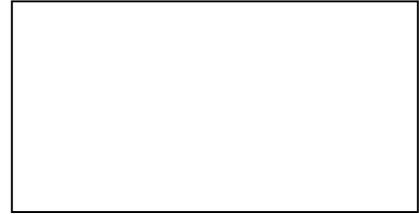




**GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS**  
**TUESDAY, March 25, 2014**  
**7:00 P.M.**  
**KYROUZ AUDITORIUM, CITY HALL**  
**COUNCIL MEETING #2014-006**



**FLAG SALUTE & MOMENT OF SILENCE**

**ORAL COMMUNICATIONS**

**PRESENTATIONS/COMMENDATIONS**

Sally Polzin, Personnel Director and John Dunn, CFO re: update on GIC Insurance

Fire Chief Eric Smith re: Update on Blynman Bridge

**CONFIRMATION OF NEW APPOINTMENTS**

Cable TV Advisory Committee Ryan Sawyer TTE 02/14/17

Cable TV Advisory Committee Thomas Manning TTE 02/14/17

Cable TV Advisory Committee Grant Harris TTE 02/14/17

**CONSENT AGENDA**

**ACTION**

• **CONFIRMATION OF REAPPOINTMENTS**

Cable TV Advisory Committee Robert McGillivray TTE 02/14/17

Waterways Board David McCauley -At Large Member, Robert Gillis - Economic Development Member TTE 02/14/17

• **MAYOR'S REPORT**

1. Appointment of Director of Veterans' Services/Veterans' Agent Adam Curcuro TTE 02/14/16 (Refer O&A)
2. Memorandum from Harbor Planning Director and completed copy of the Study of Dockage in the Designated Port Area (Info Only)
3. Memorandum from General Counsel re: Gloucester/Rockport Intermunicipal Agreement (IMA) for sewer services (Refer P&D)
4. Memorandum from Senior Engineering Aide re: Proposed Street Naming and Numbering Plans (Refer P&D)
5. Special Budgetary Transfer Request (#2014-SBT-21) from the Police Department (Refer B&F)
6. Special Budgetary Transfer Request (#2014-SBT-22) from the Police Department (Refer B&F)
7. Special Budgetary Transfer Request (#2014-SBT-23) from the Police Department (Refer B&F)
8. Special Budgetary Transfer Request (#2014-SBT-24) from the School Department (Refer B&F)
9. Special Budgetary Transfer Request (#2014-SBT-25) from the Department of Public Works (Refer B&F)
10. Special Budgetary Transfer Request (#2014-SBT-26) from the Department of Public Works (Refer B&F)
11. Special Budgetary Transfer Request (#2014-SBT-27) from the Department of Public Works (Refer B&F)
12. Special Budgetary Transfer Request (#2014-SBT-28) from the Department of Public Works (Refer B&F)
13. Special Budgetary Transfer Request (#2014-SBT-29) from the City Clerk's Office (Refer B&F)
14. Supplemental Appropriation-Budgetary Request (#2014-SA-63) from the Mayor's Office (Refer B&F)
15. Memorandum from Chief Administrative Officer re: withdrawal of the reappointment of Susan Albiero to the Historical Commission (Info Only)

• **COMMUNICATIONS/INVITATIONS**

1. Response to Oral Communications of February 25, 2014 City Council Meeting to Phil Dench (File)
2. Invitation to the 4<sup>th</sup> Annual Community Health Activist Award Breakfast honoring Sefatia Giambanco Romeo Theken (Info Only)

• **INFORMATION ONLY**

• **APPLICATIONS/PETITIONS**

1. Application for License of Flammable and Combustible Liquids, Flammable Gases and Solids re: 27 Maplewood Avenue (Refer P&D)

• **COUNCILLORS ORDERS**

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

1. City Council Meeting 03/11/14 (Approve/File)
2. Standing Committee Meetings: B&F 03/20/14 (under separate cover), O&A 03/17/14, P&D 03/19/14, Joint Meeting P&D and Planning Board 03/06/14 (under separate cover) (Approve/File)

**STANDING COMMITTEE REPORTS**

**ACTION**

B&F 03/20/14, O&A 03/17/14, P&D 03/19/14

**SCHEDULED PUBLIC HEARING**

1. PH2014-005: Group Free Petition under City Charter Sec. 9-1(b) re: Leash Free Gloucester Beaches Petition which requests the City Council to amend the Code of ordinances Sec. 4-16a "Dogs prohibited on beaches at certain times" (cont'd from 01/28/14)
2. PH2014-020: SCP2014-2014-003: East Main Street #49, GZO Sec. 2.3.1(6) conversion to or new multi-family or apartment dwelling, three dwelling units
3. PH2014-021: Amend GCO Sec. 22-287 "Disabled veteran, handicapped parking" re: Proctor Street #12
4. PH2014-022: Amend GCO Sec. 22-269 "Stop intersections" re: intersection of Pleasant Street & Prospect Street
5. PH2014-023 Amend GCO Sec. 16.1 "Grant Applications"

**FOR COUNCIL VOTE**

1. CC2014-009(LeBlanc/McGeary/Cox) Council support of location of sculpture at Grant Circle (FCV)
2. CC2014-010(Lundberg/Theken) Resolution requesting state apply its share of \$75 million in disaster relief funding for fisheries, provided in 2014 Federal omnibus appropriations bill, to direct disaster mitigation to affected fishing businesses (FCV)

**UNFINISHED BUSINESS**

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

**COUNCILLOR'S REQUESTS TO THE MAYOR**

**ROLL CALL** – Councillor Paul McGeary

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

**NEXT REGULAR CITY COUNCIL MEETING, April 8, 2014**

Linda T. Lowe, City Clerk

**Minutes filed in City Clerk's Office of other Boards and Commissions March 7, 2014 through March 20, 2014:**

Board of Assessors 02/26/14, 03/06/14, City Hall Restoration Commission 02/03/14, 02/24/14, 03/03/14, Committee for the Arts, 02/19/14, Gloucester Shellfish Advisory Board 02/11/14

**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: March 18, 2014  
RE: Mayor's Report for the March 25, 2014 City Council Meeting

14 MAR 19 AM 9:48  
CITY CLERK  
GLOUCESTER, MA

Councilors:

I am pleased to announce that **Adam Curcuru** has been hired as the new Director of Veterans' Services/Veterans' Agent. Adam began his employment on March 17, 2014. Pursuant to the amendment to the Gloucester Code of Ordinances, "Chapter 2, Article IV, Division 4, Department of Veterans' Services Sec. 2-291", as voted by the City Council on July 24, 2012, the Administration is requesting approval of **Adam Curcuru** as Director of Veterans' Services/Veterans' Agent for the City of Gloucester, for a two year term to expire on February 14, 2016. Included as **Enclosure 1** is a copy of Mr. Curcuru's resume and the job description for the Veterans Agent. *Please refer this matter to the **Ordinance and Administration** subcommittee for review and approval.*

Other matters requiring your attention and review are as follows:

Included as **Enclosure 2 for your information** is a memorandum from Harbor Planning Director Sarah Garcia and a completed copy of the Study of Dockage in the Designated Port Area.

**Enclosure 3** is a memorandum from General Counsel Suzanne Egan regarding the Gloucester/Rockport Intermunicipal Agreement (IMA) for sewer services. *Please refer this matter to the **Planning and Development** subcommittee for review and approval.* Appropriate City Staff will be available to answer questions and provide further information as required.

**Enclosure 4** is a memorandum from Karen Andrews, Engineering Aide, regarding Proposed Street Naming and Numbering Plans. *Please refer this matter to the **Planning and Development** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 5** is a Special Budgetary Transfer Request (**#2014-SBT-21**) from the Police Department. *Please refer #2014-SBT-21 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 6** is a Special Budgetary Transfer Request (**#2014-SBT-22**) from the Police Department. *Please refer #2014-SBT-22 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 7** is a Special Budgetary Transfer Request (**#2014-SBT-23**) from the Police Department. *Please refer #2014-SBT-23 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

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**

**Enclosure 8** is a Special Budgetary Transfer Request (**#2014-SBT-24**) from the School Department. *Please refer #2014-SBT-24 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City and School staff will be available to answer questions and provide further information as required.

**Enclosure 9** is a Special Budgetary Transfer Request (**#2014-SBT-25**) from the Department of Public Works. *Please refer #2014-SBT-25 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 10** is a Special Budgetary Transfer Request (**#2014-SBT-26**) from the Department of Public Works. *Please refer #2014-SBT-26 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 11** is a Special Budgetary Transfer Request (**#2014-SBT-27**) from the Department of Public Works. *Please refer #2014-SBT-27 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 12** is a Special Budgetary Transfer Request (**#2014-SBT-28**) from the Department of Public Works. *Please refer #2014-SBT-28 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 13** is a Special Budgetary Transfer Request (**#2014-SBT-29**) from the City Clerk's Office. *Please refer #2014-SBT-29 to the **Budget and Finance** subcommittee for review.* Appropriate City staff will be available to answer questions and provide further information as required.

**Enclosure 14** is a Supplemental Appropriation-Budgetary Request (**#2014-SA-63**) from the Mayor's Office. *Please refer #2014-SA-63 to the **Budget and Finance** subcommittee for review and approval.* Appropriate City staff will be available to answer questions and provide further information as required.

**Boards, Committees & Commissions:**

**Enclosure 15 for your information** is a memorandum from Chief Administrative Officer Jim Duggan regarding the withdrawal of the reappointment of Susan Albiero to the Historical Commission.

# **ENCLOSURE 1**

RECEIVED  
JAN 07 2011

BY: \_\_\_\_\_

ADAM CURCURU

Gloucester City Hall  
Personnel Department  
9 Dale Avenue  
Gloucester, MA 01930.  
Fax (978) 282-3055  
Email: [dprophet@gloucester-ma.gov](mailto:dprophet@gloucester-ma.gov)

To Whom It May Concern,

I am submitting my resume for your review for the position of Director of Veterans' Services for the City of Gloucester. As my resume will demonstrate I have substantial experience working with and on behalf of Veterans.

I was honorably discharged from the United States Marine Corps in 2010. While on active duty I operated as a small unit leader, and my service included combat deployments to both Iraq and Afghanistan.

Since leaving active duty in late 2010, I have had the opportunity and honor to work closely with the Office of Veterans Services' in Gloucester, including successfully completing an internship and taking an active role in the Veterans of Foreign Wars Organization and the American Legion Organization in the City of Gloucester. Through working with these groups I have been able to assist fellow veterans by ensuring they are aware and take advantage of the various benefits, programs and services available to them, it has been the hallmark of my endeavors.

During the internship I trained in both the Gloucester Office of Veterans' Services, working closely with Rich Barbato, and the Beverly Office of Veterans Services. I am familiar with Chapter 115, the VSMSS system utilized to process Chapter 115 claims, as well as the myriad of different applications and paperwork concerning the Veterans Administration, with pertinence to disability, compensation, and healthcare. I am proficient as a peer support specialist regarding veterans, and am often sought out in the community for guidance and advice regarding veterans' affairs and services.

My interest in the position stems from significant amount of time spent developing, mentoring and motivating Marines in the U.S.M.C. to achieve whatever mission we were tasked with, and continuing on forward by assisting fellow veterans' since leaving active duty.

I am confident that I have the drive, poise, compassion, and professionalism needed to fill the position of Director of Veterans Services for the City of Gloucester, to be a strong advocate for Gloucester's veterans and be an asset to your staff.

Very Respectfully,



ADAM CURCURU

Enclosure(s): 1.) Resume. 2.) DD-214 Military Discharge

# Adam Curcuru

## Veteran's Service/ Training

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- **Veteran Service Officer Internship**

Completed Internship with the Gloucester VSO and cross-trained with the Beverly Service Officer. I was familiarized with the VA VSMSS system, entering Chapter 115 benefits, and preparation of VA compensation/pension claims. In order to support the veterans of the community I regularly attended veterans' organization meetings in Gloucester to include; The American Legion, The AMVETS, Veterans' of Foreign Wars, and Disabled American Veterans'.

- **Gloucester's Squares and Memorials Project**

Assisted in the collection of data and conducted research necessary for the presentation of the Gloucester Memorial Squares Project. Additionally, I created the PowerPoint Presentation and documentation for the Veteran Service Officer to present to the City Council, which has led to the approval of 24 new uniformed memorial signs to replace the existing damaged or missing signs this coming Spring.

- **Military Sexual Trauma Training (February 2012)**

Taught by Lowell Veterans Center: MST training is defined by the United States Department of Veterans Affairs (DVA) to refer to rape, sexual assault and sexual harassment that occur during military service. The training served as a tool to support individuals from the community who have experienced Military Sexual Trauma by understanding the sources made available and connecting these individual to additional resources in order to seek assistance.

- **Service Connected Disability Processing: Fully Developed Claims (July 2013)**

JFK Building Boston, MA: In order to continue the process of supporting veteran compensation claims, FDC training covered how to file an expedited claim for an injury which was directly related to or aggravated from time in service.

- **Veteran Service Officer Training ( October 28-30 2013)**

Leominster, MA: VSO training was conducted by the Massachusetts Department of Veterans Services.

The training consisted of Chapter 115 processing, veterans' compensation and pension claims, and education of guidelines set forth from the Commonwealth on veteran related matters.

- **War on Terror Coalition Cape Ann, Massachusetts**

Key-leader and one of the founding members of the organization which created a networking group of returning veterans to assist one another and actively participate for the greater good of the community for all veterans.

- **United Veteran's Council Member**

Assisted in the planning and organization of two successful veterans' fairs: Operation Commitment to Our Troops, and an Iraq and Afghanistan Benefits fair. I have also participated in the Veteran's Day and Memorial Day Ceremonies since my return to Gloucester in 2010. Aided in planning and conducting the American Legion Belated Welcome Home Vietnam Veterans' Dinner.

- **Patton "I Was There" Film Workshop**

Charter-member and current advisor for the program: The mission of the Patton Veterans Project, Inc. is to help current and former military service members coping with service-related post-traumatic stress through the production of short films that enable them to make sense of their traumatic experiences.

## **Education**

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**B.S Business Administration** May 2013  
**Salem State University**  
• Concentration: International Business

**B.S Political Science** May 2013  
**Salem State University**  
• Concentration: International Politics  
• National Honors: Pi Sigma Alpha

### **Economics Minor**

**First Responder Certification:** June 29, 2013  
**Emergency Care & Safety Institute**

## **Military History**

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### **United States Marine Corps**

**Deployment History:** Fallujah, Iraq December 2006- December 2010  
Marja, Afghanistan August 2007-February 2008  
December 2009-July 2010

### **Military Occupational Specialty: Motor Transportation**

**Awards:** Purple Heart Medal, Combat Action Ribbon, Presidential Unit Citation, Navy Unit Commendation, Good Conduct Medal, Iraq Campaign Medal, Afghanistan Campaign Medal, NATO Medal, National Defense Medal, Global War on Terror Medal, Sea Service Deployment Ribbon (2)

### **Positions Held:**

**Squad Leader:** Within this position I was charged with overseeing the day to day activities of eight individuals. Tasks included managing effectiveness, providing training, managing and delegating tasks.

**Hazmat Specialist: (*Training Certificate*)** My duty description included attending regular training in order to maintain environmental regulations within my unit's area of operation. I was tasked with providing my superiors with information regarding preventive measures related to hazardous materials as well as conducting reports on compliance with environmental regulations.

**Safety Non-Commissioned Officer (*Training Certificate*)** My job description included maintaining safety regulations in compliance with OSHA standards for my unit. This included maintaining OSHA standards as well as providing documents to superiors in regards to safety related incidents. Within this billet I was also charge with attending Fire Marshal training (*Training certificate*) in order to further maintain the effectiveness of safety and sustain fire department standards within my unit.

**DRMO Non-Commissioned Officer:** This position consisted of providing documentation and proper preparation for the turnover of military materials to civilian agencies aboard Camp Lejeune for demilitarization and disposal.

**Combat Positions:**

**Lead Vehicle Mine Roller Operator:** While in Iraq I served as the lead vehicle operator, attached to a mine rolling device. The duties included leading 100 vehicle convoys and ensuring their safety while operating through Iraq.

**Lead Vehicle Gunner:** Serving in Afghanistan I was charged with the security element of my convoy. I was placed in the lead vehicle and charged with the control of the security element.

**Employment History**

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**Varian Semiconductor Equipment**

December 2010-May 2011

**Position Held:** Shipping Warehouse Personnel  
Varian Semiconductor  
14 Blackburn Dr. Gloucester, MA 01930

**Community Service Work**

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**Vice President**  
Veterans Memorial School PTO

September 2011-September 2013

# CITY OF GLOUCESTER

## Job Description

**Title:** Veterans Agent

**Supervisor:** Chief Administrative Officer

**Grade:** M4

**Civil Service:** Provisional

**Union:** GMAA

**Supervision Exercised:** Senior Clerk and volunteers

### **Responsibilities:**

This position is responsible for providing assistance to local veterans under the provisions and directions of the State Department of Veteran Services (Ch. 115), U.S. Title Code 38 and Federal GI Bill of Rights. As Department Head, assumes direct responsibility for department results, reporting requirements and develops department goals, objectives and budget.

### **Duties:**

- ◆ Assists veterans and dependents in filing for benefits through the Department of Veterans Affairs. Assists with appeals of adverse decisions.
- ◆ Interviews and performs needs assessment of all applicants for veteran's benefits.
- ◆ Refers veterans to other agencies and institutions for assistance. Responds appropriately to other agencies.
- ◆ Communicates verbally or in writing veterans rights and benefits to individuals or groups of veterans.
- ◆ Performs regular outreach to educate the veterans and their families on available benefits.
- ◆ Performs home visits when needed.
- ◆ Assists veterans in job placement, housing, education and re-training programs.
- ◆ Prepares, screens, and monitors grants, prepares budget, annual report, and all financial transactions of department. Prepares/supervises payroll and payments.
- ◆ Attend all applicable Veteran's related meetings, conferences and training.
- ◆ Ensures all reimbursement due to city through timely reporting to state on all benefits paid.
- ◆ Participates in and advises Gloucester United Veterans Council on Memorial Day, Veterans Day, and other ceremonies and observances pertaining to veterans. Advocates for appropriate recognition of service.
- ◆ Monitors maintenance and upkeep of War and Veterans' Memorials city-wide. Advises administration if work is needed.
- ◆ Oversees usage and maintenance of Veterans' Center building, office and grounds.
- ◆ Supervises office staff and volunteers.
- ◆ Coordinates Veterans' Honor Flag weekly display.
- ◆ Ensures all veterans receive proper burials and grave markers. Maintains all records of veteran's graves in the city.
- ◆ Ensures all grave sites are decorated appropriately for Memorial Day and Veterans Day.
- ◆ Interacts with other community organizations, i.e. Chamber of Commerce, Rotary, etc., as spokesperson for veterans issues

**Qualifications:**

- ◆ Bachelor's Degree plus a minimum of three year's related experience in human relations, social work or related field. Prior experience in Veterans benefits administration preferred or any equivalent combination of education and experience.
- ◆ Supervisory ability.
- ◆ Considerable knowledge of Federal and State laws, regulations and codes pertaining to veterans services.
- ◆ Excellent oral and written communication skills
- ◆ Computer literacy.
- ◆ Strong skills in accounting and budgeting.
- ◆ Ability to deal with diverse groups of people and individuals and assumes a leadership role with community and government agencies.
- ◆ Must be flexible and able to function independently in a busy small office atmosphere.
- ◆ Training courses in veterans services conducted on State and/or Federal levels must be undertaken as required to update knowledge of law.
- ◆ Honorably Discharged Veteran of wartime service.
- ◆ Valid Massachusetts driver's license required.

# **ENCLOSURE 2**

City Hall Annex  
Three Pond Road  
Gloucester, MA 01930



CITY OF GLOUCESTER  
HARBOR PLANNING

TEL 978-282-8017  
FAX 978-281-9779  
sgarcia@gloucester-ma.gov

## MEMO

To: Mayor Carolyn Kirk  
From: Sarah Garcia, Harbor Planning Director *Sarah Garcia*  
CC: Fisheries Commission  
Dockage Subcommittee: Mark Ring, Patti Page, Jim Caulkett, Tony Gross, Peter Bent  
Date: March 5, 2014

I am very pleased to send you the completed Study of Dockage in the Designated Port Area. This study was commissioned by the Fisheries Commission, funded by the Seaport Advisory Council Economic Development grant, and written by Urban Harbors Institute, UMass Boston.

Two written surveys were conducted, one of property owners, the other of vessel owners; federal, state and local data bases acquired and analyzed; site visits held; and preliminary findings discussed at meetings of both the Fisheries Commission and Dockage Subcommittee.

From a combined list of 734 vessels with federal and or state permits whose homeport or principal port is Gloucester, or that landed fish in Gloucester in 2011, it was determined that as of February 2014, 210 commercial fishing vessels currently berth at docks/wharves in Gloucester Inner Harbor. There are other Gloucester-based commercial fishing vessels at moorings in the harbor and at other berthing locations elsewhere in Gloucester, but the focus of this study is berthing at the Gloucester Inner Harbor DPA properties. Table 1, on page 4 of the report, shows the number of commercial fishing vessels at each property location in the DPA.

Property owner dockage availability is documented both from survey responses, and from filling in all gaps with city aerial data and estimates verified by the dockage subcommittee. 38% of commercial fishing vessels are at docked at publicly-owned facilities. A comparison of commercial and recreational dockage fees is provided in Table 6.

As the report states, this is a snapshot in time. Our final count reflects a reduction of at least 12 to 15 vessels from our draft in the spring of 2013. During the same period, the waiting list at the State Fish Pier dropped from eight vessels to having an availability of five slips.

I would like to especially acknowledge Dockage Subcommittee members Mark Ring and Patti Page for their detailed attention to every aspect, and Jack Wiggin, the Director of UHI, for his personal attention for the extraordinary completeness of the report.

## Study of Dockage in Gloucester's Designated Port Area Summary

The Urban Harbors Institute (UHI), University of Massachusetts Boston assisted the Gloucester Fisheries Commission to conduct a study of commercial dockage in Gloucester Inner Harbor. The study presents a review of existing conditions and expected needs to serve as the basis for the Fisheries Commission to formulate recommendations for ensuring sufficient commercial dockage to support the future fishery. Strategies for the future Gloucester fisheries include measures to increase landings of groundfish, landings of alternative species, and value-added processing.

The Dockage Subcommittee<sup>1</sup> of the Fisheries Commission was instrumental to the study, meeting periodically to guide the process, reviewing progress, and providing assistance with filling in data gaps. The following narrative and tables provide a synopsis of the data and findings of the study. Spreadsheets of all data collected have been submitted in electronic format.

### Methodology

The study was carried out from late 2012 through early 2014 during which time two written surveys were conducted—one of property owners, the other of vessel owners; federal, state and local data bases acquired and analyzed; site visits held; and preliminary findings discussed at meetings of both the Fisheries Commission and Dockage Subcommittee.

#### 1. Property Owner Survey

In late 2012 a survey was sent by the Gloucester Fisheries Commission to each of the 77 owners of waterfront property in the Gloucester Designated Port Area (DPA), the purpose of which was to obtain data and information on:

- The linear feet of total dockage at the property and the amount used for commercial vessels.
- Water depth at the dock.
- Whether there is space available to expand dockage and if there is an expectation to do so.

Summary results of the property owner survey are in Attachment A.

#### 2. Vessel Owner Survey

To identify vessels that likely berth in Gloucester inner harbor or who land fish in Gloucester harbor (needing transient dockage), UHI obtained the following data bases containing information on commercial fishing vessels:

- a) National Marine Fisheries Service: 2012 Vessel Permits, all Northeast;
- b) National Marine Fisheries Service: 2012 Tuna Permits, all Northeast;
- c) National Marine Fisheries Service: permit list sorted by vessels that landed fish in Gloucester in 2011 (the last year for which the data had been compiled at that time);
- d) Massachusetts Department of Marine Fisheries: vessel permits for vessels greater than 20 ft. with Gloucester as their homeport or address location;
- e) Mass Lobstermen's Association, Inc., Gloucester vessels;
- f) Vessels in Sector II;
- g) Vessels in Sector III;
- h) data base compiled by Patti Page of about 200 commercial vessels observed in Gloucester Harbor;

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<sup>1</sup> Mark Ring, Peter Bent, Jim Caulkett, Sarah Garcia, Anthony Gross, Joe Orlando, Patti Page

- i) tenant lists from the State Fish Pier, St. Peters Marina, and Harbor Cove commercial docks.

From these, a single data base was created containing 734 vessels (digital file available). The record for each vessel contains the combined data from any of the lists in which it appeared.

Between September 24 and October 2, 2012, a survey was sent by the Gloucester Fisheries Commission to a total of 346 owners of commercial fishing vessels in the combined data base who listed Gloucester as home or principal port or landed fish in Gloucester. The survey was designed to obtain data and information on:

- Vessel characteristics (length, type)
- Dockage location, fees, amenities (water, electricity, shoreside access)
- Insurance
- Fishery, gear type
- Permits with and without allocations
- Future prospects in the fisheries

Summary results of the vessel owner survey are in Attachment B.

### 3. *Dockage Subcommittee Review and Input*

Subcommittee members augmented the data collection by filling data gaps with their personal knowledge of the harbor, by following-up with individual property and vessel owners, and estimating dockage lengths in the field and from aerial photographs.

## **Summary of Findings**

### *Commercial Fishing Vessels berthing in Gloucester Harbor*

Of the 734 vessels in the final combined list of vessels with federal and or state permits whose homeport or principal port is Gloucester, or that landed fish in Gloucester in 2011, it was determined that as of February 2014, 210 commercial fishing vessels currently berth at docks/wharves in Gloucester Inner Harbor. Changes in the fleet size and make-up were observed over the course of the study, so this number should be considered a snapshot in time. There are other Gloucester-based commercial fishing vessels at moorings in the harbor and at other berthing locations elsewhere in Gloucester, but the focus of this study is berthing at the Gloucester Inner Harbor DPA properties.

Table 1 depicts the commercial fishing vessels by location and fishery. The table shows the number of vessels at each of the 23 locations in the inner harbor where commercial vessels are reported to be docking. The properties and vessel berths are subtotaled for same subareas used in MCZM's recent DPA boundary review<sup>2</sup> as this is likely to be relevant to future recommendations for preserving existing and creating new commercial dockage. Attachment C lists the vessels, berthing location, size, and gear type of each vessel identified at dockage in Gloucester Harbor

Thirty-eight percent (38%) of the vessels are docked at "protected" berthing, defined here as dockage at publicly-owned facilities. It is believed that there is another category of dockage protected or reserved

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<sup>2</sup> During 2013, the Massachusetts Office of Coastal Zone Management (MCZM) conducted a boundary review of the Gloucester Designated Port Area (DPA) in accordance with procedures in 301 CMR 25.00. As part of its analysis, MCZM defined seven planning units within the Gloucester Harbor DPA, each comprising a coherent group of parcels that share physical, geographical, and land use characteristics. The boundary changes to the Gloucester DPA proposed by MCZM utilize these planning units.

for commercial fishing vessels by virtue of the terms of existing Chapter 91 licenses at private facilities, though the amount has not been systematically determined<sup>3</sup>.

Over two-thirds (68%) of the berthed fleet is made up of vessels less than 45 feet in length. Twenty-one percent are 45 to 65 feet in length, and 11 percent are greater than 65 feet (Table 2). This is a relatively diverse fleet, but it is dominated by the smaller vessels, the majority of which are lobster boats (Table 3).

Table 2 Commercial Fishing Vessels berthed at dockage in Gloucester inner harbor by size.

Category	Size	Number	Percent
Small	< 45 feet	143	68
Medium	45 – 65 feet	45	21
Large	> 65 feet	22	11
<b>Totals</b>		<b>210</b>	<b>100</b>

Table 3 Commercial Fishing Vessels berthed at dockage in Gloucester inner harbor by major fishery/gear type and size (not all gear types included).

	< 45 feet	45 – 65 feet	> 65 feet	Total
Lobster	72	11	1	84
Trawl	13	18	14	45
Gillnet	23	14		37
Tuna	16	1		17
MW Trawl			4	4
Seine			2	2

Seventy-one (71%) of the vessels and all except two (located at Rocky Neck) of the largest vessels are accommodated at facilities on the northwest side of the harbor from Harbor Cove to the State Fish Pier (Table 4). East Gloucester and Smith Cove sub-areas do berth about one-fourth of the small and mid-size commercial fleet.

Table 4 Commercial Fishing Vessels berthed at dockage in Gloucester inner harbor by sub-area and size.

Sub-area	< 45 feet	45 – 65 feet	> 65 feet	Totals	Percent
Harbor Cove	27	5	8	40	19
North Channel	26	18	4	48	23
State Fish Pier	41	11	8	60	29
East Gloucester	16	7		23	11
Smith Cove	25	1		26	12
Rocky Neck	8	3	2	13	6
<b>Totals</b>	<b>143</b>	<b>45</b>	<b>22</b>	<b>210</b>	<b>100</b>

<sup>3</sup> See, for example, Table 9: Permitted Activities on Waterfront Parcels, Gloucester Inner Harbor 1970-1993 in Gloucester Waterfront Study, Land Use and Economics, Urban Harbors Institute, 1994.



*Dockage in Gloucester Harbor*

The total amount (linear feet) of dockage in Gloucester Harbor was determined from responses received from the property owner’s survey and from measurements and estimates made by the Harbor Planning Director and the Dockage Subcommittee. Table 5 presents a summary of this data for commercial and recreational use and for a residual category for loading/unloading, transients and government vessels<sup>4</sup>.

The potential for expansion of dockage is based on survey responses and an estimate based on available watersheet between the shoreline or existing facilities and the harborline.

Table 5 Amount (linear feet) of dockage in Gloucester Inner Harbor by use category.

Total length of commercial dockage <sup>a</sup>	16,955 lf
Total length of recreational dockage	5,920 lf
Total length of other (government, shallow, transient, loading)	1,540 lf
Total length of dockage in the inner harbor	24,415 lf
Potential for expansion of dockage	2,960 lf
Existing and potential	27,375 lf
The total length of commercial fishing vessels at berths in the inner harbor <sup>b</sup>	9,754 lf

<sup>a</sup> The Gloucester Harbor Characterization, 2004 estimated commercial wharves and piers in the inner harbor at 13,195 linear feet. No methodology or source was cited.

<sup>b</sup> There is no direct correlation between total dockage length and total vessel length as many vessels are not berthed broadside, but it is a useful number.

Data on existing and potential dockage by property is presented in Attachment D.

*The capability of the harbor to accommodate vessels over 100 feet.*

Vessels of 100 feet or more are currently berthed at K&J Fisheries (2) and Jodrey State Fish Pier<sup>5</sup> (3). Other properties with the capacity to support larger vessels based on the size of currently-berthed vessels are Felicia Oil, Fishermen’s Wharf, the Gloucester Marine Terminal, Roses Marine, New England Marine Resources, and Gloucester Marine Railway. The number possible depends on configuration.

Several other sites in the inner harbor have wharves that would be ideal for vessels of this size: Americold’s properties at 69 Rogers Street (390 foot wharf), 1 Rowe Square (546 foot wharf) and Gorton’s 125-foot wharf at 127 Rogers Street. Mass Electric owns property between the Americold sites

<sup>4</sup> Based on a survey jointly completed by the 2009 Harbor Plan team and Harbormaster in early 2006, there was dock space for about 260 commercial vessels and 280 recreational vessels in Gloucester’s Inner Harbor of a size typical of those now using the harbor (generally between 30 and 60 feet). The plan identified approximately 20 berths dedicated for use by commercial vessels receiving port services, including on-loading ice or fuel, off-loading fish, or receiving/waiting for repair services and 10 berths used exclusively by government boats (US Coast Guard, harbormaster, Massachusetts Environmental Police).

<sup>5</sup> Jodrey State Pier (website) support facilities include a 54 slip marina for boats up to 100 feet in length, three berths for ships up to 145 feet in length.

which, with improvement could also support large vessel berthing. Americold’s property on the east side of the harbor at 155 East Main Street has 350 feet of wharf with the potential for an additional 660 feet. Dockage at these sites is currently unavailable because of security concerns of the property owners.

*Generalized depths at berths*

According to the 2009 Harbor Plan, the current controlling water depths at mean low water (MLW) in the main channel leading into different sections of the harbor are: 14 feet for Harbor Cove / Fort Point, 16 feet for the North Channel, 17 feet for the South Channel, and 15 feet into Smith Cove and Rocky Neck. The North Channel increased to approximately 18½ feet after several rock obstructions were removed from the channel in mid-2006. The average tidal range is 8.7 feet, but frequently exceeds 10 feet.

Based on survey responses received from a number of property owners around the harbor, water depths at berths are:

Harbor Cove: berths along the outer portion have 14-16 feet at MLW. Berths at properties deeper in to the cove are shallower with nearshore depths at 2 feet or less, increasing to a minimum of 10 feet.

Depths along the western shoreline adjacent to the North Channel are currently -21 feet at Americold and -18 feet surrounding the Jodrey State Fish Pier.

Permits have been approved to dredge the berthing areas between the North Channel and adjacent bulkheads/piers. About 20,700 cy will be removed between the North Channel and the State Pier to a depth of 26 feet to accommodate the 400 foot vessels. Another 51,200 cy is to be removed from the berthing areas along the opposite side of the North Channel from the USCG station north. This latter portion is contingent on completion of National Grid’s remediation project which includes dredging the top layer of sediment from about seven acres of subtidal area in front of its property and adjacent Coast Guard and harbormaster properties This project is due to begin in October 2014 and will take three years.

Water depths at berths at the far end of the South Channel are -5 feet at high tide. Along the eastern side depths range from -3 feet nearshore to -12 feet toward the channel.

Depths near Beacon marine range from -8 feet to -15 feet MLW.

*Comparison of commercial and recreational dockage fees on an annual basis (2012 costs)*

Table 6: Comparison of commercial and recreational dockage fees; dockage costs for a 40-foot vessel.

Location	Amenities	Rate	Cost per year/season
Jodrey State Fish Pier	Electricity/Water	\$7/ft/month	\$3,360
Harbor Cove Marina (city)	Electricity/Gear storage	\$4.25/ft/month	\$2,040
St. Peters Marina (city)	Electricity/Gear storage	\$3.75/ft/month	\$1800
Private marina	Electricity/Water	\$125/ft/season	\$5,000
Private marina	Electricity/Water	\$165/ft/season	\$6,600
Mooring	None	\$6/ft/season:	\$240

		resident \$8/ft/season: nonresident	\$320
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Approximately 350 recreational vessels in Gloucester’s Inner Harbor, about 280 at slips and 86 at

**Recommendations from the Dockage Study for Gloucester’s Designated Port Area**

1. Review existing Chapter 91 licenses and zoning approvals for DPA properties for requirements that waterfront facilities be reserved for commercial/fishing vessel dockage and support.
2. The unused wharves at the Americold, Gorton and, possibly, the Mass Electric properties, represent ideal opportunities for expansion of commercial berthing, especially for larger vessels because of the long straight bulkheads and ready access to navigable water. These features were designed and permitted for such use, which is not needed by the current use of the upland businesses.
  - a. Work with the property owners in an effort to overcome concerns with security of the sites.
  - b. Ensure commercial vessel berthing is part of any permitting for new development or improvements on the property.
3. Explore appropriate mechanisms that would enable public investment in the repair and upgrade of waterfront infrastructure in support of the commercial fishing fleet on private property.
4. Support MassDevelopment’s proposal to increase dockage at the Jodrey State Fish Pier.

**Attachments**

Attachment A Property Owners Survey Results

Attachment B Vessel Owner Survey Results

Attachment C Vessels located at berths in Gloucester Harbor (February 2014).

Attachment D Data on existing and potential dockage by property (Excel spreadsheet)

Attachment E Comprehensive Permit database (Excel spreadsheet)

*Attachments to be prepared:*

Map of property owner responses

Map of vessel types, sizes by location

Map of properties with dockage lengths and commercial use

**Attachment A Summary of Property Owners Survey Results**

All 77 waterfront properties owners received the survey. Thirty-nine responses covering 42 properties were received (55% return). See map of responses.

Linear feet of dockage:

The 42 properties reported having 9,085 linear feet of existing dockage of which 6,029 linear feet (66 percent of total) is used for commercial vessels. The breakdown percent commercial:

Number of properties	Percentage of dockage for commercial vessels
17	100
1	80
1	90
3	70-75
1	17
10	0 (or n/a or none)

*Watersheet available to expand dockage*

Of the 34 responses to this question, eight indicated they were considering expansion of dockage. Concerns were expressed about lack of demand and the city’s commitment to supporting marine industrial business.

Of the 26 respondents who are not considering expansion, reasons provided included: proximity of harbor line; need for dredging; fully utilized watersheet, exposure to south wind, property lines of neighbors. Another comment from a private property owner noted the challenge presented by the competition from the state pier and city-owned facilities. For private landowners, the combination of competing with these rates, the seasonality of the industry, and current low demand makes maintaining dockage for commercial fishing vessels difficult.

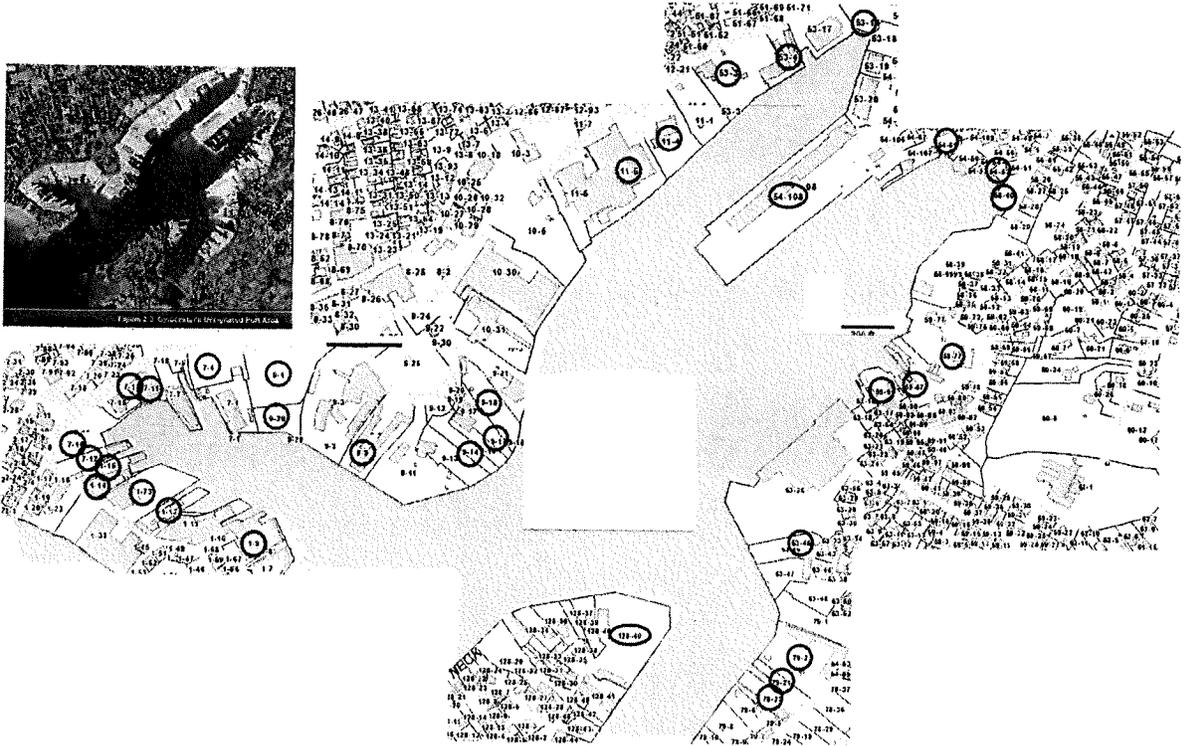


Figure 1 Map of property owners who responded to the survey.

### **Attachment B Summary of Vessel Owner Survey Results**

To identify vessels that likely berth in Gloucester inner harbor or who land fish in Gloucester harbor (needing transient dockage), UHI obtained the following data bases containing information on commercial fishing vessels:

- j) data base compiled by Patti Page of about 200 commercial vessels observed in Gloucester Harbor (noting the docks where they were berthed) and tenant lists from the SFP, St. Peters, and Harbor Cove Commercial docks.
- k) National Marine Fisheries Service: 2012 Vessel Permits, all Northeast.
- l) National Marine Fisheries Service: 2012 Tuna Permits, all Northeast.
- m) National Marine Fisheries Service: permit list sorted by vessels which landed fish in Gloucester in 2011, the last year for which the data had been compiled.
- n) Massachusetts Department of Marine Fisheries: vessel permits for vessels greater than 20 ft. with Gloucester as their homeport or address location.
- o) Mass Lobstermen's Association, Inc.
- p) Vessels in Sector II from sector manager.
- q) Vessels in Sector III from sector manager.

A single data base was created from the above which contains 734 vessels, for which the record for each combines all the data for the vessel from all of the lists in which it appeared.

From this combined data base UHI selected vessels to be surveyed:

- a. NMFS:           2012 Vessel Permits, all Northeast: those with Gloucester as principal port.  
                  2012 Tuna Permits, all Northeast: those with Gloucester as principal port.  
                  2011 Vessels that landed fish in Gloucester
- b. MADMF:        2012 MA Commercial Permits: those listing Gloucester as their homeport or  
                  address location).
- c. MLA:           Mass Lobstermen's Association members: those with a Gloucester location.
- d. Sectors II, III: All permit holders in Gloucester's Sectors II and III, active and inactive.
- e. Patti Page:    All vessels observed in Gloucester Harbor (except for a few for which there was  
                  insufficient data to identify the owner).

Between September 24 and October 2, 2012, a survey and explanatory cover letter was sent by the Gloucester Fisheries Commission to a total of 346 commercial fishing vessel owners likely to berth their vessel in Gloucester inner harbor or who land fish in Gloucester harbor.

#### *Survey Results*

One hundred sixteen (116) surveys were completed and returned (10 were returned by the postal service as undeliverable), yielding a response rate of 34 percent.

Of the 734 vessels in the final combined list of vessels with federal and or state permits whose homeport or principal port is Gloucester or that landed fish in Gloucester in 2011, 210 commercial fishing vessels currently berth at docks/wharves in Gloucester Inner Harbor. Another 29 vessels which berth/moor in other locations in Gloucester or elsewhere land fish in Gloucester.

Summary of survey responses from vessel owners:

*Do you pay for your dockage?*

Yes – 84  
No – 18

*What amenities do you have/need at the dock?*

Water:

Have – 46	Unknown – 1
Need – 30	No Response – 31
Have/Need – 7	

Electricity:

Have 30 amp – 43	Have 30 amp, Need 30 amp – 9	Write-in Have 80 amp - 2
Have 50 amp – 27	Have 50 amp, Need 50 amp – 2	Have 100 amp – 1
Need 30 amp – 9	Have 30 amp, Need 50 amp – 3	Need 100 amp – 1
Need 50 amp – 9	Have 50 amp, Need 30 amp – 1	No Response – 19

Shoreside Access:

	Write-in
Have – 52	Have/sometimes restricted – 1
Need – 23	Need/Need a hoist in Gloucester – 1
Have/Need – 11	No Response – 27

Gear Work Area:

	Write-in
Have – 34	Have/Part time - 1
Need – 42*	Need storage area – 3
Have/Need – 5	No Response – 31

\* cross-tab with type of vessel

*What is your fishery?*

Groundfish	60
Lobster	50
Scallops	7
Herring/mackerel	12
Tuna	24

Other: specify included the following responses – the # in the ( ) is the total number of responses of that type

dog fish (2)	Gillnet (1)
whiting, shrimp (4)	work/dump boat (1)
whiting, squid (2)	dogs striper (1)
whiting "silver Hake" (1)	Urchen (1)
mid-water trawl (1)	Menhaden (1)
purse-seine (1)	slime eel (1)

Gillnetter Federally Permitted (1) Charter fishing for hire 6-pack (1)  
Hagfish (1)

*What is your vessel type?*

Gillnet 18  
Lobster 45  
Longline 11  
Trawl 36

Other/Specify included the following responses – the # in the ( ) is the total number of responses of that type

Charter (2)	rod & reel (4)
hand gear (1)	rod and reel, ground fish & charter (1)
Harpoon (2)	Scallop (1)
Multipurpose (1)	scallop/rawl (1)
Pedagic (1)	Trap (1)
Purse Sein (2)	tuna, rec. r&r (1)

*Do you have hull and PI insurance?*

Yes 86  
No 19

The largest number of vessels (one-half the total) without hull and PI insurance are trawls.

**Attachment C Vessels located at berths in Gloucester Harbor (February 2014).**

Vessel Name	Docking Location	Gear Type	Vessel Overall Length
<b>Harbor Cove</b>			
Kayla Maria	Felicia Oil	Lobster	38
Razzo	Felicia Oil	Trawl	45
Sabrina Maria	Felicia Oil	Trawl	50
Miss Sandy	Felicia Oil	Trawl	55
Mary and Josephine	Felicia Oil	Trawl	67
Captain Dominic	Felicia Oil	Trawl	72
Christina Eleni	Felicia Oil	Trawl	80
Miss Trish II	Felicia Oil	Trawl	84
Providenza	Intershell The Fort	Clam	40
Pavilian	St. Peter's Marina	Charter	22
Bunny R	St. Peter's Marina	Lobster	32
Capt Tom	St. Peter's Marina	Lobster	35
Katherine D	St. Peter's Marina	Lobster	35
Net Profit	St. Peter's Marina	Lobster	35
Rosa Lee	St. Peter's Marina	Lobster	35
Tiffany Marie	St. Peter's Marina	Lobster	35
Dunlin	St. Peter's Marina	Lobster	35
Jean Elizabeth	St. Peter's Marina	Lobster	36
Scotia Girl	St. Peter's Marina	Lobster	36
Lady Lisa S	St. Peter's Marina	Lobster	37
Stanley Thomas	St. Peter's Marina	Lobster	37
Seaway	St. Peter's Marina	Striper	19
Lily	St. Peter's Marina	Tuna	35
Cat Eyes	Fisherman's Wharf	Trawl	45
Jenny G	Fisherman's Wharf	Trawl	71.3
Alison Page	Gloucester House	Lobster	32
Wejack	Gloucester House	Tuna	50
Sea Ox	Harbor Cove Marina	Bass	20
Miss Kelly	Harbor Cove Marina	Lobster	35
Kathryn W	Harbor Cove Marina	Lobster	42
Ramblin Rose	Harbor Cove Marina	Lobster	44
Erica Ann	Harbor Cove Marina/I4-C2	Lobster	27
Mar-Stina	Harbor Cove Marina/I4-C2	Lobster	35
Josephine & Samantha	Harbor Cove Marina/I4-C2	Lobster	36
Miss Carla	Harbor Cove Marina/I4-C2	Lobster	41
Rizla II	Harbor Cove Marina/I4-C2	Lobster	41

My Girls II	Harbor Cove Marina/I4-C2	Lobster	42
Osprey	11 Harbor Loop	MW trawl	112
Western Venture	11 Harbor Loop	MW trawl	165
Western Wave	11 Harbor Loop	Seine	68
<b>North Channel</b>			
Toots	Maritime Gloucester	Gillnet	31
Irma C II	Maritime Gloucester	Gillnet	40
Western Edge	Maritime Gloucester	Lobster	32
Tight Lines	Intershell	Lobster	40
Still Kickin'	Intershell	Lobster	50
Miss Molly	Intershell	Tuna	26
Fair Wind	Cape Ann Seafood Exchange	Gillnet	30
Fair Wind	Cape Ann Seafood Exchange	Gillnet	30
	Cape Ann Seafood Exchange	Gillnet	30
Native Son	Cape Ann Seafood Exchange	Gillnet	34
Mary B.	Cape Ann Seafood Exchange	Gillnet	36
Ryan Zachary	Cape Ann Seafood Exchange	Gillnet	39
Karoline Marie	Cape Ann Seafood Exchange	Gillnet	44
Lori B	Cape Ann Seafood Exchange	Gillnet	44
Foxy Lady	Cape Ann Seafood Exchange	Gillnet	45
Mystic	Cape Ann Seafood Exchange	Gillnet	45
Fair Wind III	Cape Ann Seafood Exchange	Gillnet	46
Heidi & Heather	Cape Ann Seafood Exchange	Gillnet	47
Holly & Abby	Cape Ann Seafood Exchange	Gillnet	48
Julie Ann	Cape Ann Seafood Exchange	Gillnet	
MS 8989 AS	Cape Ann Seafood Exchange	Gillnet	
Native Sun II	Cape Ann Seafood Exchange	Gillnet	
Stephanie Lynn	Cape Ann Seafood Exchange	Gillnet	
Harvest Moon	Cape Ann Seafood Exchange	Trawl	42
	Cape Ann Seafood Exchange	Trawl	45
Horizon	Cape Ann Seafood Exchange	Trawl	60
Mattanza	Cape Ann Seafood Exchange		30
Tenacious	Cape Ann Seafood Exchange		40
Mary Elizabeth	Cape Ann Seafood Exchange		50
Iliana & John	Gloucester Marine Terminal/Cruiseport	Trawl	60
Seafarmer II	Gloucester Marine Terminal/Cruiseport	Trawl	76
Angela Michelle	Rose's Marine	Gillnet	55
Joanne M	Rose's Marine (winter)	Lobster	35
Moonraker	Rose's Marine	Scallop	45
Kingfisher	Rose's Marine	Seine	96
Mystique Lady	Rose's Marine	Trawl	43

Angela and Rose	Rose's Marine	Trawl	51
Blue Water III	Rose's Marine	Trawl	56
Paulo Marc	Rose's Marine	Trawl	62.5
Jolly Rodger	New England Marine Resources	Gillnet	44
Wing Ding III	New England Marine Resources	Lobster	45
Midnight Sunn (Miss Trish II	New England Marine Resource	Trawl	87
Donna Marie	New England Marine Resources	Trawl	42
Aaron & Alexa	Steve Connolly Seafoods	Gillnet	45
Carol Ann	Steve Connolly Seafoods	Lobster	38
Sarah Day	Steve Connolly Seafoods	Lobster	41
Alexis Margaret	Steve Connolly Seafoods	Lobster	42
Labor In Vain	Steve Connolly Seafoods	Lobster	42
<b>State Fish Pier</b>			
Destiny	7 Parker Street	Charter	34
Snow Flower	7 Parker Street	Lobster	34
Destiny	7 Parker Street	Lobster	40
Anne Rowe	7 Parker Street	Lobster	45
Amanda Marie	7 Parker Street	Tuna	35
Kathryn Leigh	Jodrey State Fish Pier	Gillnet	31
Double Trouble	Jodrey State Fish Pier	Gillnet	36
Sasquatch III	Jodrey State Fish Pier	Gillnet	40
Foxy Lady	Jodrey State Fish Pier	Gillnet	42
Miss Magnolia	Jodrey State Fish Pier	Herring	
Touch of Gray	Jodrey State Fish Pier	Lobster	20
Tracy Ann	Jodrey State Fish Pier	Lobster	20
Tir Na Nog	Jodrey State Fish Pier	Lobster	21
Driftwood	Jodrey State Fish Pier	Lobster	23
Jeannie B	Jodrey State Fish Pier	Lobster	26
Lady Margaret	Jodrey State Fish Pier	Lobster	29
Miss Meredith	Jodrey State Fish Pier	Lobster	31
Lady Marie	Jodrey State Fish Pier	Lobster	32
Michael D	Jodrey State Fish Pier	Lobster	32
Muddy Bottom	Jodrey State Fish Pier	Lobster	32
Tragabigzanda	Jodrey State Fish Pier	Lobster	32
Amber and John	Jodrey State Fish Pier	Lobster	35
Dog and I	Jodrey State Fish Pier	Lobster	35
Griffin	Jodrey State Fish Pier	Lobster	35
Lady Lexi	Jodrey State Fish Pier	Lobster	35
Restless	Jodrey State Fish Pier	Lobster	35
Tully IV	Jodrey State Fish Pier	Lobster	35
American Gold II	Jodrey State Fish Pier	Lobster	40

Claudia Marie	Jodrey State Fish Pier	Lobster	40
Web II	Jodrey State Fish Pier	Lobster	41
Dominatrix	Jodrey State Fish Pier	Lobster	42
Janet Leigh	Jodrey State Fish Pier	Lobster	42
Jeanne	Jodrey State Fish Pier	Lobster	42
Lady J	Jodrey State Fish Pier	Lobster	42
William W	Jodrey State Fish Pier	Lobster	42
Jennie C (Jennifer & Mary)	Jodrey State Fish Pier	Lobster	42
Catherine M	Jodrey State Fish Pier	Lobster	44
Miss Courtney	Jodrey State Fish Pier	Lobster	45
Venture	Jodrey State Fish Pier	Lobster	45
Black Pearl	Jodrey State Fish Pier	Lobster	46
Marilyn Louise	Jodrey State Fish Pier	Lobster	46
Cabaret V	Jodrey State Fish Pier	Lobster	50
Michael And Kristen	Jodrey State Fish Pier	Lobster	77
Challenger	Jodrey State Fish Pier	MW trawl	140
Endeavour	Jodrey State Fish Pier	MW trawl	140
Grace Marie II	Jodrey State Fish Pier	Trawl	21
Orion	Jodrey State Fish Pier	Trawl	38
Tina & Tom	Jodrey State Fish Pier	Trawl	39
Special K	Jodrey State Fish Pier	Trawl	46
American Heritage	Jodrey State Fish Pier	Trawl	61
Jamie & Ashley	Jodrey State Fish Pier	Trawl	65
Grace Marie	Jodrey State Fish Pier	Trawl	65.3
Theresa & Allyson	Jodrey State Fish Pier	Trawl	71
Lady Jane	Jodrey State Fish Pier	Trawl	72
Capt Joe	Jodrey State Fish Pier	Trawl	81.6
Orion	Jodrey State Fish Pier	Trawl	81.6
Lucy	Jodrey State Fish Pier	Trawl	
Toby Ann	Jodrey State Fish Pier	Tuna	36
Sandy B	Jodrey State Fish Pier	Tuna	37
	Jodrey State Fish Pier		72
<b>East Gloucester</b>			
Little Mako	Captain Joe and Sons	Gillnet	43
Pretty Girl	Captain Joe and Sons	Gillnet	46
Kenneth J Duncan	Captain Joe and Sons	Gillnet	48
Manford L Porter	Captain Joe and Sons	Gillnet	48
Cameron D	Captain Joe and Sons	Lobster	32
Allison Carol	Captain Joe and Sons	Lobster	35
Susan Kimberly	Captain Joe and Sons	Lobster	40
Arethusa	Captain Joe and Sons	Lobster	42

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Degelyse	Captain Joe and Sons	Lobster	42
Trapper John	Captain Joe and Sons	Lobster	42
Holy Mackerel	Captain Joe and Sons	Lobster	50
Gone Fishing	Captain Joe and Sons	Lobster	
Orin C	Captain Joe and Sons		
Helen S III	East Gloucester Marine	Gillnet	33
No Excuses	East Gloucester Marine	Lobster	44.8
Jessica Marie	East Gloucester marine	Striper	26
CWW	East Gloucester Marine	Striper	
Blue Ocean	East Gloucester Marine	Trawl	54
Drama	East Gloucester Marine	Tuna	31
Finest Kind	East Gloucester Marine	Tuna	38
Blue by You	East Gloucester Marine	Tuna	
Phoenix Hope	East Gloucester Marine		28
Underwing	East Gloucester Marine		45
Smith Cove			
David & Jenna II	Beacon Marine	Gillnet	35
David & Jenna	Beacon Marine	Gillnet	40
Chandelle	Beacon Marine	Gillnet	42
SS Melon III	Beacon Marine	Gillnet	44
Jilly Mac	Beacon Marine	Handline	
Freemantle Doctor	Beacon Marine	Lobster	42
Barbara Joseph	Beacon Marine (winter)	Lobster	40
Lorio	Beacon Marine (winter)	Lobster	44
Dog Star	Beacon Marine	Striper	22
Freebird	Beacon Marine	Tuna	28
Lucky Strike	Beacon Marine	Tuna	32
Miss Fern	Beacon Marine	Tuna	34
Coot	Beacon Marine	Tuna	34
Osprey	Beacon Marine	Tuna	35
Dream Catcher	Beacon Marine	Tuna	35
Seabreeze	Beacon Marine		
Giddy Up & Go	A&M wharf	Tuna	
Amanda & Andy II	Santapaolo Wharf	Gillnet	37
Shearwater	Santapaolo Wharf	Gillnet	38
Satellite	Santapaolo Wharf	Lobster	35
Amanda & Andy	Santapaolo Wharf	Lobster	42
Triple Trouble	Santapaolo Wharf	Lobster	
Kristina & Marrisona	Santapaolo Wharf	Striper	22
Sharkbait II	Santapaolo Wharf	Striper	38
Amanda Leigh	Santapaolo Wharf	Trawl	42

Amanda & Andy III	Santapaolo Wharf	Trawl	43
<b>Rocky Neck</b>			
Old Glory	Gloucester Marine Railways	Lobster	24
Blivy Fish	Gloucester Marine Railways	Lobster	35
Bantry Bay	Gloucester Marine Railways	Trawl	35
Capt Joe	Gloucester Marine Railways	Trawl	35
Maria G S	Gloucester Marine Railways	Trawl	38
Francesca & Carlo	Gloucester Marine Railways	Trawl	42
Julie Ann II	Gloucester Marine Railways	Trawl	43
Capt Novello	Gloucester Marine Railways	Trawl	55
Lisa Ann II	Gloucester Marine Railways	Trawl	56.8
Explorer II	Gloucester Marine Railways	Trawl	58
Caterina G	Gloucester Marine Railways	Trawl	67
Janaya & Joseph	Gloucester Marine Railways	Trawl	74
Hard Merchandise	Gloucester Marine Railways	Tuna	36

# **ENCLOSURE 3**

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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## CITY OF GLOUCESTER

DEPARTMENT OF LAW

### MEMORANDUM

TO: Carolyn A. Kirk, Mayor

FROM: Suzanne P. Egan *SPE*  
General Counsel

DATE: March 17, 2014

SUBJECT: Gloucester/Rockport Intermunicipal Agreement (IMA)

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Attached please find the Rockport Long Beach - Gloucester Intermunicipal Agreement (IMA) for sewer services. This IMA was originally agreed to on October 5, 2000 for a ten year period to provide sewer service for the seasonal homes located in the Long Beach area of Rockport. This extends the term of the agreement for an additional ten years.

There are two substantive changes to the document.

1. The original agreement noted that the homes on Long Beach would be occupied from May to September. This agreement lengthens the season to April to October.
2. The original agreement provided that if requested by Rockport, the City was required to accept additional users although no additional flow. This agreement gives the City the right to evaluate whether the additional users will have a negative impact on the system prior to agreeing to additional users.

City Council approval is required to enter into an IMA. Kindly forward this to the Council for their consideration.

Enclosure

INTERMUNICIPAL AGREEMENT  
FOR  
WASTEWATER COLLECTION, TREATMENT AND DISPOSAL  
BETWEEN  
CITY OF GLOUCESTER, MASSACHUSETTS  
AND  
TOWN OF ROCKPORT, MASSACHUSETTS

Preamble

THIS AGREEMENT made and entered this \_\_\_\_\_ day of \_\_\_\_\_, 2014, and executed in quadruplicate (each executed copy constituting an original) between the City of Gloucester (hereinafter "Gloucester") and the Town of Rockport (hereinafter "Rockport").

WITNESSETH:

WHEREAS, the City of Gloucester owns and operates a wastewater treatment system; and

WHEREAS, Rockport has constructed a sewer system to the Rockport Gloucester line where it connects with the Gloucester sewer system; and

WHEREAS, Gloucester, in and under the terms and conditions as listed herein, has sold wastewater treatment and disposal capacity to Rockport; and

WHEREAS, Rockport, in and under the terms and conditions as listed herein, has purchased wastewater treatment and disposal capacity from Gloucester; and

WHEREAS, as a condition of this agreement, Rockport agrees that the use of the cottage colony at Long Beach in Rockport shall remain seasonal; and

WHEREAS, the parties recognize that Gloucester must implement and enforce a pretreatment program to control discharges from certain users of its wastewater treatment system under the Clean Water Act, 42 U.S.C. '1251 et seq. and requirements set forth at 40 CFR Part 403; and

WHEREAS, the parties are authorized by Chapter 40, Section 4 and 4A of the General Laws to enter into an Intermunicipal Agreement for the purpose of the City of Gloucester supplying wastewater treatment and disposal to the Town of Rockport, subject to authorization by the Gloucester City Council and the Rockport Town Meeting and Board of Selectmen; and

WHEREAS, at present there are no existing facilities in the Long Beach area of Rockport to be served by the proposed sewer system which will discharge industrial waste subject to Gloucester's pretreatment program to the Gloucester system; and

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

1. Term/Purpose/Intent

1.1 The term of this Agreement shall be for a period of ten (10) years from date hereof, unless sooner terminated as herein provided. Rockport shall have the sole and exclusive option to extend this Agreement for a second ten (10) year term upon notification to Gloucester on or before the end of the eighth (8) year of this Agreement of its intention to exercise this option. The parties intend that the municipal corporations entering into this Agreement are the sole and exclusive beneficiaries of the Agreement. Subject to the terms and limits of this Agreement and of applicable state and federal law, the City of Gloucester, acting through its Department of Public Works, will provide sewer service to the Town of Rockport as shown on the map in the Appendix in consideration for payment of applicable sewer use rates and fees. The City and Town shall meet at a minimum of once every five years to discuss the contract including but not limited to rate setting and capital forecasts.

1.2 This Agreement shall not take effect until it has been authorized by the Mayor of the City of Gloucester and the City Council and the Rockport Town Meeting and Board of Selectmen and the Massachusetts Department of Environmental Protection ("the DEP") and the U.S. Environmental Protection Agency (the "EPA") as may be required by law.

1.3 Gloucester shall use its best efforts to be at all times in compliance with the NDPDES permit issued for the facility and to comply with all state and federal laws,

regulations, water quality standards, orders, decrees of any state and/or federal governmental authority having jurisdiction over the treatment and disposal of waste waters.

1.4 Characteristics of waste delivered to the facility by or from Rockport shall at all times conform to standards set by Rules and Regulations of the EPA and the DEP and Gloucester's Sewer Use Ordinance, all as issued and amended from time to time.

1.5 Town of Rockport has adopted a sewer use by-law which incorporates the pertinent terms of this agreement. No sewage will be accepted until the sewer by-law is in place.

1.6 The City of Gloucester shall amend its sewer ordinance to the extent necessary to incorporate the pertinent terms of this Agreement.

## 2. Amendments

2.1 No officer, official, agent, or employee of Gloucester or Rockport shall have the power to amend, modify or alter this Agreement or waive any of its provisions or to bind Gloucester or Rockport by making any promise or representation not contained herein except by an amendment, in writing, executed by both municipal corporations in the same manner as this Agreement is executed. Neither party may rely on any conduct, statements, action, inaction or course of conduct of the employees, agents or officers of the other party as having changed, modified or amended this Agreement. Neither party shall be construed as waiving any provision of the Agreement unless the waiver is executed in writing as an amendment to this Agreement. No waiver by either party of any default or breach shall constitute a waiver of any subsequent default or breach. Forbearance or indulgence in any form or manner by either party shall not be construed as waiver of any term or condition hereto nor shall it limit the legal or equitable remedies available to that party.

## 3. Assignment

3.1 This Agreement shall not be assigned or transferred by either party, without the express written consent of the other party given with the same formalities as are required for the execution of this Agreement.

4. Hold Harmless/Indemnification

4.1 To the extent permitted by law, Rockport hereby agrees to indemnify and save harmless Gloucester or its agents against any and all liability or claims arising from the negligent or willful acts or omissions of Rockport or its agents or employees relating to Rockport's performance under this Agreement, including but not limited to liability deriving from state and federal environmental administrative findings or orders or actions or claims for damages on account of injury to person, or property or the environment caused by any act or omission of Rockport, its agents or employees or any fine, penalties or monetary awards which arise out of Rockport's acts or omissions under the terms of this Agreement.

4.2 To the extent permitted by law, Gloucester hereby agrees to indemnify and save harmless Rockport or its agents against any and all liability or claims arising from the negligent or willful acts or omissions of Gloucester or its agents or employees relating to Gloucester's performance under this Agreement, including but not limited to liability deriving from state and federal environmental administrative findings or orders or actions or claims for damages on account of injury to person, or property or the environment caused by any act or omission of Gloucester, its agents or employees or any fine, penalties or monetary awards which arise out of Gloucester's acts or omissions under the terms of this Agreement.

5. Force Majeure

5.1 No failure or delay in performance shall be deemed to be a breach of this Agreement when such failure or delay is occasioned by or due to any Act of God, strike, lockout, war, riot, epidemic, explosion, sabotage, breakage or accident to machinery or lines or pipe, the binding order of any court or governmental authority, or any other cause whether of the kind herein enumerated or otherwise not within the control of the party against whom a breach is alleged.

6. Reports/Records/Rate Schedules

6.1 Annually, during the first week of January, Rockport and Gloucester shall mutually exchange records from each municipality pertaining to the flows. The records shall include the daily flow for each month. The annual flow data will be reconciled

against the allocated treatment capacity for the Town and the City. The Town and the City shall also, at this time, furnish data on the expected flows for the upcoming year, the amount of committed but unconnected capacity, and uncommitted capacity.

6.2 Annually in the first week of January, or upon Gloucester's request, Rockport shall provide reports and records giving the names and addresses of all Rockport's Long Beach customers and as shown on the Map in the Appendix showing the location from which sewage is being accepted, character of occupancy, and amount of sewage produced on a monthly basis by each customer and any other reports, records or data reasonably required by Gloucester.

6.3 Rockport shall furnish sewer system plans as Gloucester may request from time to time.

6.4 Rockport shall notify Gloucester in writing and keep Gloucester informed of the name and title of its official or officials responsible for sewage services in Rockport and for implementation of the terms of this Agreement. Gloucester and Rockport shall notify each other within 30 days in writing of any changes in personnel.

## 7. Inspections

7.1 Gloucester has the right to inspect facilities and equipment in Rockport which may affect the sewage system. These inspections and any inspections permitted under this Agreement may include any and all reasonable tests Gloucester deems necessary. Rockport hereby consents to Gloucester's entry onto or into property of Rockport for the purpose of any inspection or repair, installation or maintenance which Gloucester may require under this Agreement. Gloucester will not, except as expressly set forth in this Agreement, perform any work in Rockport but will require work, as needed, to Gloucester's specifications for all extensions of sewer lines.

## 8. Remedies

8.1 In addition to the remedies, power and authority which the Department of Public Works has under ordinances of the City of Gloucester, the following remedies apply:

a) If either party fails to fulfill any material obligation or condition of this Agreement, the other party has the right to terminate this Agreement by giving ninety

(90) days notice, in writing, of its intent to do so. Upon receipt of such notice, the party shall have the right to prevent termination by curing the default within sixty (60) days. Termination shall not release Rockport from its obligation to pay all bills or sums due in accordance with this Agreement.

b) Both parties reserve the right, either in law or equity, by suit and complaint in the nature of mandamus, or other proceeding, to enforce or compel performance of any or all covenants herein.

c) Any bill remaining unpaid after the thirtieth day from the date of billing or the due dates as specified in this Agreement, whichever is later, shall bear interest in accordance with General Laws.

d) If an administrative agency, board, commission or division of the state or federal government or any court impairs, alters, restricts or limits, directly or indirectly Gloucester's rights, powers or authority to maintain, sell, contract for, or permit sewage disposal as described in this Agreement, Gloucester, in its sole discretion, may terminate and void this Agreement by written notice to Rockport. Termination under this clause shall not release Rockport from its obligation to pay any sums due and all bills owed for services previously rendered unless to do so would be in violation of a final administrative or judicial decree, order or ruling. The notice of termination under this subsection shall be given within five business days after Gloucester receives written notice of the action or decision of such agency, board, commission, division or court. It is the intent of this notice provision to give Rockport as much advance notice as possible consistent with Gloucester's need to terminate. Gloucester will notify Rockport of the formal institution of any proceedings or the issuance of any formal order so that Rockport may, if it chooses, participate in such proceedings or challenge any such order.

e) If either party fails to perform any obligation under this Agreement, the other party may perform on behalf of the defaulting party and charge the reasonable costs thereof, including administrative time, to the defaulting party as a sum due under the Agreement provided written notice is given to the defaulting party allowing it a reasonable time to cure the default.

f) Gloucester may in its sole discretion immediately stop providing service to Rockport: (1) if Rockport fails to cure any default within sixty (60) days after

written notice as provided in paragraph 8.1(a); or (2) if Rockport or any *consumer* utilizing Rockport's access to Gloucester's sewer system, by intent violates or fails to comply with any notice, ordinance, regulation or order of the City permitted or required under EPA's pretreatment regulations or (3) if after notice to Rockport and Rockport having an opportunity to cure the violation, violates any requirement imposed by the EPA regulating wastewater discharge or treatment. This paragraph shall not apply in the event that Rockport takes and completes appropriate enforcement action against one of its consumers as a result of such violation.

g) The remedies set forth in this Agreement are cumulative. The election of one does not preclude use of another.

h) In the event that Gloucester terminates this Agreement for any reason, other than a threat of imminent harm to Gloucester wastewater treatment plant, Gloucester shall not be obligated to continue to accept and treat wastewater from Rockport even if Rockport is unable to implement an alternative wastewater treatment disposal plan. Rockport shall have the right to request an extension of any termination date if Rockport uses its best efforts to adopt such an alternative plan as soon as practicable.

## 9. Emergencies

9.1 Each party shall immediately notify the other of any emergency or condition in either party's system of which it learns which may affect the sewer disposal system in either municipality.

## 10. Meter Readings

10.1 The Town of Rockport and the City of Gloucester will jointly determine the sewer usage of the Long Beach Area properties on a quarterly basis by taking readings of the Pump Run-Time Hour Meters of the Long Beach Pump Station. These readings shall be taken on or about January 14, April 14, and October 16 of each year that this agreement is in effect so that this usage can be billed to the Town of Rockport by the City of Gloucester DPW Director. An invoice will be generated and sent to Rockport within thirty (30) days.

10.2 If Gloucester determines that the Pump Run-Time Meters have registered incorrectly, the DPW Director shall prepare an estimate of the amount of sewage accepted from the Long Beach Sewer Area for the purposes of billing Rockport. Gloucester shall present evidence to Rockport demonstrating that the Pump Run-Time Hour Meters have registered incorrectly, justifying its estimate of sewage flow for the billing period. The estimate shall be based upon the average of three (3) preceding similar quarterly billings, exclusive of incorrect readings. When less than three (3) correct readings are available, fewer readings, including some obtained after the period of incorrect registration, may be used. If the Town determines that the Pump Run-Time Hour Meters have registered incorrectly, the Town, in like manner, may present evidence to Gloucester justifying the Town's estimate of sewerage flow for the billing period. In the event that a dispute arises under this paragraph, the parties agree to meet in good faith to resolve the dispute.

10.3 Gloucester and Rockport may perform periodic inspections and/or tests of the Long Beach Pump Station Pump Run-Time Hour Meter. The Pump Run-Time Hour Meters are to be immediately repaired if found to be malfunctioning or inoperable at any time. Representatives from both municipalities are free to observe the repairs. Rockport shall bear the expense of the repairs to the Pump Run-Time Hour Meters.

11. Rockport/Gloucester Employees

11.1 Employees, servants, or agents of either municipality shall not be deemed to be agents, servants or employees of the other municipality for any purpose including but not limited to either Workers' Compensation or unemployment insurance purposes.

12. Method of Supply

12.1 Rockport agrees to purchase sewer disposal services and capacity from Gloucester in accordance with the terms and conditions of this Agreement. Rockport shall be entitled to discharge a total of 35,000 gallons per day of Normal Strength Wastewater into Gloucester's sewer collection system at one or more metered location(s) at the City of Gloucester line. Discharges in excess of this daily limit shall constitute grounds for default and shall be subject to a penalty of \$5,000 per day under Gloucester Ordinance Section 23-41.

12.2 The Town agrees to maintain an inflow and infiltration program, which shall be subject to a periodic review by the City of Gloucester. The Town also agrees to ensure that no storm water will be discharged to the system. The City agrees that no penalty for violation of the 35,000 gallons per day limit shall be imposed if said discharge violation is caused by an inflow and infiltration event so long as the Town promptly takes action to rectify the inflow and infiltration which caused the excess discharge. The City agrees that if the violation is caused by an inflow and infiltration event, Rockport is not in default so long as the Town promptly takes action to rectify the inflow and infiltration which caused the excess discharge.

12.3 Gloucester and Rockport shall monitor wastewater flow during subsequent years of this Agreement in order to determine actual daily wastewater flow. After adequate wastewater flow information is obtained, and to the extent that the actual daily flow is less than the 35,000 gallons per day purchased by the Town, Rockport shall have the right to request of the Gloucester City Council to approve other Rockport residents to connect to the sewer system at Long Beach. In no event shall the total daily flow from Rockport consumers exceed 35,000 gallons per day.

12.4 Gloucester may undertake a review as to the impact of any additional connections by Rockport to the Gloucester wastewater system. Provided Gloucester finds that there will not be adverse impact to its sanitary system, Gloucester may approve all connections by Rockport to the Gloucester wastewater system. Approval of said connections shall not be unreasonably withheld. Rockport shall construct and maintain a flow measuring station at each approved connection, suitable to continuously measure and record all flows entering the Gloucester sewer system. Gloucester shall have the right of access to said metering stations for purposes of inspection and data acquisition. Gloucester must approve the measuring system design before Rockport begins construction.

### 13. Use Restriction

13.1 Subject to applicable law, Rockport shall use the sewage capacity furnished under this Agreement solely for its municipal wastewater and for wastewater generated by residential properties only.

13.2 Rockport shall continue to limit the use of cottages at Long Beach to seasonal use and occupancy from April 1st to December 1st.

14. Reserved Capacity

14.1 Gloucester agrees to permit Rockport to discharge flow of up to 35,000 gallons per day through the Long Beach connection area with the Gloucester sewer system during the term of this Agreement. Any discharge in excess of 35,000 gallons per day shall be grounds for default, and/or the implementation of fines.

However, so long as Rockport, in a reasonable amount of time, moves to correct or address any event(s) causing such excess daily discharge, then Rockport shall not be in default and no fine shall be imposed for that month unless an excess daily discharge is repeated within the same calendar month.

15. Funding and Appropriations

15.1 Rockport shall appropriate annually sufficient money to pay for its obligations under this Agreement.

16. Capacity Purchase Price

16.1 Rockport has paid a Capacity Purchase Price of \$175,000.00 to the City of Gloucester. It is the intent of the parties that the Capacity Purchase Price represents a portion of the costs that Rockport would have been required to expend to construct its own wastewater treatment facility. The Capacity Purchase Price paid by the Town shall be a one-time charge. The City of Gloucester shall not, as a precondition for renewal of this Agreement, require the Town to pay an additional Capacity Purchase Price or any other fee for the privilege of renewing this Agreement, unless the daily flow of 35,000 gallons per day is increased.

17. Capital Improvement Provision

17.1 a) All construction documents will be submitted to Gloucester for review. The design shall be approved by Gloucester prior to construction; such approval shall not be unreasonably withheld.

b) Rockport agrees to indemnify and save harmless Gloucester from any and all actions for damages arising out of the installation and/or construction of said sewers within the City of Gloucester. The installation and construction of sewers by Rockport shall be in conformity with all requirements of the General Laws, including without limitation General Laws Chapter 30, section 39M, relating to public construction projects. Rockport shall also furnish proof of liability insurance equal to 5% of the value of the contract.

c) All permits, environmental or otherwise, required for the project will be obtained by Rockport.

d) The parties agree that upon completion of the said sewers and subject to the approval of the City of Gloucester, title to the sewers in Gloucester constructed by Rockport and the operation and maintenance of said lines shall be assumed by Gloucester. Gloucester is permitted at its convenience to make sewer connections to the said sewers.

17.2 In the event that the Gloucester Department of Works performs capital improvements on a portion of the City system affected by Rockport effluent, or if Gloucester is directed or ordered by EPA, DEP or any other Agency or Court of the state or federal government to provide a higher degree of treatment at the facility in the future, or otherwise to modify the process from that used or in place at the time of execution of this Agreement, the total cost of such replacement or additional facilities shall be apportioned between the parties as set forth in paragraph 17.3 of this Agreement.

17.3 In the event that Gloucester undertakes capital improvements to the Gloucester wastewater treatment facility which become necessary after the date at which flow first passed from Rockport to Gloucester, and Gloucester opts to recover the capital costs of such improvements through betterments to its residents rather than incorporation of debt service costs into the rate structure, Rockport shall pay to Gloucester its proportional share of Gloucester's annual debt service. Such proportional share shall be determined by dividing the Rockport design flow by the then applicable Gloucester design capacity. At the time of execution of this Agreement, Rockport's share of such capital improvements is 0.00488 percent.

17.4 The Town of Rockport shall upon advance notice have the right to inspect and audit at the City of Gloucester's offices any and all cost records of the City relating to the construction, expansion, replacement, modification, operation and maintenance of the plant and facilities as stated in this Article, at the City of Gloucester Office.

17.5 User Rate/Rate Setting. The rate to be charged based on the quarterly readings from the master meter shall be the same rate paid by Gloucester residential users.

17.6 Gloucester shall provide to Rockport all necessary permanent and temporary construction easements for sewer lines, pump stations and other appurtenant facilities located in Gloucester, but constructed by Rockport pursuant to this Agreement.

18. Sewer Use Ordinance, Bylaws and Regulations

18.1 For purposes of this section and related sections the term "regulations" shall also mean by-law. Rockport's sewer use regulations shall be no less stringent in every particular and, as broad in scope as, or stricter than the current Gloucester Sewer Ordinance. The Rockport regulations shall in any event be consistent with and meet all requirements of the EPA as presently codified at 40 CFR part 403 and as the same may from time to time be amended.

18.2 Rockport's adoption of such valid regulations and its establishment of local limits as set forth in this section at (18.5) shall constitute a condition precedent to the existence of this Agreement. Gloucester shall have no obligation to accept wastewater from Rockport until the regulations are duly enacted and effective.

18.3 Rockport has submitted its regulations to Gloucester for review within ninety (90) days of the date of execution of the Agreement of October 5, 2000 and has obtained Gloucester's approval of said regulations.

18.4 Whenever Gloucester revises its sewer use ordinance, it will forward a copy of the revisions to Rockport. Rockport will adopt revisions to its sewer regulations that are at least as stringent in every particular and as broad in scope as those adopted by Gloucester. Rockport will submit its proposed revisions to Gloucester for review within thirty days of its receipt of Gloucester's revisions and will adopt its revisions within sixty (60) days of receiving approval from Gloucester.

18.5 Rockport has adopted pollutant specific local limits which address the same pollutant parameters and are at least as stringent as the local limits enacted by Gloucester. If Gloucester makes any revisions or additions to its local limits, it will forward those revisions to Rockport which will adopt such revisions within 30 days after receipt thereof.

18.6 Any proposed by-law changes shall be placed on the warrant for the next regularly scheduled Town Meeting. Failure to timely adopt or amend a sewer use by-law shall be grounds for default.

19. Enforcement Authority

19.1 Gloucester may: (1) enforce the terms and conditions of all permits issued by it under this Agreement; (2) conduct inspections, sampling and analysis of permitted users; and (3) perform any other technical or administrative duties it deems appropriate. In addition, Gloucester may, as agent of Rockport, take emergency action to stop, prevent or lessen any discharge which presents, or may present an imminent or immediate threat or danger to the health, safety or welfare of human beings or which reasonably appears, in its discretion, to threaten the environment or which threatens to cause interference, pass through or sludge contamination.

19.2 Rockport shall have the duty to administer and enforce its sewer regulations. Upon Rockport's failure to enforce, Gloucester may take any enforcement action which it deems necessary or which is necessary to enforce or compel compliance with EPA pretreatment standards, regulations and policies. Gloucester may, upon such failure, take any action under Rockport's sewer use regulations which Rockport could take including but not limited to enforcement by administrative fines, or civil or criminal enforcement in any appropriate court. Rockport's regulations restates this agency and requires any Rockport consumer to consent formally to the provisions of this agency. All administrative and judicial civil penalties and fines assessed by or for Gloucester pursuant to this agency authority shall be the property of, and paid, to Gloucester.

19.3 Rockport will continue to reimburse Gloucester for all Gloucester's reasonable costs incurred in implementing and enforcing Rockport's sewer use regulations within thirty days after receipt of an accounting of all such costs.

19.4 A repeated failure by Rockport to enforce its regulations and the terms of this Agreement shall constitute grounds for default and/or the implementation of fines.

19.5 The parties will review and revise this Agreement to ensure compliance with the United States Clean Water Act, 42 U.S.C. '1251' et seq. and the rules and regulations promulgated thereunder as necessary, but at least once every three years on a date to be determined by the parties.

20. Definitions of Terms

“EPA” shall mean the United States Environmental Protection Agency or where appropriate the Regional Water Management Division Director or other authorized official of the agency.

“Gloucester” or “City” shall mean the City of Gloucester or where appropriate the City of Gloucester acting by and through its Department of Public Works.

“Rockport” or “Town” shall mean the Town of Rockport.

“Act” or “the Act” shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act as amended. 33 U.S.C. 1251, et seq.

“DEP” or “MA DEP” shall mean the Massachusetts Department of Environmental Protection.

“Discharge” or “indirect discharge” shall mean the introduction of pollutants into the public owned treatment works from any non-domestic source regulated under the Act.

“BOD” or “Biochemical Oxygen Demand” shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 deg. centigrade expressed as a concentration (e.g. as mg/l).

“Person” shall mean every individual, partnership, corporation, municipal corporation, water district, firm, association or group of individuals.

“Rockport’s customer or consumers” shall mean those persons in Rockport to whom Rockport sells or distributes sewage disposal from Gloucester under this Agreement as designated on the Map in Appendix. Only persons who reside on the town property at Long Beach pursuant to a town lease and those persons jointly designated by the Town and the City of Gloucester to utilize the balance of the 35,000 gallons per day capacity in accordance with Section 12.3 shall be Rockport customers or consumers. For purposes of this definition and this agreement, the area and persons covered by this agreement shall be limited to the attached Map which is incorporated herein.

“Normal Strength Sewage (Wastewater)” as expressed or referred to in this Agreement shall be defined as sewage having a five day biochemical oxygen demand (BOD) less than or equal to 250 mg/L and a total suspended solids concentration less than or equal to 300 mg/L based upon a 24 hour composite sample comprised of at least 6 discrete samples.

“User” as used herein shall mean a source discharge or indirect discharge.

"TSS" or "total suspended solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

"Seasonal" shall mean April 1st to December 1st.

Any word or phrase used in this Agreement not otherwise expressly defined herein shall have the meaning assigned to them as set forth in the Gloucester Sewer Ordinance.

## 21. Service of Notice

21.1 All notices or communications permitted or required by this Agreement must be in writing except in emergencies, and shall:

As to Gloucester, be delivered or mailed by certified mail, return receipt requested, to the Department of Public Works Director, at the office of the Department of Public Works, 22 Poplar Street, Gloucester, MA 01930.

As to Rockport, be delivered or mailed by certified mail, return receipt requested, to the Board of Selectmen, Town Office Building, 34 Broadway, Rockport, MA 01966, and the office of the official designated by Rockport pursuant to Section 6.4 of this Agreement.

22. Extension of Term

22.1 If Rockport has exercised its option to extend this Agreement for a second ten (10) year term, the parties during the 18th year of this Agreement, unless it is sooner terminated, shall meet to negotiate in good faith for an extension or renewal of this Agreement subject to authorizations that may be required by then applicable law. This acknowledgment that the term of the Agreement, including any new terms or conditions, may be extended, does not impose on either party any express or implied obligations with regard to the potential negotiations or Agreement. Neither party has implied obligation to extend or renew the terms of the Agreement (with or without modifications).

23. Forum and Choice of Law

23.1 This Agreement and any performance under it shall be interpreted and governed in accordance with the laws of the Commonwealth of Massachusetts except for those requirements, terms, duties and conditions regulated by federal law. Any and all proceedings or actions relating to the subject matter herein shall be brought and maintained in the courts of the Commonwealth which shall have exclusive jurisdiction thereof. Any term or word used herein not otherwise defined shall have the same meaning as the term or word is defined in the Gloucester Sewer Ordinance.

24. Dispute Resolution

If any dispute arises regarding the interpretation of this Agreement or over the extension of the term under Paragraph 23, either party may initiate mediation through a mutual agreed upon dispute resolution organization.

25. Regulatory Authority

25.1 This Agreement is subject to the lawful rules, regulations, decisions, order or directives of the EPA and of any agency of the state and federal government with

jurisdiction over the parties or subject matter of the Agreement. Any and all conditions, rules, regulations, orders or other requirements heretofore or hereafter placed upon Gloucester or Rockport by the EPA or by the DEP or any other agency, division, office or department of the United States or the Commonwealth of Massachusetts or by any court of competent jurisdiction and by any other applicable Federal, state or county agency, shall be construed to become a part of this Agreement unless the Agreement is terminated hereunder. Further, any additional costs placed upon Gloucester as a result of any orders of the above-referenced court or agencies in connection with the supplying of sewage disposal to Rockport by Gloucester shall be borne by Rockport in the same proportion as provided in Section 17.3.

26. Severability. Headings. Integration

26.1 If any provision of this Agreement is declared or found illegal, unenforceable or void, then both parties shall be relieved of all obligations under that provision. The remainder of the Agreement shall be enforced to the fullest extent permitted by law. The headings are used for reference only and shall not be a factor in the interpretation of this Agreement. This Agreement shall supersede all other verbal and written Agreements and negotiations by the parties relating to performance of the obligations under this Agreement and contains to full and complete and integrated agreement of the parties on the subject matters referred to herein. Any doubt as to meaning, any interpretation issue or any question as to intent of the parties shall be resolved to make this Agreement and the obligations of the parties under it, conforms to the letter purpose and intent of the EPA pre-treatment standards and the Act.

IN WITNESS WHEREOF, on the date first mentioned, the officials of the City of Gloucester and the Town of Rockport hereto execute this Agreement, in quadruplicate copies.

When executed, the Agreement shall be recorded in the office of the Clerk of each municipality.

**CITY OF GLOUCESTER**

(Seal of the City of Gloucester) By \_\_\_\_\_  
Mayor of Gloucester

Approved as to form and legality By \_\_\_\_\_  
City Solicitor

By \_\_\_\_\_  
Director, Department of Public Works

**TOWN OF ROCKPORT**

(Seal of the Town of Rockport) By \_\_\_\_\_  
Selectman

Approved as to form and legality By \_\_\_\_\_  
Town Counsel

By \_\_\_\_\_  
Rockport Commissioner of Public Works

By \_\_\_\_\_  
Rockport Commissioner of Public Works

By \_\_\_\_\_  
Rockport Commissioner of Public Works

# **ENCLOSURE 4**



# CITY OF GLOUCESTER

*Commonwealth of Massachusetts*

DPW - ENGINEERING DIVISION

CITY HALL ANNEX

2<sup>ND</sup> FLOOR

3 POND ROAD

GLOUCESTER, MA 01930

PHONE: 978- 281-9773 FAX: 978-281-9725

Michael B. Hale, A.I.C.P.  
*Director of Public Works*

Paul G. Keane, P.E.  
*City Engineer*

Ryan Marques,  
M.S.C.E., E.I.T.,  
*Civil Engineer*

Karen L. Andrews  
*Sr. Engineering Aide*

To: *Mayor Carolyn Kirk*

From: *Karen Andrews*  
*Engineering*

Date: *March 5, 2014*

RE: *Proposed Street Naming and Numbering Plans*

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Attached please find 3 proposed street naming and numbering plans to be forwarded to the City Council for approval.

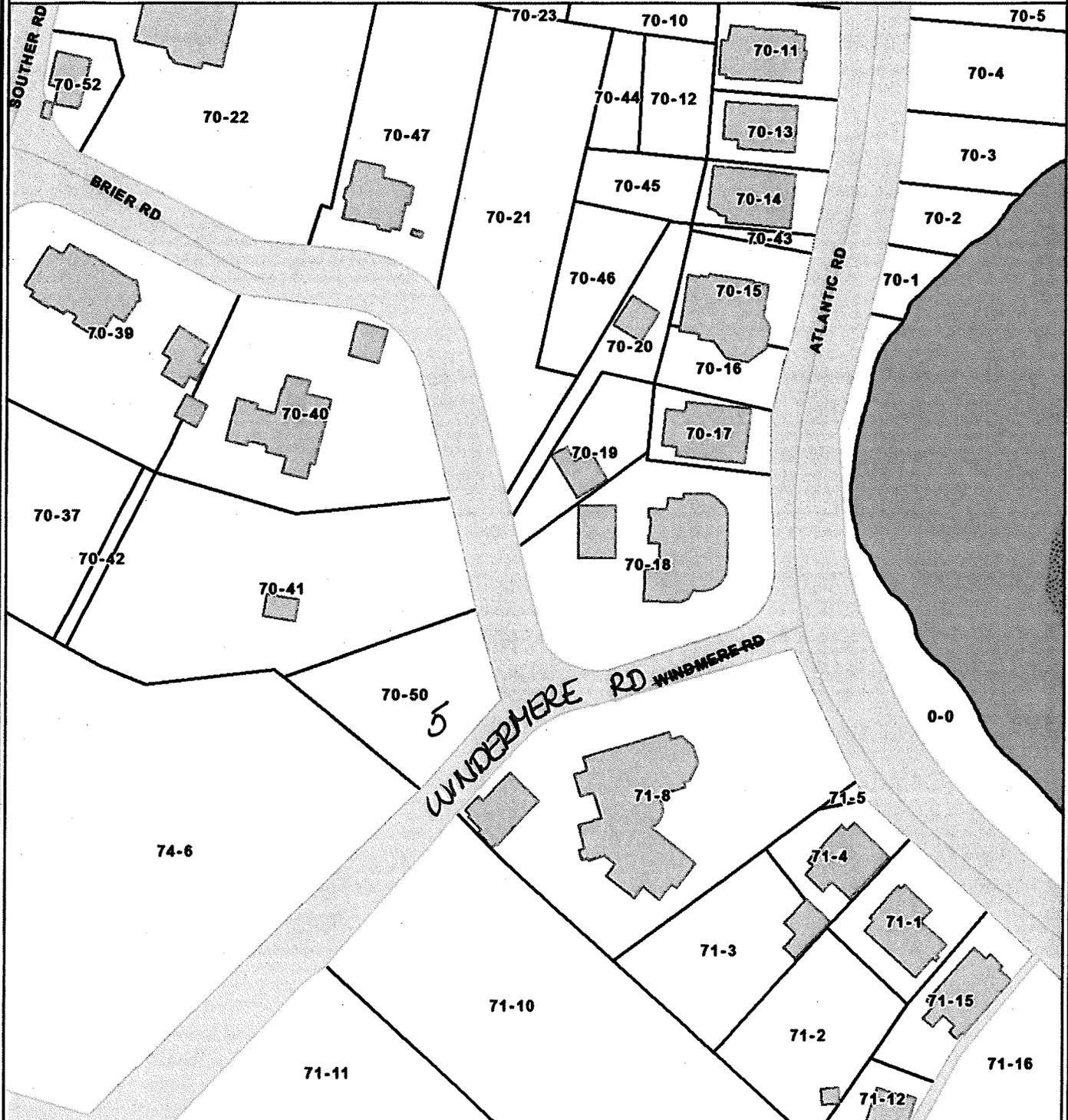
Windermere Road – though there have been different spellings of this road name over the years this is how it is spelled on the plan of the Souther Estate, dated 1900, and on numerous Land Court Plans. It is essentially a “paper road”, but the Planning Board recently approved a Road Improvement Plan for a new structure to be built with access on this road

Mulligan Drive – the portion of Brier Road, off Windermere Road. This portion of Brier Road does not connect with the upper portion, off Souther Road, therefore it should be renamed for 911 purposes

My Way – currently Gilson Way. The current owner has requested this street name change.

PROPOSED STREET NAMING AND NUMBERING PLAN FOR WINDERMERE ROAD

OWNER OR RESIDENT & MAILING ADDRESS	ASSESSORS DATABASE	APPROVED STREET NAME/ NUMBER	ASSESSOR MAP/LOT #
J N & E M Luongo P V Fallon c/o Paula Fallon 74 Mountain Road Burlington, MA 01803	69 Atlantic Road	69 Atlantic Road (1 Windermere Road)	70-18
Andrew Roesle 6 Brier Road Gloucester, MA 01930	Brier Road	5 Windermere Road	70-50
Peter & Elizabeth Rapaport 1557 N. Ocean Boulevard Palm Beach, FL 33480	71 Atlantic Road	71 Atlantic Road (2 Windermere Road)	71-8



- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>Interest P</li> <li>⊙ Athletic</li> <li>⊙ Beach</li> <li>⊙ Cemetery</li> <li>⊙ Church</li> <li>★ Federal Government Facili</li> <li>⊙ Fire Station</li> <li>★ Historic Site</li> <li>⊙ Medical Site</li> <li>⊙ Library</li> <li>⊙ Municipal /State Governm</li> <li>⊙ Med-Flight Landing Zones</li> <li>⊙ Park &amp; Ride Lot</li> <li>⊙ Police Station</li> <li>⊙ Recreation site</li> <li>⊙ School</li> <li>⊙ State Parks, Forests, &amp; Re</li> <li>⊙ Building Footprint</li> </ul> | <ul style="list-style-type: none"> <li>Transportation</li> <li>— Street Centerlines</li> <li>Water Bodies</li> <li>⊙ Pond, Lake, Ocean</li> <li>⊙ Reservoir</li> <li>⊙ Wetland</li> <li>⊙ Salt Wetland</li> <li>⊙ Submerged Wetland</li> <li>⊙ Cranberry Bog</li> <li>⊙ Tidal Flat</li> <li>⊙ Inundated Area</li> <li>□ Parcels</li> </ul> |
|--|--|

1" = 100 ft



Planimetric and topographic basemap features 1 = 40 scale from Aerial Photography March, 2011. The information depicted on this map is for planning purposes only. The City of Gloucester makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data. The City of Gloucester does not assume any liability associated with the use or misuse of this information.



Transport  
 — State Highway  
 □ Image Parcels

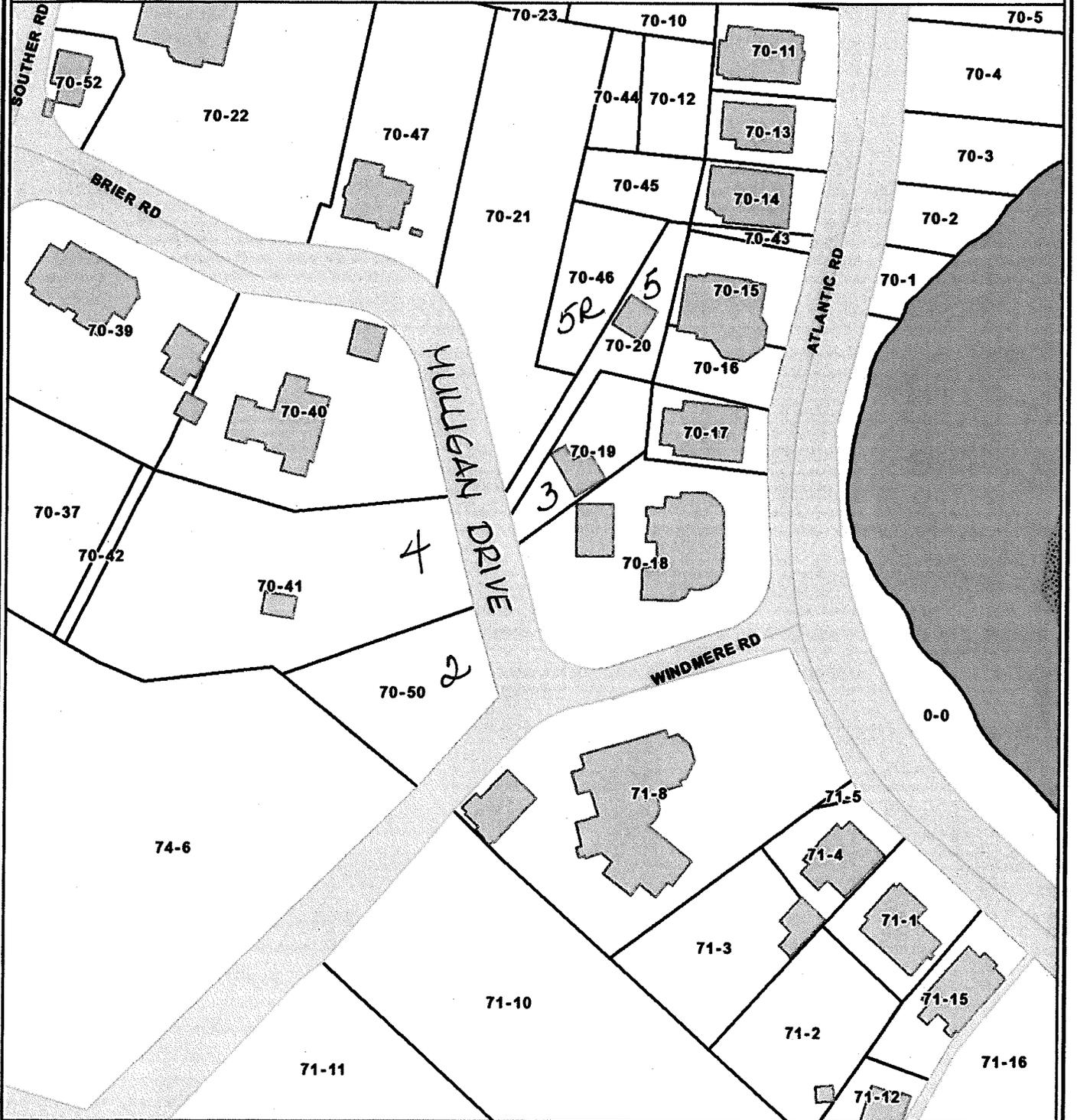


Planimetric and topographic basemap features 1 = 40 scale from Aerial Photography March ,2011. The information depicted on this map is for planning purposes only. The City of Gloucester makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data. The City of Gloucester does not assume any liability associated with the use or misuse of this information.

1" = 100 ft

PROPOSED STREET NAMING AND NUMBERING PLAN FOR MULLIGAN DRIVE

OWNER OR RESIDENT & MAILING ADDRESS	ASSESSORS DATABASE	APPROVED STREET NAME/ NUMBER	ASSESSOR MAP/LOT #
J N & E M Luongo P V Fallon c/o Paula Fallon 74 Mountain Road Burlington, MA 01803	69 Atlantic Road	69 Atlantic Road (1 Mulligan Drive)	70-18
Leonard, Jr & Lisa McGrath 21 Ledgewood Drive Danvers, MA 01923-1128	3 Brier Road	3 Mulligan Drive	70-19
Alfred & Flora Pennino 264 Park Avenue Arlington, MA 02174	5 Brier Road	5 Mulligan Drive	70-20
Alfred & Flora Pennino 264 Park Avenue Arlington, MA 02174	65R Atlantic Road	5R Mulligan Drive	70-46
Andrew Roesle 6 Brier Road Gloucester, MA 01930	2 Brier Road	4 Mulligan Drive	70-41
Andrew Roesle 6 Brier Road Gloucester, MA 01930	Brier Road	2 Mulligan Drive	70-50



- Interest P**
- ⊙ Athletic
  - ⊙ Beach
  - ⊙ Cemetery
  - ⊙ Church
  - ⊙ Federal Government Facili
  - ⊙ Fire Station
  - ⊙ Historic Site
  - ⊙ Medical
  - ⊙ Library
  - ⊙ Municipal /State Governm
  - ⊙ Med-Flight Landing Zones
  - ⊙ Park & Ride Lot
  - ⊙ Police Station
  - ⊙ Recreation site
  - ⊙ School
  - ⊙ State Parks, Forests, & Re
  - ⊙ Building Footprint

- Transportation**
- Street Centerlines
- Water Bodies**
- ▨ Pond, Lake, Ocean
  - ▨ Reservoir
  - ▨ Wetland
  - ▨ Salt Wetland
  - ▨ Submerged Wetland
  - ▨ Cranberry Bog
  - ▨ Tidal Flat
  - ▨ Inundated Area
  - Parcels



1" = 100 ft

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Transport  
 — State Highway  
 □ Image Parcels

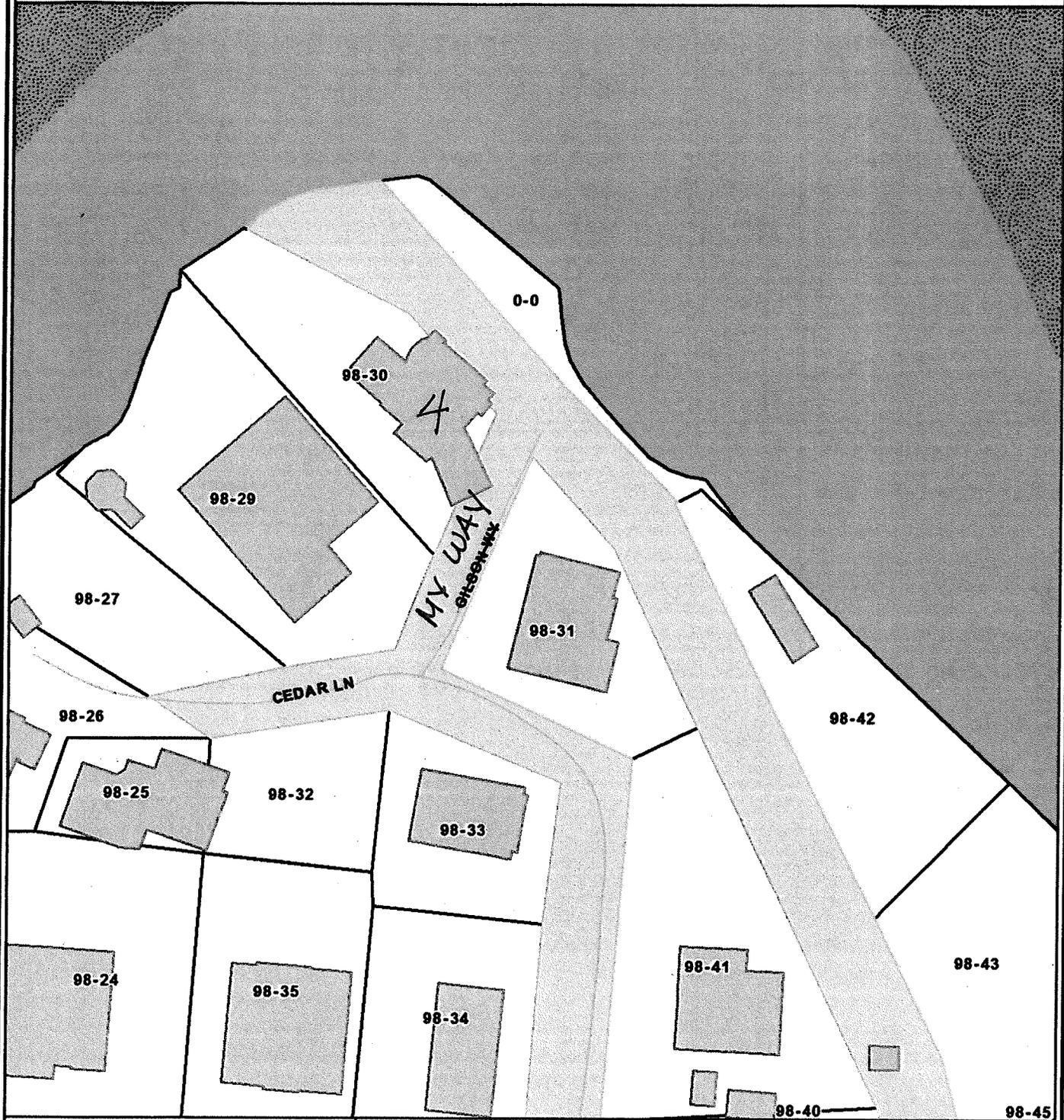


Planimetric and topographic basemap features 1" = 40' scale from Aerial Photography March, 2011. The information depicted on this map is for planning purposes only. The City of Gloucester makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data. The City of Gloucester does not assume any liability associated with the use or misuse of this information.

1" = 100 ft

PROPOSED STREET NAMING AND NUMBERING PLAN FOR MY WAY

OWNER OR RESIDENT & MAILING ADDRESS	ASSESSORS DATABASE	APPROVED STREET NAME/ NUMBER	ASSESSOR MAP/LOT #
William & Myra Coletti P O Box 1770 Gloucester, MA 01930-1770	4 Gilson Way	4 My Way	98-30



- |   |   |
|---|---|
| <p><b>Interest P</b></p> <ul style="list-style-type: none"> <li>● Athletic</li> <li>⊙ Beach</li> <li>▲ Cemetery</li> <li>⊠ Church</li> <li>★ Federal Government Facility</li> <li>● Fire Station</li> <li>⊠ Historic Site</li> <li>⊠ Medical</li> <li>⊠ Library</li> <li>⊠ Municipal /State Government</li> <li>⊠ Med-Flight Landing Zones</li> <li>⊠ Park &amp; Ride Lot</li> <li>● Police Station</li> <li>◆ Recreation site</li> <li>⌄ School</li> <li>⊠ State Parks, Forests, &amp; Re</li> <li>⊠ Building Footprint</li> </ul> | <p><b>Transportation</b></p> <ul style="list-style-type: none"> <li>--- Street Centerlines</li> </ul> <p><b>Water Bodies</b></p> <ul style="list-style-type: none"> <li>▨ Pond, Lake, Ocean</li> <li>▨ Reservoir</li> <li>⊠ Wetland</li> <li>⊠ Salt Wetland</li> <li>⊠ Submerged Wetland</li> <li>⊠ Cranberry Bog</li> <li>⊠ Tidal Flat</li> <li>⊠ Inundated Area</li> <li>□ Parcels</li> </ul> |
|---|---|

1" = 50 ft



Planimetric and topographic basemap features 1 = 40 scale from Aerial Photography March, 2011. The information depicted on this map is for planning purposes only. The City of Gloucester makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data. The City of Gloucester does not assume any liability associated with the use or misuse of this information.



Transport  
— State Highway  
□ Image Parcels



Planimetric and topographic basemap features 1 = 40 scale from Aerial Photography March, 2011. The information depicted on this map is for planning purposes only. The City of Gloucester makes no warranties, expressed or implied, concerning the accuracy, completeness, reliability, or suitability of these data. The City of Gloucester does not assume any liability associated with the use or misuse of this information.

1" = 50 ft

# **ENCLOSURE 5**

# City of Gloucester Special Budgetary Transfer Request Fiscal Year 2014

X  INTER-departmental requiring City Council approval - 6 Votes Required  
 INTRA-departmental requiring City Council approval - Majority Vote Required

TRANSFER # 2014-SBT-  21  *Auditor's Use Only*

DEPARTMENT REQUESTING TRANSFER:  POLICE

DATE:  3/4/2014  BALANCE IN ACCOUNT: \$  159,790.74

(FROM) PERSONAL SERVICES ACCOUNT #  101000.10.211.51100.0000.00.000.00.051   
Unifund Account #

(FROM) ORDINARY EXPENSE ACCOUNT #  POLICE-UNIFORM, SALWAGE-PERM POS   
Unifund Account #  
Account Description

DETAILED EXPLANATION OF SURPLUS:  LT. WILLIAMS & OFFICER SARGENT RETIRED IN JULY 2013.

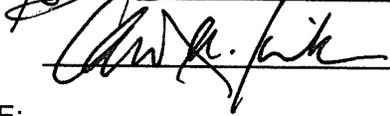
(TO) PERSONAL SERVICES ACCOUNT #  101000.10.210.51170.0000.00.000.00.051   
Unifund Account #

(TO) ORDINARY EXPENSE ACCOUNT #  POLICE ADMIN, TEMPORARY UPGRADE   
Unifund Account #  
Account Description

DETAILED ANALYSIS OF NEED(S):  ACCOUNT WAS CUT DURING BUDGET REVIEW. NEED FUNDS THIS IS A CONTRACTUAL COST.

TOTAL TRANSFER AMOUNT: \$  1,592.20  NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT: \$  158,198.54   
 TO ACCOUNT: \$  1,000.00

APPROVALS:  DATE:  2-4-14   
 DEPT. HEAD: \_\_\_\_\_ DATE: \_\_\_\_\_  
 ADMINISTRATION:  DATE:  3/18/14   
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 6**

# City of Gloucester Special Budgetary Transfer Request Fiscal Year 2014

**INTER-departmental requiring City Council approval - 6 Votes Required**  
 **INTRA-departmental requiring City Council approval - Majority Vote Required**

**TRANSFER # 2014 SBT- 22 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: Police

DATE: 3/6/2014 BALANCE IN ACCOUNT: \$ 158,198.54

(FROM) PERSONAL SERVICES ACCOUNT # 101000.10.211.51100.0000.00.000.00.051

(FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_

*Unifund Account #*

*Unifund Account #*

**POLICE-UNIFORM, SAL/WAGE-PERM POS**

*Account Description*

DETAILED EXPLANATION OF SURPLUS: LT. WILLIAMS, LT. AULD, AND OFFICER SARGENT  
RETIRED IN FY14.

(TO) PERSONAL SERVICES ACCOUNT # 101000.10.210.51100.0000.00.000.00.051

(TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_

*Unifund Account #*

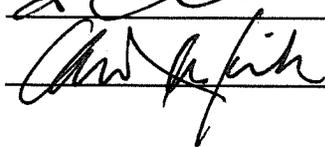
*Unifund Account #*

**POLICE-ADMIN, SAL/WAGE-PERM POS**

*Account Description*

DETAILED ANALYSIS OF NEED(S): FUNDS NEEDED TO COVER CONTRACTUAL STEP RAISE FOR  
GEN WHALEY PER UNION MOVED FROM GRADE 6 TO GRADE7.

TOTAL TRANSFER AMOUNT: \$ 6,080.55 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
 FROM ACCOUNT: \$ 152,117.99  
 TO ACCOUNT: \$ -

APPROVALS:  DATE: 3-5-14  
 DEPT. HEAD: \_\_\_\_\_  
 ADMINISTRATION:  DATE: 3/18/14  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 7**

# City of Gloucester Special Budgetary Transfer Request Fiscal Year 2014

**INTER-departmental requiring City Council approval - 6 Votes Required**  
 **INTRA-departmental requiring City Council approval - Majority Vote Required**

**TRANSFER # 2014 SBT- 23 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: Police

DATE: 3/6/2014 BALANCE IN ACCOUNT: \$ 152,117.99

(FROM) PERSONAL SERVICES ACCOUNT # 101000.10.211.51100.0000.00.000.00.051

(FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_

*Unifund Account #*  
101000.10.211.51100.0000.00.000.00.051  
*Unifund Account #*  
\_\_\_\_\_  
**POLICE-UNIFORM, SAL/WAGE-PERM POS**  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: LT. WILLIAMS, LT. AULD, AND OFFICER SARGENT  
RETIRED IN FY14.

(TO) PERSONAL SERVICES ACCOUNT # 101000.10.292.51100.0000.00.000.00.051

(TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_

*Unifund Account #*  
101000.10.292.51100.0000.00.000.00.051  
*Unifund Account #*  
\_\_\_\_\_  
**POLICE-ADMIN, SAL/WAGE-PERM POS**  
*Account Description*

DETAILED ANALYSIS OF NEED(S): FUNDS NEEDED TO COVER CONTRACTUAL 2% RAISE FOR  
ANIMAL CONTROL OFFICER. CONTRACTS NOT SETTLED IN  
TIME OF FY14 PROJECTED BUDGET.

TOTAL TRANSFER AMOUNT: \$ 1,023.36 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
FROM ACCOUNT: \$ 151,094.63  
TO ACCOUNT: \$ -

APPROVALS:  \_\_\_\_\_ DATE: 3-5-14  
DEPT. HEAD:  \_\_\_\_\_ DATE: 3/18/14  
ADMINISTRATION: \_\_\_\_\_ DATE: \_\_\_\_\_  
BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 8**

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2014**

INTER-departmental requiring City Council approval - 6 Votes Required  
 INTRA-departmental requiring City Council approval - Majority Vote Required

**TRANSFER # 2014-SBT- 24 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: School Department

DATE: 3/6/14 BALANCE IN ACCOUNT: \$98,732.41

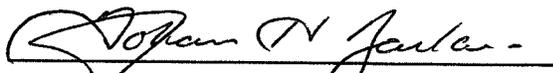
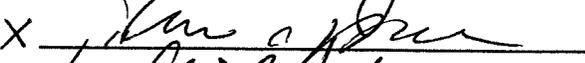
(FROM) PERSONAL SERVICES ACCOUNT # Unifund Account #  
 (FROM) ORDINARY EXPENSE ACCOUNT # Unifund Account #  
101000.29.370.53006.1410.00.270.00.052  
School Department, Services  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: Payment to Police Department for GHS School Resource Officer - FY14

(TO) PERSONAL SERVICES ACCOUNT # Unifund Account #  
101000.10.211.51100.0000.00.000.00.051  
 (TO) ORDINARY EXPENSE ACCOUNT # Unifund Account #  
Police-Uniform, Sal/Wage-Perm Pos  
*Account Description*

DETAILED ANALYSIS OF NEED(S): To fund the position of the GHS School Resource Officer.

TOTAL TRANSFER AMOUNT: \$ 56,000.00 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
 FROM ACCOUNT: \$ 42,732.41  
 TO ACCOUNT: \$ 223,367.86

**APPROVALS:**  
 DEPT. HEAD:  DATE: 3/6/14  
 DEPT. HEAD:   DATE: 3/12/14  
 ADMINISTRATION:  DATE: 3/18/14  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 9**

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2014**

\_\_\_\_\_ **INTER-departmental requiring City Council approval - 6 Votes Required**  
 \_\_\_\_\_ **INTRA-departmental requiring City Council approval - Majority Vote Required**

**TRANSFER # 2014 SBT- 25 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: \_\_\_\_\_ **DPW** \_\_\_\_\_

DATE: 3/11/2014 BALANCE IN ACCOUNT: \$ 2,001.00

(FROM) PERSONAL SERVICES ACCOUNT # \_\_\_\_\_  
 (FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
 \_\_\_\_\_  
**101000.10.403.52740.0000.00.000.00.052**  
 \_\_\_\_\_  
**Solid Waste Rent/Lease Equip.**  
 \_\_\_\_\_  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: **Funds available for transfer**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(TO) PERSONAL SERVICES ACCOUNT # \_\_\_\_\_  
 (TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
 \_\_\_\_\_  
**101000.10.472.52170.0000.00.000.00.052**  
 \_\_\_\_\_  
**Facilities Heating Oil**  
 \_\_\_\_\_  
*Account Description*

DETAILED ANALYSIS OF NEED(S): **Funds needed to help lessen large FY14 deficit.**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

TOTAL TRANSFER AMOUNT: \$ 2,001.00 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
 FROM ACCOUNT: \$ \_\_\_\_\_  
 TO ACCOUNT: \$ 6,001.00

APPROVALS:   
 DEPT. HEAD: \_\_\_\_\_ DATE: 11 MAR 2014  
 ADMINISTRATION:  \_\_\_\_\_ DATE: 3/18/14  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 10**

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2014**

\_\_\_\_\_ INTER-departmental requiring City Council approval - 6 Votes Required  
\_\_\_\_\_ INTRA-departmental requiring City Council approval - Majority Vote Required

**TRANSFER # 2014-SBT- 26 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: \_\_\_\_\_ **DPW** \_\_\_\_\_

DATE: 3/11/2014 BALANCE IN ACCOUNT: \$ 4,490.72

(FROM) PERSONAL SERVICES ACCOUNT # \_\_\_\_\_  
Unifund Account #  
 \_\_\_\_\_  
 (FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
Unifund Account #  
101000.10.403.52000.0000.00.000.00.052  
Solid Waste Contractual Services  
Account Description

DETAILED EXPLANATION OF SURPLUS: Funds available for transfer  
 \_\_\_\_\_  
 \_\_\_\_\_

(TO) PERSONAL SERVICES ACCOUNT # \_\_\_\_\_  
Unifund Account #  
 \_\_\_\_\_  
 (TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
Unifund Account #  
101000.10.472.52170.0000.00.000.00.052  
Facilities Heating Oil  
Account Description

DETAILED ANALYSIS OF NEED(S): Funds needed to help lessen large FY14 deficit.  
 \_\_\_\_\_  
 \_\_\_\_\_

TOTAL TRANSFER AMOUNT: \$ 4,000.00 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
 FROM ACCOUNT: \$ 490.72  
 TO ACCOUNT: \$ 4,000.00

APPROVALS:  \_\_\_\_\_ DATE: 11 MAR. 2014  
 DEPT. HEAD: Rich D. Hale  
 ADMINISTRATION: Andrew F. [Signature] DATE: 3/18/14  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 11**

## City of Gloucester Special Budgetary Transfer Request Fiscal Year 2014

INTER-departmental requiring City Council approval - 6 Votes Required  
 INTRA-departmental requiring City Council approval - Majority Vote Required

TRANSFER # 2014-SBT- 27 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: DPW

DATE: 3/11/2014 BALANCE IN ACCOUNT: \$ 1,258.40

(FROM) PERSONAL SERVICES ACCOUNT # Unifund Account #

(FROM) ORDINARY EXPENSE ACCOUNT # Unifund Account #  
101000.10.403.53720.0000.00.000.00.052  
Solid Waste Household Haz. Waste  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: Funds available for transfer

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(TO) PERSONAL SERVICES ACCOUNT # Unifund Account #

(TO) ORDINARY EXPENSE ACCOUNT # Unifund Account #  
101000.10.472.52170.0000.00.000.00.052  
Facilities Heating Oil  
*Account Description*

DETAILED ANALYSIS OF NEED(S): Funds needed to help lessen large FY14 deficit.

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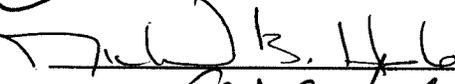
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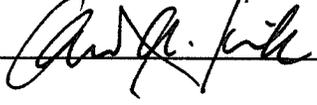
TOTAL TRANSFER AMOUNT: \$ 1,258.40 NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT: \$ -

TO ACCOUNT: \$ 7,259.40

APPROVALS: 

DEPT. HEAD:  DATE: 11 Mar 2014

ADMINISTRATION:  DATE: 3/18/14

BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_

CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 12**

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2014**

\_\_\_\_\_ **INTER-departmental requiring City Council approval - 6 Votes Required**  
 \_\_\_\_\_ **INTRA-departmental requiring City Council approval - Majority Vote Required**

**TRANSFER # 2014 SBT- 28 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: \_\_\_\_\_ **DPW** \_\_\_\_\_

DATE: 3/11/2014 BALANCE IN ACCOUNT: \$ 16,566.76

(FROM) PERSONAL SERVICES ACCOUNT # \_\_\_\_\_ *Unifund Account #*  
 (FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_ *Unifund Account #*  
 \_\_\_\_\_ **101000.10.472.51990.0000.00.000.00.051**  
 \_\_\_\_\_ **Facilities Energy Educational Stipend**  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: **Account not used for part of the year.**  
 \_\_\_\_\_  
 \_\_\_\_\_

(TO) PERSONAL SERVICES ACCOUNT # \_\_\_\_\_ *Unifund Account #*  
 (TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_ *Unifund Account #*  
 \_\_\_\_\_ **101000.10.472.52170.0000.00.000.00.052**  
 \_\_\_\_\_ **Facilities Heating Oil**  
*Account Description*

DETAILED ANALYSIS OF NEED(S): **Funds needed to help lessen large FY14 deficit.**  
 \_\_\_\_\_  
 \_\_\_\_\_

TOTAL TRANSFER AMOUNT: \$ 12,000.00 NEW BALANCE IN ACCOUNTS AFTER TRANSFER  
 FROM ACCOUNT: \$ 4,566.76  
 TO ACCOUNT: \$ 19,259.40

APPROVALS:  \_\_\_\_\_ DATE: 11 MAR 2014  
 DEPT. HEAD: \_\_\_\_\_  
 ADMINISTRATION:  \_\_\_\_\_ DATE: 3/18/14  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 13**



# **ENCLOSURE 14**

**City of Gloucester  
SUPPLEMENTAL APPROPRIATION - BUDGETARY REQUEST  
Fiscal Year 2014**

\*\*\*\*CITY COUNCIL APPROVAL- <sup>5</sup>6 VOTES NEEDED\*\*\*\*

APPROPRIATION # 2014-SA- 63 Auditor's Use Only

DEPARTMENT REQUESTING TRANSFER: MAYOR'S OFFICE

APPROPRIATION AMOUNT: \$ 70,000.00

Account to Appropriate from: Unifund Account # 101000.10.000.35900.0000.00.000.00.000  
 Account Description F/B - Undesignated  
 Balance Before Appropriation \_\_\_\_\_  
 Balance After Appropriation #VALUE!

Account Receiving Appropriation: Unifund Account # 101000.10.472.52000.0000.00.000.00.052  
 Account Description Facilities, Contracted Services  
 Balance Before Appropriation \$ 256,729.00  
 Balance After Appropriation \$ 326,729.00

DETAILED ANALYSIS OF NEED(S): Fiscal 2014 Rent (\$56,000) and estimated Utilities (\$14,000)  
for West Parish School swing space.

**APPROVALS:**  
 DEPT. HEAD: [Signature] DATE: 3/18/14  
 ADMINISTRATION: [Signature] DATE: 3/18/14  
 BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
 CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 15**

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

## MEMORANDUM

**TO: Councilor Robert Whynott, Chair-Ordinance and Administration Committee**  
**FR: James Duggan, Chief Administrative Officer**   
**RE: Susan Albiero, Historical Commission Reappointment**  
**DT: March 17, 2014**

---

The Administration is withdrawing the reappointment of Susan Albiero to the Historical Commission.

Thank you.

cc: Council President Paul McGeary

JAD/c



# CITY OF GLOUCESTER

**Health Department**  
3 Pond Road, City Hall Annex  
Gloucester, Massachusetts 01930



**Public Health**  
Prevent. Promote. Protect.

## Memo

**Date:** March 11, 2014

**To:** Paul McGeary, City Council President  
Steve LeBlanc, City Council, Ad Hoc Committee on Dogs

**From:** Noreen Burke, Director Gloucester Health Department, On Behalf of the Board of Health

**Subject:** Health concerns regarding dog fecal matter on city's beaches

14 MAR 11 PM 3:32  
CITY CLERK  
GLOUCESTER, MA

Dear Council President McGeary and Councilor LeBlanc:

Per the request of Council, the following information is provided as a response to the oral communication of Mr. Phillip Dench, shown below, re: the impact of improperly disposed or undisposed pet waste on city's beaches.

The memo relies upon best practice brochure of the Bureau of Environmental Health Massachusetts Department of Public Health, (attached separately) and input from the Board members.

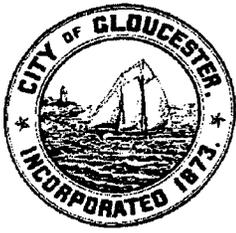
**Oral Communications:**

“Phil Dench, 4 Harvey Place, asked that the Council obtain guidance of the Health Department for issues of health concerns regarding dogs on the city's beaches related to fecal matter. He expressed his concern that dogs may be allowed on city beaches with the advent of possible proposals to amend the city's dog ordinances. He said that even when dog owners are diligent about removing their dog's fecal matter, the bacterial agents from it remain on the beach, in even small amounts, which can still adversely affect human health. He urged that dogs not be allowed on city beaches. When this matter goes back to the O&A Committee, and the Council he asked that the health issues be examined closely before any changes are made for another off leash area for the city's dogs and their owners, even seasonally.”

**Information from the Bureau of Environmental Health, Massachusetts Department of Public Health<sup>1</sup>**

Pet waste is unpleasant and can pose health risks when left on beaches or in other recreational areas.

To make sure your pet isn't contributing to the problem, always clean up after your pet and deposit waste in an appropriate manner.



# CITY OF GLOUCESTER

## Health Department



**Public Health**  
Prevent. Promote. Protect.

### ***Health Risks Possibly Associated with Pet Waste***

Pet waste can contain bacteria and parasites, causing infections such as the following:

- **Campylobacteriosis:** A bacterial infection that causes diarrhea in humans.
- **Giardiasis:** A protozoan infection of the small intestine that can cause diarrhea, cramping, fatigue, and weight loss.
- **Salmonellosis:** Symptoms include fever, muscle aches, headache, vomiting, and diarrhea.
- **Toxocariasis:** An animal to human infection that is caused by roundworms found in the intestines of dogs. The parasite can cause vision loss, rash, fever or cough, and is a particular threat to children exposed to parasite eggs in sand and soil.

### ***Be Aware***

When animal waste ends up in the water it decomposes, using up oxygen. During summer months, low dissolved oxygen levels harm fish and other aquatic life.

Beaches and shellfish beds may be closed, if evidence that disease-causing bacteria and viruses might be present is found on routine water testing. Pet waste can be a cause of test results that close beaches and shellfish beds.

The majority of water pollution comes from small sources - especially at the household level.

### ***Do More to Protect the Shore***

- Always carry a plastic bag to pick up your pet's waste.
- Do not throw pet waste near a storm drain; use a trash can. Pet waste can also be flushed down a toilet, but please don't flush the bag.
- Make sure to dispose of pet waste in a sealed bag so it doesn't spill during trash collection.
- Do not flush pet or wildlife waste from your deck or dock into the water.
- Obey local leash laws and seasonal bans at beaches.

In putting the health risks in perspective the Board of Health asked me to emphasize that it is presumed in this discussion that all accompanied dogs on the beach are pets and therefore are licensed. Thus, these pets general health is overseen on a regular scheduled basis by a veterinarian.

The Gloucester Code of Ordinances outlines specific concerns regarding control of pets, pet waste and code enforcement at *Sections 1-15. penalty for violation of certain specified sections of Code, and 4-16 (a) duty to dispose of pet waste.*

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<sup>1</sup> Pet Waste and Bathing Beaches: Guidelines for Pet Owners

## Health Risks Possibly Associated with Pet Waste

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Pet waste can contain bacteria and parasites, causing infections such as the following:

**Campylobacteriosis:** A bacterial infection that causes diarrhea in humans.

**Giardiasis:** A protozoan infection of the small intestine that can cause diarrhea, cramping, fatigue, and weight loss.

**Salmonellosis:** Symptoms include fever, muscle aches, headache, vomiting, and diarrhea.

**Toxocarasis:** An animal to human infection that is caused by roundworms found in the intestines of dogs. The parasite can cause vision loss, rash, fever or cough, and is a particular threat to children exposed to parasite eggs in sand and soil.



## Why is Pest Waste A Concern?

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There are a lot of pets, producing a lot of waste, and while pet waste is not the most significant pollutant, it can contribute to pollution over time.



## Why pick up after my dog, won't the tide wash it away?

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Dog waste may pose a health threat to swimmers, wildlife, surfers and other dogs. It can pollute the water and lead to beach closures and closure of shellfish beds.

## I only have a small dog; it can't really harm the water, can it?

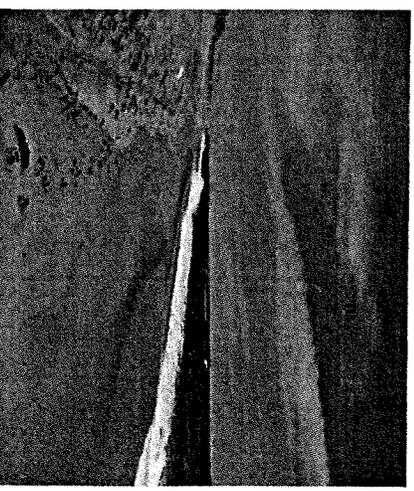
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It can be hard to picture how a single dog depositing a small amount of waste can result in water pollution. However, studies have shown that the combined impact of all pets and wildlife within a watershed can be significant when it comes to water quality and human health.

## Be Aware

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- When animal waste ends up in the water it decomposes, using up oxygen. During summer months, low dissolved oxygen levels harm fish and other aquatic life.
- Beaches and shellfish beds may be closed, if evidence that disease-causing bacteria and viruses might be present is found on routine water testing. Pet waste can be a cause of test results that close beaches and shellfish beds.
- The majority of water pollution comes from small sources – especially at the household level.
- Many towns have “pooper scooper” ordinances that require pet owners to pick up and remove fecal matter from public property. Fines can be imposed on those caught violating these laws.



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### **Pet Waste is Natural**

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However, efficient drainage systems and roads now make it easy for pet waste to reach beach waters.

Waste left on the ground either passes through storm sewers untreated or washes directly into oceans, lakes, and streams.

Pet waste is unpleasant and can pose health risks when left on beaches or in other recreational areas

To make sure your pet isn't contributing to the problem, always clean up after your pet and deposit waste in an appropriate manner.

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### **Quick Tips**

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Reuse old bags: grocery, sandwich, newspaper, produce and bread bags to pick up and contain pet waste.

Keep a supply of bags near your dog's leash.

The bags onto the leash if you don't have a pocket or pack.

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### **Do More to Protect the Shore**

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- Always carry a plastic bag to pick up your pet's waste.
- Do not throw pet waste near a storm drain; use a trash can. Pet waste can also be flushed down a toilet, but please don't flush the bag.
- Make sure to dispose of pet waste in a sealed bag so it doesn't spill during trash collection.
- Do not flush pet or wildlife waste from your deck or dock into the water.
- Obey local leash laws and seasonal bans at beaches.

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### **For More Information**

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Bureau of Environmental Health  
MA Department of Public Health  
250 Washington Street, 7th fl  
Boston, MA 02108

MA Bathing Beaches Project Website:  
[www.mass.gov/dph/beaches](http://www.mass.gov/dph/beaches)

Phone: 617-624-5757

Fax: 617-624-5777

TTY: 617-624-5286

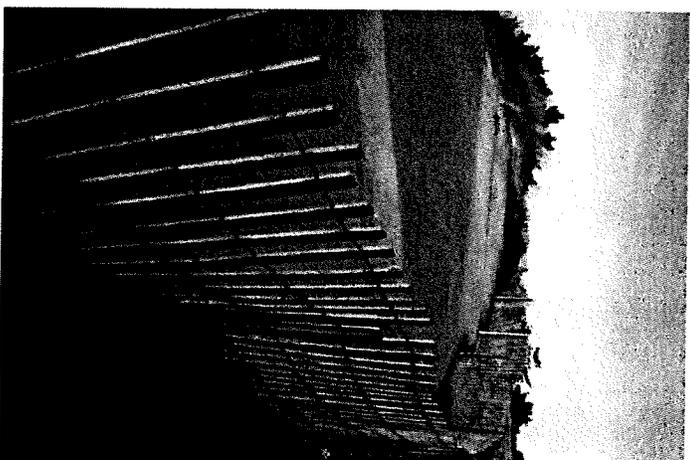
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## **Pet Waste and Bathing Beaches**

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### **Guidelines for Pet Owners**

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**This brochure will educate pet owners on environmentally sound waste disposal practices to protect the recreational waters of Massachusetts.**



Revised July 2007

CITY CLERK  
GLOUCESTER, MA

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here for each other



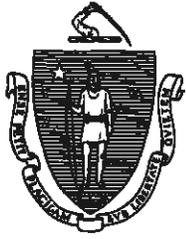
**The North Shore Health Project** is pleased to announce that the 4<sup>th</sup> Annual Community Health Activist Award is being awarded to **Sefatia Giambanco Romeo Theken**. Sefatia is being honored for her years of service and dedication to the community as the Health and Human Services Liaison at Addison Gilbert Hospital. She is also a tireless member of the Gloucester City Council. Sefatia deserves all of our support and thanks for the job she has done, and continues to do, for the city of Gloucester and all of Cape Ann.

Please join us as we celebrate Sefatia on **Thursday morning, May 29<sup>th</sup>, 2014** at the Gloucester House, Rogers Street, Gloucester. Breakfast will be served at 7:30AM with remarks from local officials, colleagues and perhaps even Sefatia herself, and the program will conclude by 9AM.

Tickets to the breakfast are \$25 each and are available by calling 978-283-0101 or emailing [scoviello@healthproject.org](mailto:scoviello@healthproject.org). You can also make a reservation and payment to the North Shore Health Project, 5 Center Street, Gloucester, MA, 01930. There will be a limited number of tickets available at the door, but please RSVP so that we can have an accurate head count. **Please RSVP no later than May 15<sup>th</sup>.**

The North Shore Health Project's mission is to promote wellness in people living with HIV/AIDS and Hepatitis C by providing free case management, holistic health care, support services, information and outreach in a safe, caring and confidential environment.

We thank you in advance for your support of Sefatia and of the Health Project, and we look forward to seeing you in May.



FP-2A  
(Rev. 04-2010)

The Commonwealth of Massachusetts  
City/Town of GLoucester

Application For License

Massachusetts General Law, Chapter 148 §13

New License     Amended License

GIS Coordinates
_____
LAT.
_____
LONG.
_____
License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 27 MAPLEWOOD AVE # 0027-0084-000 Book C 56003  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: FAYE HOLDING LLC

Address of Land Owner: 209 ESSEX AVE GLOUCESTER MA 01930

Use and Occupancy of Buildings and Structures: GASOLINE SALES - VEHICLE INSPECTION

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

**Flammable and Combustible Liquids, Flammable Gases and Solids**

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 14;  
Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, Cubic feet	CONTAINER UST, AST, IBC, drums
<u>GASOLINE</u>		<u>12,000</u>		
<u>DEISEL FUEL</u>		<u>4,000</u>		

Total quantity of all flammable liquids to be stored: 16,000

Total quantity of all combustible liquids to be stored: \_\_\_\_\_

Total quantity of all flammable gases to be stored: 12,000

Total quantity of all flammable solids to be stored: \_\_\_\_\_

14 MAR 20 AM 11:38

CITY CLERK  
GLOUCESTER, MA

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 6)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: \_\_\_\_\_  
List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: \_\_\_\_\_  
List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: \_\_\_\_\_

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 2)

❖ Maximum amount (in pounds) of Class 1.3G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4G: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: \_\_\_\_\_

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 13)

❖ Maximum amount (in pounds) of Class 1.1: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.2: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.3: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.5: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.6: \_\_\_\_\_ Number of magazines used for storage: \_\_\_\_\_

I, Anthony Taliaferro, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature [Signature] Date 3-14 Name ANTHONY TALIAFERRO

**Fire Department Use Only**

I, Miles Schlichter, Head of the Gloverscedes Fire Department endorse this application with my

Approval  Disapproval

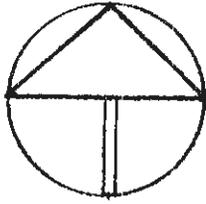
Signature of Head of the Fire Department [Signature] - Dep Chief Date 3/18/2011

Recommendations: \_\_\_\_\_

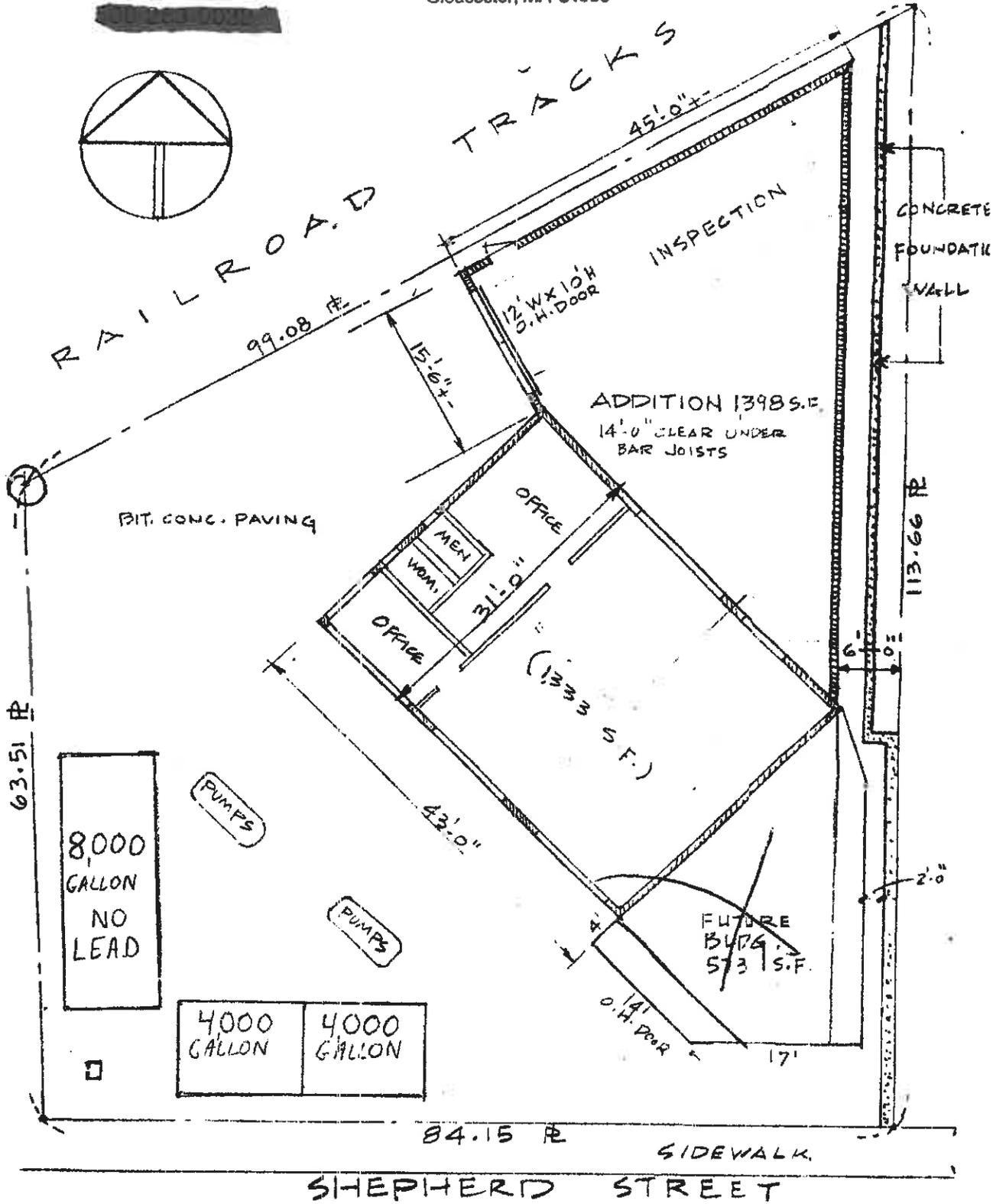
THE CAR SHOP, INC.

27 MAPLEWOOD AVE.  
GLOUCESTER, MA 01930

TONY'S SERVICE, INC.  
209 Essex Ave.  
Gloucester, MA 01930



MAPLEWOOD AVENUE





The Commonwealth of Massachusetts  
 Department of Fire Services - Office of the State Fire Marshal



**PERMIT**

**To Maintain an Existing/New Storage Tank Facility  
 for Storage Tanks Regulated under 527 CMR 9.00**

In accordance with the provisions of 527 CMR 9.00 this permit to maintain an existing/new storage tank facility is granted to:

Location of property: 27 Maplewood Ave  
Street address  
 Owner of property: Faye Holding LLC (LAND) Tony's Service Station Inc.  
Full name of person, firm or corporation  
 Number of storage tanks:      aboveground 2 underground

Facility to be maintained in accordance with the restrictions described below:

MGL and NFPA COMPLIANCE

Fee paid: \$ 150 (M.G.L. Chapter 148, section 10A)

CK# 4994  
 This permit will expire 3/19/15  
Date

[Signature]  
Signature of Head of Fire Department or appointed designee

(Owner's copy - To be posted at the storage facility)

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, March 11, 2014 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present:** Chair, Councilor Paul McGeary; Vice Chair, Councilor Sefatia Theken; Councilor Melissa Cox; Councilor Jacqueline Hardy; Councilor Steve LeBlanc, Jr.; Councilor Greg Verga; Councilor Paul Lundberg; Councilor William Fonvielle

**Absent:** Councilor Whynott

**Also Present:** Linda T. Lowe; Jim Duggan; Kenny Costa; John Dunn; Fire Chief Eric Smith; Deputy Chiefs Stephen Aiello and Miles Schlichte; Captain LoGrande and firefighting members of the Gloucester Fire Department; Jim Caulkett; Sarah Garcia

The meeting was called to order at 7:00 p.m.

**Flag Salute & Moment of Silence** was dedicated by Councilor Theken in memory of Joseph Kaknes and Robert Peavey.

**Oral Communications:**

**Valerie Nelson**, 7 Sunset Hill Road made six requests concerning regulations of animals in the city (written statement submitted) as follows:

- 1) Implement a program linking information on dogs and owners collected in the City Clerk's office with the Police Department and Animal control to streamline information sharing when a dog is lost;
- 2) That the Clean Energy Commission develop a program to install bio-gas digesters for dog waste at the Dog Park and city beaches, and possibly the Boulevard and other appropriate sites; and explore financing through state and federal programs;
- 3) That the Tourism Commission develop a branding program publicizing Gloucester as a dog-friendly community;
- 4) That the Planning Department update the City's comprehensive plan incorporating measures to make Gloucester neighborhoods dog friendly;
- 5) That the Public Health Department research and document the public health benefits of dogs in communities;
- 6) Work with the EDIC to incorporate branding of the city as a dog-friendly community.

**Presentations/Commendations:**

- 1 of 1: Presentation to Gloucester Firefighters for heroism by State Senator Bruce Tarr and State Representative Ann-Margaret Ferrante: Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas

**Council President McGeary** asked Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas to come forward (absent were Firefighters' Frank LeClerc and James Burke). He noted that these Gloucester firefighters were recognized by the State Fire Marshall in a ceremony held at MIT in December at the annual Firefighter of the Year awards that they were honored for their extraordinary actions in an effort to save a young woman trapped in a fire at considerable personal risk.

**Sen. Bruce Tarr** presented to Captain Aiello and Firefighters Sanger; Scola, Burke, Hannon, Hudson and Rivas with a citation from the Massachusetts Senate lauding the action of the firefighters in their efforts to save a young woman trapped in a fire on Summer Street on April 9, 2013. He not only offered his thanks to the firefighters for their heroic efforts but for also serving every day of the year to keep safe and protect the citizens of Gloucester.

**Rep. Ann-Margaret Ferrante** presented a citation from the Massachusetts House of Representatives in commemoration of the Gloucester firefighter's heroism. She expressed her pride in the brave Gloucester firefighters. She pointed out there was no hesitation or fear on the part of these firefighters when there was a life was at stake. She said that nothing says more than the gift of those who are willing to lay down their lives to save another.

**Council President McGeary** thanked the firefighters' on behalf of the citizens of Gloucester. He said that no one exceeds the dedication and hard work that the firefighters do every day to protect their community. He then read the City Council's citation honoring the eight Gloucester firefighters:

*"Whereas the Gloucester City Council recognizes that Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas were among those Gloucester Firefighters from Engine 1 and Ladder 1 who responded to a fire in a two-family home on Summer Street in Gloucester on April 9, 2013 and Whereas through their efforts and the efforts of their fellow firefighters Victoria McCabe Schmelzer, who had become trapped in a second floor rear bedroom was evacuated from the burning building and Whereas, their efforts and the efforts of their fellow firefighters have been honored with certificates of meritorious recognition by the Commonwealth's Executive Office of Public Safety and Whereas Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas continue to serve the department and their community with distinction Now Therefore, on behalf of the Gloucester City Council, we the President and Vice President, on the 11<sup>th</sup> day of March 2014 recognize Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas for the demonstrated acts of heroism and bravery that they selflessly exhibited on that day and thanks them for their continuing commitment to the safety and health of all the citizens of Gloucester."*

The Council recessed at 7:28 p.m. to allow personally congratulate the Gloucester firefighters present and then reconvened at 7:35 p.m.

#### Appointments:

##### *Open Space & Recreation Committee TTE 02/14/17 Jerome Goulart*

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Jerome Goulart to the Open Space & Recreation Committee, TTE 02/14/17

#### DISCUSSION:

**Councilor Theken** said three of the four appointees, the exception of Mr. Orlando who is already a member of the city's Planning Board, came before the O&A Committee. She thanked all those members of the community, on behalf of the Council, who step forward in service to their city. She also noted all appointees have submitted their Certificates of Completion for the State Ethics Test to the City Clerk.

**Councilor Lundberg** said that he read Mr. Goulart's excellent letter of interest addressed to the Mayor and commented it was one of the best he had read to date. **Mr. Goulart** acknowledged the appreciation of the Councilors.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to appoint Jerome Goulart to the Open Space & Recreation Committee, TTE 02/14/17**

##### *Community Preservation Committee TTE 02/14/17*

##### *Joseph Orlando-Planning Board Representative*

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Joseph Orlando to the Community Preservation Committee as the Planning Board Representative, TTE 02/14/17.

#### DISCUSSION:

**Mr. Orlando** was present and acknowledged the thanks of the Council for his service to the community.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to appoint Joseph Orlando to the Community Preservation Committee as the Planning Board Representative, TTE 02/14/17.**

**Planning Board**

**TTE 02/14/19**

**Shawn Henry**

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Shawn Henry to the Planning Board, TTE 02/14/19.

**DISCUSSION:**

**Councilor Theken** noted that although Mr. Henry was not present, he had served on the Planning Board from 2006 to 2010, and that the city was fortunate he was returning to serve once again on the Board.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, to appoint Shawn Henry to the Planning Board, TTE 02/14/19.**

**Capital Improvement Advisory Board TTE 02/14/17 Cindy Wilson**

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Cindy Wilson to the Capital Improvement Advisory Board, TTE 02/14/17.

**DISCUSSION:**

**Cindy Wilson**, 518 Washington Street, said that she moved to Gloucester in 2010, noting that she is a scientist and project manager who has been involved in formulating budgets. She said she looked forward to serving the city with the Capital Improvements Advisory Board.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to appoint Cindy Wilson to the Capital Improvement Advisory Board, TTE 02/14/17.**

**Consent Agenda:**

**CONFIRMATION OF REAPPOINTMENTS**

<i>Affordable Housing Trust</i>	<i>TTE 02/14/16</i>	<i>Betsy Works Cook, Mary John Boylan</i>
<i>Archives Committee</i>	<i>TTE 02/14/17</i>	<i>Sarah Dunlap, Jane Walsh, Stephanie Buck</i>
<i>Board of Health</i>	<i>TTE 02/14/17</i>	<i>Claudia Schweitzer, Fred Cowan</i>
<i>Board of Registrars</i>	<i>TTE 02/14/17</i>	<i>Lucia Sheehan</i>
<i>Clean Energy Commission</i>	<i>TTE 02/14/16</i>	<i>Tom Kiely, Linda Stout-Sanders, Candace Wheeler</i>
<i>Community Preservation Comm.</i>	<i>TTE 02/14/17</i>	<i>William Dugan, Gloucester Housing Authority Rep. Scott Smith, At Large member</i>
<i>Conservation Commission</i>	<i>TTE 02/14/17</i>	<i>Robert Gulla</i>
<i>Downtown Development Comm.</i>	<i>TTE 02/14/17</i>	<i>Jane Fonzo, Douglas Cook, Katherine Cuddyer</i>
<i>Fisheries Commission</i>	<i>TTE 02/14/17</i>	<i>Angela Sanfilippo, Al Cottone, Paul Vitale, Mark Ring</i>
<i>Historic District Commission</i>	<i>TTE 02/14/17</i>	<i>Joseph Orlando, William "BG" Brown</i>
<i>Historical Commission</i>	<i>TTE 02/14/17</i>	<i>Stephen Miller (Alternate Member), David Porper</i>
<i>Magnolia Woods Oversight &amp; Advis. Committee</i>	<i>TTE 02/14/17</i>	<i>Nancy Goodick, Charles Nazarian</i>
<i>Open Space &amp; Recreation Committee</i>	<i>TTE 02/14/17</i>	<i>David Rhinelander, Susan Albiero</i>
<i>Shellfish Advisory Commission</i>	<i>TTE 02/14/17</i>	<i>Thomas Falzarano, Alexander Monell</i>
<i>Tourism Commission</i>	<i>TTE 02/14/17</i>	<i>Charles Crowley, Susan Hedman</i>
<i>Traffic Commission</i>	<i>TTE 02/14/17</i>	<i>David Roach</i>
<i>Waterways Board</i>	<i>TTE 02/14/17</i>	<i>Catherine Ryan</i>
<i>Zoning Board of Appeals</i>	<i>TTE 02/14/17</i>	<i>Larry Ingersoll</i>
		<i>Anthony Gross</i>
		<i>Virginia Bergmann, Francis Wright, David Gardner</i>

**MAYOR'S REPORT**

1. City of Gloucester Groundfish Port Recovery and Revitalization Plan (Info Only)
2. Memorandum, Grant Application & Checklist from Harbor Planning Director re: City Council acceptance of a Seaport Advisory Council Grant
3. Memorandum from City Auditor re: City's FY2013 Basic Financial Statements (Refer B&F)
4. Memorandum, Grant Application & Checklist from Community Development Director re: City Council Acceptance of MA Council On Aging Grant "Healthy Aging through Health Community Design" in the amount of \$10,000 (Refer B&F)
5. Special Budgetary Transfer 2014-SBT-19 from the Auditor's Office (Refer B&F)

6. Special Budgetary Transfer 2014-SBT-20 from the Auditor's Office (Refer B&F)
7. Reappointments: Waterways Board (TTE 02/14/17) David McCauley, At Large Member, Robert Gillis, Economic Development Member (Refer O&A)
- **COMMUNICATIONS/INVITATIONS**
1. Communication from the Rotary Club of Gloucester re: City Council support of the Rotary's Polar Plunge (Info Only)
- **INFORMATION ONLY**
  - **APPLICATIONS/PETITIONS**
1. SCP2014-005: Fort Hill Avenue #48, GZO Sec. 3.1.6(b) Building Heights in Excess of 35 feet (Refer P&D)
- **COUNCILORS ORDERS**
1. CC0214-009 (LeBlanc/McGeary/Cox) Council support of location of sculpture at Grant Circle (FCV 03/25/14)
2. CC0214-010 (Lundberg/Theken) Resolution requesting state apply its share of \$75 million in disaster relief funding for fisheries Provided in 2014 federal omnibus appropriations bill, to direct disaster mitigation to affected fishing businesses (FCV 03/24/14)
3. CC2014-011 (McGeary) Election of City Clerk and City Auditor pursuant to the City Charter section 2-7(a) (Refer O&A & B&F)
4. CC2014-012 (Cox) Amend GCO Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zone" re: Prospect St. At its intersection with Railroad Avenue (Refer O&A & TC)
5. CC2014-013 (Cox) Amend GCO c. 22, Sec. 22-280 "Fifteen-minute parking" re: Main Street #274 (Refer O&A & TC)
6. CC2014-014 (McGeary) Amend GCO c. 22, Art. II, Div. 2 "Traffic Commission" by adding new Sec. 22-37 re: Commission's Authority to reserve parking areas for handicapped persons and disabled veterans; amending Sec. 22-175 & Sec. 22-287 (Refer O&A & TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 02/11/14 (Approve/File)
2. Special City Council Meeting: 02/18/14 (Approve/File)
3. Standing Committee Meetings: B&F 03/06/14 (under separate cover), 03/11/14 (under separate cover), O&A 03/03/14, P&D 03/05/14 & Special Meeting 03/06/14 (Approve/File)

**Items to be added/deleted from the Consent Agenda:**

A motion was made, seconded and voted unanimously to accept the Consent Agenda as presented.

**Committee Reports:**

**Budget & Finance: March 6, 2014**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to accept the Budget & Finance Committee's Unanimous Consent Agenda dated March 11, 2014 as follows:**

**Permission to Pay Invoices without a Purchase Order in Place:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize payment of an outstanding invoice #42413 from the Town of Essex Police Department incurred by the Gloucester School Department for Private Detail services rendered on 11/28/2013, for a total of \$384.00 without a purchase order in place. The invoice will be paid from current FY2014 School Department budget.**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize payment of outstanding travel expenses submitted by Kathleen Foote, a teacher at Veterans Memorial School, Gloucester, MA for travel expenses incurred attending professional development seminars submitted to the Gloucester School Department 11/15/13, for a total of \$195.35 without a purchase order in place. The invoice will be paid from current FY2014 School Department budget.**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize payment of outstanding travel expenses submitted by Melanie Stansfield, Beeman Elementary School Literacy Coordinator, Gloucester, MA for travel expenses incurred attending professional development seminars submitted to the Gloucester School Department 12/5/13, for a total of \$487.36 without a purchase order in place. The invoice will be paid from current FY2014 School Department budget.**

**Raising School Department Revolving Fund Spending Limit:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize raising the spending limit on the Gloucester School Department Revolving Fund #283013, for Professional Development, from \$20,000 to \$40,000.**

**Permission to Apply for Grants:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to permit the Community Development Department to apply for a non-competitive Commonwealth of Massachusetts “Our Common Backyard Grant” Program in the amount of up to \$200,000.**

**Supplemental Appropriation-Budgetary Transfer:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to approve Supplemental Appropriation 2014-SA-47 in the amount of \$40,000 (Forty Thousand Dollars) from the Highway Force Account, Transfer Out –General Fund, Account # 294015.10.991.59600.0000.00.000.00.059 to Public Service Paving, Account # 101000.10.470.58415.0000.00.000.00.058 for the purpose of funding various paving projects throughout the city.**

\* \* \* END B&F COMMITTEE CONSENT AGENDA \* \* \*

**COMMITTEE RECOMMENDATION:** On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council to accept under MGL c. 44, §53A a donation from the Belinda Fund of the Boston Foundation in the amount of \$15,000 to be used for the restoration of the Work Progress Administration (WPA) murals at City Hall.

**DISCUSSION:**

**Councilor Cox** acknowledged the donation from the Belinda Fund of the Boston Foundation for the WPA mural restoration work and said the city is most grateful.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to accept under MGL c. 44, §53A a donation from the Belinda Fund of the Boston Foundation in the amount of \$15,000 to be used for the restoration of the Work Progress Administration (WPA) murals at City Hall.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-52 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Health, Medical/Surgical Supplies, Account # 101000.10.510.55000.0000.00.000.00.054 for the purpose of purchasing the shingles vaccines for Gloucester residents.

**DISCUSSION:**

**Councilor Cox** said this supplemental appropriation is for the Public Health Department’s Shingles Vaccination Program which for the last three years has been solely funded by free cash disbursements. This program is in great demand and the Committee unanimously endorsed the supplemental appropriation, she said.

**Council President McGeary** commended the Public Health Department for making the shingles vaccine available, observing that the vaccine is expensive for those who are uninsured.

**MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by 8 in favor, 0 opposed, 1 (Whynott) absent, to approve Supplemental Appropriation 2014-SA-52 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Health, Medical/Surgical Supplies, Account #**

**101000.10.510.55000.0000.00.000.00.054 for the purpose of purchasing the shingles vaccines for Gloucester residents.**

**Special Budget & Finance Meeting: March 11, 2014**

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-53 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund- Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Management Information Systems, Replace Equipment, Account # 101000.10.155.58700.0000.00.000.00.058 for the purpose of purchasing capital equipment as part of the City's capital plan.

**DISCUSSION:**

**Councilor Cox** said that the \$60,000 will be used mainly to replace the Windows XP operating system which is installed in 45 city computers and must be replaced as that operating system will no longer be supported by Microsoft. There are other hardware and software upgrades that are necessary for the city as well as licensing agreement renewals included in this transfer from free cash, she said.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to approve Supplemental Appropriation 2014-SA-53 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund- Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Management Information Systems, Replace Equipment, Account # 101000.10.155.58700.0000.00.000.00.058 for the purpose of purchasing capital equipment as part of the City's capital plan.**

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-60 in the amount of \$50,000 (Fifty Thousand Dollars) from the General Fund- Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to EDIC – Community Development, Contractual Services, Account # 295045.10.181.52000.0000.00.000.00.052 for the purpose of public relations and marketing support for economic development, job creation and attracting investment to the City of Gloucester.

**DISCUSSION:**

**Councilor Cox** explained this free cash appropriation for \$50,000 will be used in a partnership between the EDIC and the Community Development Department for a public relations and marketing campaign intended to foster economic development, job creation and attracting investment to the city. She said there is a draft scope of work for the proposed marketing campaign (on file) and that the services will be put out to bid.

**Councilor Fonvielle** said that a study by Northeastern University has shown that the primary factor for economic growth in Massachusetts communities is marketing, not the popularly held ideas of quality of education available, quality of the workforce, or properties available. He said this expenditure of public money would be money well invested.

**Council President McGeary** said there is a scope of work for the public relations campaign, but that this appears to be a highly directed marketing campaign. **Jim Duggan**, CAO, said that with the support of the Council the city has enjoyed great success in outreach marketing in the economic development arena. He pointed to bringing the Mazzetta Company and its seafood processing plant, anticipated to employ 225 people, to the city. He said that Gloucester came to the company's attention due to the city's earlier marketing program. He also pointed to the city's success in bringing the Innovation House to Magnolia. He said the city needs to continue its marketing and outreach to stimulate further economic growth.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to Council approve Supplemental Appropriation 2014-SA-60 in the amount of \$50,000 (Fifty Thousand Dollars) from the General Fund- Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to EDIC – Community Development, Contractual**

Services, Account # 295045.10.181.52000.0000.00.000.00.052 for the purpose of public relations and marketing support for economic development, job creation and attracting investment to the City of Gloucester.

**Ordinances & Administration: March 3, 2014**

There were no matters for Council action from this meeting other than appointments, reappointments and those matters to come forward for public hearing on other dates.

**Planning & Development: March 5, 2014**

**MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent to accept the Planning & Development Committee Unanimous Consent Agenda dated March 11, 2014 as follows:**

*Backshore 5 Mile Road Race on May 9, 2014*

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to permit the Cape Ann YMCA on Friday, May 9, 2014 to hold the Backshore 5 Mile Road Race with the following conditions:**

1. **Certificate of Insurance:**  
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**  
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**  
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.
4. **Emergency Services are as determined by City EMS Director.**
5. **Staffing:**  
Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Notification to Immediate Abutters and Businesses to Race Course:**  
Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.
7. **Responsibility of the Cape Ann YMCA:**  
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

*Around Cape Ann 25K Road Race on September 1, 2014*

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to permit the Cape Ann YMCA on September 1, 2014 to hold the 25K Around the Cape Road Race with the following conditions:**

1. **Certificate of Insurance:**  
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**

**Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.**

**3. Refuse and Comfort Stations:**

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.

**4. Emergency Services are as determined by City EMS Director.**

**5. Staffing:**

Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.

**6. Notification to Immediate Abutters and Businesses to Race Course:**

Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.

**7. Responsibility of the Cape Ann YMCA:**

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

*Run the Goose 7K Road Race on September 1, 2013*

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to permit the Cape Ann YMCA on September 1, 2014 to hold the 7K Run the Goose Road Race with the following conditions:**

**1. Certificate of Insurance:**

A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.

**2. Road Closure Plans:**

Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

**3. Refuse and Comfort Stations:**

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.

**4. Emergency Services are as determined by City EMS Director.**

**5. Staffing:**

Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.

**6. Notification to Immediate Abutters and Businesses to Race Course:**

Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.

**7. Responsibility of the Cape Ann YMCA:**

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

Special Joint Meeting with Planning Board March 6, 2014

**Councilor Verga** said that at a special joint meeting on Thursday evening, March 6, the Planning & Development Committee and the Planning Board, Beauport Gloucester LLC, presented its request for modifications for previously granted Special Council Permits for a hotel at 47-61 Commercial Street. He noted that most of the City Council was in attendance at the special meeting. The P&D Committee voted at that time to advertise for a public hearing on the matter, and that the Committee would take Beauport Gloucester LLC Special Council Permits Request for Modification matter up at its April 2 regularly scheduled meeting.

**Scheduled Public Hearings (Public Hearing #1 and #2 were taken out of order):**

1. **PH2014-016: Amend GCO Chapter 4, “Animals,” Art. II “Dogs,” Sec. 4-16 “Off Leash Dog Areas” by adding new subsections re: Dog Park**

**This public hearing is opened at 8:00 p.m.**

**Those speaking in favor:**

**Marie Demick**, representing the Gloucester Dog Park Board of Directors, explained the rules and regulations the Friends of the Gloucester Dog Park are asking to be codified into the Code of Ordinances are the rules were adopted by the City Council and which are prominently displayed at the dog park. Not only is it proposed to incorporate the Gloucester Dog Park rules and regulations into the Code of Ordinances Chapter 4 but to further introduce into Sec. 1-15 civil penalties for violations for those same rules and regulations in order for these rules to become enforceable. There have been no issues yet at the Dog Park needing enforcement, she said, but it would be helpful to have the threat of civil enforcement.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Council President McGeary** asked about the utilization of the dog park since its opening. **Ms. Demick** said the park has been opened less than a year. There is heavy use on the weekends, and the park averages about 50 dogs per day with lighter attendance in the winter months, she noted. She suggested there are likely several hundred dogs and owners using the park each week. The highest use she said she observed was in the small dog area with up to 40 dogs at a time, and about 20 to 30 dogs at a time in the large dog area of the park.

**This public hearing is closed at 8:04 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 4 “Animals,” Art. II “Dogs,” Section 4-16(d) “Off Leash Dog Areas” by ADDING new subsections as follows:

“Dog Park Establishment and Use

1. There is established an enclosed dog park at Stage Fort Park for the use and enjoyment of dogs of residents of the city.
2. Use of the dog park is subject to the following rules and regulations:
  1. The dog park shall be open from dawn to 9 p.m. and may be closed as conditions require;
  2. Dogs must be accompanied by a guardian at least 14 years of age;
  3. Minors under the age of 14 must be accompanied by an adult;
  4. Maximum of 3 dogs per guardian at any one time;
  5. Dogs must display a municipal dog tag license and current vaccination tag;
  6. Guardians must have voice control over their dogs at all times;
  7. Guardians must immediately clean and properly dispose of waste;
  8. Holes dug by dogs must be filled;
  9. All dogs must be leashed upon entering and exiting the dog park; and
  10. Users of the dog park are responsible for any damage or injury inflicted by their actions and/or those of their dog(s). Neither the city nor any of its agents shall be liable for any injury or damage caused in the dog park.
3. The following are prohibited inside the dog park:

1. Dogs displaying aggressive behavior (subject to immediate removal from the park by the animal control officer or his designee);
  2. Female dogs in heat, unaltered male dogs, all dogs younger than four months in age;
  3. Choke, prong or spike collars;
  4. Toys of any kind, except for tennis balls;
  5. Children under the age of 8;
  6. Food, smoking, alcoholic beverages and glass; and
  7. Bicycles, strollers, skateboards, roller blade and bare feet.
4. Whoever violates any provision of this section shall be subject to a fine as set forth in Section 4-21(d). In addition, the dog officer may revoke the use of the dog park for those who violate any provision of this section. The decision of the dog officer shall be final.”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to Amend the GCO c. 4 “Animals,” Art. II “Dogs,” Section 4-16(d) “Off Leash Dog Areas” by ADDING new subsections as follows:**

**“Dog Park Establishment and Use**

1. There is established an enclosed dog park at Stage Fort Park for the use and enjoyment of dogs of residents of the city.
2. Use of the dog park is subject to the following rules and regulations:
  1. The dog park shall be open from dawn to 9 p.m. and may be closed as conditions require;
  2. Dogs must be accompanied by a guardian at least 14 years of age;
  3. Minors under the age of 14 must be accompanied by an adult;
  4. Maximum of 3 dogs per guardian at any one time;
  5. Dogs must display a municipal dog tag license and current vaccination tag;
  6. Guardians must have voice control over their dogs at all times;
  7. Guardians must immediately clean and properly dispose of waste;
  8. Holes dug by dogs must be filled;
  9. All dogs must be leashed upon entering and exiting the dog park; and
  10. Users of the dog park are responsible for any damage or injury inflicted by their actions and/or those of their dog(s). Neither the city nor any of its agents shall be liable for any injury or damage caused in the dog park.
3. The following are prohibited inside the dog park:
  1. Dogs displaying aggressive behavior (subject to immediate removal from the park by the animal control officer or his designee);
  2. Female dogs in heat, unaltered male dogs, all dogs younger than four months in age;
  3. Choke, prong or spike collars;
  4. Toys of any kind, except for tennis balls;
  5. Children under the age of 8;
  6. Food, smoking, alcoholic beverages and glass; and
  7. Bicycles, strollers, skateboards, roller blade and bare feet.
4. Whoever violates any provision of this section shall be subject to a fine as set forth in Section 4-21(d). In addition, the dog officer may revoke the use of the dog park for those who violate any provision of this section. The decision of the dog officer shall be final.”

**COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 1 General Provisions, Section 1-15 Penalty for violation of certain specified sections of Code to ADD a new penalty for violation as follows:**

“Chapter 4, section 4-16d, dog park violations.

Penalty:

Each offense: \$50.00;

The enforcement officer for violation is the animal control officer”.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to Amend the GCO c. 1 General Provisions, Section 1-15 Penalty for violation of certain specified sections of Code to ADD a new penalty for violation as follows:**

**“Chapter 4, section 4-16d, dog park violations.**

**Penalty:**

**Each offense: \$50.00;**

**The enforcement officer for violation is the animal control officer”.**

**2. PH2014-017: Amend GCO Chapter 10 “Waterways Board” Sec. 10-51(e) Fees re: Launch Fees**

**This public hearing is opened at 7:50 p.m.**

**Those speaking in favor:**

**David McCauley**, Chairman of the Operation, Finance and Safety Subcommittee of the Waterways Board, said that the Board proposes the launch fee be increased from \$3 to \$5, with passengers under 12 years old continuing to ride for free. He said the board knew from the service’s onset that it would run in a deficit the first few years. He said that the deficit for FY13 was \$800, and that the launch service ridership was low, as expected. He said while the Board wasn’t surprised, it was concerned. During a Board review at the close of the season, he said the Board concluded the salaries offered to launch operators at \$10 to \$12 per hour were not enough to attract the necessary number of qualified launch drivers. He said that the Board this year has authorized raising the hourly pay rate to \$12 to \$15 an hour in order to attract more launch operators for the anticipated expanded hours of the launch service. In 2014 the service’s goal is to increase ridership by expanding hours with a longer season; but in view of the increased salary cost, he said it warranted the raising of the launch fee. He also spoke about the possible increase in the number of city moorings by 10 percent, and that there would be a proportional increase in transient moorings available for visiting boaters who would utilize the city’s launch service. **Mr. McCauley** noted that with the fee increase, the Gloucester launch fee would still be competitive with surrounding waterfront communities. The increase in the launch fee is also a way to help minimize a deficit for the service, he said.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Fonvielle** asked what the revenues were in the service’s first season. **Mr. McCauley** said that revenues for the first year were \$2,604. Salaries were the largest cost to the service, he noted. He passed an information sheet for the launch service to the Council (on file). He said the service is anticipated to run at a deficit for three to five years, and added that the Board anticipated it would be the case while getting the word out about the service to the region’s boaters.

**Councilor Cox** asked if cash would continue to be collected by the launch operators or would there be a swipe card system much like what is utilized at the beaches. **Harbormaster Jim Caulkett** said it was the opinion of the launch operators that the swipe card system for debit and credit cards would be too time consuming as there is just one operator on the launch and it is easier for them to accept the cash.

**Councilor LeBlanc** noted, as the City Council’s liaison to the Waterways Board, that any new start-up expects to run in a deficit in the first several years. He encouraged that the service be heavily advertised in as many venues as possible in order to make the launch service solvent that much sooner.

**Council President McGeary** noted the hours of the launch service would be expanded. **Mr. Caulkett** said last summer, being the first season that hours were limited and also because he was only able to hire five qualified launch operators. This summer the service will run 8 a.m. to 10 p.m. seven days per week from Memorial Day to Labor Day.

**This public hearing is closed at 7:58 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council amend the

GCO c. 10 Waterways Board, Sec. 10-51(e) Fees by DELETING from “Fees for the use of the Gloucester Launch shall be Three Dollars (\$3.00) and ADDING the phrase “Fees for the use of the Gloucester Launch shall be Five Dollars (\$5.00).”

**DISCUSSION:**

**Councilor Theken** explained the O&A Committee supported unanimously the increase in launch fees, and **Councilor Cox** added that the B&F Committee unanimously supported the increase for the launch fee from \$3to \$5.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to amend the GCO c. 10 Waterways Board, Sec. 10-51(e) Fees by DELETING from “Fees for the use of the Gloucester Launch shall be Three Dollars (\$3.00) and ADDING the phrase “Fees for the use of the Gloucester Launch shall be Five Dollars (\$5.00).”**

3. **PH2014-018: Amendments to GCO Appendix A & B of Sec. 4 of the Personnel Ordinance re: Fire Department; Amend Appendix A, Classification Plan by ADDING the title of the position of “Assistant Fire Chief”; amend Appendix B, Compensation Plan by ADDING the compensation for the position of “Assistant Fire Chief” at the level of M11; amend Appendix A, Classification Plan, under the “Schedule Column” for the position of “Master Mechanic, Fire Department” by DELETING the word “Fire”; amend Appendix B, Compensation Plan, by ADDING the position of “Master Mechanic” at level of M6; Reorganization of Plan of the Fire Department; and under City Charter Sec. 7-2, whether the City Council should approve the reorganization plan of the Fire Department as submitted to the City Council on January 13, 2014 with an effective date of July 1, 2014**

**This public hearing is opened at 8:08 p.m.**

**Those speaking in favor:**

**Fire Chief Eric Smith** said that the Fire Department’s reorganization plan comes forward out of a negotiated contract with the Local 762 firefighters union and is incorporated into the department’s current contract. He noted this reorganization restructures the department’s working groups from a four group system to a three group system; moving from a 42 hour work week to a 56 hour work week. He pointed out the reorganization also creates a new position of Assistant Chief, adds lieutenant positions, and restores the Master Mechanic position, changing it from a union position to a civilian job.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Council President McGeary** noted there was a number of new lieutenantancies being created by the department reorganization and asked why the new level of management is required. **Chief Smith** noted a lieutenant position is a first-level manager will be in command of a company. He said each apparatus will have that individual trained to be in control of a company of men and women which is an important step for the management of the department in the Incident Command System (ICS). He added this system blends well into the department training program and professional development. This change has been recommended by all the department audits, including that of the MRI Audit of 2009. **Council President McGeary** observed that in the short term there will be more captains than the reorganization calls for. **Chief Smith** said that the department will promote seven to lieutenant positions when they come available through the Civil Service lists. The department, he said, will continue to have the captains, but that the first two of those positions will be vacated either by promotion or retirement, then by promotion lieutenants will then take the place of a Captain. **Council President McGeary** noted the reducing of firefighter groups will have financial implications over time, but that it is the Chief’s hope that need for firefighter overtime will decrease and offset some of the costs of moving to a 56 hour work week. **Chief Smith** said it comes at a significant initial cost in order to open all the fire stations but is no more than what it would have continued to cost with the overtime incurred for a four group system with a 42 hour work week. He pointed out that the long-term effect was that the department didn’t hire 24 additional personnel in order to implement the three group system. He assured that there would be cost savings, but it may take some time to realize those savings. To have all four fire stations open, which is the wish of the community, precipitated these departmental changes. **Chief Smith** and **Councilor McGeary** discussed by having more personnel on a shift it will enable regularly scheduled firefighters versus firefighters brought in on overtime to keep outlying stations open. **Chief Smith** added that he cannot predict injuries or leave, sick time which are unknowns that can’t be predicted.

**Councilor Theken** asked if the firefighters all support this change. **Chief Smith** said the vote of the union was nearly unanimous and is supported by the department's management as well as the Administration.

**Councilor Hardy** asked when, if this reorganization is approved, the positions would be added to the department organization. **Chief Smith** said the implementation is planned to coincide in the new budget year starting July 1, 2014. He said job postings will be done in advance so that staffing is in position for the July 1<sup>st</sup> changeover.

**Council President McGeary** asked if the current union contract specifies minimum staffing levels to maintain the Magnolia fire station. **Chief Smith** said that the minimum staffing will now be 16 (from 14) which guarantees Bay View fire station is opened at all times. With 24 firefighters per group, he said, he doesn't anticipate staffing levels dropping lower than 18 firefighters per shift. It is at that level that allows all four stations to be opened and is anticipated to keep overtime to a minimum. He pointed out that with the advent of summer and vacations associated with the season there may be gaps that warrant overtime staffing, but that he expected by early fall staffing would return to normal levels without much need for overtime. He cautioned that injuries and sick time can't be predicted which impacts the need for overtime.

**This public hearing is closed at 8:21 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council in connection with the Fire Department's Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 1, 2014 as follows:

1. That Appendix A, Classification Plan, be amended by adding the title of the position of "Assistant Fire Chief;"
2. That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Assistant Fire Chief" at the pay grade level of M11.

#### DISCUSSION:

**Councilor Theken** said that the O&A Committee unanimously supported the Fire Department's Reorganization Plan which was something that needed to be done. She said that this is a wonderful example of teamwork by a city department working together to towards the betterment and safety of the community.

**Councilor Lundberg** commended the Fire Department and the firefighter's union and noted that in his professional capacity he is a practioner of labor/management relations, and cited this fire department reorganization as a great example of the benefit that comes from everyone working together. He said in the end it does the citizens of Gloucester proud and thanked both the department and the union.

**Council President McGeary** also commended the department for the effort it took to rethink the way the department does business.

**Councilor Hardy** declared that under MGL Chapter 268A she would recuse herself from any discussion and vote of the Council on the Fire Department reorganization to avoid any appearance of impropriety.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Hardy) recused, 1 (Whynott) absent, that in connection with the Fire Department's Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 1, 2014 as follows:**

1. **That Appendix A, Classification Plan, be amended by adding the title of the position of "Assistant Fire Chief;"**
2. **That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Assistant Fire Chief" at the pay grade level of M11.**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, 1 (Hardy) recused, to recommend that the City Council in connection with the Fire Department Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 14, 2014 as follows:

1. That Appendix A, Classification Plan, be amended by adding the title of the position of "Master Mechanic;"
2. That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Master Mechanic" at the pay grade level of M6.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Hardy) recused, 1 (Whynott) absent, in connection with the Fire Department Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 14, 2014 as follows:**

1. That Appendix A, Classification Plan, be amended by adding the title of the position of "Master Mechanic;"
2. That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Master Mechanic" at the pay grade level of M6.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council the acceptance of the Fire Department's Reorganization Plan based on the chart and new job descriptions as submitted to the City Council on January 14, 2014 in accordance with the City Charter Sec. 7-2 with an effective date of July 1, 2014.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Hardy) recused, 1 (Whynott) absent, to accept the Fire Department's Reorganization Plan based on the chart and new job descriptions as submitted to the City Council on January 14, 2014 in accordance with the City Charter Sec. 7-2 with an effective date of July 1, 2014.**

4. **PH2014-019: Loan Order 2014-003: Loan Authorization in the amount of \$1,200,000 re: Stacy Boulevard and Blynman Canal seawalls**

**This public hearing is opened at 8:26 p.m.**

**Those speaking in favor:**

**Sarah Garcia**, Harbor Planning Director, said that the city received a \$5.6 million grant from the Seaport Advisory Council after lobbying for many years for funding for the rebuilding of the Stacy Boulevard and Blynman Canal seawalls. She said this loan authorization represents a 20 percent grant match which is required by the state and must be in place in order to contract the work. The grant, she pointed out, must be expended first before the loan authorization is used; however, the loan authorization needs to be in place to move forward in order to contract the work.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Hardy** noted that she had worked closely with Community Development, the Department of Public Works and the Administration to make sure that language in the final version of the grant includes construction of public bathrooms, which she confirmed with **Ms. Garcia**. The restrooms will be positioned at the middle of the boulevard at the bridge tender's house and available year round.

**Councilor Theken** asked how much of the seawall is being replaced. **Ms. Garcia** said she would defer that answer to the DPW Director, Mike Hale. She added that it would be the side of the boulevard from the bridge to the end at Stage Fort Park. **Councilor Theken** noted that portion of the boulevard goes by the Fishermen's Wives Memorial Statue and asked about the anticipated wall repair in that particular location. **Ms. Garcia** noted the design of the seawall would allow for a bump out similar to the seawall design at the Fisherman's Memorial. She added that Mr. Hale would be better able to answer any questions regarding the engineering of the seawall design. **Councilor**

**Verga** added that he recalled that the bump out at the Fishermen's Wives Memorial is more of a gradual design, and does not extend as much as the other side's bump out due to wave action in the protection of the statue at that point.

**Councilor LeBlanc** asked for a clarification of the seawall work. **Ms. Garcia** said that one side of the Blynman Canal has been done; now the other side will be done which will require more engineering. Stacy Boulevard will go out to bid first as the engineering is complete. The railings would be replaced, she noted. She said it was a key priority for the city to have the seawall bolstered as well as the Blynman Canal repairs as this is a main connector for the city. **Councilor LeBlanc** asked if the Tavern side of the boulevard will have its railings replaced. He also asked if the lawn will be repaired at the Stage Fort Park end of the boulevard. **Ms. Garcia** suggested that the Councilor would need to seek out the answers from the DPW Director. She noted that the grass upkeep has always been a challenge given the sea salt spray.

**Councilor Verga** asked that drawings be posted on the City's website to depict the work to be undertaken. **Ms. Garcia** said she would make that inquiry.

**Council President McGeary** asked when the borrowing approved by the loan authorization will come on line. **John Dunn**, CFO confirmed Ms. Garcia's earlier statement that the grant funding will first be expended. The borrowing at first will be short term, with interest rates at a very low level currently that are advantageous to the city. When the long-term debt is issued, he said, it will cost \$100,000 for the first year and then decline annually for the life of the loan. The cost to the tax rate is relatively minor, he noted.

**Council President McGeary** asked that the DPW Director come before the Council to review the seawall project plans which were approved by the Council as part of a City's Special Council Permit four years ago. **This public hearing is closed at 8:38 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council approve the following loan order:

ORDERED: That the City of Gloucester appropriates One Million One Hundred Twenty Thousand Dollars (\$1,120,000) to pay costs of seawall reconstruction and construction of public restroom facilities, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44 or pursuant to any other enabling authority. The Mayor and any other appropriate officials of the City are authorized to apply for and accept any and all grants or gifts that may be available to the City to pay costs of the projects.

FURTHER ORDERED: That 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.

#### DISCUSSION:

**Councilor Cox** said that the B&F Committee was in unanimous support of the loan order. She pointed out that under the Consent Agenda, the Council referred to the B&F Committee is the acceptance of the \$5.6 million grant from the Seaport Advisory Council that will complete the funding for this long-awaited project. She said this project while not cheap, it very important to the city. She said she appreciated the persistence of the Community Development Department in pursuit of this grant.

**Councilor Theken** said that \$1.2 million is not much to repair a priceless asset of the city to be enjoyed for years to come. She extended her thanks to Ms. Garcia, the State for this funding, and for the Mayor's efforts as well.

**Councilor LeBlanc** asked what the expected timeline will be for the project. **Mr. Duggan** said that it is anticipated to start construction this spring/summer. He noted the hard work of Ms. Garcia in pursuing this grant.

**Councilor Fonvielle** said that this is a very necessary project, not just for public safety, but to restore a world-class venue for visitors and residents alike.

On inquiry by **Councilor Hardy** regarding recent events concerning the weight limits posted for the Blynman Bridge, **Mr. Duggan** said that these funds stand alone and have nothing to do with the weight tonnage limits on the Blynman Bridge. It is a separate issue, and this funding would not be redirected, he said.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to approve the following loan order:**

**ORDERED: That the City of Gloucester appropriates One Million One Hundred Twenty Thousand Dollars (\$1,120,000) to pay costs of seawall reconstruction and construction of public restroom facilities, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44 or pursuant to any other enabling authority. The Mayor and any other appropriate officials of the City are authorized to apply for and accept any and all grants or gifts that may be available to the City to pay costs of the projects.**

**FURTHER ORDERED: That 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.**

### **End of Public Hearings**

At the request of **Council President McGeary, Chief Smith** updated the Council on the Blynman Bridge weight limit matter which raised concerns about response times and safety for the city as follows:

Signs were erected by the state in late January on the Blynman Bridge limiting the weight of vehicles traversing the bridge. There was no notification to the Fire Chief in that role or in the role of Emergency Management Director or to any other city department, including the Mayor's office, from the Massachusetts Department of Transportation (MassDOT) of this. Steps were taken by the Fire Department to learn if their apparatus was exempt. The weight limits posted now exclude all but one Fire Department vehicle, all school buses and a great many DPW vehicles. The investigation yielded that there is no exemption (known as an overweight permit) specific to emergency apparatus (known as an overweight permit)The Chief said he was informed by MassDOT that the overweight permits are under review for the A. Piatt Andrew Bridge and informed the Chief those permits are likely to be granted. The state said that the Blynman Bridge has new areas of deterioration, and that no analysis would yield a positive result. The city's vehicles can use the A. Piatt Andrew Bridge awaiting those permits but can't, with the weight ratings of the fire department vehicles, use the Blynman Bridge at all.

This change for the Blynman Bridge was not communicated to the city at all; there was no opportunity to plan, no coordination on the state's part, and no options offered to the city.

This has placed the city's emergency services in a bad situation to be able to respond to emergency calls. This affects areas from the Castle Manor Inn on Essex Avenue out to the four corners at Magnolia Avenue and to where Hesperus Avenue turns into Norman Avenue which is the response area for Central Station until the Magnolia Station is reopened in July. Emergency response times are based on the fact that the intersecting points where the headquarter apparatus and West Gloucester apparatus would meet at the same time. Those response times are longer than the city wants now, and is the reason the city is investing into the Fire Department. The Blynman Bridge situation is a significant set back to the city. The Mayor, Sen. Tarr and Rep. Ferrante are hoping for an answer from the state tomorrow. There are no details on what is going on with the scope of work or timeline for the repair of the bridge at this time.

**Councilor Cox** asked if this information is being communicated to local businesses. **Chief Smith** said that is not incumbent on the city to reach out to specific businesses, but on the drivers to know the rules of the road and to communicate to their respective delivery service to determine what they need to do to deliver their goods. This affects not only the Fire Department, but the DPW and the Cape Ann Transportation Authority (CATA). **Councilor Cox** said she understood it is not the city's responsibility, but asked that there be more proactive outreach approach. **Chief Smith** added that press coverage has helped to get the word out, and the signage has been posted since late January.

**Councilor LeBlanc** said he and **Councilor Hardy** have previously discussed their mutual concern for the Centennial Avenue Bridge weight limits, and asked if there were any restrictions on it. **Chief Smith** said that there is not a complete assessment for all city bridges and culverts. The city doesn't have many bridges it is responsible for, but is responsible mostly for culverts. He admitted that this needs to be looked at and that the department is in the process of such an assessment.

**Councilor Fonvielle** asked if the Magnolia Fire Station could be on line faster than the scheduled opening of July 1<sup>st</sup> to help ameliorate the bridge issue. **Chief Smith** said that when funding is found that there could be extra staffing at the West Gloucester station. He said that this is a catastrophe the state has created, and it should step up

to help the city fund overtime to add apparatus and staff to the West Gloucester fire station, he said. He said he spoke with Jim Hafey, the city's Facilities Manager to expedite the repairs needed to open the Magnolia Station. He said there may be costs attached to accelerating the repairs. He hoped to have an assessment of the status of the repairs within several days, he added.

**Councilor Theken** expressed concern that much work over time has been done by the state on the Blynman Bridge and that the city is still bearing the brunt of the state's problem. Rerouting emergency vehicles and buses and expecting the city to bear the financial cost is not fair, she said.

**Councilor Hardy** said that the Centennial Avenue Bridge has, in addition to fire apparatus, school buses and fully loaded transport trucks travelling over it, and expressed her on-going concern for that bridge's stability. She suggested that the Council President speak with the Mayor to appoint an Ad Hoc Bridge Committee to look into all the city's bridges and culverts

**Council President McGeary** asked if ambulances can cross the Blynman Bridge. **Chief Smith** said three of the four units cannot cross the bridge because of the imposed weight limit, and the one unit that can cross the bridge is not a front-line unit. He pointed out that West Gloucester is able to respond, although time is increased from Central Station. It is an unacceptable situation, he said, and that he is meeting with the union board to determine what is best in the interest to public service and what can be done within the confines of the union contract. He suggested that the department could put the one ambulance back on the front line to respond to the affected area. **Council President McGeary** asked if the problem affecting response time is that a second piece of apparatus coming from Central Station would have to go around over the A. Piatt Andrew Bridge. The first arriving unit is only staffed with two personnel, **Chief Smith** pointed out, which means they're waiting for the ladder truck and ambulance. He said he would like to put a paramedic on the engine and staff the ladder truck with three firefighters to meet the "two-in-two-out" rules for best practice at fire scenes to protect life and property. He said it is not a complete solution and would cost about \$4,500 per 24-hour period for an additional officer and firefighter paramedics because it is on overtime.

**Councilor Fonvielle** observed that the bridge support is in terrible shape which has been obvious for some time. He expressed a concern that the state plans to do repair on the A. Piatt Andrew Bridge late this summer, and that if the Blynman Bridge is under repair at the same time this could present a very dangerous situation to the city.

**Councilor Cox** asked about the Chief's written assessment on the Blynman Bridge. **Chief Smith** said it was an assessment he had handed into the Mayor's office.

**For Council Vote: None.**

**Unfinished Business: None.**

**Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.**

**Councilors' Requests to the Mayor:**

**Councilor Fonvielle** said that on April 6 from 2 to 4 p.m. at the Magnolia Community Center there will be a discussion about the redevelopment of Magnolia.

**Councilor LeBlanc** said the following evening the Ad Hoc Dog Ordinance Committee will have its last meeting to vote on proposed changes for the ordinance to pass forward to the O&A Committee. The meeting starts at 5:30 p.m. in the 3<sup>rd</sup> Fl. Conference Room at City Hall.

**Councilor Cox** said the Pride Stride is scheduled for Sunday, April 27. Team applications are now available, she said.

**Councilor Theken** thanked Rep. Ferrante and Cindy Donaldson of the Addison Gilbert Hospital for a round table discussion on the Affordable Care Act which she said was very helpful. She then spoke to the on-going issues with enrolling for Affordable Care Act health care insurance programs.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 9:20 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson**  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **Under Oral Communications – written statement by Valerie Nelson, 7 Sunset Point Road**

**BUDGET & FINANCE MEETING**

**03/20/14**

**MINUTES**

**(UNDER SEPARATE COVER)**

**Ordinances & Administration Committee**  
Monday, March 17, 2014 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
**-Minutes-**

**Present: Chair, Councilor Whynott; Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy**  
**Absent: None.**

**Also Present: Councilor LeBlanc; Linda T. Lowe; Kenny Costa**

**The meeting was called to order at 6:01 p.m. Items were taken out of order.**

**1. Continued Business:**

- A) CC2013-040 (Verga) Request to review GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22:  
**Review of Ad Hoc Committee Recommendations**

**Councilor LeBlanc** reviewed for the Committee the recommendations by the ad hoc dog ordinance committee. He distributed to the Committee a sunrise and sunset chart for the hours of daylight allowed in the off season specified beaches, a newspaper article entitled, “Keeping Cape Ann Waters Clean”, and a memorandum from General Counsel dated February 26 entitled, Liability Issues Arising Out of Enacting Ordinances Relating to Dogs; a pamphlet entitled, “Scoop It” concerning dog waste; Crane’s Beach Green Dog Regulations; and sunrise and sunset charts Sept. 2013 to May 2014 (all placed on file). The ad hoc committee reviewed leash laws of other communities: Newburyport, Marblehead, Barnstable, Falmouth, Rockport, Manchester-by-the-Sea and Salem. The only town that has dog off-leash areas was Newburyport, in a park, a woodland area and a hill but excluded tennis courts, playgrounds, the same as Gloucester’s dog ordinance, he pointed out. The ad hoc committee looked carefully at Newburyport’s ordinance due to the most similarities, examining their rules for their off leash areas. As a result the ad hoc committee came up with two Gloucester beaches for use as off –leash areas off season during limited hours included in the recommended revisions of the dog ordinance (on file).

**Councilor Hardy** said there is interest in Lanessville to hold a neighborhood meeting on this matter on March 20 at 7:00 p.m. at the Lanessville Community Center. She added she is not conducting that meeting but she would attend, take notes and bring back relevant issues to the O&A Committee. She added she didn’t anticipate that this review would be worked through in its entirety this evening or marked up for public hearing. She said that the soonest this would be on the Council docket for public hearing would likely be the end of April. She said the Council President has indicated the soonest the dog ordinance would be marked up for public hearing would be the end of April.

**Councilor Theken** and **Councilor LeBlanc** spoke about the dogs allowed on public beaches proposal which is subject to certain times under Sec. 4-16a for the committee to chose from two proposed options: Option 1 – September 16 to April 30<sup>th</sup>; from sunrise to 9 am and then from 3 pm to sunset; and Option 2 – October 1 to April 30; sunrise to 9 am and 2 pm to sunset. **Councilor LeBlanc** said that the 16 foot leash indicated in the ordinance is only for the beach off-leash area, and the 6 foot leash would remain the standard for all other areas of the city. The ad hoc committee, he said, was split down the middle, on every issue, but came to agreement on the conditions for Sec. 4-16a, which are all subject to the DPW Director’s approval, as follows:

1. Owners must remain with and monitor their dogs. Owners, per the below conditions define persons with direct care, custody, and control of a dog while in a designated off leash area.
2. Dogs must be licensed and vaccinated as required by applicable law and ordinance.
3. Dogs must wear their tags and have no contagious conditions, diseases or parasites.
4. Dogs must be leashed when entering and exiting a designated off leash area.
5. Dogs and humans are not allowed in the dunes.
6. Dogs with a history of dangerous or aggressive behavior as determined by Animal Control are prohibited.
7. Dogs younger than four (4) months are not allowed.
8. Unaltered male dogs or female dogs in heat are not allowed.
9. Owners must immediately remove dogs who are exhibiting aggressive behavior.
10. Owners must carry a leash; one leash per dog is required.
11. Maximum of two (2) unleashed dogs per owner.
12. Owners must have in their possession an adequate number of poop bags, or other appropriate device for removal of their dogs waste.
13. Owners must clean up after their dogs and dispose of the waste in an appropriate waste container.

14. Owners must fill in any holes dug by your dog(s).
15. Any violation of the above conditions shall be subject to a fine of \$50.00, 1st offense, \$100.00 for any subsequent offense(s), and dog may have off leash privilege revoked by Animal Control.

**Councilor LeBlanc** noted right now there is nothing allowing dogs on beaches legally off leash. Signs will have to be posted with the rules, he pointed out. He said that the matter of dog waste containers will need to be discussed with the Administration because dog waste cannot be disposed in regular garbage cans. He pointed out that the current ordinance, Sec. 4-21(c) methods of disposal...disposal shall be accomplished... in receptacles regularly reserved for the disposal of human feces or otherwise designated by the Board of Health.” He added that the Board of Health has responded to an Oral Communication regarding the disposal of dog waste by sending an information packet to the City Council. He noted that dog waste is not toxic if the waste is picked up and disposed of appropriately. **Councilor LeBlanc** said public education very important for this issue.

He also said that the increased fines for violations on the beach will be very important. **Councilor Hardy** suggested that on condition #15 asked that “shall” be replaced with “may”. He noted many of these rules came from the Newburyport dog ordinances. The ad hoc committee did not add in the language, “under voice control” because not every dog is capable of being kept under controlled in such a manner. **Councilor Theken** urged that there be dog waste receptacles at the new off-leash areas. **Councilor LeBlanc** reiterated that the issue of the receptacles will need to be worked out with the Administration and the DPW. He pointed out these would be rules able to be enforced. He said the two beaches recommended were Good Harbor and Wingaersheek because of the access points and that they are off street. He noted the issues with other city beaches that were discussed with the ad hoc committee. In the off season currently, dogs on leashes are allowed on city beaches, he pointed out.

**Councilor LeBlanc** noted changes under Sec. 4-19 (a) Redemption of impounded dogs – that fees will be increased: 1) for the first offense from \$10 to \$50; subsequent offenses from \$30.00 to \$100.00. Section 4-19 (b) the phrase “and proof of valid license” would be added. He noted that impounded dogs are kept at the Cape Ann Animal Aid, and discussed redemption of the dogs with **Councilor Hardy**. **Cindy Dunn**, 7 Rose Lane, President Cape Ann Animal Aid, and ad hoc committee member, spoke to Section 4-20 saying that the Animal Control Officer currently drops the dog off; and if the owner shows a license the dog can be released. She said the Police Chief envisions in the future that said that the owner would have to pay their fine at Police station or at the Treasurer/Collector’s office at City Hall, which has yet to be determined, and then the owner can go to the Cape Ann Animal Aid to pick up their dog upon showing their license and proof of having paid the fine. A \$10 fee is no incentive to not control a dog when the dog is picked up, cared for, fed and walked, and kept overnight if need be.

Sec. 4-21 Dog Fouling. **Councilor LeBlanc** said it was recommended that fines change to \$50 for first offense and \$100 for any subsequent offense. He added that beaches would be the same, but fines for beaches would be doubled during in-season. He said everything changed in the ordinances was recommended by the ad hoc committee members. He pointed out that he had no sway or influence to these proposed changes except for voting on the recommendations. **Councilor Whynott** observed that the dog waste problem across the city is worse than ever, even in the dog park. He noted that if dog owners are not allowed to put waste bags in regular trash barrels, the city will need as many containers made specifically for dog waste disposal. He said dog owners tend to only to dispose of their pet’s waste appropriately when waste containers are conveniently located. He also observed that more waste bags will be tossed out of car windows or left inappropriately on city and private property as he has witnessed regularly while walking his own dog.

**Ronda Tucker**, 5 Mt. Vernon Street, ad hoc committee member, said she was against dogs off leash on beaches at any time. She spoke of an incident on a city beach with a group of dogs that affected her grandchildren

**Francine Dench**, 4 Harvey Place, she noted that the General Counsel’s opinion that the city could not be sued or held liable which she contended was incorrect. **Councilor LeBlanc** said that if the city doesn’t charge a fee to use the beach then the city is not liable.

**Rusty Tucker**, 5 Mt. Vernon Street, dog owner, said that children and adults need to be protected from unleashed or out of control dogs. He urged the Committee to not allow dogs off leash on city beaches.

**Valerie Nelson**, 7 Sunset Point Road said she appreciated the continuing of this matter in order to hear the opinion of Lanesville residents (at the Lanesville Community Center, Thursday, March 20 at 7:00 p.m.).

**John Knowlton**, 35 Salt Island Road, member of the ad hoc committee, said that he was only in favor of the off-leash beach areas on specific city beaches if there are enforcement personnel to hold dog owners accountable to the ordinance rules and regulations. He cautioned that there are private beach areas off of Good Harbor Beach and that dogs were not allowed there. **Councilor Whynott** pointed out that dogs are not allowed on private property without the property owner’s permission. **Councilor LeBlanc** said that it should be posted on signs. **Councilor LeBlanc** added his agreement that signage to be eventually posted with new regulations for designated off-leash

beaches in the off-season should note the off-leash area is only that of the public beach and not those areas considered private property.

**Ms. Dunn** said that if dogs and owners cross over to the private section of a beach then they are trespassing and are now violating the ordinance rules and could be subject to fines. She said as a whole the ad hoc committee did great work, and were very respectful. There was an overweening concern for public safety and for the safety of the dogs and their owners by the committee, she pointed out. She said there were several people on the committee who did not want dogs on the beaches at all, but the committee was willing to look at off-leash areas on the city's public beaches. She said the group chose Good Harbor and Wingersheek Beaches due to egress, size of area, and safety factors for dogs and people. She said the committee concluded that the last two weeks of September and early October were times that the conflicts between dogs and children were less likely, especially November through March and even into early April. Tickets will have to be issued for poor dog behavior and dog waste, and for dogs not on the beaches in season must be enforced, she said. This was why the ad hoc committee endorsed the doubling of fines, she added. **Ms. Dunn** said that the ad hoc committee unanimously agreed dogs do not belong on city beaches in the summer. The ad hoc committee did not address Plum Cove Beach, as it is uniquely situated as are other small city beaches such as Cressy's, Half Moon, and Niles Beaches, she pointed out.

The Committee briefly discussed time and date restrictions regarding the two city beaches suggested for off-leash dogs.

**This matter is continued to April 14, 2014.**

- B) CC2013-051 (LeBlanc) Amend GCO c. 22 Sec. 22-200-209 "Reserved" and Sec. 22-270 "Parking Prohibited at all times" re: Draw Bridge Tender Parking (Cont'd from 03/03/14)

**Councilor LeBlanc** said that he spoke to Rep. Ferrante who informed him there should have a response from MassDOT in several days for installation of a parking space for the bridge tender on the Fisherman's Wives Memorial side of Stacy Boulevard which is part of a state roadway.

**MOTION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council that Council Order 2013-051 (LeBlanc) to Amend GCO c. 22 Sec. 22-200-209 "Reserved" and Sec. 22-270 "Parking Prohibited at all times" re: Draw Bridge Tender be withdrawn without prejudice.**

- C) CC2014-001 (Verga/McGeary) Request that B&F Committee in consultation with Police Dept. and local merchants consider adopting certain days as "parking meter holidays" to begin in FY14 (Cont'd from 03/03/14)

**Councilor Whynott** said he spoke with the Police Chief who said he would enforce whatever the Council voted. The Committee determined it would await the recommendation of the Budget & Finance Committee, but it would also ask the Downtown Development Commission for its opinion on this matter.

**This matter will return to the O&A Agenda when more information and input becomes available.**

2. **New Appointments: Planning Board** (TTE 02/14/19) **Douglas Cook** (Cont'd 3/31/14)  
**Cable TV Advisory Committee** (TTE 02/14/17) **Ryan Sawyer, Thomas Manning, Grant Harris**

Under direct questioning by the Committee of Mr. Sawyer, Mr. Manning, and Mr. Harris of whom it was noted was an employee of the Gloucester School Department as a technologist, the gentlemen all spoke of their qualifications (on file) and their willingness to serve to assist in the formulation of a new cable television contract. It was pointed out that the Cable TV contract with the city expires in 2017. **Councilor Theken** spoke highly of the three appointees to the Cable TV Advisory Committee. **Councilor Hardy** spoke about an Ad Hoc Committee was formed regarding Cable TV improvements, and spoke of obtaining new equipment to record televised meetings in Kyrouz Auditorium, an effort she said she wanted to see continued. **Mr. Harris** said this is still on the "to do" list and is an on-going effort with the city's IT Director, James Pope. **Councilor Whynott** noted he had spent 25 years on the Cable TV Advisory Committee, and suggested the Cable TV Advisory Committee members to work hard for concessions from Cablevision. He extended his appreciated for their efforts on behalf of the city..

**MOTION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to appoint Ryan Sawyer to the Cable TV Advisory Committee, TTE 02/14/17.**

**MOTION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to appoint Thomas Manning to the Cable TV Advisory Committee, TTE 02/14/17.**

**MOTION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to appoint Grant Harris to the Cable TV Advisory Committee, TTE 02/14/17.**

**3 Reappointment: Cable TV Advisory Committee (TTE 02/14/17) Robert McGillivray**

Mr. McGillivray had previously indicated he wished to continue to serve on the Cable TV Advisory Committee prior to the meeting, and the Committee assented to move his reappointment forward.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to reappoint Robert McGillivray to the Cable TV Advisory Committee, TTE 02/14/17.**

**Waterways Board**

**(TTE 02/14/17) Robert Gillis, Econ. Develop. Member  
(TTE 02/14/17) David McCauley**

The Committee was aware of Mr. Gillis' willingness to continue to contribute to the Waterways Board for another three year commitment as well as that of Mr. McCauley. Although neither Mr. Gillis nor Mr. McCauley was present, the Committee chose to move their reappointment forward.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to reappoint Robert Gillis to the Waterways Board, TTE 02/14/17.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to reappoint David McCauley to the Waterways Board, TTE 02/14/17.**

**4. CC2014-011 (McGeary) Election of City Clerk & City Auditor pursuant to City of Gloucester Charter Sec. 2-7(a)**

Ms. Lowe reviewed her accomplishments as City Clerk over the last two years for the Committee as follows:

- Consolidation of Ward 2 polling places;
- Reorganization of the City Clerk's Department and reclassification of positions within the department;
- Used free cash in 2011 and 2012 to upgrade department office furnishings, to improve staff morale and to give a professional appearance to the office;
- Working on Municipal Clerk Certification through the Institute of Municipal Clerk's Association, and attended that Association's training in July 2013. She would expect to have her application completed in several months; and would also like to see the Assistant City Clerk go through the same process;
- Proposal of further consolidation of polling places, Wards 3 and 5 moving to one single polling place at the Gloucester High School;
- As a member of the Licensing Commission, worked with the Police and Fire Chief and the Assistant Legal Counsel to create an efficient and fair hearing system for taxi license appeals;
- Worked with the Planning & Development Committee to successfully create a Special Events Advisory Committee, and responsible for scheduling, agendas and meeting minutes. This group meets monthly;

- Submitted application to the Capital Improvements Advisory Board with Sarah Dunlap of the Archives Committee to create or renovate an area for a Records/Archives Center for a records storage system for the City Clerk's Department.

**Councilor Hardy** said that the organization that has come to the department, there has been a turnaround. She said she appreciated Ms. Lowe's ability to switch gears and rely more on her staff to assist her in her endeavors.

**Ms. Lowe** commented that there was an emphasis on cross-training of positions, in that it has acted to boost staff morale, but also strengthens the department as a whole.

**Councilor Theken** agreed that cross-training was very important, and that the reorganization was also very important and has made a difference. **Councilor Whynott** added that he has seen great improvements by Ms. Lowe, particularly in the area of the elections, and expressed his appreciation for her acting on his suggestions. He also added his appreciation that the department personnel are being cross-trained.

**MOTION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the election of the City Clerk, recommends the election of Linda T. Lowe as the City Clerk for a term of April 2014 to April 2016.**

**Kenny Costa**, City Auditor, announced that the City Auditor's Department is now fully staffed. At the beginning of the fiscal year the Assistant City Auditor left to work in the private sector, he said, and that with the assistance of Councilors Hardy and McGeary through the hiring process, a new Assistant Auditor, Aleesha Nunley was placed in that position. A general ledger accountant was also hired when Ms. Nunley was promoted. The staff is cross trained now, which he said promotes his overall goal of continuing staff education. He said that the office has caught up, and submitted all the paperwork to the Department of Revenue for the close of the books and for the city to have its free cash certified which is a big undertaking and accomplishment. He has worked with the outside auditors, as has his staff, and worked as a team with the Treasurer's office as well as other city departments to move forward the city's financial goals.

**Councilor Whynott** said he was very impressed with Mr. Costa's work and his department's accomplishments during the last two years. **Councilor Hardy** spoke of what she considered to be **Mr. Costa's** unsurpassed professionalism and communication skills to his position and in reaching out to other city departments. She said she looked forward to working with him in the future. **Councilor Theken** added her approbation of the City Auditor agreeing that Mr. Costa communicates effectively making complex financial issues understandable to everyone.

**MOTION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the election of the City Clerk, recommends the election of Kenny Costa as the City Auditor for a term of April 2014 to April 2016.**

5. *CC2014-012(Cox) Amend GCO Sec. 22-270 "Parking prohibited at all times" & Sec. 22-291 "Tow-away zone re: Prospect Street (TBC to 03/31/14)*
6. *CC2014-013 (Cox) Amend GCO Chapter 22-280 "Fifteen-minute parking" re: Main Street #274 (TBC to 03/31/14)*
7. *CC2014-014 (McGeary) Amend GCO Chapter 22, Art. II, Division 2 "Traffic Commission" by adding new section, Sec. 22-37 re: Commission's authority to reserve parking areas for handicapped persons and disabled veterans; Amending Sections 22-175 and 22-287 (TBC to 03/31/14)*
8. *Review of the Amendment to GCO, c. 22, Sec. 22-294 Bicycle Ordinance enacted by the City Council on May 28, 2013*

The Committee discussed the advent of the bicycle lanes, particularly in the downtown areas and observed that overall the ordinances appears to be a success. **Councilor Whynott** said he has heard no complaints regarding the ordinance. He said in riding his moped in the bike lanes it has given him a better measure of safety. **Councilor Theken** said that there is still the issue of the maintenance of the bike lane lines being repainted which would need to be budgeted. She expressed her support of the bicycle ordinance being made permanent.

**Heidi Wakeman**, member of the Open Space & Recreation Committee, was present to voice her support making permanent the bicycle amendment to the Code of Ordinances by the Council. She said anecdotally the bike

lanes have been a success. It has improved the downtown for residents and visitors alike, she added. She said there is a request to the Mayor to include a minimum-priced paint or preferably a higher-priced thermo-plastic paint which lasts much longer to repaint the bike lanes.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, recommend that the City Council enact Chapter 22, Sec. 22-294 Bicycle Ordinance to be effective beginning Memorial Day, May 26, 2014.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council enact Chapter 22, Sec. 22-247 subsection 17 to be effective beginning Memorial Day, May 26, 2014.**

These matters are to be advertised for public hearing.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:35 p.m.

Respectfully submitted,  
Dana C. Jorgenson  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- *As submitted by Councilor LeBlanc related to Dog Ordinance Amendment Presentation to Committee:*
  1. *Memo from General Counsel dated February 26, 2014 re: Liability Issues Arising out of Enacting Ordinances Related to Dogs*
  2. *“Scoop It” double sided informational handout on proper disposal of dog waste*
  3. *Article entitle, “Keeping Cape Ann Waters Clean*
  4. *Crane’s Beach Dog Regulations*
  5. *Sunrise and Sunset Charts*

Planning & Development Committee  
**Wednesday, March 19, 2014 – 5:30 p.m.**  
1<sup>st</sup> Fl. Council Committee Room – City Hall  
-Minutes-

**Present:** Chair, Councilor Greg Verga; Vice Chair, Councilor Paul Lundberg; Councilor Steven LeBlanc  
**Absent:** None.

**Also Present:** Councilor Paul McGeary

The meeting was called to order at 5:30 p.m.

Agenda Items 1 and 2 are continued to April 2, 2014.

1. *SCP2014-004: Commercial Street #47-61, Modification of Special Council Permit (SCP2012-010) under GZO Sec. 1.5.13 & Sec. 5.25 Hotel Overlay District (Cont'd from 03/06/14)*
2. *CC2014-007 (Verga) Request amendment to GZO under Sec. 1.11.2(e) to amend "sign ordinance" Sec. 4.3 by adding new definition to Sec. VI for "programmable scrolling sign" and amend Sections 4.3.2, 4.3.3 and 4.3.4 to include "outdoor programmable scrolling signs (Cont'd from 2/19/14)*
3. *Memorandum and pertinent material from Planning Director re: Land Disposition Committee Recommendations on 6 Stanwood Street (Easement Request by Karen Elliot, 6 Stanwood Street (Cont'd from 03/05/13)*

This matter is continued to April 2, 2014 at the request of General Counsel.

4. *SCP2014-005: Fort Hill Avenue #48, GZO Sec. 3.1.6(b) Building Height in Excess of 35 feet*

Overview:

**Attorney Salvatore Frontiero**, representing the applicant, James and Kathleen Stavis, Trustee of Fort Hill Avenue Realty Trust, said that the revised request is for a height exception for 38.5 feet. **Mr. Frontiero** said the Stavis' purchased the property in 2012. Orienting the Committee to a displayed plot of land said the southeast elevation faces the ocean; the northwest elevation faces Drumhack Road, the southwest elevation faces Fort Hill Avenue; and the northeast elevation faces the Holdsworth property, a direct abutter of 48 Fort Hill Avenue. He noted there is a brick gate house on the ocean side (southeast side) of the property. There was a small structure closer to the ocean than the gate house, and another larger structure and a portion of a garage on the existing gate house that were destroyed by a storm some years ago. He pointed out an area of wetlands at the center of the approximately six acre property. He informed the Committee that Federal Emergency Management Agency (FEMA) has proposed to change the flood zone which will change the property's elevation from FEMA elevation 16 to elevation 30.

**Mr. Frontiero** reviewed that the applicant went before the Zoning Board of Appeals (ZBA) to build a new structure and to keep the gate house for an accessory sleeping dwelling for guests. The original relief from the ZBA to allow the gate house to remain and to build the house by moving it northeasterly within 10 feet from the lot line which would gain three feet in elevation. The house would then be situated two feet above the FEMA proposed 30 foot flood zone. Because of the desire to raise the structure of the house above the 30 foot flood zone, it requires relief in the form of a height exception at 38.5 feet from the City Council through a Special Council Permit.

Criteria:

**Mr. Frontiero** reviewed that the proposal must be in harmony with the general purpose and intent of the zoning ordinance, and is specific also to height exceptions and said that: The height exception over 35 feet must be consistent with the neighborhood character, will not be substantially detrimental to the neighborhood because of obstruction of views, overshadowing of other properties, impairment of utilities or other adverse impacts.

General Intent, GZO Sec. 1.2.1: The purpose is to promote health, safety, convenience, quality of life, and welfare of the city's inhabitants. It was pointed out there is a need to be safe from flooding, and conservation of resources, and prevention of pollution of the environment. **Mr. Frontiero** said that the requested height exception is in line with the purposes of the zoning ordinance, as the purpose to protect natural resources is being respected by avoiding the wetlands at the center of the lot. He noted that in terms of safety from flooding, it is proposed that the house is to be constructed on pilings two feet above the flood zone that is to be adopted by FEMA.

**Mr. Frontiero** also noted that the height exception is not detrimental to the neighborhood views, overshadowing, and impairment of utilities or other adverse affects. Pointing to the Holdsworth home on the abutting property to the northeast on the newly revised plan (submitted and placed on file), he said that it is further back from the ocean than the proposed home to be built which will not impact the Holdsworth home in any way. Between the Holdsworth property and the Stavis' property he pointed out also that there is a buffer of trees that would block the view of the new house from the Holdsworth property.

Procedural Matters:

**Mr. Frontiero** noted that on March 18 a neighbor appealed the ZBA decision granting a variance for the rear yard setback. It is now proposed by the applicant to comply with the 30 foot rear yard setback. They have moved the driveway to north and northwest portion of the property in order to avoid the wetland to go out to Fort Hill Avenue. He said it is his clients' position that with the amended plan the issue of the ZBA appeal is moot as it was based on the ZBA relief for the rear yard setback which is now cured. He pointed to a single story bump out on the northeast side of the proposed home which will house three to four oil tanks. He asked that the height exception be approved as it is harmony with the zoning ordinance and is not a detriment to the neighborhood. This lot, he said, has as much lower lot coverage than most lots in the neighborhood and is retaining the rural character and avoiding damage by flood but also not encroaching on the wetlands. He noted another challenge to the property is the septic system, **Dan Ottenheimer**, Mill River Consulting, explained that suitable soil for a septic system is found on the northern portion of the property facing Drumhack Road. He said that portion of the lot will be occupied with a leech field, a septic tank and pump line to this area. The house will be connected to city water, he noted.

**Councilor Lundberg** asked about the FEMA flood plain change. **Mr. Frontiero** said that the current flood line is at the southeasterly portion of the property. The flood plain line runs along a wall on the plan at elevation 16. FEMA is proposing to move the flood line to elevation 30 which would move it to the center of the property, which is a significant difference. The original house was just behind that wall, a much larger house, and destroyed by storm wave action.

**Councilor McGeary** said if new flood map says 30 feet, he pointed out to the eye it appeared the house is below elevation 30 and above elevation 16. **Mr. Ottenheimer** reiterated a previous statement that the house is proposed to be built on pilings placing the base floor of the house at elevation 32 thereby raising up the entire structure out of the flood zone which is at elevation 30.

**Attorney Mark Glovsky**, Beverly, said he represented Eric and Hilary Holdsworth (who were present), as Drumhack Playhouse Group, LLC. The Holdsworth property directly abuts the 48 Fort Hill Road property, he pointed out. He said that the Holdsworth's have a good relationship with the Stavis' but there had been miscommunication about the project. He explained that originally the Holdsworth's had acquiesced on the proposed home by the Stavis' but hadn't seen site plans, elevation plans nor site plans, and incorrectly assumed the house would be in a different location on the property. He said his clients filed an appeal of the ZBA variance. He said it was intended to give his clients an opportunity to talk to the Stavis' to better understand the project and determine whether there is any adverse affect or not. He said the plan changed as of today, and the house that originally was to have been built 10 feet from the lot line that abuts the Holdsworth property is now 30 feet from that line. He also pointed out that the house is going to be 38.5 feet high which he suggested would have the potential of having a deleterious affect on a view from the Holdsworth's'. He asked this mater be continued in order to have an opportunity to fully understand the Stavis' project and make a determination if there is significant detrimental affect. He concluded his remarks by saying it was hoped his clients and the applicants could resolve this matter within a month in order to be able to go forward in concert.

**Mr. Frontiero** said that the only ZBA relief other than set back in the rear which is no longer needed is to allow the accessory structure (gate house) be closer to street than the primary structure and to allow the accessory structure to be closer to the street which is an existing structure (An earlier ZBA decision of 7/26/13 was not appealed). He reiterated that the building (gate house) is an accessory building for sleeping quarters for guests. The applicants took a primary building and made it an accessory building, he pointed out. Compared to what was there before, he said, what is planned is less intensive use of the property.

**Councilor Verga** briefly conferred with the attorneys who offered different views from Google Earth of the property. At that juncture **Councilor Verga** then asked that the conflicting parties work towards consensus and would continue the matter to the Committee's next regularly scheduled meeting.

**This matter will be continued to April 2, 2014 and is to be advertised for public hearing.**

**A motion was made, seconded and voted unanimously to adjourn the meeting at 5:50 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson**  
**Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- Revised plans for 48 Fort Hill Avenue from Attorney Sal Frontiero on behalf of applicant, Fort Hill Avenue Realty Trust, under SCP2014-005

DRAFT

**JOINT MEETING OF PLANNING BOARD AND PLANNING AND  
DEVELOPMENT STANDING COMMITTEE**

**03/06/14**

**MINUTES**

**(UNDER SEPARATE COVER)**



## GLOUCESTER CITY COUNCIL 2014 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2014-005  
**SUBJECT:** Group Free Petition under City Charter Sec. 9-1(b) which requests the City Council to amend the Code of Ordinances Sec. 4-16a "Dogs prohibited on beaches at certain times"  
**DATE OPENED:** 03/25/14  
**CONTINUED TO:**  
**CONTINUED FROM:** 01/28/14  
**COMMITTEE:** O&A 12/18/13 & 01/06/14, 03/03/14

Legals

**NOTICE OF A PUBLIC HEARING**  
In accordance with the provisions of Gloucester City Charter Sec. 9-1(b), the Gloucester City Council will hold a public hearing on **Tuesday, January 28, 2014 at 7:00 PM** in the Kyrouz Auditorium, City Hall, relative to the following:  
A Group Free Petition under City Charter Sec. 9-1(b) which requests the City Council to amend the Code of Ordinances Sec. 4-16a "Dogs prohibited on beaches at certain times".  
The complete Petition is available for review at the office of the City Clerk, City Hall, during regular business hours.  
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 - 1/14/14

**Ordinances & Administration Committee**  
Monday, March 3, 2014 – 6:00 p.m.  
Kyrouz Auditorium – City Hall  
-Minutes-

**Present: Chair, Councilor Whynott; Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy**  
**Absent: None.**

**Also Present: Councilor Cox; Councilor LeBlanc; Police Chief Leonard Campanello**

The meeting was called to order at 6:04 p.m. Items were taken out of order. There was a quorum of the City Council.

**1. Continued Business:**

A) CC2013-040 (Verga) Request to review GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22:

→ **Update by Councilor LeBlanc, Council Liaison to O&A re: Ad Hoc Leash Law Committee activities.**

**Councilor LeBlanc** reviewed that the ad hoc committee has met three times to date. He said that good progress has been made towards proposing revisions to the city’s dog ordinances. He reported that through the ad hoc committee’s research only one other community, Newburyport, had an off-leash area (not located on a public beach). He said no north shore seaside community allows dogs off leash on public beaches. The committee was divided in half regarding the addition off-leash areas on city beaches, he added. He said the two city areas the ad hoc committee is looking to designate as limited off-leash areas are Good Harbor and Wingaersheek Beach in the off season during specific daylight limits, early morning and early evening hours. **Councilor LeBlanc** also noted that the ad hoc committee would also be recommending increasing fines for ordinance violations by dog owners. He announced there will be one more meeting of the ad hoc committee and that he anticipates the forwarding recommendations to the O&A Committee in advance of its regularly scheduled meeting of March 17<sup>th</sup>.

**Councilor Theken** asked if the ad hoc committee was in receipt of a response from the Public Health Department stemming from an inquiry under Oral Communications at the most recent City Council meeting regarding the health risks of dog feces on beaches which she noted as a legitimate concern. **Councilor LeBlanc** said the matter was under advisement and that the ad hoc committee had yet to receive input from that city department.

**Councilor Whynott** inquired if the Police Chief had contributed any input to the review of the City’s Leash Law and Dog Ordinance. **Police Chief Leonard Campanello** said his Executive Officer, Lieutenant John McCarthy, is the Police Department liaison and has participated at the ad hoc committee meetings. He said he has been kept up to date on the progress of the ordinance review. He noted with Councilor LeBlanc’s leadership and input from the different organizations and city departments there will be a good compromise made.

**This matter is continued to March 17, 2014.**

B) CC2013-051 (LeBlanc) Amend GCO c. 22 Sec. 22-200-209 “Reserved” and Sec. 22-270 “Parking Prohibited at all times” re: Draw Bridge Tender Parking (Cont’d from 01/06/14)

**Councilor LeBlanc** explained that he has yet to hear back from Mass. Department of Transportation (Mass. DOT). He said he would submit another request to Mass. DOT through State Sen. Bruce Tarr’s office immediately.

**This matter is continued to March 17, 2014.**

C) CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking” re: Proctor St. #12 (Cont’d from 02/03/14)

**Larry Ingersoll**, Traffic Commission member, said that the requestor of a handicapped parking space at Proctor St. #12 was at the Feb. 27 Traffic Commission meeting (minutes on file). The Commission learned that the requestor did not have driveway access to their home. He said that upon hearing this information the Commission unanimously recommended the creation of the handicapped parking space, he said. He added that the Commission informed the requestor noted that while there were other handicapped spaces already on the street this particular

**Ordinances & Administration Committee**  
Monday, January 6, 2014 – 6:00 p.m.  
1<sup>st</sup> Fl. Council Committee Rm. – City Hall  
-Minutes-

**Present: Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy; Councilor LeBlanc (Alternate)**  
**Absent: Councilor Whynott**  
**Also Present: Councilor Cox**

**The meeting was called to order at 6:04 p.m. Items were taken out of order.**

**1. Continued Business:**

- A) CC2013-040 (Verga) Request to review GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22 and to consider whether to add the offense of “Running at large prohibited” to GCO Sec. 1.15 to allow for fines by non-criminal enforcement & signage to be placed in areas of concern (Returned by City Council 11/12/13) & Group Free Petition under City Charter Sec. 9-1(b) re: Leash Free Gloucester Beaches Petition
- 1) **Establishment of Ad Hoc Committee** to study GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22 and Sec. 1.15 Fines for non-criminal enforcement

**Councilor Theken** announced that the following Gloucester citizens have been named to the Ad Hoc Committee to study the City’s leash laws and to make recommendations back to the O&A Committee for their consideration. They are: Marie Demick, Cynthia Dunn, Glen Bresnahan, Michael Haran, John Knowlton, Jennifer Greek and Ronda Tucker. Alternates: Phil Dench, first alternate; Leonard Gyllenhaal, second alternate. At the January 14, 2014 City Council Meeting the Committee would make their formal recommendation and ask for the Council President’s approval.

She said that Councilor LeBlanc will remain appointed to the ad hoc committee as City Council liaison although now reassigned to the Planning & Development Committee. **Councilor Theken** noted that he would arrange for the first meeting of the ad hoc committee after determining a date in consultation with the Police Chief who is to be the Public Safety Representative, or his designee.

→ **This matter is continued to March 3, 2014.**

- B) CC2013-051 (LeBlanc) Amend GCO c. 22 Sec. 22-200-209 “Reserved” and Sec. 22-270 “Parking Prohibited at all times” re: Draw Bridge Tender Parking (Cont’d from 12/02/13)

**Councilor LeBlanc** informed the Committee that no forward progress has yet been made with the State Department of Transportation through the office of Sen. Bruce Tarr.

**This matter is continued to March 3, 2014.**

**2. New Appointments: Shellfish Advisory Commission TTE 02/14/16 William Nugent**

**Clerk of Committees, Dana Jorgensson** advised the Committee that due to the recent extreme winter weather Mr. Nugent is unable to appear before the Committee because of a series of cancelled flights. Mr. Nugent, she reported, asked that his appointment be placed on the Committee’s February 3, 2014 meeting agenda.

**The appointment of William Nugent to the Shellfish Advisory Committee is continued to February 3, 2014.**

**3. CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking” re: Proctor St. #12**

As this matter had yet to be taken up by the Traffic Commission, it was continued by the Committee to February 3, 2014.

**This matter is continued to February 3, 2014.**

a proactive role involved in this resource in order to fund the humanities and sciences as well as for the arts. It is a grant resource that people must apply for, she noted.

**Councilor Theken** and Ms. Sheehan discussed the art program at the Rose Baker Senior Center and **Councilor Theken** encouraged Ms. Sheehan to contact the Senior Center's Director in order to work with her to assist their applying for program grant funding through the Cultural Council.

**MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Rose Sheehan to the Gloucester Cultural Council, TTE 02/14/16.**



**3. Group Free Petition under City Charter Sec. 9-1(b) re: Leash Free Gloucester Beaches Petition**

**Councilor Theken** advised the Committee that she would appoint Councilor LeBlanc as the Committee's liaison to an ad hoc committee to review the Dog Ordinances/Leash Law to be established. She advised that anyone interested in being on the ad hoc committee should send a letter or email in care of the City Clerk with their name, address, email address and telephone number advising their interest and why they wish to serve on this review committee. **Councilor Theken** added this would not be a large committee but would represent dog owners and non-dog owners in a balanced way. **Councilor LeBlanc** accepted the appointment to serve as the O&A Committee's liaison to an ad hoc committee that will be formed.

**Police Chief Campanello** pointed out that the only reason enforcement of the leash law was stepped up was due to an increase in complaints. He said his department doesn't have the resources to patrol and enforce every City ordinance, and added that unless there are complaints his department is not out to get anyone. He said he would be pleased to be a member of the ad hoc committee as a public safety representative. The Committee asked and Chief Campanello agreed that either he or his designee from the department's command staff in his absence, to participate on the ad hoc committee.

**Councilor Theken** said the Police Chief did not bring up the matter of the leash law to the Council; rather, there was some controversy about dogs off leashes on City beaches with pictures submitted to Councilors. It was Councilor Verga who had asked for the ordinance review, and as a result an increase of the fine for dogs running at large had been recommended. She advised that this leash law has been in place since 1977. **Councilor Theken** said it was no one complaint that prompted this ordinance review. Many aspects of the law will be looked; and compromise will be a byword of both the ad hoc committee and O&A, she pointed out, adding that public safety will be considered as well. **Councilor Theken** also suggested that the ad hoc committee might have several listening posts to gain further public input on the leash law.

**Councilor Whynott** assured the public present that the leash law will not go away but that it could be revised after careful review.

**Flavia Stanley**, 9 Highland Street, an advocate for off season, off leash beaches noted that the Police Chief won everybody over at the November 12<sup>th</sup> City Council meeting's public hearing with his views on the dog ordinance.

**Lorraine Law**, 7 Jacque Lane noted she was a former dog owner, although attacked by a dog, said she still loves dogs. She suggested that dogs should be able to run on the beaches in off season and suggested two beaches, or Stage Fort Park could be non-dog beaches but that the other City beaches could be dog off leash areas in the off season.

**Councilor Theken** reminded those present that it is not just dog owners who use the City beaches in the off season; that joggers, walkers, families, artists and others without dogs also enjoy the use of the beaches. She said she was sure a compromise could be reached that satisfied most dog owners and non-dog owners and that also protects public safety, adding that she was looking forward to the New Year to start the review process.

**This matter is to be continued to January 6, 2013 when the O&A Committee will fully establish by appointment an ad hoc committee to study and review the City's leash law.**

4. **CC2013-051 (LeBlanc) Amend GCO c. 22 Sec. 22-200-209 "Reserved" by adding new Sec. 22-200 and to renumber "Reserved" to "22-201 to 22-209"; and to amend Sec. 22-270 "Parking Prohibited at all times" re: Draw Bridge Tender Parking (TBC 12/02/13)**
5. **CC2013-056 (Cox) Amend GCO Chapter 22, Sec. 22-284 "Service or loading zones" and Sec. 22-291 "Tow away zones" Re: Pleasant Street #27 (TBC 12/02/13)**

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:38 p.m.



## GLOUCESTER CITY COUNCIL 2014 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2014-020  
**SUBJECT:** SCP2014-003: 49 East Main Street, GZO Sec. 2.3.1(6) for conversation to or new multi-family or apartment dwelling, three dwelling units  
**DATE OPENED:** 03/25/14  
**CONTINUED TO:**  
**CONTINUED FROM:**  
**COMMITTEE:** P&D 03/05/14

49 EAST MAIN STREET  
LEGAL NOTICE  
NOTICE OF PUBLIC HEARING

In accordance with the provisions MGL Chapter 40A, section 11, the Gloucester City Council will hold a public hearing on **Tuesday, March 25, 2014 at 7:00 p.m. in the Kyrouz Auditorium, City Hall**, relative to the following Special Council Permit application:

**SCP2014-003:** The application of Ingrid Echeverria, by her Attorney, Ralph C. Pino, for a Special City Council Permit under GZO 2.3.1(6) for conversion to or new multi-family or apartment dwelling, three dwelling units located at 49 East Main Street, Assessors Map #54 Lot #76 in the R-5 (High Density Residential) District.

At the public hearing, all interested persons will have the opportunity to be heard based on the procedures determined by the Council. **All written communications to the Council must be received by the office of the City Clerk no later than 3 business days (excluding holidays and weekends) prior to the scheduled hearing date or any continuation by the Council of such date in order to be considered by the Council as part of the public hearing.**

The complete application is available for review at the office of the City Clerk at City Hall during regular business hours.

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

AD#13082896  
CAB 3/7, 3/14/14

CITY COUNCIL STANDING COMMITTEE  
**Planning & Development Committee**  
 Wednesday, March 5, 2014 – 5:30 p.m.  
 1<sup>st</sup> Fl. Council Committee Room – City Hall  
 -Minutes-

**Present: Chair, Councilor Greg Verga; Vice Chair, Councilor Paul Lundberg; Councilor Steven LeBlanc**  
**Absent: None.**  
**Also present: None.**

**The meeting was called to order at 5:30 p.m. Items were taken out of order.**

1. *Revisit of Free Petition in accordance with City Charter Sec. 9-1(b) re: Condition, Restoration and Preservation of Stage Fort Park (Cont'd from 01/22/14)*

**This matter is continued to April 2, 2014 at the request of the Chief Administrative Officer.**

2. *Memorandum and pertinent material from Planning Director re: Land Disposition Committee Recommendations on 6 Stanwood Street (Easement Request by Karen Elliot, 6 Stanwood Street (Cont'd from 01/22/13))*

**This matter is continued to March 19, 2014 at the request of General Counsel.**



3. *SCP2014-003: East Main Street #49, GZO Sec. 2.3.1(6) conversion to or new multi-family or apartment dwelling, three dwelling units*

Attorney Ralph Pino, representing Ingrid Echiverria, described for the Committee the parameters for a Special Council Permit application under GZO Sec. 2.3.1(6), conversion to or new mutli-family or apartment dwelling, three dwelling units Assessors Map #54, Lot 76 under Zoning Classification R-5. He said that Ms. Echiverria owns #47 East Main St., purchased first, and then purchased #49 East Main Street which thereby creates a common driveway between the two properties that sit side by side.

Mr. Pino related that: in August 2013 the Zoning Board of Appeals decision (on file) noted that the premise is a lawful two-family dwelling with a presently uninhabited third apartment unit. The premise was previously used as a three-family domicile, according to the Assessor's records, from at least the 1960s through 1989. In 1989 there was an application to divide the lot to #47 and #49 East Main Street which went to the ZBA in which the then petitioner indicated his intention to use this house as a two-family. After 1989 no apparent physical alternation to the premises ever took place, and the basement unit has remained complete with kitchen and bathroom. The current owner/petitioner has concluded it would not make economic or build sense to incorporate the basement apartment unit into another existing apartment unit. The petitioner would like to remodel the basement unit and use it as a third apartment unit. The ZBA has given the necessary dimensional relief. The joint driveway has enough parking for all units. The ceiling height is a bit low but the floor has been opened up since the pictures (on file) have been taken, and that there is framework on the ground. A concrete floor will be poured, and Building Inspector has reviewed the plans. Ms. Echiverria lives in the second unit, it was noted.

Mr. Pino reviewed the six Special Council Permit criteria as follows:

1. Social, Economic or community needs served by the proposal: The proposal would provide one additional housing rental unit (currently vacant) and utilize what is now simply vacant space in the building without practical means to join it to other units;
2. Traffic flow and safety: The addition of one more apartment unit would be insignificant on East Main Street- there is off-street parking;
3. Adequacy of utilities and other public services: The space was used until 1989 a separate unit;
4. Neighborhood character and social structure: The neighborhood contains two- and three-family homes and commercial uses;
5. Qualities of the natural environment: There will be no exterior change in the building or site;
6. Potential Fiscal Impact: There would be increased value and tax revenue.

**Councilor LeBlanc** said upon reviewing the Special Council Permit, and given that the dwelling was previously three units, it would bring another affordable apartment to the neighborhood. He said he would support the application.

**Councilor Verga** noted that it appeared the egress for the third apartment unit is adequate. **Mr. Pino** confirmed that unit's egress is on the first floor on the lower right side of #49 East Main St.

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant Ingrid Echiverria-Rivas a Special Council Permit (SCP2014-003) for the property located at East Main Street #49, Assessor's Map 54, Lot 76, zoned R-5, pursuant to Sections 1.8.3 and 2.3.1(6) of the Gloucester Zoning Ordinance to increase the number of dwelling units from two residential units to three residential units as based on the plan submitted with the application entitled, "Boundary Retracement Exhibit," by County Land Surveys, Inc. of Gloucester, Mass., dated February 7, 2013.**

This matter will be advertised for public hearing.

4. *Special Events Application re: request from Cape Ann YMCA to hold three road races:*  
*Backshore 5 Mile Road Race on May 9, 2014*  
*Run the Goose 7K Road Race on September 1, 2014*  
*Around Cape Ann 25K Road Race on September 1, 2014*

No representative of the Cape Ann YMCA was present at the meeting. **Councilor LeBlanc** asked that he reviewed the submitted Special Events applications from the YMCA and found that he Certificates of Insurance for all three races show 3 Pond Road as the address for the City which should be 9 Dale Avenue.

The Committee determined it would move the permit for the races forward to the Council for approval as they had been vetted by the Special Events Advisory Committee and appeared to have no changes from the previous years' races. However, the Committee asked that a representative of the YMCA be present should Councilors have any questions regarding either of the three races at the March 11<sup>th</sup> City Council meeting. The Clerk of Committees was asked to convey this information as well as the need to correct the Certificate of Insurance to the YMCA.

***Backshore 5 Mile Road Race on May 9, 2014***

**MOTION: On motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend to the City Council to permit the Cape Ann YMCA on Friday, May 9, 2014 to hold the Backshore 5 Mile Road Race with the following conditions:**

1. **Certificate of Insurance:**  
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**  
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**  
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.
4. **Emergency Services** are as determined by City EMS Director.
5. **Staffing:**  
Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Notification to Immediate Abutters and Businesses to Race Course:**  
Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.
7. **Responsibility of the Cape Ann YMCA:**



## GLOUCESTER CITY COUNCIL 2014 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2014-021  
**SUBJECT:** Amend GCO Chapter 22, Sec. 22-287 "Disabled veteran, handicapped parking" re: adding one space in front of #12 Proctor Street  
**DATE OPENED:** 03/25/14  
**CONTINUED TO:**  
**CONTINUED FROM:**  
**COMMITTEE:** O&A 01/06/14, 02/03/14, 03/03/14

GCO

### LEGAL NOTICE NOTICE OF PUBLIC HEARINGS

The Gloucester City Council will hold public hearings on **March 25, 2014** at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances:

Chapter 22 entitled "**Traffic and Motor Vehicles**" amend Sec. 22-287 "Disabled veteran, handicapped parking" by **ADDING** one space in front of Proctor Street #12.

Chapter 22 entitled "**Traffic and Motor Vehicles**" amend Sec. 22- 269 "Stop Intersections" by **ADDING** a stop sign on Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street.

Amend Sec. 16-1 "Grant Applications" by **DELETING** Sec. 16-1 in its entirety and **ADDING** new Section 16-1:  
**Sec. 16-1. Grant applications.**

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed \$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting, then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

b) Applications for grants with match requirements below the threshold set forth in (a) above may be submitted without prior approval of the Council, provided that the department or employee applying for the grant must notify the Council in writing of the intention to file such application. Such notification is for information only and no permission by the Council is required to complete the application.

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

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

AD#13085630  
CAB 3/14/14

**Ordinances & Administration Committee**  
Monday, March 3, 2014 – 6:00 p.m.  
**Kyrouz Auditorium – City Hall**  
-Minutes-

**Present: Chair, Councilor Whynott; Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy**  
**Absent: None.**

**Also Present: Councilor Cox; Councilor LeBlanc; Police Chief Leonard Campanello**

The meeting was called to order at 6:04 p.m. Items were taken out of order. There was a quorum of the City Council.

**1. Continued Business:**

- A) CC2013-040 (Verga) Request to review GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22:  
**Update by Councilor LeBlanc, Council Liaison to O&A re: Ad Hoc Leash Law Committee activities.**

**Councilor LeBlanc** reviewed that the ad hoc committee has met three times to date. He said that good progress has been made towards proposing revisions to the city’s dog ordinances. He reported that through the ad hoc committee’s research only one other community, Newburyport, had an off-leash area (not located on a public beach). He said no north shore seaside community allows dogs off leash on public beaches. The committee was divided in half regarding the addition off-leash areas on city beaches, he added. He said the two city areas the ad hoc committee is looking to designate as limited off-leash areas are Good Harbor and Wingaersheek Beach in the off season during specific daylight limits, early morning and early evening hours. **Councilor LeBlanc** also noted that the ad hoc committee would also be recommending increasing fines for ordinance violations by dog owners. He announced there will be one more meeting of the ad hoc committee and that he anticipates the forwarding recommendations to the O&A Committee in advance of its regularly scheduled meeting of March 17<sup>th</sup>.

**Councilor Theken** asked if the ad hoc committee was in receipt of a response from the Public Health Department stemming from an inquiry under Oral Communications at the most recent City Council meeting regarding the health risks of dog feces on beaches which she noted as a legitimate concern. **Councilor LeBlanc** said the matter was under advisement and that the ad hoc committee had yet to receive input from that city department.

**Councilor Whynott** inquired if the Police Chief had contributed any input to the review of the City’s Leash Law and Dog Ordinance. **Police Chief Leonard Campanello** said his Executive Officer, Lieutenant John McCarthy, is the Police Department liaison and has participated at the ad hoc committee meetings. He said he has been kept up to date on the progress of the ordinance review. He noted with Councilor LeBlanc’s leadership and input from the different organizations and city departments there will be a good compromise made.

**This matter is continued to March 17, 2014.**

- B) CC2013-051 (LeBlanc) Amend GCO c. 22 Sec. 22-200-209 “Reserved” and Sec. 22-270 “Parking Prohibited at all times” re: Draw Bridge Tender Parking (Cont’d from 01/06/14)

**Councilor LeBlanc** explained that he has yet to hear back from Mass. Department of Transportation (Mass. DOT). He said he would submit another request to Mass. DOT through State Sen. Bruce Tarr’s office immediately.

**This matter is continued to March 17, 2014.**

- C) CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking” re: Proctor St. #12 (Cont’d from 02/03/14)

**Larry Ingersoll**, Traffic Commission member, said that the requestor of a handicapped parking space at Proctor St. #12 was at the Feb. 27 Traffic Commission meeting (minutes on file). The Commission learned that the requestor did not have driveway access to their home. He said that upon hearing this information the Commission unanimously recommended the creation of the handicapped parking space, he said. He added that the Commission informed the requestor noted that while there were other handicapped spaces already on the street this particular

handicapped parking space is not a personal space but is for anyone with a valid handicapped placard, which the requestor understood.

**Mr. Ingersoll** pointed out to the Committee that the Traffic Commission is concerned about the proliferation of the number of new handicapped spaces that are being created of late in the city's neighborhoods.

**Councilor Theken** said when the Council Order first came forward, the Commission discussed with the requestor possibly putting a handicapped space in the city parking lot across the street from his home, noting that Proctor Street is a small street. The requestor rejected the proposal of a space in the City lot. She pointed out that there are four other people on that street that have handicapped placards and that they are entitled to park in the newly created space as is any motorist with a valid handicapped placard or handicapped license plate. She described the difference between the handicapped license plate and a handicapped placard which can be moved from one vehicle to another as long as the handicapped person is riding in that vehicle.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 22, Sec. 22-287 "Disabled veteran, handicap parking" by adding 1 handicap parking space in front of Proctor Street #12.**

This matter will be advertised for public hearing.

- D) CC2014-001 (Verga/McGeary) Request that B&F Committee in consultation with Police Dept. and local merchants consider adopting certain days as "parking meter holidays" to begin in FY14 (Cont'd from 02/03/14)

Asked by **Councilor Whynott** for his opinion regarding possible enforcement issues for a proposal of parking meter holidays, **Police Chief Campanello** said that parking meter holidays are enforceable and are reasonable requests on the department's limited parking enforcement staff. He said what would not be feasible from an enforcement standpoint is, for instance, a blanket three month period or certain hours every day for an expanded period of time. He said a designated day when parking meter fees would not be enforced is fine, but he reminded the Committee that there is still a two-hour limit for parking in force on Main Street (known as the anti-shuffling ordinance) whether or not there is a parking meter holiday.

**This matter is continued to March 31, 2014.**

## **2. New Appointments:**

*Open Space & Recreation Committee TTE 02/14/17 Jerome Goulart*

**Mr. Goulart** said he has been involved in parks and recreation for the last three years. He spoke about the revitalization of Mattos Field and his involvement with that project which he said has led him to this point. He assured the Councilors that he wants to be as involved with open spaces as he is with the recreation aspect of the committee.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Jerome Goulart to the Open Space & Recreation Committee, TTE 02/14/17**

*Community Preservation Committee TTE 02/14/17 Joseph Orlando-Planning Board Representative*

**Councilor Whynott** said Mr. Orlando is already appointed to the Planning Board and having known him for 25 years he had no problem in forwarding this appointment without his appearance. **Councilors Theken and Hardy** concurred.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Joseph Orlando to the Community Preservation Committee as the Planning Board Representative, TTE 02/14/17.**

**Ordinances & Administration Committee**

Monday, February 3, 2014 – 6:00 p.m.

1<sup>st</sup> Fl. Council Committee Rm. – City Hall**-Minutes-****Present: Chair, Councilor Whynott; Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy****Absent: None.****Also Present: Councilor Cox; Suzanne Egan; Fire Chief Eric Smith; Deputy Fire Chief Stephen Aiello, Fire Captain Tom LoGrande; Jim Duggan; John Dunn; Donna Compton; Paul Keane; Bill Sanborn; Mark Cole; Nancy Papows; Beth Ann Godhino; Jim Caulkett; Sally Polzin****The meeting was called to order at 6:00 p.m. Items were taken out of order. Councilor Cox departed the meeting at 6:20 p.m.** **1. Continued Business from 01/06/14:****A) CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking” re: Proctor Street #12**

Noting that this matter has been tabled by the Traffic Commission at the Commission’s January 30<sup>th</sup> in order to receive further information on the request, the O&A Committee continued this matter pending a recommendation from the Traffic Commission.

**This matter is continued to March 3, 2014.****B) New Appointment: Shellfish Advisory Commission TTE 02/14/16 William Nugent**

**Mr. Nugent** said he is a lifelong resident and has dug shellfish since he was very young and holds a recreational shellfish license. He added he wished to be an active participant on the Shellfish Advisory Commission, to represent the clam diggers. It was noted he had yet to turn in his certificate of completion of the State Ethics Quiz for the City Clerk’s records and was urged to complete this task as soon as possible. He noted he had been a commercial digger as well.

**Councilor LeBlanc**, noting he holds a commercial clamming license, said there were a few things that could be tweaked for the Commission and was looking forward to some new ideas. He added that David Sargent, the Shellfish Constable, does a good job; but that there are many miles of shoreline to cover. He said he also looked forward to a new review of the clam flats opening and digging policies.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint William Nugent to the Shellfish Advisory Commission, TTE 02/14/17.**

**2. A) New Appointment: Shellfish Advisory Commission TTE 02/14/17 Roger Hussey**

**Mr. Hussey** told the Committee he had an affinity for clamming and holds a recreational clamming license. He said he would bring his experience as a mediator, group coach, newspaperman, and merchant seaman to bear with the Commission. Shellfishing, he said, helps the maritime economy thrive. His certificate of completion of the State Ethics test was on file with the City Clerk’s office, he noted.

**Councilor LeBlanc** said he would reiterate his previous comments during Mr. Nugent’s appointment discussion and added it is always nice to have fresh ideas for any Commission. **Councilor Theken** and **Mr. Hussey** also discussed his qualifications to join the Shellfish Advisory Commission which at that time she expressed concern that Mr. Hussey was overqualified for the appointment. She inquired as to the composition of the Commission and expressed her further concern as to the number of appointees and the Commission’s composition, and so would vote present pending further information.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 2 in favor, 0 opposed, 1 (Theken) present, to recommend that the City Council appoint Roger Hussey to the Shellfish Advisory Commission, TTE 02/14/17.**

**Ordinances & Administration Committee**  
Monday, January 6, 2014 – 6:00 p.m.  
1<sup>st</sup> Fl. Council Committee Rm. – City Hall  
-Minutes-

**Present: Vice-Chair, Councilor Sefatia Theken; Councilor Jackie Hardy; Councilor LeBlanc (Alternate)**  
**Absent: Councilor Whynott**  
**Also Present: Councilor Cox**

**The meeting was called to order at 6:04 p.m. Items were taken out of order.**

**1. Continued Business:**

- A) CC2013-040 (Verga) Request to review GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22 and to consider whether to add the offense of “Running at large prohibited” to GCO Sec. 1.15 to allow for fines by non-criminal enforcement & signage to be placed in areas of concern (Returned by City Council 11/12/13) & Group Free Petition under City Charter Sec. 9-1(b) re: Leash Free Gloucester Beaches Petition
- 1) **Establishment of Ad Hoc Committee** to study GCO Chapter 4 “Animals,” Art. II “Dogs,” Sections 4-15 to 4-22 and Sec. 1.15 Fines for non-criminal enforcement

**Councilor Theken** announced that the following Gloucester citizens have been named to the Ad Hoc Committee to study the City’s leash laws and to make recommendations back to the O&A Committee for their consideration. They are: Marie Demick, Cynthia Dunn, Glen Bresnahan, Michael Haran, John Knowlton, Jennifer Greek and Ronda Tucker. Alternates: Phil Dench, first alternate; Leonard Gyllenhaal, second alternate. At the January 14, 2014 City Council Meeting the Committee would make their formal recommendation and ask for the Council President’s approval.

She said that Councilor LeBlanc will remain appointed to the ad hoc committee as City Council liaison although now reassigned to the Planning & Development Committee. **Councilor Theken** noted that he would arrange for the first meeting of the ad hoc committee after determining a date in consultation with the Police Chief who is to be the Public Safety Representative, or his designee.

**This matter is continued to March 3, 2014.**

- B) CC2013-051 (LeBlanc) Amend GCO c. 22 Sec. 22-200-209 “Reserved” and Sec. 22-270 “Parking Prohibited at all times” re: Draw Bridge Tender Parking (Cont’d from 12/02/13)

**Councilor LeBlanc** informed the Committee that no forward progress has yet been made with the State Department of Transportation through the office of Sen. Bruce Tarr.

**This matter is continued to March 3, 2014.**

**2. New Appointments: Shellfish Advisory Commission TTE 02/14/16 William Nugent**

**Clerk of Committees**, Dana Jorgenson advised the Committee that due to the recent extreme winter weather Mr. Nugent is unable to appear before the Committee because of a series of cancelled flights. Mr. Nugent, she reported, asked that his appointment be placed on the Committee’s February 3, 2014 meeting agenda.

**The appointment of William Nugent to the Shellfish Advisory Committee is continued to February 3, 2014.**

→ **3. CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicapped parking” re: Proctor St. #12**

As this matter had yet to be taken up by the Traffic Commission, it was continued by the Committee to February 3, 2014.

**This matter is continued to February 3, 2014.**



## GLOUCESTER CITY COUNCIL 2014 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2014-022  
**SUBJECT:** Amend the GCO Sec. 22-269 "Stop Intersections" re: intersection Pleasant and Prospect Street  
**DATE OPENED:** 03/25/14  
**CONTINUED TO:**  
**CONTINUED FROM:**  
**COMMITTEE:** O&A 03/03/14

GCO

### LEGAL NOTICE NOTICE OF PUBLIC HEARINGS

The Gloucester City Council will hold public hearings on **March 25, 2014** at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances:

Chapter 22 entitled "Traffic and Motor Vehicles" amend Sec. 22-287 "Disabled veteran, handicapped parking" by **ADDING** one space in front of Proctor Street #12.

Chapter 22 entitled "Traffic and Motor Vehicles" amend Sec. 22-269 "Stop Intersections" by **ADDING** a stop sign on Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street.

Amend Sec. 16-1 "Grant Applications" by **DELETING** Sec. 16-1 in its entirety and **ADDING** new Section 16-1:  
**Sec. 16-1. Grant applications.**

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed \$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting; then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

b) Applications for grants with match requirements below the threshold set forth in (a) above may be submitted without prior approval of the Council, provided that the department or employee applying for the grant must notify the Council in writing of the intention to file such application. Such notification is for information only and no permission by the Council is required to complete the application.

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

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

AD#13085630  
CAB 3/14/14

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed \$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting; then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

b) Applications for grants with match requirements below the threshold set forth in (a) above may be submitted without prior approval of the Council, provided that the department or employee applying for the grant must notify the Council in writing of the intention to file such application. Such notification is for information only and no permission by the Council is required to complete the application.

It was noted this matter will be advertised for public hearing.

→ 5. *CC2014-006 (Cox) Amend GCO Sec. 22-269 "Stop intersections" re: Pleasant Street at its fork in the southeast corner intersection with Prospect Street just before the driveway at #79 Prospect Street*

Mr. Ingersoll said this matter was taken up at its Feb. 27 meeting. He noted there is already a stop sign where Pleasant St. meets Prospect St., and the Commission agreed putting in this proposed stop sign would be an additional safety precaution, and would not harm the flow of traffic. He noted that the request was made by a tenant of #79 Prospect St. The Commission, he said, asked as a condition for the Council Order was that the homeowner trims back a large overgrown hedge that can obscure a driver's line of sight when fully leafed. He reported that Councilor Cox agreed she would contact the homeowner to work towards getting the hedge trimmed back regularly. The Committee examined an aerial view of the area provided by Councilor Cox and agreed, after a brief discussion with her that additional stop sign would make the intersection safer.

**MOTION:** On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council to Amend GCO Sec. 22, 269 "Stop Intersections by ADDING a stop sign as follows: "Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street."

It was noted this matter will be advertised for public hearing.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:15 p.m.

Respectfully submitted,

Dana C. Jorgensson  
Clerk of Committees

DOCUMENTS/ITEMS RECEIVED AT MEETING: None.



# GLOUCESTER CITY COUNCIL 2014 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2014-023  
**SUBJECT:** Amend the GCO Sec. 16.1 "Grant Applications"  
**DATE OPENED:** 03/25/14  
**CONTINUED TO:**  
**CONTINUED FROM:**  
**COMMITTEE:** O&A 03/03/14

GCO

## LEGAL NOTICE NOTICE OF PUBLIC HEARINGS

The Gloucester City Council will hold public hearings on **March 25, 2014** at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances:

Chapter 22 entitled "Traffic and Motor Vehicles" amend Sec. 22-287 "Disabled veteran, handicapped parking" by **ADDING** one space in front of Proctor Street #12.

Chapter 22 entitled "Traffic and Motor Vehicles" amend Sec. 22-269 "Stop Intersections" by **ADDING** a stop sign on Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street.

Amend Sec. 16-1 "Grant Applications" by **DELETING** Sec. 16-1 in its entirety and **ADDING** new Section 16-1:  
**Sec. 16-1. Grant applications.**

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed \$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting, then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

b) Applications for grants with match requirements below the threshold set forth in (a) above may be submitted without prior approval of the Council, provided that the department or employee applying for the grant must notify the Council in writing of the intention to file such application. Such notification is for information only and no permission by the Council is required to complete the application.

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

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

AD#13085630  
CAB 3/14/14

*Waterways Board**TTE 02/14/17**Anthony Gross*

**Councilor Theken** said that the city is fortunate to have Mr. Gross on the Waterways Board representing the fishing industry. She said the city needs the Waterways Board adding that she was pleased that Councilor LeBlanc is the Council's liaison to the Board. **Councilor Hardy** lauded Mr. Gross' work on the board and said she appreciated his ability to view matters with an open-mind. **Councilor Whynott** also added his appreciation for Mr. Gross' work.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Anthony Gross to the Waterways Board, TTE 02/14/17.**

*Zoning Board of Appeals**TTE 02/14/17**Virginia Bergmann, Francis Wright, David Gardner*

**Councilors Whynott, Hardy and Theken** lauded the work of the three reappointees and recommended them all for reappointment, with **Councilor Theken** saying that the City couldn't run without its cadre of dedicated volunteers.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Virginia Bergmann to the Zoning Board of Appeals, TTE 02/14/17.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Francis Wright to the Zoning Board of Appeals, TTE 02/14/17.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint David Gardner to the Zoning Board of Appeals, TTE 02/14/17.**

**4. CC2014-005 (McGeary/LeBlanc/Verga/Cox/Fonvielle) Amend GCO Sec. 16.1 "Grants Applications"**

**Councilor Cox** said that at the Feb. 20 meeting of the Budget & Finance Committee, they voted unanimously to endorse the amendment to GCO Sec. 16-1 to simplify the process for city departments applying for grants provided the grant match is less than \$100,000 in kind or cash. She explained that if the grants meet this qualifier, a city department will not need approval to apply for a grant, but it requires that a notice come forward to the B&F Committee, through the Mayor's Report to the Council, outlining the grant that was applied for. This will speed the grant process by several weeks, and the vast majority of grants would fall under this umbrella, **Councilor Cox** said.

**Councilor Theken** expressed concern about the \$100,000 ceiling and discussed with **Councilor Cox** the opinion of the Budget & Finance Committee who had taken this matter up at their Feb. 20 meeting. **Councilor Cox** pointed out that the process to apply for many grants is within a tight timeframe. She assured **Councilor Theken** that no city staff would apply for a grant for \$100,000 if the city didn't have the means to fund a match whether it is through in-kind or cash or by capitalizing on other related grants in hand to fulfill the match.

**Councilor Whynott** said he supported the ordinance language as presented. He added there is no excuse for city staff not notifying the B&F Committee of their grant applications and that the notification to the Committee should be timely. **Councilor Cox** said that she and Councilor McGeary, the main proponents of the ordinance amendment, spoke with the Administration and affected staff to ensure that there will be timely notification to the B&F Committee when applications are made for grants that met the parameters of the ordinance amendment.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council to Amend GCO Sec. 16-1 By DELETING Sec. 16-1 in its entirety and ADDING new Section 16-1:**

**Sec. 16-1. Grant applications.**

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed \$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting; then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

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It was noted this matter will be advertised for public hearing.

**5. CC2014-006 (Cox) Amend GCO Sec. 22-269 "Stop intersections" re: Pleasant Street at its fork in the southeast corner intersection with Prospect Street just before the driveway at #79 Prospect Street**

Mr. Ingersoll said this matter was taken up at its Feb. 27 meeting. He noted there is already a stop sign where Pleasant St. meets Prospect St., and the Commission agreed putting in this proposed stop sign would be an additional safety precaution, and would not harm the flow of traffic. He noted that the request was made by a tenant of #79 Prospect St. The Commission, he said, asked as a condition for the Council Order was that the homeowner trims back a large overgrown hedge that can obscure a driver's line of sight when fully leafed. He reported that Councilor Cox agreed she would contact the homeowner to work towards getting the hedge trimmed back regularly. The Committee examined an aerial view of the area provided by Councilor Cox and agreed, after a brief discussion with her that additional stop sign would make the intersection safer.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council to Amend GCO Sec. 22, 269 "Stop Intersections by ADDING a stop sign as follows: "Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street."**

It was noted this matter will be advertised for public hearing.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:15 p.m.

Respectfully submitted,

Dana C. Jorgenson  
Clerk of Committees

**DOCUMENTS/ITEMS RECEIVED AT MEETING: None.**



## CITY OF GLOUCESTER 2014 CITY COUNCIL ORDER

**ORDER:** CC#2014-009  
**COUNCILLORS:** Steve LeBlanc, Paul McGeary,  
Melissa Cox

**DATE RECEIVED BY COUNCIL:** 03/11/14  
**REFERRED TO:**  
**FOR COUNCIL VOTE:** 03/25/14

### LOCATION OF SCULPTURE AT GRANT CIRCLE

**WHEREAS** the renowned sculptor David Black, a Gloucester native, has offered his services to the city at no charge for the creation of a significant civic sculpture to be placed in a place of prominence in our city, and

**WHEREAS** the citizens of the city and visitors to our city would benefit from such a gift, and

**WHEREAS** the proposed sculpture would enrich our cultural and artistic heritage for which the city is justly proud.

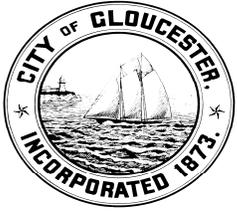
**Now therefore**, the City Council of Gloucester records itself as favoring the location of the proposed sculpture on Grant Circle on Route 128 in the City, and

**Further** that this vote in support of the location be conveyed to:

State Sen. Bruce E. Tarr  
State Rep. Ann-Margaret Ferrante  
Mr. Paul Stedman  
Director, MassDOT - Highway Division, District 4,  
519 Appleton Street  
Arlington, MA 02476

Respectfully submitted,

Steven Leblanc Jr.,  
Ward 3 Councilor  
Paul McGeary  
Ward 1 Councilor  
Melissa Cox  
Ward 2 Councilor



## **CITY OF GLOUCESTER 2014 CITY COUNCIL ORDER**

**ORDER:** CC#2014-010  
**COUNCILLORS:** Paul Lundberg, Sefatia Romeo-Theken

**DATE RECEIVED BY COUNCIL:** 03/11/14  
**REFERRED TO:**  
**FOR COUNCIL VOTE:** 03/25/14

### **RESOLUTION IN COUNCIL**

#### **RESOLUTION REQUESTING STATE APPLY ITS SHARE OF \$75 MILLION IN DISASTER RELIEF FUNDING FOR FISHERIES, PROVIDED IN 2014 FEDERAL OMNIBUS APPROPRIATIONS BILL, TO DIRECT DISASTER MITIGATION TO AFFECTED FISHING BUSINESSES**

**WHEREAS**, the Federal Government, in its Omnibus Appropriations Bill for FY 2014, has appropriated \$75 million to help alleviate the economic impacts associated with declared fisheries failures, fishery resources disasters, and State and Federal regulations; and

**WHEREAS**, the \$75 million will be allocated by the Commerce Department to the States with eligible fisheries for distribution to those affected fisheries, including the Northeast Multispecies Groundfish Fishery and its many businesses based in Gloucester; and

**WHEREAS**, those funds are to help alleviate the economic impacts associated with declared commercial fisheries failures, fishery resources disasters, and State and Federal regulations; now therefore be it

**RESOLVED**, that the City Council of Gloucester moves that the State allocate this funding to provide for direct disaster mitigation to affected fishing businesses through immediate financial relief for the economic injury resulting from the fishing disaster, and through programs developed directly by the affected fishing industry to create economic viability of the fishery, and moves that the State not allocate this funding to activities that could be funded by other sources; and be it further;

**RESOLVED**, that a copy of these resolutions be delivered to the General Court.

Respectfully submitted,

Paul Lundberg  
Councillor at Large

Sefatia Romeo-Theken  
Councillor at Large