passion for this event; and that the ride provides them with the resource for their ability to help young adults. They target research and the researchers. While she and her husband live in Lynnfield they have a great affection for Gloucester as their son spent a great deal of time here enjoying the City. This event, she expressed, is community driven but the cancer research is international. The ride starts in Lynnfield, through Middleton, Danvers, and Manchester and into Gloucester ending at Stage Fort Park. This is a family event and done with all volunteers. They keep it as safe as possible. The Fire and Police Departments are all there in each community to assist with safety. Lyons Ambulance is along the route or else their employees are participating in the ride itself. She felt her organization was very efficient with their set up and take down. She pointed out this is not a competition. **Mr. Tarr** explained they didn't come for a permit last year because they weren't aware it was necessary. He explained they have met with Mark Cole regarding the use of Stage Fort Park and have fulfilled that requirement. He spoke of the sponsors and their assistance that they provide the riders. He acknowledged they did have an incident last year by the Cupboard. **Lt. Aiello** confirmed because of that one incident he would see that a policeman was stationed near that spot. Hough Avenue would not be closed. They direct the riders off the road near the gazebo onto the dirt path in the park. **Councilor Verga** noted the race ends in Gloucester and asked how they get the riders back to the start along with their equipment. **Ms. Sacco** stated they do have a bus available to the riders along with transportation for their bikes and that some riders do ride their bikes back to Lynnfield. They are out by 12 noon.

MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the 7th Annual Reid's Ride 28-mile Bike-a-Thon which enters the City of Gloucester on Western Avenue and continues into Stage Fort Park for their finish. All routes through the City are to be clearly marked with signage removed off the route by 2:00 p.m. the same day. Memorandums of endorsement from the Police Lt. Joseph Aiello and Fire Chief Phil Dench or his designee are on file in the City Clerk's office as of June 22, 2011. A Certificate of Insurance naming the City of Gloucester as the certificate holder is to be on file in the City Clerk's office by the close of business on July 1, 2011.

4. *Request from Habitat for Humanity for a 5K Road Race, October 2011*

Councilor Ciolino informed the Committee that the request from Habitat for Humanity for a 5K Road Race to take place in October of 2011 is on hold for the time being. After speaking with organizers, it was clear they had not determined the exact date prior to today and had many loose ends that would need to be tied up before they could make a presentation to the Committee. It was determined by the Committee to table this matter until such time as a representative from Habitat for Humanity's 5K Road Race informs the Chair they are ready to make their presentation for their road race permit. A request from the organizers via email to have the Committee table the matter was on file having been received earlier that day.

This matter is tabled.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:45 p.m.

Respectfully submitted,

**Dana C. Jorgenson
Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.

BUDGET & FINANCE
MINUTES

06/23/11

UNDER SEPARATE COVER

FY12 Budget Review #10 – Revisits and Motions – June 15, 2011 and June 20, 2011

CITY COUNCIL STANDING COMMITTEE
Budget and Finance
Wednesday, June 15, 2011 – 1:00 p.m.
City Council Conference Room

BUDGET REVIEW 10 – Revisits and Motions - PART ONE

Attendance: Councilor Steve Curcuru, Chairperson, and Councilor Jackie Hardy.

Absent: Paul McGeary

Also Present: Jeffrey Towne, Jim Duggan; Max Schenk; Chief Lane and Jamie Levie – Animal Control Officer.

The meeting reconvened at 1:00 p.m.

ADDENDUM to the AGENDA:

1. Memorandum from Interim Health Director re: City Council acceptance of US Fish and Wildlife Service Grant for Mill Pond for \$16,000.

2. Memorandum from Interim Health Director re: City Council acceptance of Coastal America Grant for Mill Pond Tide Gate Project of \$4,500.

Mr. Schenk spoke to the supplemental grants for the work to be performed at Mill Pond, with a construction start date to begin June 23, 2011 and continuing for approximately two weeks. When the project went out to bid, the amount was larger than funds on hand. The US Fish and Wildlife Service and Coastal America Foundation provided those funds needed to complete the project. Chapter 90 money has also been allocated in that this project is part of road repairs. This is a one-to-one match and the full grant match for all costs is approximately \$25,000. Weston and Sampson is the low bidder and will do the work. There will be an opening event in July, to which the Council and public will be welcomed.

He also noted that a maintenance program is part of the grant; and, there has been a team of people, including city staff, to oversee the operation and maintenance of the gate. The Conservation Commission, DPW, NOAA will be meeting regularly. The developers of the adjacent property will also be invited to join discussion; and, Nicoline Way is allowable and there will be no changes to that development.

There has been outreach in the neighborhood and the gates will be a net benefit, given past flooding. The salt pond will now become a river. The gate will be kept open, and the second gate raised slowly over time to ensure there is no impact to neighboring properties. Also, there will be a greater relief from back pressure from having the second gate. Gates, he stated can be shut during a storm tide; and, there will be a specific routine for storm events.

MOTION: On motion of Councilor Hardy, seconded by Councilor Curcuru, the Budget and Finance Committee voted 2 in favor, 0 opposed (Councilor McGeary absent) to recommend the full City Council, in accordance with MGL C44, S53A, approve the US Fish and Wildlife Service Grant for Mill Pond in the amount of \$16,000, for costs associated with the Tide Gate project.

MOTION: On motion of Councilor Hardy, seconded by Councilor Curcuru, the Budget and Finance Committee voted 2 in favor, 0 opposed (Councilor McGeary absent) to recommend the full City Council, in accordance with MGL C44, S53A, approve the Coastal America Foundation Grant in the amount of \$4,500, for costs associated with the Mill Pond Tide Gate project

3. Overlay Surplus: VOTE TO BE TAKEN AT THE 6/28/11 Special City Council Meeting. See Page FOUR

Mr. Towne informed the Committee that on this date, June 15th, the Board of Assessors declared an “overlay surplus” for the fiscal years 2007 and 2006 in the amount of \$110,000. In accordance with MGL C59 S25, this surplus may be appropriated for any lawful purpose. He requested that the City Council appropriate the overlay surplus of \$110,000 to the DPW, Show and Ice Removal, Snow/Ice Contract. The appropriation will help to reduce the deficit in this account.

MOTION: On motion of Councilor Hardy, seconded by Councilor Curcuru, the Budget and Finance Committee voted 2 in favor, 0 opposed (Councilor McGeary absent) to recommend the City Council, in accordance with MGL C59, S25, approve the appropriation in the amount of \$110,000 from Overlay Surplus to account: 101000.10.423.52970.0000.00.000.00.052 entitled DPW – Snow/Ice Removal, Snow/Ice Contract.

Mr. Towne stated that the City Auditor will double check with the Department of Revenue to make sure these funds can be appropriated after the Tax Recap,

REVISIT: Department 292 Animal Control – Page 71

Chief Lane and Jamie Levie, Animal Control Officer addressed the questions and request raised by Councilor Hardy during Budget Review #4 on May 23, 2011.

Chief Lane, for the record, stated that very little of the Animal Control’s information goes into Records management. It is kept in a journal by the Animal Control Officer.

Mr. Levie provided the Committee with pages from the journal from August and April. . He stated there have been seven citations issued from January 2011 to the present. The fines are \$10.00 for a loose dog for the first offense, \$30.00 for the second and \$50.00 for the third. If he encounters a problem dog with no identification, the animal goes to the City Vet, Dr. French. The cost is \$25.00 per day for boarding, and the owner is responsible for that charge.

Councilor Hardy stated that she requested the logs because of the complaints she, and other Councilors, have received regarding loose dogs and feces on the Boulevard and beaches.

Mr. Levie stated that he walks the Boulevard once a day and he has not seen any loose dogs; nor has he received any complaints on loose dogs or feces. He stated it was a bad situation in the past, and he would write citations. He noted it was normally neighboring people who walk their dogs at odd hours. He also stated that he walked the Boulevard two days ago, after mowing, and it looked wonderful.

CITY COUNCIL STANDING COMMITTEE
Budget and Finance
Monday – June 20, 2011 – 10:15 AM
City Council Conference Room

CONTINUED BUDGET REVIEW 10 – Revisits and Motions - PART TWO

Attendance: Councilor Steve Curcuru, Chairperson, Paul McGeary, Vice Chairman, and Councilor Jackie Hardy

Also Present: Jeffrey Towne, Jim Duggan; Kenny Costa; Miles Schlichte, Carol McMahon; Chief Dench; Carol Gray;

The meeting reconvened at 10:15 a.m.

Overlay Surplus. (From Part I, Page Two) To be voted June 28, 2011

On recommendation by the City Auditor, the following MOTION is to be **RESCINDED** and replaced.

MOTION: On motion of Councilor Hardy, seconded by Councilor Curcuru, the Budget and Finance Committee voted 3 in favor, 0 opposed to **RESCIND** the following motion:

On motion of Councilor Hardy, seconded by Councilor Curcuru, the Budget and Finance Committee voted 2 in favor, 0 opposed (Councilor McGeary absent) to recommend the City Council, in accordance with MGL C59, S25, approve the appropriation in the amount of \$110,000 from Overlay Surplus to account:

101000.10.423.52970.0000.00.000.00.052 entitled DPW – Snow/Ice Removal, Snow/Ice Contract.

TO BE REPLACED WITH:

MOTION: On motion of Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor 0 opposed to recommend the City Council, in accordance with MGL C59, S25 approve the appropriation in the amount of \$110,000 from account:

101000.10.000.322000.0000.00.000.00.000 entitled F/B: Reserve for Overlay released by the Assessors for Exp. (Overlay Surplus) to account:

101000.10.000.35920.0000.00.000.00.000 entitled Unreserved Fund Balance – Appropriation Deficits. The purpose of this appropriation from Overlay Surplus is to reduce the appropriation deficit from DPW – Snow and Ice Removal.

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9707
FAX 978-281-8472
jtowne@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE CHIEF FINANCE OFFICER

MEMORANDUM

To: Mayor Kirk

From: Jeffrey C. Towne, CFO 

Date: June 14, 2011

Re: Declaration of Overlay Surplus and Appropriation to Snow & Ice

The Board of Assessors will be meeting tomorrow, June 15, 2011, to discuss whether a declaration of overlay surplus can be made. If one is made, my recommendation would be to appropriate that amount towards snow and ice to help alleviate the remaining deficit in FY11. To do that we would need City Council to authorize the Administration to present the declaration of overlay surplus and the appropriation request directly to Budget and Finance for review and recommendation.

Please request that the City Council refer the matter to Budget and Finance as mentioned above.



GLOUCESTER CITY COUNCIL 2011 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2011-039
SUBJECT: Loan Order #2011-004: Loan Authorization in the amount of \$4,500,000 re: Phase 3 Public Water System Upgrades
DATE OPENED: 06/28/11
CONTINUED TO:
CONTINUED FROM:
COMMITTEE: B&F 06/09/11

LEGAL NOTICE | LEGAL NOTICE

NOTICE OF A PUBLIC HEARING

In accordance with the provisions of City Charter Section 2-11(d), the Gloucester City Council will hold a public hearing on Tuesday, June 28, 2011, at 7 P.M. in the Kyrouz Auditorium, City Hall, relative to the following:

LOAN AUTHORIZATION #2011-04 PHASE THREE WATER SYSTEM UPGRADES in the amount of \$4,500,000

Whether, up to \$4,500,000 shall be appropriated for the purpose of making improvements to the City's Public Water System including without limitation all costs thereof as defined in Sec. 1 of Chapt. 29C of the General Laws; that to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow up to \$4,500,000 and to issue bonds or notes thereof under Chapt. 44 of the General Laws and/or Chapt. 29C of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor, determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Sec. 1 of Chapt. 29C; that the Treasurer, with the approval of the Mayor, is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust ("Trust") established pursuant to Chapt. 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and to otherwise contract with the Trust and Dept. of Environmental Protection with respect to such loan and for any federal or state aid available for the project or the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Dept. of Environmental Protection; to expend all funds available for the project and to take any other action necessary to carry out the project.

At the public hearing, all interested persons will have the opportunity to be heard.

By Vote of the City Council
Linda T. Lowe, City Clerk

GT - 6/16/11

from Main Street to the Harbor Walk they're hoping to string them with vertical elements with thin lights across which she felt would enhance it. **Councilor Curcuru** noted that they are City alleys and are used for parking and expressed concern it would be a problem to get private individuals and delivery trucks to stop parking in these two particular alleys; as they now will need to be kept clear. **Mr. Duggan** stated as long as it is public property they will enforce the ordinance to keep the ways clear. **Councilor Hardy** asked about the rigging points which **Ms. Garcia** described them as looking like ships rigging and have lights that are simple to maintain at St. Peter's and at I4-C2 creating a natural gateway to the Harbor Walk about the height of a telephone pole. The poles would be about 8-10 ft. apart. **Councilor Curcuru** asked about stone on the walk. **Ms. Garcia** stated they're trying to connect up different materials and described some of the design elements to the Committee, such as at I4-C2 where they would mix the wood of the wharf with a mix of stone and then eventually lead out to all stone-like material. In many places it will be a mix of existing wood and brick and "Gloucester mix paving". It won't be a huge line but more like you always know you are on a boardwalk or realize you are on the Harbor Walk which was key to people knowing they're on it. They won't use it on Main Street in the civic center area. **Councilor McGeary** noted there will be signage along the way. **Ms. Garcia** stated the story moments will be used as way finding spots. **Councilor Curcuru** wondered if the Council would ask the same questions as they have. **Ms. Garcia** stated in this Mayor's Report for the upcoming Council packet it will have something on the off-street parking regarding the Harbor Walk and thought she could invite Cambridge Associates to the first Council meeting in July to give them a full presentation feeling it was much better than hearing it piecemeal if it was amenable. **Councilor Hardy** asked if the Harbor Walk was able to be seen from the waterways. **Ms. Garcia** stated they would definitely see it at St. Peter's Park and a clear point of entry at I4-C2. **Councilor McGeary** asked about I4-C2 and the materials to be used there. **Ms. Garcia** noted they are to be temporary materials in light of possible development of that property.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c. 44, §53A to accept \$700,000 from the Seaport Advisory Council for the purpose of funding design and construction of the downtown and waterfront Harborwalk.

The Committee recessed at 8:22 p.m. and reconvened at 8:27 p.m.

15. *Memo from the Mayor's office on financial issues re: School Department*

With regards to the memo to the School Committee Chair, Val Gilman and Superintendent Safier from Mayor Kirk regarding School Department with end of year financial issues touching upon the excessive utilities and the \$75,000 they expected out of the operating account of the rink, the Committee discussed the matter with Mr. Duggan and Mr. Towne of the issues raised by it.

No action was taken by the Committee on this matter and is considered closed at this time.

16. *Request from School Committee for Council Support and Vote re: Charter Funding Resolution*

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that the City Clerk draft a letter from the City Council in support of School Committee's Charter Funding Resolution.

17. *Memorandum from Larry Durkin, Environmental Engineer re: Loan Authorization of \$4.5 million to Fund 1st year of the Phase 3 Public Water System Upgrades*

Larry Durkin, Environmental Engineer explained that the DPW is requesting the approval of a loan authorization for the purpose of funding Phase 3 Water System Upgrades (DWSRF #3509) of \$4,567,500 which would fund the first year, which is necessary to provide safe, adequate and compliant drinking water to the City of Gloucester. The City is required to appropriate this first year Phase 3 money by June 30, 2011, in order to receive a 2% interest loan under the MA Dept. of Environmental Protection (MassDEP) Drinking Water State Revolving Fund (DWSRF) project #3509. **Mr. Durkin** stated the first phase is Phase 3A – storage tanks. The Plum Cove tank needs significant repair and is more than \$800,000 for structural repairs. The good news, in a recent inspection on the Blackburn Tank showed it had minimal painting needed. It will be balanced out. These will also most likely be solar mixing tanks at both tanks and at Bond Hill. With the chloramines it is more effective to have the mixing

systems in the tank. If it ever got to be a bad situation they'd have the equipment and system to deal with it at the tank by adding more disinfectant right at the storage tanks with superior mixing ability. **Mr. Hale** noted with the gallon size drums that they have to put in the tanks there is no good way to mix the additives in unless there are internal mixing systems. **Mr. Hale** continued when they submitted for this Phase 3 project as part of their submittal to the DEP for \$10.5 million of projects, they ranked second highest in the Commonwealth in need (Springfield was the only community rated higher than Gloucester). That is the State's commitment to the City. Once this loan authorization goes through, they need to know they have the commitment to spend the money. There will be some principal forgiveness on this borrowing. **Councilor Curcuru** expressed his concern there could be more work revealed once they start on this phase. **Mr. Hale** stated sometimes you do work and find more work behind it, like at the Babson plant. This has been a lot more detailed look. They have spent time looking at the situation. On inquiry by **Councilor Curcuru**, **Mr. Towne** stated it is similar to ARRA funds. They may have a lesser principal to pay back and therefore less interest. The short term will be in FY13 before they have to pay. There is temporary borrowing in water and sewer to cover this. The long term would be at least 18 months from now. Again on inquiry from **Councilor Curcuru**, **Mr. Hale** stated this comes up in a sanitary survey which is an inspection by the State last done in 2008. Much of what they are doing is rudimentary to the primary water system. The Plum Cove tank was installed in 1988-1990. The water quality of the tank was always poor. The boil order showed some weaknesses. **Mr. Towne** stated they only presented the CIAB with general fund information as that is what they told them that was what they were going to get. **Councilor Curcuru** noted the CIAB weren't picking up where they were at the time. **Mr. Towne** responded in October they designed the forms they wanted submitted to them. They needed to get it back to the Mayor by early March for budget recommendations. He stated this was a ramp up year; and **Mr. Hale** added that process was vacated for so many years. The last document for planning was done in 2002. A capital plan is a solution for those problems. It needs analysis for space and mechanical pieces. With the Facilities Manager finally looking beyond playing catch up, they'll be more able to move forward that way. **Mr. Towne** noted it will be 2% on long term not-forgiven principal with not so much debt coming off water and sewer. **Mr. Hale** stated this stuff has to be done. **Councilor Curcuru** noted this would be on the rate payers however. Phase 3 was originally submitted as one project. **He also** pointed out there is more to come as they have the underground pipes to replace and the canal tunnel. **Mr. Hale** stated they borrowed for the investigation. They have dams coming up also. On inquiry by **Councilor Curcuru**, **Mr. Hale** stated the rates would rise as result. **Mr. Duggan** informed the Committee the State is drafting guidelines for infrastructure work to make applications by municipalities as a grant. There are many things that could be eligible. As they shape the program it would come out in the fall; and the City would take advantage of that for the other \$5 million; and there would be no match. He wanted the Committee to know they are being pro-active as to need. **Mr. Hale** stated the boil water order showed how much needed to be done and proved to the State how great the City's need was which helped to rank them second in the State. Gloucester is not unlike other communities across the country with what they're dealing with in infrastructure issues. The City has a big infrastructure with a small population. **Councilor Hardy** asked when this would affect the water rate. **Mr. Towne** suggested in FY13 to FY14. It would be \$250,000 of a debt service payment a year, which would be 5% of the budget. This is the most effective way to borrow the money according to **Mr. Hale**. It is better than market rate. They'll start the work the minute they get the go ahead to start engineering. **Mr. Durkin** stated the project needs to be out to bid by April to be fast tracked. They're looking at six months of engineering. The forgiveness last year was 30%, and even at half would be great, stated **Mr. Hale**. **Councilor McGeary** asked what will be completed in year 1. **Mr. Durkin** stated they're working on all five phases, but perhaps the master plan. Right now the West Gloucester plant is not up to the shape as Babson with some elements being 40 years old. They have a generator that doesn't have an automatic transfer switch. He noted they're sending 30-60 million gallons to the waste water treatment plant; but if they put in a recycling system they could have that much more available in West Gloucester which would ease the situation on Essex Avenue, for just one part of the project. This allows for more water to be made available which helps to drive economic growth and more capacity for the waste water treatment plant. The payback on the recycling system would be about \$150,000 and in three years would pay for itself. Then they have the plants in good shape and maintain them which is always cheaper. Beyond that, the master plan (by a grant) will identify the priority of what pipelines need to be replaced; these are 1969-1970 plants. There'll be a building analysis of the structures. This is the type of thing that will go to the CIAB according to **Mr. Hale**. **Councilor Curcuru** thought the idea of a mega-plant is out then. **Mr. Durkin** stated that would be about 20 years out. **Mr. Hale** felt the investment in Babson with good maintenance would give them 15-20 years. Even with a mega-plant they still have to invest in West Gloucester. They spent \$900,000 for filters in West Gloucester for the original pumps. He touched upon the sedimentation equipment issues as well. When they finished West Gloucester two years ago they thought they had a good plant. But after finishing the work at Babson they realized West Gloucester needed similar improvements. The plan is to make the Klondike Plant to be an

automated facility and to be run more often as it is a good source of water. The idea would be to put the contract operator 3-4 hours a day there and run it remotely from either West Gloucester or Babson. Both **Mr. Hale** and **Mr. Durkin** lauded their contract operator Veolia. He described a vault with a valve to be put in at Dennison Street as the water gets very old there. Water doesn't flow through well and has to be drained. This remote controlled valve will control the flow to make the water be drawn out appropriately and keep the water fresh, unlike now which requires frequent drainage. They are staying on top of it; and this new system will keep the water even fresher. No matter how much you mix old water, it's old water. The age of the water in the tank is old for every hour it is out of the plant. The idea is to use the water where it is held. **Councilor Curcuro** asked about the West Gloucester system. **Mr. Hale** stated the lower Essex Avenue issue is that there is no slope to the pipe. **Mr. Durkin** stated to the extent they can minimize the impact from the plant – and **Mr. Hale** added if they can keep 30 million gallons out of the plant it is all to the good. **Councilor Hardy** asked about whether the tank at Plum Cove should just be replaced. **Mr. Hale** explained the tank is not that old. The life expectancy of the tank once repaired and properly maintained will last at least 20 years. **Mr. Durkin** noted it is now institutionalized maintenance. They'll be doing their own sanitary survey every year and stay on top of things. **Mr. Hale** added they need a local appropriation by June 30th but could let the Trust know that they have gotten it through sub-Committee. They did have a discussion several weeks ago with the Trust about this very thing. The Trust told them if it is in the works they can let it go a little bit but have to know it is moving forward.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council the following Loan Order:

Ordered: That up to \$4,500,000 be appropriated for the purpose of making improvements to the City's Public Water System including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; that to meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow up to \$4,500,000 and to issue bonds or notes thereof under Chapter 44 of the General Laws and/or Chapter 29C of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the City unless the Treasurer, with the approval of the Mayor determines that they should be issued as limited obligations and may be secured by local system revenues as defined in Section 1 of Chapter 29C; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust ("Trust") established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project and to take any other action necessary to carry out the project; and further to ADVERTISE FOR PUBLIC HEARING.

18. *Discussion with Community Development Director, Acting Health Department Director and School Department CFO on FY11 Year End financial procedures*

This matter was tabled.

19. *Ongoing City Financial Review*

The Committee, Mr. Towne and Mr. Duggan discussed the FY12 budget issues to date and bringing the budget to Council and how that may be done over the next two weeks.

20. *Memo from City Auditor regarding accounts having expenditures which exceed their authorization*

By unanimous consent the B&F Committee voted to end their meeting by 9:45 p.m.

Mr. Costa reviewed his documentation (submitted at the meeting and on file) with the Committee.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:37 p.m.

Respectfully submitted,



GLOUCESTER CITY COUNCIL 2011 PUBLIC HEARING

PUBLIC HEARING NUMBER: PH2011-040
SUBJECT: Loan Order #2011-005: Loan Authorization in the amount of \$450,000 re: Nate Ross Field -\$50,000 and Dorothy Talbot Memorial Rink \$400,000

DATE OPENED: 06/28/11
CONTINUED TO:
CONTINUED FROM:
COMMITTEE: B&F 06/09/11

LEGAL NOTICE LEGAL NOTICE

NOTICE OF A PUBLIC HEARING

In accordance with the provisions of City Charter Section 2-11(d), the Gloucester City Council will hold a public hearing on Tuesday, June 28, 2011 at 7PM in the Kyrouz Auditorium, City Hall relative to the following:

**LOAN AUTHORIZATION #2011-05:
ATHLETIC AND RECREATIONAL FACILITIES
in the total amount of \$450,000
[Talbot Rink (\$400,000)
Nate Ross Field (\$50,000)]**

Whether, up to \$450,000 shall be appropriated for the purpose of making improvements to recreational facilities of the City, including without limitation all costs thereof as defined in G.L.44, Sec.7(9) and (25) or pursuant to any other enabling legislation. The improvements to Nate Ross Field include but are not limited to, equipment, spectator and athletes seating, fencing, drainage and parking totaling up to \$50,000; the amount borrowed to be repaid from the general funds of the City. The improvements to Dorothy Talbot Rink include but are not limited to dehumidification improvements, condenser improvements and low-E ceiling installation, totaling up to \$400,000, the amount borrowed to be paid out of the enterprise fund for the Dorothy Talbot Rink. To meet that appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow up to \$450,000 and to issue bonds or notes thereof under Chapt. 44 of the General laws or any other enabling authority; that such bonds or notes shall be general obligations of the City. The Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapt. 44A of the General Laws any or all of the bonds authorized under this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

At the Public hearing all interested persons will have the opportunity to be heard.

By Vote of the City Council
Linda T. Lowe, City Clerk

GT - 6/17/11

from the General Fund to the Enterprise Fund to make the annual payments on the rink debt for the roof which is paid twice a year. Mr. Towne stated he would do that with one transfer.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council the payment of invoices for professional services rendered from April 12, 2011 to April 30, 2011 for the Green Repair Roof Project through the MSBA for the Beeman, East Gloucester, Veteran's Memorial and Plum Cove Elementary Schools and the O'Maley Middle School to CGKV Architects, Inc. as Designer for \$115,578.00 as follows to be paid from Fund #300077- CIP10-09 Schools Roof Replacements:

Beeman Memorial Elementary School	Invoice #2-1 dated 5/10/11	\$11,343.25
East Gloucester Elementary School	Invoice #3-1 dated 5/10/11	\$10,510.25
Plum Cove Elementary School	Invoice #4-1 dated 5/10/11	\$ 9,150.25
Veteran's Memorial Elementary School	Invoice #5-1 dated 5/10/11	\$12,448.25
O'Maley Middle School	Invoice #1-1 dated 5/10/11	<u>\$36,063.00</u>
	TOTAL	\$115,578.00

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council the payment of invoices for professional services rendered from March 25, 2011 to April 23, 2011 for the Green Repair Roof Project through the MSBA for the Beeman, East Gloucester, Veteran's Memorial, and Plum Cove Elementary Schools and the O'Maley Middle School to Knight, Bagge & Anderson, Inc. as Owner's Project Management for a total of \$15,000.00 at \$3,000 per school, as invoiced on April 28, 2011 (all invoices annotated as Invoice Number 1). Funds are to be paid from Fund #300077- CIP10-09 Schools Roof Replacements.

8. Memorandum from DPW Director re: request for funding for athletic (Nate Ross Field \$50,000) and Recreational facilities (Dorothy Talbot Rink \$400,000) for a total of \$450,000 Loan Authorization

Mike Hale, DPW Director explained to the Committee that two recreational facilities, Nate Ross Field and the Dorothy Talbot Memorial Rink, (touched upon at the Budget Review on June 7th) are in great need of repair work and is asking for a total loan authorization of \$450,000 to complete these necessary repairs. He broke down the needs as follows:

Nate Ross Field

This field is home to the GHS varsity baseball team and the American Legion baseball team, the Gloucester Senior Babe Ruth baseball program and the Gloucester Senior League baseball program. The issue was brought to their attention by coaches, parents and concerned citizens. The field is used on a daily basis from April 1st to mid-summer and then again in the fall from September to late October. The field's deteriorating condition has raised concerns for the safety of players and spectators. He enumerated the deficiencies as follows:

- Right field fence separating the baseball field from the O'Maley School track is in need of replacement
- Players' benches for both home and away teams need to be replaced.
- There is no separation between the player's bench area and the fans that stand along the fence. The entire bench area should be enclosed with a six-foot high chain link fence to protect players and team staff.
- Current bleachers accommodate approximately 25-30 people. An appropriate set of bleachers would accommodate at least 100 spectators and needs to include safety fencing along the sides and back row of bleachers.
- There is no safe place for either a home team or visiting team to have a pitcher warm up. A fully-enclosed bullpen (6 ft. high chain link fence (that has room for two pitchers to warm up side by side is appropriate for player and spectator safety.
- There are drainage issues in both the out-and-in-field areas in need to attention to protect the investment made in the field over the years. The outfield needs drainage ditches installed that will direct water away from the playing surface to the sides of the field. The infield issue could be solved with the purchase of an infield cover to keep water off the clay base paths.
- There is a serious lack off-street parking. It has been suggested to pave over two existing grass areas around the skate park to provide for at least 25-30 vehicles.

This is a General Fund obligation.

Dorothy Talbot Rink

When on July 1st the DPW assumed maintenance of the school facilities, this included the Dorothy Talbot Rink. Significant deficiencies with the mechanical elements of the rink, as well as safety issues with the rink's boards and glass were noted by rink professionals and committees. These issues were observed by all on the rink tour which included members of the City Council. Since the merger of the City and School facilities, the City Council voted to create an enterprise account for the Talbot Rink. The proposed improvements will be funded through the revenue generated by the Talbot Rink. The improvements/repairs proposed are as follows:

- The rink dehumidification system has been non-functioning for a number of years. Without an efficient dehumidification system, moisture precipitates, forming fog over the rink and condensation inside the building as well as on the ice sheet. This affects wood, metal and synthetic surfaces causing rust and mold. It also requires significant energy costs as the refrigeration system must work harder to freeze the condensate removing its heat through several inches of ice, and causes holes in the ice. Another mechanical aspect is the replacement of the condensers. These units sit outside the rink and have reached the end of their useful life. They are a primary element of making ice. Without condensers there is no ice surface. The condensers are a part of the original ice making system and are past life expectancy. They have to be replaced before they can open up in September of 2011.
- The whole dasherboard system at the rink is past its life expectancy also. While the maintenance staff has made every reasonable effort to repair the boards and replace broken glass panels, the boards have significant rot along the ice surface and there are alignment issues with edges protruding out. The cap rail has considerable damage throughout the entire dasherboard system. The penalty boxes and player benches are too small causing people to lean up against the glass. The support mechanism for this system is deficient resulting in sagging or bulging sections of boards. There are many dangerous catch points that could injure skaters during recreational and competitive events. There are no possible additional repairs that will save the existing dasherboard system. It must be replaced. The new dasherboard system was described by Mr. Hale. They have just enough time to get this done, installed, up and running by September if this loan order goes through. The largest supplier of these systems is now on the pre-approved vendor list for the State and the prices are excellent, around \$125,000. A representative of Cape Ann Youth Hockey was present also.
- As part of the Green Buildings Program, the grant provides for some funding for a low E ceiling. An E ceiling will help deflect heat from the outside reducing cooling costs to the rink, reducing total energy costs. Most modern rinks have taken advantage of the use of low E ceiling materials. The fund provided under the program will cover approximately 60% of the necessary funding, and the loan request would support the balance.

Mr. Towne stated this would be about \$10,000 to be carried for one year, as the work will be done and will bond more quickly. **Mr. Hale** stated they've looked to borrow what they can afford to pay back. The inside door is also integral to keeping the humidity down in the rink. **Councilor Curcuro** didn't have a problem with authorizing the \$400,000. **Mr. Hale** pointed out the original matting around the rink has large gaps with is another place the money could be spent. The rink has had no capital work in years. **Mr. Towne** stated the long term cost would be about \$40,000 per year. **Councilor Hardy** asked since \$50,000 is for the General Fund for Nate Ross should they be separated out. **Mr. Costa** stated they need separate debt service schedules. **Mr. Towne** stated for his purposes it made no difference to have two separate motions. When it is voted it should state that the \$50,000 debt to come out of General Fund Taxation and the \$400,000 debt to come out of the Dorothy Talbot Rink Enterprise Fund. **Mr. Costa** stated that the original loan authorization for the dehumidification system which **Mr. Towne** agreed with that the \$16,000 left in that already borrowed loan authorization be spent first. **Councilor McGearry** asked about the hot water system for the rink. **Mr. Hale** noted it may be one of those things they can include when they bring gas into the building as part of the energy efficiency improvements. His staff can install the unit and felt it important it is important that the staff install this to see how it goes together. The extra labor he can have some of their younger summer help with this. The boards are pre-assembled and a standard configuration. It should be simple to install. The ice is now shut down and doors are open to dry the rink out. **Councilor Curcuro** stated this is the first step. **Pete Scola**, 70 Harrison Avenue, president of Cape Ann Youth Hockey expressed his excitement at the possible improvements. He related when the rink was first built it was "a gem" and would like to see it brought back to its former glory. **Councilor Hardy** looked forward to the rededication of the rink. **Mr. Hale** would have the Council there to see the improvements later in the summer. **Mr. Towne** would like to take the language back to Bond

Counsel to be approved by the Bond Counsel. **Councilor Hardy** stated the language to be voted on at the City Council public hearing will be the approved language by Bond Counsel.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the following Loan Order:

Ordered: That up to \$450,000 is appropriated for the purpose of making improvements to recreational facilities of the City, including without limitation all costs thereof as defined in G.L. c. 44, §7(9) and (25) or pursuant to any other enabling legislation. The improvements to Nate Ross Field include but are not limited to, equipment, spectator and athletes seating, fencing, drainage and parking totaling up to \$50,000; the amount borrowed to be repaid from the general funds of the City. The improvements to Dorothy Talbot Rink include but are not limited to dehumidification improvements, condenser improvements and a low-E ceiling installation, totaling up to \$400,000, the amount borrowed to be paid out of the enterprise fund for the Dorothy Talbot Rink. To meet that appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow up to \$450,000 and to issue bonds or notes thereof under Chapter 44 of the General Laws or any other enabling authority; that such bonds or notes shall be general obligations of the City. The Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes and to ADVERTISE FOR A PUBLIC HEARING.

[Councilor Hardy stepped away from the meeting at 7:32 p.m.]

9. *Memorandum from Police Chief re: grant available from the U.S. Dept of Justice, Office of Community Oriented Policing Services*

Police Chief Michael Lane explained to the Committee that the department had received notification of the availability in early May of a grant offered by the U.S. Department of Justice, Office of Community-Oriented Policing Services. Grant awardees would be provided with 100% funding for approved entry-level salaries and benefits for three years for newly-hired, full-time sworn officer positions (including filling existing unfunded vacancies or for rehired officers who have been laid off, or are scheduled to be laid off on a specific future date as a result of local budget cuts.). At the completion of the three year period, the City would be required to maintain those positions for a minimum one year period. He noted in past years the GPD has applied for this same grant, but has not received an award. They hope to fare better in this round of applications. There is no match requirement or cap on the amount of funding that can be requested per officer position, but the CHP grant funding will be based on their current entry-level salary and fringe benefits packages. The deadline was May 25, 2011, and this is an after-the-fact request. They would look to put on three officers if awarded. The chances are slim that they would get this but it was due diligence on their part and felt it was worth the effort. They applied for the same grant in May of 2009 and did not get the grant then. They sent copies of the grant to the State Representative Ferrante and State Sen. Tarr asking for their assistance in pursuing this grant. It is a \$200 million nation-wide available. **Mr. Towne** pointed out that if this is bringing back lay off officers they would have to pay them the difference between the grade and step. **Mr. Costa** noted the appropriate paperwork had been filed.

MOTION: On motion by Councilor McGeary, seconded by Councilor Curcuru, the Budget & Finance Committee voted 2 in favor, 0 opposed to recommend to the City Council that the Police Department be granted permission to apply for a grant from the U.S. Department of Justice, Office of Community-Oriented Policing Services to provide for the 100% funding for approved entry level salaries and benefits for three years for newly hired, full-time sworn police officer positions in an after-the-fact submission.

Councilor Hardy returned to the meeting at 7:42 p.m.

The Committee recessed at 7:45 p.m. and reconvened at 7:53 p.m.

10. *Memorandum from Community Development Director re: permission to apply for \$500,000 grant for Newell Stadium Renewal Project*



Gloucester City Council
CERTIFICATE OF VOTE
Certificate Number: 2011-084

The Gloucester City Council, at a meeting held on **Tuesday, May 10 2011** at 7:00 p.m. in the Kyrouz Auditorium, City Hall, voted to approve the following actions:

IN CITY COUNCIL:

MOTION: On motion by Councilor Tobey, seconded by Councilor Verga, the City Council voted BY ROLL CALL 9 in favor, 0 opposed that under City Charter §2-11(b) there is an emergency arising from a threat to public health inasmuch as the parking of cars on the landfill cap at the Magnolia Woods can breach the cap and cause the pollution of water bodies downstream of the site with contaminants detrimental to human health.

EMERGENCY ORDINANCE:

MOTION: On motion by Councilor Tobey, seconded by Councilor Verga, the City Council voted BY ROLL CALL 9 in favor, 0 opposed to AMEND Section 22-242 "Parking Prohibition, Towing, Immobilization, Signs" by ADDING sub-part (14), "No Parking at the Magnolia Woods east and south of the turnaround on the entrance road, this prohibition extending to all playing fields and surrounding slopes and to all paved walkways, with parking allowed only in designated parking areas.

Linda T. Lowe, City Clerk

Date:

5/10/2011

Expires in 61 days unless enacted.