

**GLOUCESTER CITY COUNCIL CALENDAR OF BUSINESS**

**TUESDAY, February 9, 2016**

**7:00 P.M.**

**KYROUZ AUDITORIUM, CITY HALL**

**COUNCIL MEETING #2016-003**

**MEETINGS ARE RECORDED**



**FLAG SALUTE & MOMENT OF SILENCE**

**ORAL COMMUNICATIONS**

**PRESENTATIONS/COMMENDATIONS**

**CONFIRMATION OF NEW APPOINTMENTS**

Zoning Board of Appeals	H. Sage Walcott – Alternate Member	TTE 02/14/18
Historical Commission	Sandy Barry	TTE 02/14/18
Council on Aging	Greg Verga	TTE 02/14/19
Conservation Commission	William Cook	TTE 02/14/19

**CONSENT AGENDA**

**ACTION**

• ***CONFIRMATION OF REAPPOINTMENTS***

Purchasing Agent	Donna Compton	TTE 02/14/17
Community Development Director	Tom Daniel	TTE 02/14/17
Chief Administrative Officer	James Destino	TTE 02/14/17
Chief Financial Officer	John Dunn	TTE 02/14/17
City Engineer	Paul Keane	TTE 02/14/17
General Counsel	Charles “Chip” Payson	TTE 02/14/17
Building Inspector	William Sanborn	TTE 02/14/17
Director of Public Works	Michael Hale	TTE 02/14/18
Asst. Director of Public Works	Mark Cole	TTE 02/14/18
Principal Assessor	Nancy Papows	TTE 02/14/19

• ***MAYOR’S REPORT***

1. Special Budgetary Transfer Request (#2016-SBT-7) from the Police Department **(Refer B&F)**
2. Special Budgetary Transfer Request (#2016-SBT-8) from the Police Department **(Refer B&F)**
3. Special Budgetary Transfer Request (#2016-SBT-9) from the Police Department **(Refer B&F)**
4. Memorandum from Fire Chief re: request permission to correct a payroll error in FY15 with FY16 funds **(Refer B&F)**
5. Memorandum from the School Director of Finance and Operations re: request increase on the Preschool Revolving Fund from \$45,000 to \$75,000 **(Refer B&F)**
6. Memorandum, Grant Application and Checklist from the Community Development Director re: Stage Fort Beautification Project, Land and Water Conservation Fund Grant Application in the amount of \$250,000 **(Refer B&F)**
7. Reappointments:

Affordable Housing Trust	(TTE 02/14/18)	George Sibley, Mary John Boylan
Board of Health	(TTE 02/14/19)	Joseph Rosa
Board of Registrars	(TTE 02/14/19)	Judith Peterson
City Hall Restoration Commission	(TTE 02/14/19)	Maggie Rosa, Steven Dexter, David C. Bell, Janis Bell, Mary Rhinelander-McCarl, William Sanborn, Bldg. Insp., James Hafey, Facilities Manager
Clean Energy Commission	(TTE 02/14/18)	Tom Kiely, Linda Stout-Saunders, Candace Wheeler
Conservation Commission	(TTE 02/14/19)	Ann-Jo Jackson, Helen Shaw-Kwasie
Council on Aging	(TTE 02/14/19)	Hank Camille
Cultural Council	(TTE 02/14/19)	Karl Pulkkinen, Caroline Haines, Rose Sheehan
Downtown Development Commission	(TTE 02/14/19)	Alan DeLorenzo
Fisheries Commission	(TTE 02/14/19)	Scott O. Swicker
Historic District Commission	(TTE 02/14/19)	Paul Shea
Open Space & Recreation Committee	(TTE 02/14/19)	John McElhenny

- |                               |                |  |             |
|-------------------------------|----------------|--|-------------|
| Planting Committee            | (TTE 02/14/19) | William Taylor, Bonnie Angus, Susan Kelly            |             |
| Shellfish Advisory Commission | (TTE 02/14/19) | Dan Molloy, Ann-Jo Jackson (Con Com Rep)             |             |
| Traffic Commission            | (TTE 02/14/19) | Robert Ryan, Anthony Bertolino, Michael Mulcahey     |             |
| Trust Fund Commission         | (TTE 02/14/19) | Michael Sanborn, John Fleming                        |             |
| Waterways Board               | (TTE 02/14/19) | James Bordinaro (Fishing), Mark Lacey (Recreational) | (Refer O&A) |
8. New Appointments:
- |                                    |                |  |             |
|------------------------------------|----------------|--|-------------|
| Clean City Commission              | (TTE 02/14/19) | Eric Magers                                  |             |
| Community Preservation Committee   | (TTE 02/14/19) | Ellen Preston                                |             |
| Council on Aging                   | (TTE 02/14/19) | Robert Quinn                                 |             |
| Stage Fort Park Advisory Committee | (TTE 02/14/19) | William Fonvielle                            |             |
| Waterways Board                    | (TTE 02/14/19) | Philip Cusumano (Fishing), Robert Alves (ED) | (Refer O&A) |
9. Letter from Kenneth E. Lento, Project Manager/National Grid re: status update on the National Grid Remediation Project Harbor Loop (Info Only)
- **COMMUNICATIONS/INVITATIONS**
- |   |             |
|---|-------------|
| 1. Response to Oral Communication of January 26, 2016 City Council meeting to Charles Marcous   | (Info Only) |
| 2. Memorandum from Council President re: Appointment of City Council Representative to Boards, Commissions and Committees   | (Info Only) |
| 3. Invitation to the City Council from School Chairperson to tour/walk-through of the new West Parish Elementary School on February 11, 2016  | (Info Only) |
| 4. Notification from the Gloucester Contributory Retirement System Board to City Council that the Board will hold a public meeting on March 30, 2016 to decide whether or not to grant a COLA and the amount of that increase | (Info Only) |
- **INFORMATION ONLY**
  - **APPLICATIONS/PETITIONS**
- |  |             |
|--|-------------|
| 1. Letter and Special Events Application: Request from Cape Ann YMCA to hold the Backshore 5 Mile Road Race on May 6, 2016                     | (Refer P&D) |
| 2. Letter and Special Events Application: Request from Cape Ann YMCA to hold the Annual Around the Cape Ann 25K Road Race on September 5, 2016 | (Refer P&D) |
| 3. Letter and Special Events Application: Request from Cape Ann YMCA to hold the Run the Goose 7K on September 5, 2016                         | (Refer P&D) |
- **COUNCILLORS ORDERS**
- |  |                  |
|--|------------------|
| 1. CC2016-004(Gilman) Request the O&A Committee review the matter of whether there should be a "No Parking" sign at the intersection of #5 South Kilby Street and Brierwood Street | (Refer O&A & TC) |
| 2. CC2016-005(O'Hara/LeBlanc) Whether there should be further amendments to the GCO on Dogs Ch. 4, Sc. 4-15 to 4-22 and whether or not to form an Ad Hoc Committee                 | (Refer O&A)      |
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- |   |                |
|---|----------------|
| 1. City Council Meeting: 01/26/16   | (Approve/File) |
| 2. Standing Committee Meetings: B&F 02/04/16 (under separate cover), O&A 02/01/16, P&D 02/03/16 | (Approve/File) |

## **STANDING COMMITTEE REPORTS**

## **ACTION**

B&F 02/04/16, O&A 02/01/16, P&D 02/03/16

**Individual items from committee reports may be consolidated into a consent agenda**

## **SCHEDULED PUBLIC HEARINGS**

- |  |                        |
|--|------------------------|
| 1. PH2016-003: Amend GCO Sec. 21-84 (c) (g) and Section Sec. 21-85 (b)   | (cont'd from 01/26/16) |
| 2. PH2016-007: An off cycle recommendation from the Community Preservation Committee to appropriate \$50,000 for the purpose of renovating the Stage Fort Park Visitor's Center Restroom project |                        |

## **FOR COUNCIL VOTE**

- |  |       |
|--|-------|
| 1. Request from Council on Aging re: City Council acceptance of Gloucester Council on Aging By-Laws            | (FCV) |
| 2. Decision to Adopt: SCP2015-008: 53 Western Avenue, Map 3, Lot 47, GZO, Sec. 1.10.1(a) (3), 2.3.1.7 & 3.2.2. | (FCV) |
| 3. Decision to Adopt: SCP2015-009: 53 Bass Avenue, Map 55, Lot 13, GZO Sec. 1.10.1(a) (3), 2.3.1.7 & 3.2.2     | (FCV) |

## **UNFINISHED BUSINESS**

## **INDIVIDUAL COUNCILLOR'S DISCUSSION INCLUDING REPORTS BY APPOINTED COUNCILLORS TO COMMITTEES COUNCILLOR'S REQUESTS TO THE MAYOR**

**EXECUTIVE SESSION RE: FULLER SCHOOL**

**ROLL CALL** – Councillor Valerie Gilman



**Linda T. Lowe, City Clerk**

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

**NEXT REGULAR CITY COUNCIL MEETING, February 23, 2016**

**Minutes filed in City Clerk's Office of other Boards and Commissions January 21, 2016 through February 4, 2016:**

Board of Assessors 12/22/15, Board of Health 12/03/16, City Hall Restoration Commission, 12/07/15, 12/21/15, Community Preservation Committee 11/17/15, 12/15/15, Fisheries Commission 06/18/15, 07/16/15, 08/04/15, 09/17/15, 10/15/15, Gloucester Historical Commission 06/29/15, 07/27/15, 08/31/15, 09/14/15, 10/26/15, 11/30/15, 12/28/15, Gloucester Historic District Commission 06/23/15, 07/14/15, 08/11/15, 08/25/15, 10/20/15, Licensing Board 01/13/15, 02/13/15, 03/10/15, 04/14/15, 05/19/15, 08/11/15, 10/03/15, Licensing Commission 11/18/15, Open Space & Recreation Committee 01/15/15, 03/19/15, Stage Fort Park Advisory Committee 06/11/15, Traffic Commission 11/19/15

**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



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

TO: City Council  
FROM: Sefatia Romeo Theken, Mayor  
DATE: January 29, 2016  
RE: Mayor's Report for the February 9, 2016 City Council Meeting

*Sefatia Romeo Theken*  
6 FEB -3 PM 1:52  
CITY CLERK  
GLOUCESTER, MA

Matters requiring your attention and action are as follows:

**Enclosure 1** is a Special Budgetary Transfer Request (#2016-SBT-7) from the Police Department. Please refer #2016-SBT-7 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 2** is a Special Budgetary Transfer Request (#2016-SBT-8) from the Police Department. Please refer #2016-SBT-8 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 3** is a Special Budgetary Transfer Request (#2016-SBT-9) from the Police Department. Please refer #2016-SBT-9 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 4** is a memorandum from Fire Chief Eric Smith requesting permission to correct a payroll error which occurred in FY15 with FY16 funds. Please refer this matter 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 5** is a memorandum from Tom LaFleur, Director of Finance and Operations for the Gloucester Public Schools requesting an increase on the Preschool Revolving Fund from \$45,000 to \$75,000. Please refer this matter to the **Budget and Finance** subcommittee for review and approval. Mr. LaFleur will be available to answer questions and provide further information as required.

**Enclosure 6** is a memorandum and Grant Application and Checklist from Community Development Director Tom Daniel regarding a Stage Fort Beautification Project, Land and Water Conservation Fund Grant Application in the amount of \$250,000. Please refer this matter 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.

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stheken@gloucester-ma.gov

**CITY OF GLOUCESTER  
OFFICE OF THE MAYOR**

**Boards, Committees & Commissions:**

We are respectfully requesting that the City Council approve the following **reappointments**:

**Affordable Housing Trust – 2 years, term to expire 2/14/2018**

George Sibley  
Mary John Boylan

**Board of Health – 3 years, term to expire 2/14/2019**

Joseph Rosa

**Board of Registrars – 3 years, term to expire 2/14/2019**

Judith Peterson

**City Hall Restoration Commission – 3 years, term to expire 2/14/2019**

Maggie Rosa  
Steven Dexter  
David C. Bell  
Janis Bell  
Mary Rhineland-McCarl  
William Sanborn, Building Inspector  
James Hafey, Facilities Manager

**Clean Energy Commission – 2 years, term to expire 2/14/2018**

Tom Kiely  
Linda Stout-Saunders  
Candace Wheeler

**Conservation Commission – 3 years, term to expire 2/14/2019**

Ann-Jo Jackson  
Helen Shaw-Kwasie

**Council on Aging – 3 years, term to expire 2/14/2019**

Hank Camille

**Cultural Council – 3 years, term to expire 2/14/2019**

Karl Pulkkinen  
Caroline Haines  
Rose Sheehan

**Downtown Development Commission – 3 years, term to expire 2/14/2019**

Alan DeLorenzo

**Fisheries Commission – 3 years, term to expire 2/14/2019**

Scott O. Swicker

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**Historic District Commission – 3 years, term to expire 2/14/2019**  
Paul Shea

**Open Space & Recreation Committee – 3 years, term to expire 2/14/2019**  
John McElhenny

**Planting Committee – 3 years, term to expire 2/14/2019**  
William Taylor  
Bonnie Angus  
Susan Kelly

**Shellfish Advisory Commission – 3 years, term to expire 2/14/2019**  
Dan Molloy  
Ann-Jo Jackson (*Conservation Commission Rep.*)

**Traffic Commission – 3 years, term to expire 2/14/2019**  
Robert Ryan  
Anthony Bertolino  
Michael Mulcahey

**Trust Fund Commission – 3 years, term to expire 2/14/2019**  
Michael Sanborn  
John Fleming

**Waterways Board – 3 years, term to expire 2/14/2019**  
James Bordinaro (*Fishing*)  
Mark Lacey (*Recreational*)

Included as **Enclosure 7** is all relevant material pertaining to these reappointments. *Please refer the matter of these reappointments to the **Ordinance and Administration** subcommittee for review and approval.*

We are respectfully requesting the following **new** appointments:

**Clean City Commission – 3 years, term to expire 2/14/2019**  
Eric Magers

**Community Preservation Committee – 3 years, term to expire 2/14/2019**  
Ellen Preston

**Council on Aging – 3 years, term to expire 2/14/2019**  
Robert Quinn

**Stage Fort Park Advisory Committee – 3 years, term to expire 2/14/2019**  
William Fonvielle

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**CITY OF GLOUCESTER  
OFFICE OF THE MAYOR**

**Waterways Board**

Philip Cusumano (*Fishing*) – 3 years, term to expire 2/14/2019

Robert Alves (*Economic Development*) – 1 year, term to expire 2/14/2017\*

**\*Mr. Alves is being appointed to complete the term of Robert Gillis who resigned.**

**Enclosure 8** contains letters of interest and other information regarding these new appointments. *Please refer the matter of these new appointments to the **Ordinance and Administration** subcommittee.*

**For Information Only:**

**Enclosure 9 for your information** is a letter from Kenneth E. Lento, Project Manager/National Grid providing a status update on the National Grid Remediation Project, Harbor Loop, Gloucester.

# **ENCLOSURE 1**

**City of Gloucester  
Special Budgetary Transfer Request  
Fiscal Year 2016**

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

**TRANSFER # 2016-SBT- 7 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: Police

DATE: 1/25/2016 BALANCE IN ACCOUNT: \$2,300.00

(FROM) PERSONAL SERVICES ACCOUNT # 101000.10.210.51944.0000.00.000.00.051  
*Unifund Account #*

(FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
*Unifund Account #*  
Police-Admin, Sick Incentive Pay  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: Incentive has been payed out and surplus remains.

(TO) PERSONAL SERVICES ACCOUNT # 101000.10.211.51944.0000.00.000.00.051  
*Unifund Account #*

(TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
*Unifund Account #*  
Police-Uniform, Sick Incentive Pay  
*Account Description*

DETAILED ANALYSIS OF NEED(S): Account has \$16,000, will need \$19,250 to pay uniform personnel.

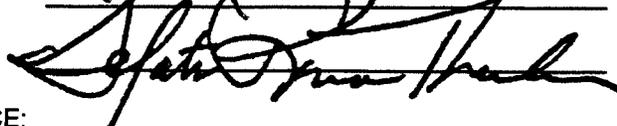
TOTAL TRANSFER AMOUNT: \$2,300.00

FROM ACCOUNT: \$0.00

TO ACCOUNT: \$18,300.00

APPROVALS:

DEPT. HEAD:  DATE: 1-25-16

ADMINISTRATION:  DATE: 2.3.16

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

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

# **ENCLOSURE 2**

### City of Gloucester Special Budgetary Transfer Request Fiscal Year 2016

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

TRANSFER # 2016-SBT- 8 *Auditor's Use Only*

DEPARTMENT REQUESTING TRANSFER: Police

DATE: 1/25/2016 BALANCE IN ACCOUNT: \$275.28

(FROM) PERSONAL SERVICES ACCOUNT # 101000.10.218.51944.0000.00.000.00.051  
*Unifund Account #*

(FROM) ORDINARY EXPENSE ACCOUNT # Police-Parking, Sick Incentive Pay  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: Incentive has been payed out and surplus remains.

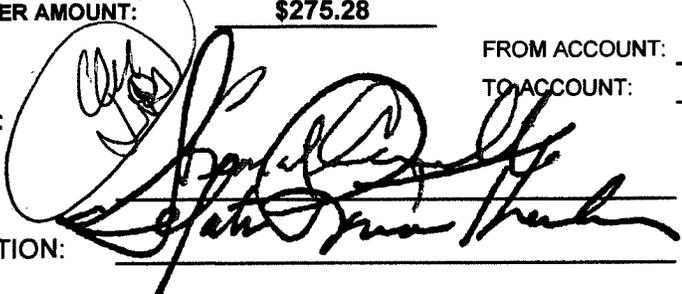
(TO) PERSONAL SERVICES ACCOUNT # 101000.10.211.51944.0000.00.000.00.051  
*Unifund Account #*

(TO) ORDINARY EXPENSE ACCOUNT # Police-Uniform, Sick Incentive Pay  
*Account Description*

DETAILED ANALYSIS OF NEED(S): Account has \$16,000, will need \$19,250 to pay uniform personnel.

TOTAL TRANSFER AMOUNT: \$275.28

FROM ACCOUNT: \$0.00  
TO ACCOUNT: \$18,575.28

APPROVALS:   
DEPT. HEAD: \_\_\_\_\_  
ADMINISTRATION: \_\_\_\_\_  
BUDGET & FINANCE: \_\_\_\_\_  
CITY COUNCIL: \_\_\_\_\_

DATE: 1-25-16  
DATE: 2.3.16  
DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

# **ENCLOSURE 3**

### City of Gloucester Special Budgetary Transfer Request Fiscal Year 2016

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

**TRANSFER # 2016-SBT- 9 Auditor's Use Only**

DEPARTMENT REQUESTING TRANSFER: Police

DATE: 1/25/2016 BALANCE IN ACCOUNT: \$600.00

(FROM) PERSONAL SERVICES ACCOUNT # 101000.10.292.51944.0000.00.000.00.051  
*Unifund Account #*  
(FROM) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
*Unifund Account #*  
Police-Animal, Sick Incentive Pay  
*Account Description*

DETAILED EXPLANATION OF SURPLUS: Incentive has been payed out and surplus remains.

(TO) PERSONAL SERVICES ACCOUNT # 101000.10.211.51944.0000.00.000.00.051  
*Unifund Account #*  
(TO) ORDINARY EXPENSE ACCOUNT # \_\_\_\_\_  
*Unifund Account #*  
Police-Uniform, Sick Incentive Pay  
*Account Description*

DETAILED ANALYSIS OF NEED(S): Account has \$16,000, will need \$19,250 to pay uniform personnel.

TOTAL TRANSFER AMOUNT: \$600.00

FROM ACCOUNT: \$0.00  
TO ACCOUNT: \$19,175.28

APPROVALS:  \_\_\_\_\_ DATE: 1-25-16  
DEPT. HEAD: \_\_\_\_\_ DATE: 2.3.16  
ADMINISTRATION:  \_\_\_\_\_ DATE: \_\_\_\_\_  
BUDGET & FINANCE: \_\_\_\_\_ DATE: \_\_\_\_\_  
CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

# **ENCLOSURE 4**



**CITY OF GLOUCESTER FIRE DEPARTMENT  
8 SCHOOL ST.  
GLOUCESTER, MA 01930  
978-281-9760  
Fire Chief Eric Smith**



## Memorandum

**TO:** Mayor Romeo Theken  
**FR:** Fire Chief Eric Smith  
**RE:** Dominic Barbagallo Retro FY15  
**DT:** January 27, 2016

Mayor Romeo Theken,

I respectfully request you place this payroll correction on the next Mayors report to the City Council. A payroll error was found in the Lieutenant step 3 pay scale. The error only affects Lt. Dominic Barbagallo and due to this occurring in FY15 I must request authorization to pay for this FY15 payroll correction (\$943.10) with FY16 funds

Best regards,

A handwritten signature in black ink, appearing to read "Eric L. Smith", written over a horizontal line.

Eric L. Smith  
Fire Chief

LIEUTENANT		AS OF JULY 1, 2015		200%	
		Step 1	Step 2	Step 3	
EMLT	\$0,86	\$79,306.42	\$80,154.14	\$80,972.64	
		\$27.13	\$27.42	\$27.70	
		\$2,500.00	\$2,500.00	\$2,500.00	
		\$27.99	\$28.28	\$28.56	
EMLT Incentive					
5% NO EMT	\$3,965.32	\$28.49	\$28.79	\$29.09	
5% With EMT	\$4,090.32	\$29.38	\$29.69	\$29.98	
10% NO EMT	\$7,930.64	\$29.84	\$30.16	\$30.47	
10% With EMT	\$8,180.64	\$30.78	\$31.10	\$31.41	
Delta					
NO EMT	\$783.43	\$27.40	\$27.69	\$27.97	
With EMT	\$0.27	\$28.26	\$28.55	\$28.83	
5% NO EMT		\$28.76	\$29.06	\$29.36	
5% With EMT		\$29.65	\$29.96	\$30.25	
10% NO EMT		\$30.11	\$30.43	\$30.74	
10% With EMT		\$31.05	\$31.37	\$31.68	

*Corrected Version*

LEUTENANT		AS OF JULY 1, 2015		
2/09%		Step 1	Step 2	Step 3
EML	\$0.86	\$2,500.00	\$2,250.00	\$2,250.00
		\$27.99	\$28.28	\$28.32
Ed Incentive				
5% NO EMT	\$3,965.32	\$28.49	\$28.79	\$28.83
5% WITH EMT	\$4,090.32	\$29.38	\$29.69	\$29.73
10% NO EMT	\$7,980.64	\$29.84	\$30.16	\$30.21
10% WITH EMT	\$8,180.64	\$30.78	\$31.10	\$31.15
Defib				
NO EMT	\$783.13	\$27.40	\$27.69	\$27.73
WITH EMT	\$0.27	\$28.26	\$28.55	\$28.59
5% NO EMT		\$28.76	\$29.06	\$29.10
5% WITH EMT		\$29.65	\$29.96	\$30.00
10% NO EMT		\$30.11	\$30.43	\$30.48
10% WITH EMT		\$31.05	\$31.37	\$31.42

# **ENCLOSURE 5**



**The GLOUCESTER PUBLIC SCHOOLS**  
Business Office

---

2 Blackburn Drive  
Gloucester, Massachusetts 01930

T: 978-281-9812  
F: 978-281-9899  
[www.gloucesterschools.com](http://www.gloucesterschools.com)

January 21, 2016

Hon. Mayor Romeo Theken and Gloucester City Council  
9 Dale Avenue  
Gloucester, MA 01930

**RE: Request for Revolving Fund Spending Authority Increase**

Honorable Mayor Romeo Theken and City Council,

I am requesting permission for an annual spending limit increase on the Preschool Revolving Fund from the current \$45,000 to \$75,000. The program has grown substantially in the last several years and we are in need of the increased authority to use the funds collected.

I have attached the School Committee Meeting Minutes of December 16, 2015 directing me to make the request of the City Council.

Please refer this request to the City Council subcommittee for Budget and Finance.

Respectfully,

Tom Lafleur, CPA  
Director of Finance and Operations

5. FY17 Budget Development

6. Calendar

On a motion by Mr. Gross, seconded by Ms. Sweet, it was unanimously

**VOTED:** 6 in favor 0 opposed, to accept the Superintendent's Report.

## IX. SUBCOMMITTEE REPORTS

A. **Building & Finance Subcommittee Meeting of December 9, 2015** – Chairperson Clancy reported that the subcommittee discussed the following matters at its meeting of December 9, 2015:

- Review of Athletic Program Financial Controls
- District Expenditures
- Request to Increase Annual Preschool Revolving Expenditure Limit

After discussion, on a motion by Kathy Clancy, seconded by Ms. Sweet, it was unanimously

**VOTED:** 6 in favor 0 opposed, to direct the CFO to request that the City Council increase the annual preschool revolving expenditure limit from \$45,000 to \$75,000.

Mr. Gross noted for the record that the need to increase the preschool expenditure limit is a product of the district's success.

*(Ms. Wegmann left the meeting at 8:05 p.m.)*

## X. ACTION

### A. Acceptance of Grants

1. Massachusetts DESE Grants

- (a) 21st Century Community Learning Centers – Continuation Grant in the amount of \$110,228.00

After discussion, on a motion by Mr. Gross, seconded by Ms. Teixeira, it was unanimously

# **ENCLOSURE 6**



**CITY OF GLOUCESTER  
COMMUNITY DEVELOPMENT DEPARTMENT  
3 POND ROAD, GLOUCESTER, MA 01930**

***MEMORANDUM***

**DATE:** January 20, 2016

**TO:** Mayor Sefatia Romeo Theken

**FROM:** Tom Daniel, Community Development Director  
Stephen Winslow, Senior Project Manager

**Re:** *Stage Fort Beautification Project  
Land and Water Conservation Fund Grant Application*

The Community Development Department requests that you forward the attached application for a Land and Water Conservation Fund Grant Application to the City Council for their approval.

The grant application will seek \$250,000 in funding for the Stage Fort Beautification Project. Elements of the project include: (1) improving the comfort and accessibility of the bandstand viewing area by installing a new lawn, re-configured pathways and a gateway, (2) modifying a portion of the parking area to create an Events Plaza and Quadricentennial Terrace, (3) creating a new trail connection in Stage Fort Park leading towards Ravenswood Park and (4) adding a kayak storage facility.

The chosen project elements have been selected based both on local and state open space and recreation priorities, helping to maximize the competitiveness of the City's grant application. The Department of Public Works have already begun to address other repairs proposed by the Stage Fort Advisory Committee including major upgrades to the bathrooms at the Visitor's Center.

The Stage Fort Advisory Committee hosted a public forum on this proposal on January 14<sup>th</sup> and then voted unanimously to support this grant application. The Open Space and Recreation Committee also endorsed the proposal.

The Land and Water Conservation Fund requires that the City provide funds to match any LWCF funds received. This office estimates the total project cost to be about \$600,000.

**Applications will be submitted to the Community Preservation Committee and the CDBG program seeking \$250,000 and \$100,000 from those funds to provide the City match. The CPA match commitment must be finalized by the end of calendar year 2016 and can be conditional on receiving the grant. CDBG funds must be committed by the time of the construction contract. Upon approval of submitting the LWCF grant application, the Community Development Department will also prepare applications and documents necessary to seek the CPA and CDBG matches.**

**The MA Division of Conservation Services indicates the National Park Service plans to make award announcements sometime in early 2017. After grant acceptance, this office anticipates working to finalize construction and bid documents in 2017 with construction planned for Fall 2017 and Spring 2018.**



**City of Gloucester  
Grant Application and Check List**

Granting Authority: State \_\_\_\_\_ Federal  Other \_\_\_\_\_

Name of Grant: Land and Water Conservation Fund

Department Applying for Grant: Community Development

Agency-Federal or State application is requested from: Division of Conservation Services

Object of the application: Stage Hart Park Beautification US National Park Service

Any match requirements: \$250,000

Mayor's approval to proceed: [Signature] 2/3/16  
Signature Date

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

Budget & Finance Standing Committee: \_\_\_\_\_  
Positive or Negative Recommendation Date

City Council's Approval or Rejection: \_\_\_\_\_  
Vote Date

City Clerk's Certification of Vote to City Auditor: \_\_\_\_\_  
Certification Date

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

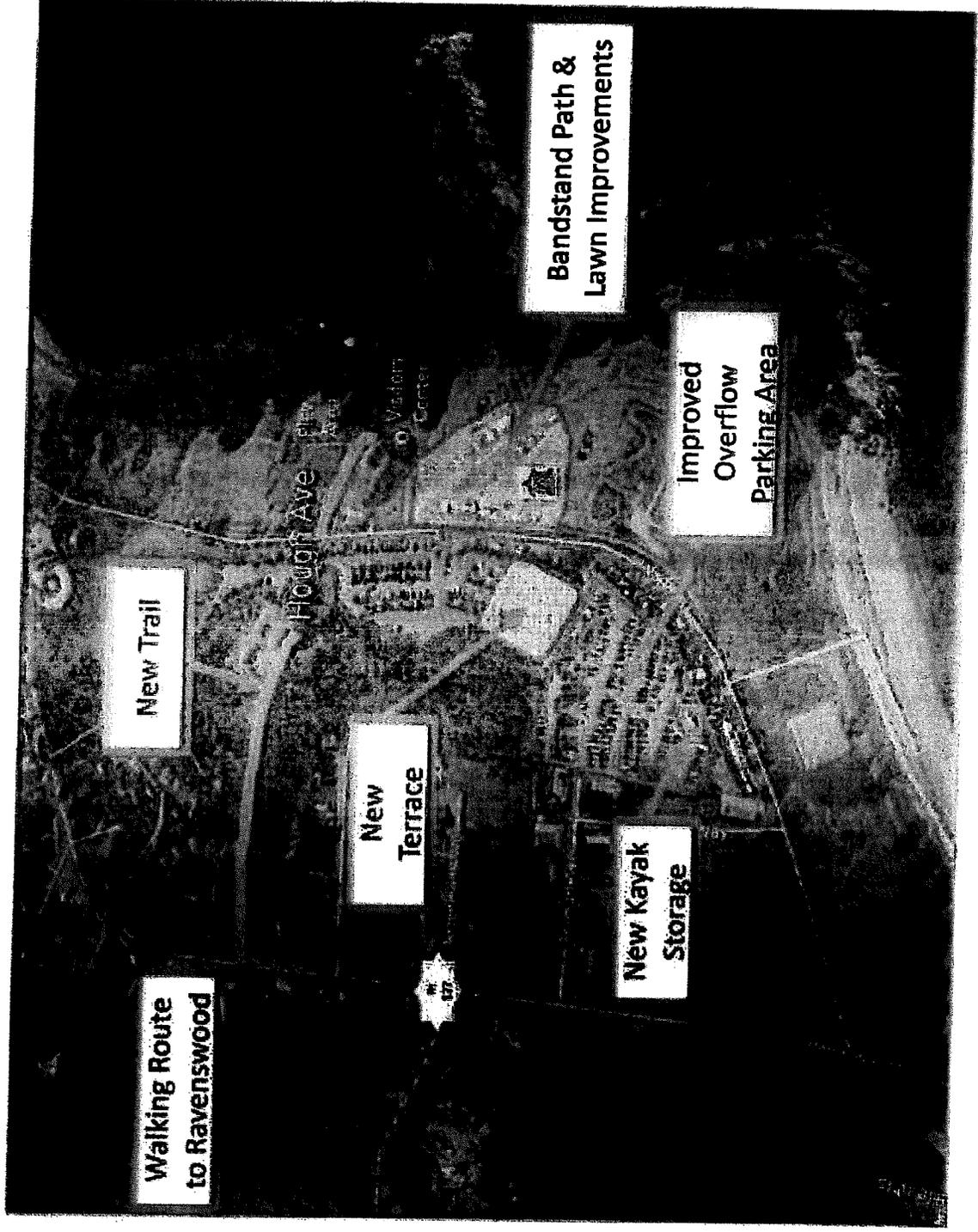
Auditor's distribution to managing department: \_\_\_\_\_  
Department Date sent

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

**FORM: AUDIT GRANT CHECKLIST - V.1**



# Stage Fort Park – Quadricentennial Terrace





# STAGE FORT PARK

City of Gloucester,  
Massachusetts

DRAWING TITLE

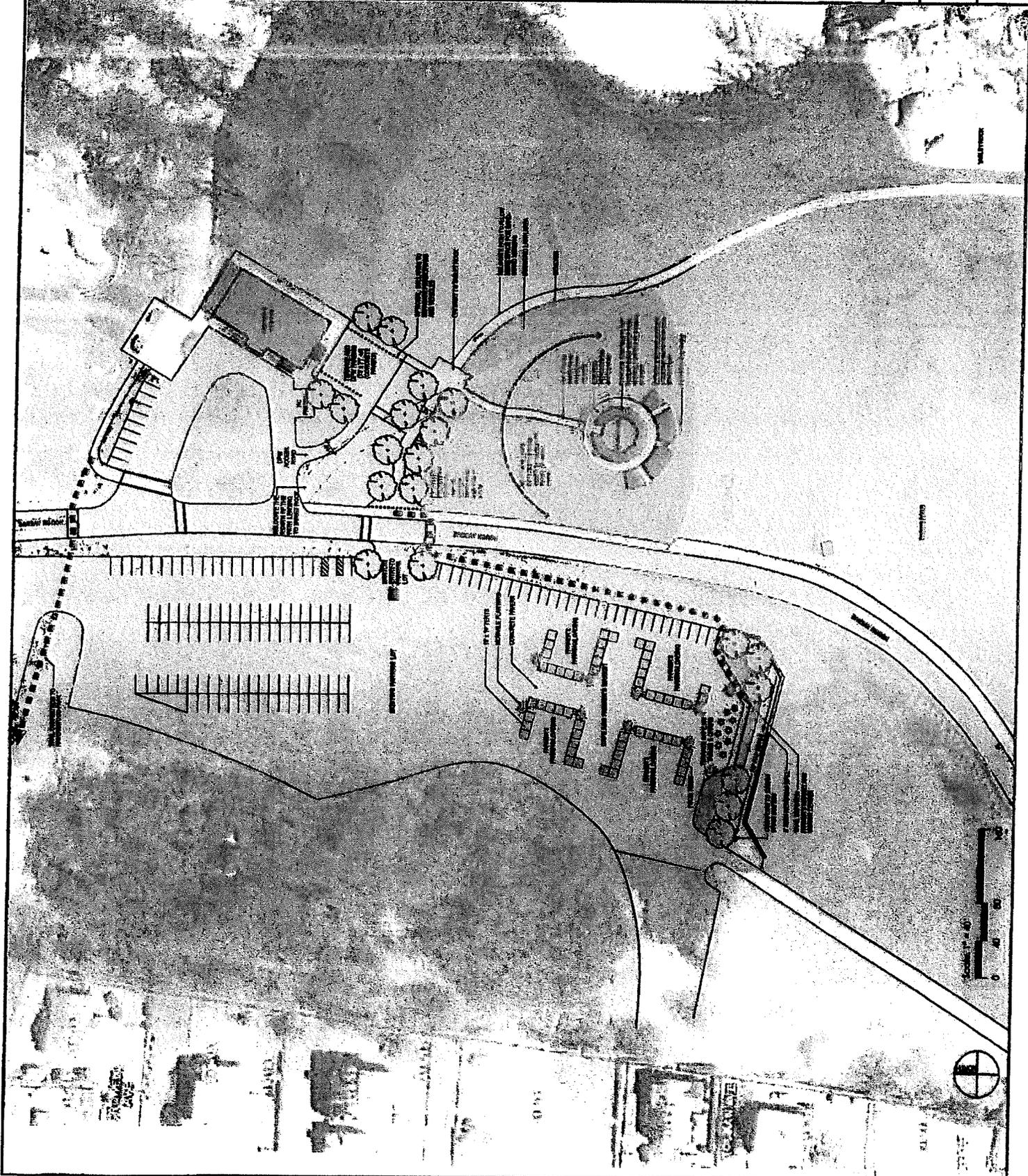
## Conceptual Master Plan

Shoplick Associates  
Landscape Architecture  
602 Centre Street  
Newton, MA 02459  
P: 617-244-2309  
F: 617-295-1500

PROJECT NUMBER: 044

DATE  
January 14, 2016

SCALE  
1" = 40' 4"





**Stage Fort Park - LWCF Cost Estimate 1-20-2016**

**Proposal: Tablet Rock Gateway, Quadricentennial Terrace, Ravenswood Trail and Kayak Storage**

<u>Item</u>	<u>Description</u>	<u>Amount</u>	<u>Unit</u>	<u>Cost / Unit</u>	<u>Total Cost</u>
	<u>Existing Lot</u>				
1	New Topsoil for Bandstand, 6" deep	1157.41	cubic-yards	\$20.00	\$23,148
2	Bandstand irrigation system	1.00	per	\$14,000.00	\$14,000
3	Trail from Visitor's Center to Western, 6-ft	850.00	ln-ft	\$21.00	\$17,850
4	Gateway Path / Bandstand Path	280.00	sq-yd	\$135.00	\$37,800
5	Gateway - Visitor Center DPW Access	575.89	sq-yd	\$55.00	\$31,674
5	Gateway - Trees, Planted	14.00	each	\$1,000.00	\$14,000
6	Gateway - Path Re-alignment	300.00	ln-ft	\$21.00	\$6,300
7	Pulverize Pavement - 1/3 Lot (160' x 150')	2666.67	sq-yd	\$2.00	\$5,333
8	Gravel Borrow to Regrade	2222.22	yd3	\$20.00	\$44,444
9	Events Plaza - 16' Paths - Colored Concrete or Pavers	490.67	sq-yd	\$135.00	\$66,240
10	Repave outer portion of Parking Lot	2176.00	sq-yd	\$55.00	\$119,680
11	Terrace - Trees, Planted	6.00	each	\$1,000.00	\$6,000
12	~ 6 foot Retaining Wall (stacked)	320.00	ln-ft	\$225.00	\$72,000
13	Kayak Storage	16.00	units	\$600.00	\$9,600
14	Water detention swale	1.00	allowance	\$10,000.00	\$10,000
	Sub-total				\$478,070
	Design Contingency 10%				\$47,807
	Construction Contingency 15%				\$71,710
	<b>Base Project Costs</b>				<b>\$597,587</b>



**FEDERAL LAND AND WATER CONSERVATION FUND  
APPLICATION FORM**

*Please do not reformat this form – use the fillable pdf form  
Please print double-sided  
Please fasten application package with a binder clip, no three-ring or plastic binders!*

1. **Municipality or State Agency Department Name:** City of Gloucester
2. **Project Name:** Stage Fort Park – Quadricentennial Terrace  
**Project Address:** 24 Hough Avenue  
**GPS Coordinates at Main Entrance:** 42° 36' 30.72N 70° 40' 40.40W **Congressional District:** 6th  
**Project Acreage:** 61 Acres  
**Type of Project:**  Acquisition  Acquisition and Development  New Development  Renovation  
**If an acquisition, interest to be acquired:**  Fee  Conservation Restriction  
**Has this site received previous LWCF assistance?**  Yes  No
3. **Contact Person:** Stephen Winslow, Sr. Project Manager  
**Agency:** City of Gloucester, Community Development Department  
**Address:** 3 Pond Road, Gloucester MA **Zip:** 01930  
**Telephone ( 978 )** 282-8007 **Fax ( 978 )** 978-281-9779  
**Email:** swinslow@gloucester-ma.gov

**Please note: Attach authorization from the Chief Executive Officer identifying the individual named above who will act as the official representative of the community in connection with this application. This is most often not the Chief Executive Officer, but the staff person from the appropriate agency.**

4. **Briefly describe the project on TWO attached pages. Use the LWCF Rating System as an outline for the description, including (but not limited to) what is listed below, to ensure the maximum score possible for your project.**

Stage Fort Park is the most beloved park in Gloucester. Residents and visitors alike take in the scenic views of Gloucester Harbor, wade along the beach shore, enjoy shady playgrounds and picnic areas. Gloucester's residents have invested their own toil and funds to improve the playground, bandstand and ballfields and to build a dog park. Thousands of summer day-campers from throughout the Commonwealth visit Stage Fort in the summer including kids bussed from Beverly, Billerica, Cambridge, Concord, Everett, Gloucester, Hampton (New Hampshire), Lawrence, Malden, Marlborough, Salem, Somerville, Sterling and Winchester. Visitors also include area senior centers and youth from "Camp Triumph" a therapeutic summer camp for boys and girls ages 5-16. The Park also hosts the Cape Ann's Farmers' market every Thursday and a major cyclocross race each fall.

In 2023 the City of Gloucester will celebrate the 400<sup>th</sup> anniversary of the first settlement of European fishermen which occurred at the current location of Stage Fort Park. In anticipation of this anniversary, the City has established an advisory committee to identify the top priorities for rehabilitating and enhancing Stage Fort Park in advance of this important anniversary. Top community priorities include improving the comfort and accessibility of the bandstand viewing area, transforming a paved parking area into an events terrace, creating a new trail connection in Stage Fort Park leading towards Ravenswood Park and adding a kayak storage facility. (**Open Space Goal 2c: "The City should improve and maintain its recreation facilities paying special attention to: .. Stage Fort Park, Good Harbor Beach and Wingaersheek", see page 106**)

- *Relevance to the Statewide Comprehensive Outdoor Recreation Plan and (for municipalities) local Open Space and Recreation Plan or (for departments) agency acquisition plan*

The proposed project will advance all the major goals of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) as well as those of the City's Open Space and Recreation Plan.

**Trails (SCORP Goal #1):** The creation of a trail leading from the Stage Fort Park visitor's center towards Western Avenue will advance the 1<sup>st</sup> SCORP goal of increasing the availability of all types of trails. In addition to adding to the current trails in Stage Fort Park, this new trail will be the first step towards implementing Gloucester's Green Path Network first proposed in Gloucester's 2010-2017 Open Space and Recreation Plan (**Open Space Goal 4 – Create Strategic Connections Between Existing Open Spaces, see pages 97-98, 07 and Figure 22 after page 98**). The new trail will lead towards Old Salem Path and connect with trails in Ravenswood Park maintained by the Trustees of Reservations and trails blazed by Cape Ann Trail Stewards in West Gloucester. (Show on site map)

**Water-based Recreation (SCORP Goal #2):** Stage Fort Park sits along Gloucester Harbor and offers many opportunities for water-based recreation including wading, swimming and wildlife viewing. Stage Fort Park features two excellent beaches – Cressy Beach and the more secluded Half Moon Beach. The Lucy Brown Davis pathway along the waterfront is in the process of being improved as part of a 5 million seawall repair project. Stage Fort Park lacks ready access for paddle craft such as kayaks. The proposed improvements include an installation of kayak storage to allow more ready access to Cressy Beach. The City may also seek out a vendor who will rent kayaks to park users (**Open Space Goal 3c: Maintain and improve public access to the water: "Create new water recreation access at Stage Fort Park"; "Support the addition of kayak lockers", see page 107**)

**Neighborhood Recreation (SCORP Goal #3):** Stage Fort Park is ½ mile from the neighborhoods of downtown Gloucester and 1 mile from Gloucester City Hall. Gloucester school-aged children chose Stage Fort Park as their favorite outdoor recreation area in a 2010 survey due to its large and varied play area and places to hike, climb and swim. (attach CATA Trolley info).

For the past three years, the Park has hosted the Cape Ann Farmers' Market every Thursday afternoon from June through October. The Market has thrived at Stage Fort attracting 30+ vendors a week and hundreds of shoppers. The Market currently sets up near the bandstand and has created concern amongst the Stage Fort Advisory Committee that shopper foot traffic and vendor vehicle parking impact the lawn area used for concert viewing.

**Parks Serving Diverse Neighborhoods (SCORP Goal #4):** Stage Fort Park abuts the diverse neighborhoods of Downtown Gloucester. Four of Gloucester's eight low-income census tracts are less than one-mile from Stage Fort Park. These neighborhoods include many low-income residents and are among the most ethnically-diverse in Gloucester. (Include Consolidated Plan Map).

- *Public process undertaken on project, including enhanced outreach completed in Environmental Justice neighborhoods, attendance at public meetings, and written support for project, i.e., support letters and articles*

The Stage Fort Advisory Committee held a public forum January 14<sup>th</sup> attended by over 24 residents, including many neighbors.

#### MORE

Possible support letters:

(1) Friends of Stage Fort Park, (2) Stage Fort Park Advisory Committee (3) Open Space & Recreation Committee, (4) Gloucester Little League, (5) Dog Park Committee, (6) Mass in Motion – Cape Ann, (7) Cape Ann Trail Stewards, (8) Cape Ann Farmers' Market, Gloucester Rotary Club, (9) Cape Ann Little League.

- *Ability to increase availability of recreational opportunities for residents through programming, by providing new types of recreational opportunities, through projects that provide opportunities for multiple ages, genders, and abilities, and sites that provide recreational opportunities for people with disabilities*

The new pathways will conform with ADA standards providing better access to the bandstand area and the Cape Ann Farmers' Market. The Quadricentennial Terrace will be an ADA accessible overlook of Cressy Beach. These improvements will benefit older and younger visitors as well as those with disabilities. The kayak condos will add an additional type of water recreation to this venue.

- *Ability to reach project site by alternative means of transportation, such as walking, cycling, or public transit*

Stacy Boulevard provides a scenic walkway to the Park and also includes bicycles lanes. (indicate on site map). The Cape Ann Transit Authority (CATA) bus routes run along the Western Avenue border of the Park and CATA also operates an hourly summer beach shuttle to and from Stage Fort Park.

- *Creation of new trails or expansion or connection of existing trail(s)*

In addition to adding to the current trails in Stage Fort Park, this new trail will be the first step towards implementing Gloucester's Green Path Network first proposed in Gloucester's 2010-2017 Open Space and Recreation Plan. The new trail will lead towards Old Salem Path and connect with trails in Ravenswood Park maintained by the Trustees of Reservations and trails blazed by Cape Ann Trail Stewards in West Gloucester. (Show on site map)

- *How quickly the public will be able to enjoy the property through a timely commitment to trail development or park development (for acquisitions) N/A*
- *Water-based recreation (include linear footage of water resource and what types of recreation will be provided, including wildlife viewing)*

Stage Fort Park includes over 5600 linear feet (over 1 mile!) of waterfront with scenic views of Gloucester harbor. Visitor can observe waterfowl and the occasional harbor seal basking on nearby rocks. The Park includes 800 linear feet of beach for wading and swimming. The kayak condos will expand water recreation opportunities.

- *Commitment to creating useful signage to locate conservation area/park or way finding on trails*

The City will work with Cape Ann Trail Stewards (CATS) and the Trustees of Reservations to mark the new trail. The new trail will also be added to the Cape Ann Trails map being created with CATS and Mass in Motion Cape Ann. CATS has already successfully worked with the Gloucester High Carpentry shop to create trail kiosks at several locations in Gloucester.

**5. Proposed Funding:**

The LWCF program is a *reimbursement* program. Grant recipients are reimbursed after invoices have been paid. **The total project cost must be raised or appropriated by the municipality or department shortly after project approval if it has not already been appropriated.** Costs incurred prior to grant approval and contract execution are not eligible for reimbursement, including appraisal and/or design costs. Force account labor is also ineligible, as are donations and volunteer hours. Mention any *previous, pending, or anticipated* financial assistance on this project. Refer to the LWCF Manual Chapter 5 for eligible cost details: <http://www.nps.gov/ncrc/programs/lwcf/pub.htm>. Sample budget can be found in Attachment E.

Total Eligible Project Cost:	<u>\$600,000</u>
LWCF Request: (50% of total project cost, maximum of \$250,000)	<u>\$250,000</u>
Municipal Share: (Community Development Block Grant, Community Preservation Act, etc., please specify in narrative)	<u>\$350,000</u>
Other: (i.e. private donation to community, fund raising, etc.)	<u>To add enhancements</u>

**Attach a one page description of the proposed project budget including:**

Local funds are inspected to include \$100,000 from Community Development Block Grant program to improve ADA accessibility (request to be submitted in 2016) and \$250,000 from Community Preservation Funds (request submitted in February 2016). The City and the Friends of Stage Fort Park will also solicit donations intended to enhance the project such as benches and landscaping for the Quadricentennial Terrace and material upgrades for the pathways and retaining walls.

**6. Leases, Rights, and Restrictions**

Describe outstanding leases, restrictions or other rights or interests held by others in the project site and enclose copy of the same (for file records only).

*None – the City owns the property*

**7. Structures (for Acquisition Projects Only) N/A**

Are there currently any buildings or structures on the property?  Yes  No

If yes, list each one, including the estimated value and current use, as well as its intended use if this project is funded. If this is an application for a conservation land acquisition, the grant is intended to preserve the undeveloped land, not to purchase buildings. The type of structure could impact the grant award. Acceptable structures include, but are not limited to, storage sheds, information kiosks, or barns that hold environmental education workshops.

**8. Permanent Protection ???**

If the applicant already owns the land, is the property permanently dedicated for park, playground, or recreation purposes (MGL Chapter 45, Section 3 or 14) or conservation purposes (MGL Chapter 40, Section 8C)? If not, please submit draft dedication language for DCS review.

Yes  No

**9. Fees**

Are fees currently charged or proposed for this site? If yes, please attach a copy of the fee system. Charging fees is allowed subject to DCS approval. If applicant is awarded a grant, the site cannot be restricted to municipal residents only. If fees are charged based on residency, fees for nonresidents are subject to Chapter 8 of the LWCF Manual. If a site's fee structure is not compatible with EEA and NPS policy, a grant award may be rescinded.

Yes (copy attached)  No

**10. Community Preservation Act**

Has your community passed the Community Preservation Act?

Yes  No

If "yes", please note that successful grant applicants that have purchased real property interests for open space or recreational purposes using money from the Community Preservation Fund must have all conservation restrictions required by Section 12 of Chapter 44B approved by the Secretary of Energy and Environmental Affairs and recorded prior to receipt of final project reimbursement from the Executive Office of Energy and Environmental Affairs (for file records only).

11. Check the following if applicable to project (for file records only):
- Yes  No Prime agricultural lands (see Ex. Order #193)
  - Yes  No Scenic River designation
  - Yes  No Wetland designation
  - Yes  No 100 year floodplain
  - Yes  No Environmental intrusion, i.e. overhead power lines (**must be buried**), safety hazards
  - Yes  No Brownfield – 21E evaluation
  - Yes  No Environmental Justice community/neighborhood
  - Yes  No Acquisition involving relocation of residents, tenants, or businesses
  - Yes  No Negotiated sale

If an acquisition project: **N/A**

Do you have a purchase and sales agreement or agreed price?

Yes  No

If yes, amount:

\$ \_\_\_\_\_

Is clear title available?

Yes  No

If no, is an eminent domain taking anticipated?

Yes  No

Note that if clear title is not available, the community may decide to acquire the property by a friendly taking (eminent domain) process to clear the title. It is best to know if there is a potential title problem as soon as possible since this can complicate the acquisition process.

Appraisal Report

Valuation: \$ \_\_\_\_\_

Appraiser: \_\_\_\_\_

Valuation Date: \_\_\_\_\_

Please note: the appraisal must be submitted using federal appraisal standards ("Yellow Book") found at [www.usdoj.gov/enr/land-ack/lyb2001.pdf](http://www.usdoj.gov/enr/land-ack/lyb2001.pdf).

12. Check if the following permits are required (for file records only):
- Yes  No U.S. Army Corps of Engineers (404 or Rivers and Waterways)
  - Yes  No MA DEP Division of Wetlands & Waterways (617) 292-5518
  - Yes  No U.S. Coast Guard
  - Yes  No U.S. Dept. of Agriculture (Zoos)
  - Yes  No C. 131 s. 40 Wetlands (municipal conservation commission)
  - Yes  No MEPA Review (301 CMR 11.00: MEPA Regulations) (617) 626-1020

**IMPORTANT NOTICE**

If any of the above permits are required, the permit or application for the permit must be submitted. Should the project be selected for funding, the permit will be required as part of the final application.

13. Attach certification of applicant community's legal authority to apply for the grant and to finance and construct the proposed facilities (see Sample Municipal Vote), and the **Chief Executive Officer's legal authorization to execute contracts**. This is a resolution, motion, or similar action that has been duly adopted or passed as an official act of the community's governing body that authorizes the filing of the applications, including all understandings and assurances contained therein.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Chief Municipal Officer

\_\_\_\_\_  
Name and Title (Typed)

\_\_\_\_\_  
Duration of Term

Mailing Address: \_\_\_\_\_

Telephone: (     ) \_\_\_\_\_

## **PLEASE LABEL ALL ATTACHMENTS**

### **REQUIRED ATTACHMENTS** (applications that are missing these items will not be accepted)

1. **Municipal Open Space and Recreation Plan, if not already approved and on file at DCS.** Plans are approved by DCS for up to seven years of eligibility in DCS grant programs. Community is not eligible to apply without an approved plan, or submission of a draft plan. (If we have it on file, don't send another copy.)

#### **ON FILE**

2. **Acquisition Projects – Appraisal report** as required by DCS. Note that the appraisal(s) must be done to federal appraisal standards (“Yellow Book”) found at [www.usdoj.gov/enrd/land-ack/yb2001.pdf](http://www.usdoj.gov/enrd/land-ack/yb2001.pdf).

#### **NOT APPLICABLE**

### **RECOMMENDED ATTACHMENTS**

(provides details to information requested and assists in project evaluation)

1. **Project boundary map** showing the project boundary, see Attachment B. The project area must be shown in enough detail to be legally sufficient to identify the lands to be protected. A registered survey plan with deed references or assessor's map with block and lot number are acceptable.\*
2. **USGS Locus Map** showing project site, any adjacent or nearby public or quasi-public park or conservation land, nearby public transportation route(s), bike paths, trails, and EJ populations in project site area.
3. **Massachusetts Historical Commission comments:** Send the MHC a PNF (<http://www.sec.state.ma.us/mhc/mhcpdf/pnf.pdf>) with a photocopy of the USGS locus map with the property boundaries clearly indicated, smaller-scale property maps if available, and a cover letter to include information about any known historic or archaeological sites. See these webpages for any questions: <http://www.sec.state.ma.us/mhc/mhcpdf/pnfguide.pdf> and <http://www.sec.state.ma.us/mhc/mhcrevcom/revcomidx.htm>.
4. **Massachusetts Natural Heritage and Endangered Species Program comments:** All applicants must request comments from the Massachusetts Natural Heritage & Endangered Species Program (NHESP) on the presence or absence of rare species listed under the Massachusetts Endangered Species Act (MESA) on or near the proposed land acquisition or park project. To request comments, please send a letter or email to Lynn Harper, Habitat Protection Specialist, Natural Heritage & Endangered Species Program, DFW, 1 Rabbit Hill Road, Westborough, MA 01581, or to [Lynn.Harper@state.ma.us](mailto:Lynn.Harper@state.ma.us). The letter or email should include a brief description of the acquisition or project, and a map of the acquisition or project location. There is no charge for this comment letter.
5. **Project description and budget details**, including a breakdown of how much is needed for design costs and construction costs, if proposing a development or renovation project, as well as any donations from partners. The project description should be written with the LWCF Rating System in mind so that the project can be awarded the most points available. (This fulfills questions 4 and 5 from application form.)
6. **Evidence of public meeting on proposed project** (copy of announcement and a list of where it was posted or actual newspaper ad and attendance sheets). Concentrate on local neighborhood participation by posting notices with tenants associations, in local grocery stores, or with Community Development Corporations. Pay special attention to Environmental Justice neighborhoods in the community. Please look at EEA's Environmental Justice Policy online at <http://www.mass.gov/eea/grants-and-tech-assistance/environmental-justice-policy.html> to ensure proper outreach procedures in EJ neighborhoods, which includes, but is not limited to, advertising the public meeting in the language spoken in the neighborhood and having translation services available.
7. **Evidence of public support for the project.** Include copies of letters of support from the community's residents and/or newspaper articles (maximum of three for each) on the project.
8. Preliminary park designs or plans for walking paths and trails that demonstrate the site's **accessibility for people with disabilities**.
9. Certified copies of the **municipal vote** (or draft warrant article or city council order, as necessary) authorizing application; raising, borrowing, or appropriating the total project cost (application item #5); and dedicating land to park, playground, or

recreation purposes (application item #8). Refer to the Sample Municipal Vote, which is included in the application package, for guidance.

10. Copy of property deed confirming municipal ownership and dedication to conservation, park, playground, or recreation purposes for development and/or renovation projects.
11. Project schedule that demonstrates how quickly the public will be able to use the site.

**ATTACH SUPPLEMENTARY DOCUMENTS IF APPLICABLE TO THE PROJECT**

1. Copies of current leases, restrictions, or other rights or interests held by others in the property. N/A
3. Fee schedule. **NEEDED.....**
3. Any necessary permits or applications for permits. N/A

If selected, the respondent will be required to execute the following forms in order to complete a contract:

- Commonwealth Standard Contract
- Commonwealth Standard Terms & Conditions
- Contractor Authorized Signatory Listing
- Commonwealth Project Agreement

Applicants are encouraged to review these forms prior to submission of an application. With the exception of the Project Agreement, all other forms are available at: [www.mass.gov/osd](http://www.mass.gov/osd).

\* LWCF Requirement – must receive before application is submitted for NPS approval, if not supplied by grant application deadline.

## Attachment B - I

### LAND AND WATER CONSERVATION FUND 6(f) PROJECT BOUNDARY MAP

The Executive Office of Energy and Environmental Affairs and the National Park Service require a dated project boundary map that clearly delineates the permanently protected park, recreation, or conservation land protected under Section 6(f)(3) of the Land and Water Conservation Fund Act. The map must be submitted prior to project approval, and may be changed prior to final financial drawdown without triggering a conversion.

**Project area** – at a minimum must show:

1. The entire area acquired for an acquisition project.
2. The entire park that was renovated or developed with LWCF assistance.

Ensure that the recreational usefulness and attraction of the new 6(f) area is viable on its own and independent of the surrounding or adjacent areas. If it is dependent upon other areas or resources, those areas should also be included in the 6(f) area. This area must be a viable public outdoor recreation area that is capable of being self-sustaining (and accessible) without reliance upon adjoining or additional areas not identified in the scope of the project.

**A formal surveyed boundary plan showing metes and bounds is best, but not necessarily required.**

The project area must be shown in enough detail to be legally sufficient to identify the protected area. Include a narrative description of the 6(f) boundary and its rationale, especially in cases where the 6(f) area is significantly larger than the LWCF project area or smaller than the existing park and recreation area. These methods can be used in lieu of a survey plan:

- Assessors map with deed references
- Adjoining ownerships
- Adjoining easements of record
- Adjoining water bodies or other natural landmarks
- Government survey

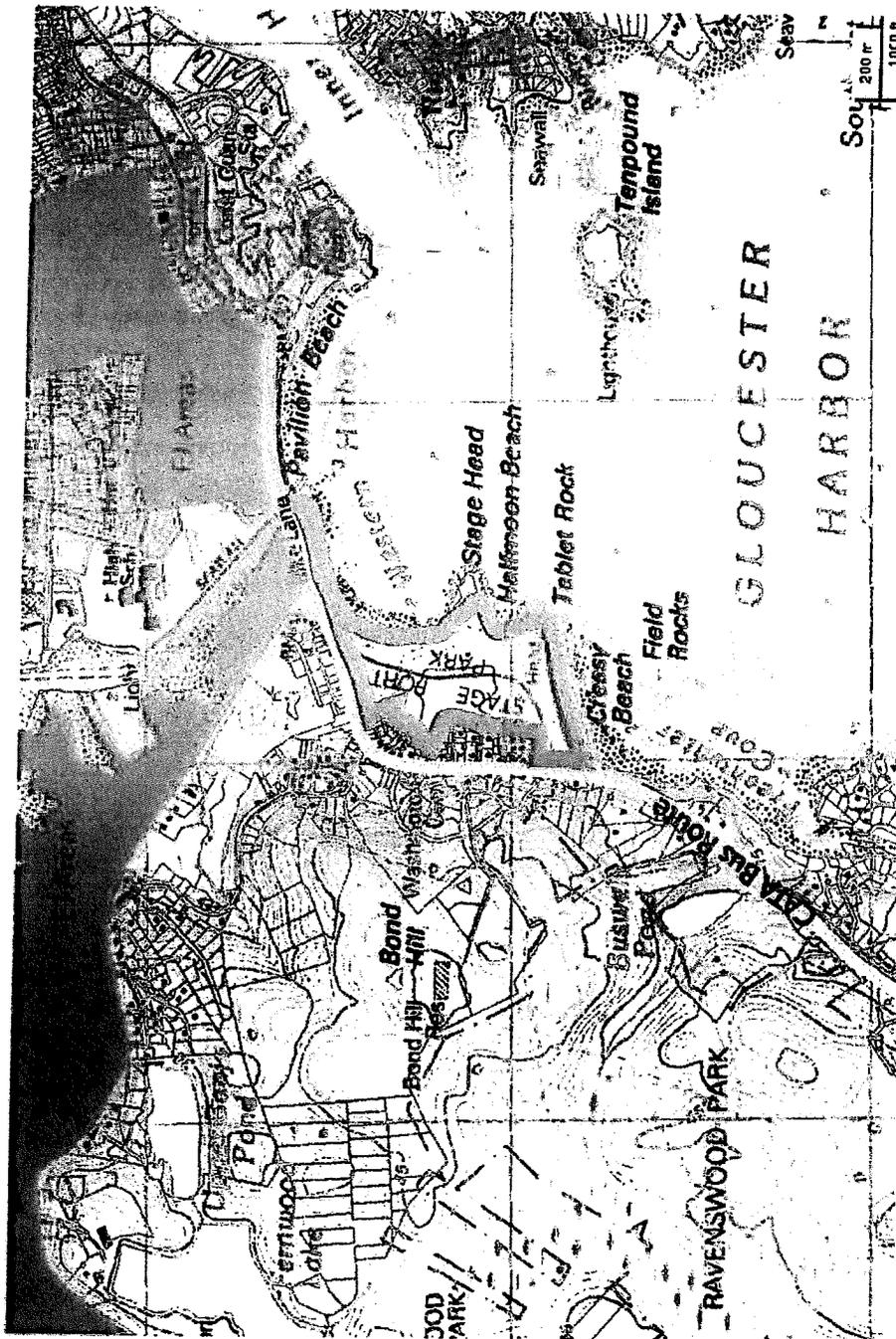
#### **Boundary Map Requirements:**

1. Official park/site name, location, and LWCF project number.
2. Sufficient detail so as to legally identify the lands to be afforded protection under Section 6(f)(3) of the LWCF Act. The following methods of identification are acceptable: deed references; adjoining ownerships; adjoining easements and rights-of-way; public streets; adjoining water bodies or other natural landmarks; metes and bounds; and surveys. Where one or more of the above methods are not readily suited for identifying the area, measurements from permanent locators may be used. A formal survey is not required.
3. All known outstanding rights and interests in the area held by others. Known easements, deed/lease restrictions, reversionary interests, etc. are to be documented, including any area(s) under lease, name(s) of lessor and lessee, and term remaining on the lease(s). When at the time of project application it is known that outstanding property rights held by others are or will be exercised in the foreseeable future and impact only a portion of the area to be protected under Section 6(f), the impacted area must be clearly excluded from the Section 6(f) map and accompanied by an explanation of why it is not intended to be under the Section 6(f) provision. The remaining project area must meet all LWCF program criteria for eligibility and be a viable public outdoor recreation area.
4. Approximate total acreage of the 6(f) area.
5. North arrow.
6. Up to 11 inch x 17 inch format highly preferred for future administrative use such as copying and scanning. Avoid use of color as the only means to delineate areas.

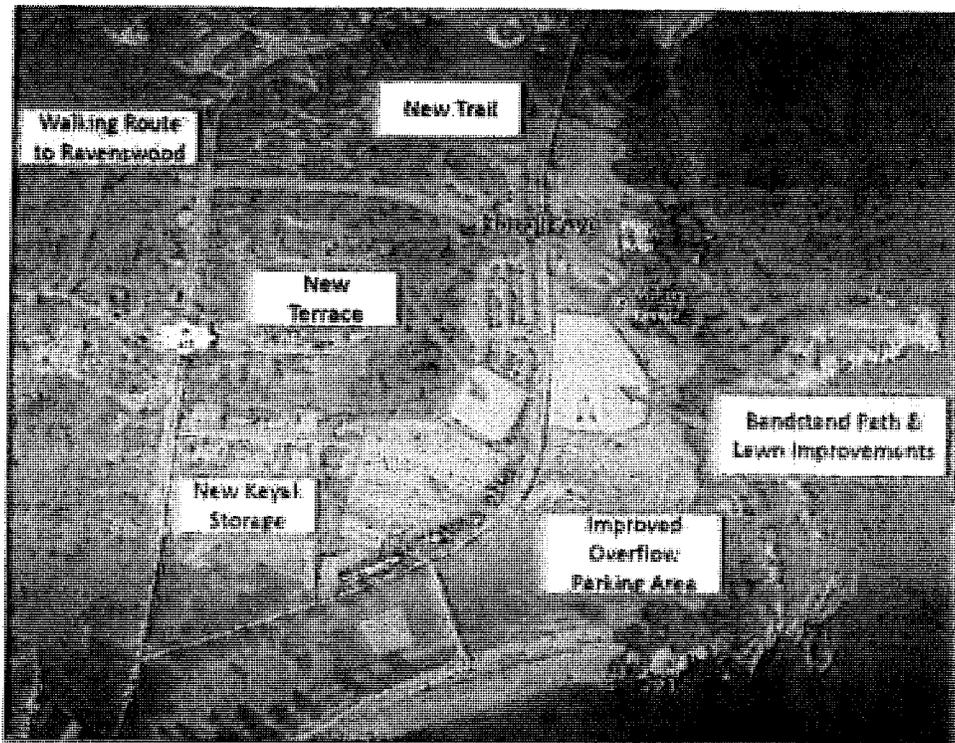
## RECOMMENDED ATTACHMENTS

### Attachment B - 2

**USGS Locus Map** showing project site, any adjacent or nearby public or quasi-public park or conservation land, nearby public transportation route(s), bike paths, trails, and EJ populations in project site area.



# Stage Fort Park – Quadricentennial Terrace



## Attachment B - 3

**Massachusetts Historical Commission comments:** Send the MHC a PNF (<http://www.sec.state.ma.us/mhc/mhcpdf/pnf.pdf>) with a photocopy of the USGS locus map with the property boundaries clearly indicated, smaller-scale property maps if available, and a cover letter to include information about any known historic or archaeological sites. See these webpages for any questions: <http://www.sec.state.ma.us/mhc/mhcpdf/pnfguide.pdf> and <http://www.sec.state.ma.us/mhc/mhcrevcom/revcomidx.htm>.

950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A  
MASSACHUSETTS HISTORICAL COMMISSION  
220 MORRISSEY BOULEVARD  
BOSTON, MASS. 02125  
617-727-8470, FAX: 617-727-5128

### PROJECT NOTIFICATION FORM

Project Name: Stage Fort Park - Quadricentennial Terrace

Location / Address: 24 Hough Avenue

City / Town: Gloucester, MA 01930

Project Proponent

Name: City of Gloucester, Community Development Department

Address: 3 Pond Road

City/Town/Zip/Telephone: Gloucester, MA 01930 978-282-8007

Agency license or funding for the project (list all licenses, permits, approvals, grants or other entitlements being sought from state and federal agencies).

<u>Agency Name</u>	<u>Type of License or funding (specify)</u>
Division of Conservation Services	Federal Land and Water Conservation Fund Grant

**Project Description (narrative):**

In 2023 the City of Gloucester will celebrate the 400<sup>th</sup> anniversary of the first settlement of European fishermen which occurred at the current location of Stage Fort Park. In anticipation of this anniversary, the City has established an advisory committee to identify the top priorities for rehabilitating and enhancing Stage Fort Park in advance of this important anniversary. Top community priorities include improving the comfort and accessibility of the bandstand viewing area, transforming a paved parking area into a green terrace, creating a new trail connection in Stage Fort Park leading towards Ravenswood Park and adding a kayak storage facility.

Does the project include demolition? If so, specify nature of demolition and describe the building(s) which are proposed for demolition.

No

Does the project include rehabilitation of any existing buildings? If so, specify nature of rehabilitation and describe the building(s) which are proposed for rehabilitation.

No

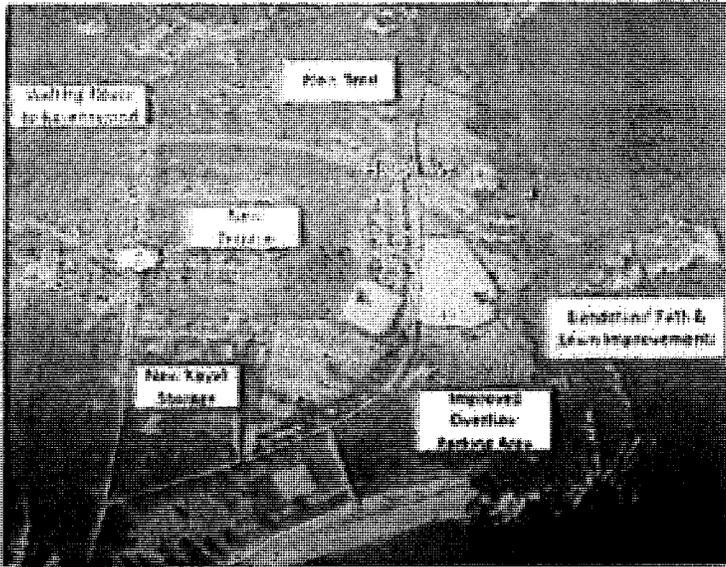
950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

Does the project include new construction? If so, describe (attach plans and elevations if necessary).

New construction will be limited to landscape improvements primarily to a currently paved area. The pavement from a portion of an existing paved parking lot will be removed (0.6 acres), the area will be re-sloped to a pitch of less than 1%, a terrace will be created along the southerly edge along with a trail leading from the Stage Fort Park visitor's center towards Western Avenue. The area along the trail will become a hardscaped lawn that will be available for an existing farmers' market and other events.

Additional loam and an irrigation system will be added to the area around the existing bandstand, including any necessary improvements to the unpaved pathway. An existing unpaved, overflow parking area (1.0 acre) will be hardscaped, re-loamed and re-seeded in order to better stabilize this grass in that area. Kayak storage units will be added as well.

## Stage Fort Park – Quadricentennial Terrace



950 CMR: OFFICE OF THE SECRETARY OF THE COMMONWEALTH

APPENDIX A (continued)

To the best of your knowledge, are any historic or archaeological properties known to exist within the project's area of potential impact? If so, specify.

The bandstand has existed since Stage Fort Park was established in the 1897. The project will landscape the area around the bandstand but is not intended to otherwise impact the structure of the bandstand. The Gloucester Rotary Club built the current version of the bandstand in 1986 and recently completed repairs in 2013.

Stage Fort Park itself is historic. Founders Rock and various plaques acknowledge the first settlement of Gloucester in 1623 by fishermen from Dorchester, England. The park was laid-out by Arthur Asabel Shurtleff a protégé of Charles Olmsted. The project will not have any adverse impact on those areas and is generally intended to beautify the Park in anticipation of the 400<sup>th</sup> anniversary of the founding of Gloucester.

What is the total acreage of the project area?

Woodland	0	acres	Productive Resources:	
Wetland	0	acres	Agriculture	0 acres
Floodplain	0	acres	Forestry	0 acres
Open space	0	acres	Mining/Extraction	0 acres
Developed	1.6	acres	Total Project Acreage	1.6 acres

What is the acreage of the proposed new construction? 1.6 acres

What is the present land use of the project area?

A paved parking lot, a dirt parking lot and a lawn.

Please attach a copy of the section of the USGS quadrangle map which clearly marks the project location.

This Project Notification Form has been submitted to the MHC in compliance with 950 CMR 71.00.

Signature of Person submitting this form: [Signature]

Date: 1-4-2016 11/16/16

Name: Stephen Winston

Address: City of Gloucester 3 Pond Rd,

City/Town/Zip: Gloucester MA 01930

Telephone: 978-282-8007

Sevinson @ Gloucester MA, gov

REGULATORY AUTHORITY

950 CMR 71.00: M.G.L. c. 9, §§ 26-27C as amended by St. 1988, c. 254.

## Attachment B - 4

**Massachusetts Natural Heritage and Endangered Species Program comments:** All applicants must request comments from the Massachusetts Natural Heritage & Endangered Species Program (NHESP) on the presence or absence of rare species listed under the Massachusetts Endangered Species Act (MESA) on or near the proposed land acquisition or park project. To request comments, please send a letter or email to Lynn Harper, Habitat Protection Specialist, Natural Heritage & Endangered Species Program, DFW, 1 Rabbit Hill Road, Westborough, MA 01581, or to [Lynn.Harper@state.ma.us](mailto:Lynn.Harper@state.ma.us). The letter or email should include a brief description of the acquisition or project, and a map of the acquisition or project location. There is no charge for this comment letter.

Commonwealth of Massachusetts



# Division of Fisheries & Wildlife

Jack Buckley, *Director*

January 8, 2016

Stephen Winslow  
Senior Project Manager  
Community Development Dept.  
City of Gloucester  
City Hall Annex, 3 Pond Rd.  
Gloucester, MA 01930

RE: Gloucester Land and Water Conservation Fund proposal  
Stage Fort Park project -- rare species information

Dear Mr. Winslow:

The Massachusetts Natural Heritage and Endangered Species Program (NHESP) supports the efforts of the City of Gloucester to make improvements to Stage Fort Park on the harbor in Gloucester. Currently, the NHESP has no documented habitat of rare species listed under the Massachusetts Endangered Species Act (MESA) on or near the subject property.

Please do not hesitate to call me at 508-389-6351 if you have any further questions.

Sincerely,

A handwritten signature in black ink that reads "Lynn C. Harper".

Lynn C. Harper  
Habitat Protection Specialist  
Massachusetts Natural Heritage & Endangered Species Program

[www.mass.gov/nhesp](http://www.mass.gov/nhesp)



**Natural Heritage & Endangered Species Program**

1 Rabbit Hill Road, Westborough, MA 01581 Tel: (508) 389-6360 Fax: (508) 389-7890

**Help Save Endangered Wildlife!**

Contributor to the Natural Heritage & Endangered Species Fund

## **Attachment B - 5**

**Project description and budget details**, including a breakdown of how much is needed for design costs and construction costs, if proposing a development or renovation project, as well as any donations from partners. The project description should be written with the LWCF Rating System in mind so that the project can be awarded the most points available. (This fulfills questions 4 and 5 from application form.)

## PROJECT DESCRIPTION

Stage Fort Park is the most beloved park in Gloucester. Residents and visitors alike take in the scenic views of Gloucester Harbor, wade along the beach shore, enjoy shady playgrounds and picnic areas. Gloucester's residents have invested their own toil and funds to improve the playground, bandstand and ballfields and to build a dog park. Thousands of summer day-campers from throughout the Commonwealth visit Stage Fort in the summer including kids bussed from Beverly, Billerica, Cambridge, Concord, Everett, Gloucester, Hampton (New Hampshire), Lawrence, Malden, Marlborough, Salem, Somerville, Sterling and Winchester. Visitors also include area senior centers and youth from "Camp Triumph" a therapeutic summer camp for boys and girls ages 5-16. The Park also hosts the Cape Ann's Farmers' market every Thursday and a major cyclocross race each fall.

In 2023 the City of Gloucester will celebrate the 400<sup>th</sup> anniversary of the first settlement of European fishermen which occurred at the current location of Stage Fort Park. In anticipation of this anniversary, the City has established an advisory committee to identify the top priorities for rehabilitating and enhancing Stage Fort Park in advance of this important anniversary. Top community priorities include improving the comfort and accessibility of the bandstand viewing area, transforming a paved parking area into an events terrace, creating a new trail connection in Stage Fort Park leading towards Ravenswood Park and adding a kayak storage facility. (**Open Space Goal 2c:** "The City should improve and maintain its recreation facilities paying special attention to: .. Stage Fort Park, Good Harbor Beach and Wingersheek", see page 106)

- *Relevance to the Statewide Comprehensive Outdoor Recreation Plan and (for municipalities) local Open Space and Recreation Plan or (for departments) agency acquisition plan*

The proposed project will advance all the major goals of the Statewide Comprehensive Outdoor Recreation Plan (SCORP) as well as those of the City's Open Space and Recreation Plan.

**Trails (SCORP Goal #1):** The creation of a trail leading from the Stage Fort Park visitor's center towards Western Avenue will advance the 1<sup>st</sup> SCORP goal of increasing the availability of all types of trails. In addition to adding to the current trails in Stage Fort Park, this new trail will be the first step towards implementing Gloucester's Green Path Network first proposed in Gloucester's 2010-2017 Open Space and Recreation Plan (**Open Space Goal 4 – Create Strategic Connections Between Existing Open Spaces, see pages 97-98, 07 and Figure 22 after page 98**). The new trail will lead towards Old Salem Path and connect with trails in Ravenswood Park maintained by the Trustees of Reservations and trails blazed by Cape Ann Trail Stewards in West Gloucester. (Show on site map)

**Water-based Recreation (SCORP Goal #2):** Stage Fort Park sits along Gloucester Harbor and offers many opportunities for water-based recreation including wading, swimming and wildlife viewing. Stage Fort Park features two excellent beaches – Cressy Beach and the more secluded Half Moon Beach. The Lucy Brown Davis pathway along the waterfront is in the process of being improved as part of a 5 million seawall repair project. Stage Fort Park lacks ready access for paddle craft such as kayaks. The proposed improvements include an installation of kayak storage to allow more ready access to Cressy Beach. The City may also seek out a vendor who will rent kayaks to park users (**Open Space Goal 3c: Maintain and improve public access to the water:** "Create new water recreation access at Stage Fort Park"; "Support the addition of kayak lockers", see page 107)

**Neighborhood Recreation (SCORP Goal #3):** Stage Fort Park is ½ mile from the neighborhoods of downtown Gloucester and 1 mile from Gloucester City Hall. Gloucester school-aged children chose Stage Fort Park as their favorite outdoor recreation area in a 2010 survey due to its large and varied play area and places to hike, climb and swim. (attach CATA Trolley info).

For the past three years, the Park has hosted the Cape Ann Farmers' Market every Thursday afternoon from June through October. The Market has thrived at Stage Fort attracting 30+ vendors a week and hundreds of shoppers. The Market currently sets up near the bandstand and has created concern amongst the Stage Fort Advisory Committee that shopper foot traffic and vendor vehicle parking impact the lawn area used for concert viewing.

**Parks Serving Diverse Neighborhoods (SCORP Goal #4):** Stage Fort Park abuts the diverse neighborhoods of Downtown Gloucester. Four of Gloucester's eight low-income census tracts are less than one-mile from Stage Fort Park. These neighborhood include many low-income residents and are among the most ethnically-diverse in Gloucester. (Include Consolidated Plan Map).

- *Public process undertaken on project, including enhanced outreach completed in Environmental Justice neighborhoods, attendance at public meetings, and written support for project, i.e., support letters and articles*

The Stage Fort Advisory Committee held a public forum January 14<sup>th</sup> attended by over 24 residents, including many neighbors.

#### MORE

Possible support letters:

(2) Friends of Stage Fort Park, (2) Stage Fort Park Advisory Committee (3) Open Space & Recreation Committee, (4) Gloucester Little League, (5) Dog Park Committee, (6) Mass in Motion – Cape Ann, (7) Cape Ann Trail Stewards, (8) Cape Ann Farmers' Market, Gloucester Rotary Club, (9) Cape Ann Little League.

- *Ability to increase availability of recreational opportunities for residents through programming, by providing new types of recreational opportunities, through projects that provide opportunities for multiple ages, genders, and abilities, and sites that provide recreational opportunities for people with disabilities*

The new pathways will conform with ADA standards providing better access to the bandstand area and the Cape Ann Farmers' Market. The Quadricentennial Terrace will be an ADA accessible overlook of Cressy Beach. These improvements will benefit older and younger visitors as well as those with disabilities. The kayak condos will add an additional type of water recreation to this venue.

- *Ability to reach project site by alternative means of transportation, such as walking, cycling, or public transit*

Stacy Boulevard provides a scenic walkway to the Park and also includes bicycles lanes. (indicate on site map). The Cape Ann Transit Authority (CATA) bus routes run along the Western Avenue border of the Park and CATA also operates an hourly summer beach shuttle to and from Stage Fort Park.

- *Creation of new trails or expansion or connection of existing trail(s)*

In addition to adding to the current trails in Stage Fort Park, this new trail will be the first step towards implementing Gloucester's Green Path Network first proposed in Gloucester's 2010-2017 Open Space and Recreation Plan. The new trail will lead towards Old Salem Path and connect with trails in Ravenswood Park maintained by the Trustees of Reservations and trails blazed by Cape Ann Trail Stewards in West Gloucester. (Show on site map)

- *How quickly the public will be able to enjoy the property through a timely commitment to trail development or park development (for acquisitions) N/A*
- *Water-based recreation (include linear footage of water resource and what types of recreation will be provided, including wildlife viewing)*

Stage Fort Park includes over 5600 linear feet (over 1 mile!) of waterfront with scenic views of Gloucester harbor. Visitor can observe waterfowl and the occasional harbor seal basking on nearby rocks. The Park includes 800 linear feet of beach for wading and swimming. The kayak condos will expand water recreation opportunities.

- *Commitment to creating useful signage to locate conservation area/park or way finding on trails*

The City will work with Cape Ann Trail Stewards (CATS) and the Trustees of Reservations to mark the new trail. The new trail will also be added to the Cape Ann Trails map being created with CATS and Mass in Motion Cape Ann. CATS has already successfully worked with the Gloucester High Carpentry shop to create trail kiosks at several locations in Gloucester.

## STAGE FORT PARK BEAUTIFICATION - LWCF BUDGET

Question 5 from application

Total Eligible Project Cost: \$600,000

LWCF Request: \$250,000  
 (50% of total project cost, maximum of \$250,000)

Municipal Share: \$250,000  
 (Community Development Block Grant, Community Preservation Act, etc., please specify in narrative)

Other: \$100,000  
 (i.e. private donation to community, fund raising, etc. – this number is a subset of the municipal share line)

### Stage Fort Park - LWCF Cost Estimate 1-20-2016

Proposal: Tablet Rock Gateway, Quadracentennial Terrace, Ravenswood Trail and Kayak Storage

<u>Item</u>	<u>Description</u>	<u>Amount</u>	<u>Unit</u>	<u>Cost / Unit</u>	<u>Total Cost</u>
	<u>Existing Lot</u>				
1	New Topsoil for Bandstand, 6" deep	1157.41	cubic-yards	\$20.00	\$23,148
2	Bandstand irrigation system	1.00	per	\$14,000.00	\$14,000
3	Trail from Visitor's Center to Western, 6-ft	350.00	lin-ft	\$21.00	\$17,850
4	Gateway Path / Bandstand Path	280.00	sq-yd	\$135.00	\$37,800
5	Gateway - Visitor Center DPW Access	575.89	sq-yd	\$55.00	\$31,674
5	Gateway - Trees, Planted	14.00	each	\$1,000.00	\$14,000
6	Gateway - Path Re-alignment	300.00	lin-ft	\$21.00	\$6,300
7	Pulverize Pavement - 1/3 Lot (160' x 150')	2666.67	sq-yd	\$2.00	\$5,333
8	Gravel Borders to Regrade	2222.22	sq-yd	\$20.00	\$44,444
9	Events Plaza - 16' Paths - Colored Concrete or Pavers	490.67	sq-yd	\$135.00	\$66,240
10	Repave outer portion of Parking Lot	2176.00	sq-yd	\$55.00	\$119,680
11	Terrace - Trees, Planted	6.00	each	\$1,000.00	\$6,000
12	~ 6 foot Retaining Wall (stacked)	\$20,000	lin-ft	\$225.00	\$72,000
13	Kayak Storage	16,000	units	\$300.00	\$9,600
14	Water detention swale	1.00	allowance	\$10,000.00	\$10,000
	<b>Sub-total</b>				<b>\$478,070</b>
	Design Contingency 10%				\$47,807
	Construction Contingency 15%				\$71,710
	<b>Base Project Costs</b>				<b>\$597,587</b>

## **Budget narrative**

The cost estimate is based on the January 14<sup>th</sup>, 2016 Conceptual Master Plan prepared by Shoplick Associates.

### **Beautification of Bandstand / Visitor's Center / Tablet Rock Gateway Area: Items 1,2, 4-6 Cost: ~\$127,000**

Several elements of the proposal focus on beautifying the area between the existing Visitor's Center and the park Bandstand. Currently users access this area via a dirt road that leads towards Tablet Rock. There is no pedestrian connection between the Visitor's Center, the Bandstand and Tablet Rock. A new pedestrian path to Tablet Rock will be laid out, allowing a more expansive lawn around the Bandstand. The soil has worn away around the Bandstand area and the lawn dies out in during the popular, dry summer months. New loam will be added, shaped into a viewing bowl, seeded and an irrigation system installed. A new path will be added to connect the Visitor's Center to the Bandstand and the Tablet Rock path. Portions of these new paths will be concrete walks or pavers, allowing improved ADA access. A terrace / DPW access drive will be created to allow access for maintenance to the bathrooms that are under the Visitor's Center. The new path to Tablet Rock will be accented by gateway from Hough Avenue lined with trees.

### **Events Terrace: Items 7-12, 14. Cost: ~\$325,000**

Many events, including the weekly Cape Ann Farmers' Market, currently set-up in the Bandstand area and along the Tablet Rock path. Event tents line the path with vendor vehicles parked behind the tents. The Stage Fort Advisory Committee and the Friends of Stage Fort Park have expressed concern a new lawn around the bandstand area could be damaged by vendor vehicles. The Cape Ann Farmers' Market has flourished at Stage Fort Park; however, market organizers have noted that the long, linear lay-out along the Tablet Rock path with a short leg to the Bandstand is inefficient for vendors and customers.

Plans call for converting a portion of the parking lot into an Events Plaza enhanced by the Quadricentennial Terrace. The southerly portion of that area has a panoramic view of Gloucester Harbor making it ideal for a terrace. This part of the parking area currently has slopes of 3 – 5%+, near or exceeding ADA recommendations for slope. The project proposes installing a 6-foot retaining wall along the southern edge of the parking lot, creating the terrace edge and structural support for flattening the grade. The current parking lot will be pulverized and covered with additional material to create a flatter plain for the Exhibit Plaza. The Plaza will extend ~130 feet from the Terrace, laid-out as a cross with colored concrete or pavers. The area outside the concrete plaza will be paved. Event tents will line the Plaza, with vendors parked on the tarmac. A drainage swale / rain garden will help capture run-off that currently runs directly towards Cressy Beach. When not used for events, the plaza area will remain available for parking.

### **Trail towards Ravenswood: Item 3. Cost: ~\$18,000**

A 6-foot path from the Visitor's Center leading 850 feet towards Western Avenue will be cleared, graded and improved with stone dust to allow access towards Ravenswood Park via Old Salem Road.

### **Kayak Storage: Item 13. Cost: ~\$10,000**

Secure kayak storage units or racks will be purchased and installed.

### **Contingencies: ~\$120,000**

Ten percent will be set aside to complete design and construction plans. Fifteen percent has been allocated to construction contingencies.

### **\$350,000 City Share Breakdown**

\$250,000 from Community Preservation Act Funds

\$100,000 Federal CDBG funds for ADA access improvements and Public Facility Improvements

## **Attachment B - 6**

**Evidence of public meeting on proposed project** (copy of announcement and a list of where it was posted or actual newspaper ad and attendance sheets). Concentrate on local neighborhood participation by posting notices with tenants associations, in local grocery stores, or with Community Development Corporations. Pay special attention to Environmental Justice neighborhoods in the community. Please look at EEA's Environmental Justice Policy online at <http://www.mass.gov/eea/grants-and-tech-assistance/environmental-justice-policy.html> to ensure proper outreach procedures in EJ neighborhoods, which includes, but is not limited to, advertising the public meeting in the language spoken in the neighborhood and having translation services available.

The following notice was published on the City website, posted at City Hall (EJ area), distributed via "Good Morning Gloucester" and posted at the following additional locations:

Christine's Variety (EJ area)  
Richdale – Riverdale (EJ area)  
Main Street Laundromat (Low/Mod Area)  
Sawyer Free Library (EJ area)  
Willow's Rest - Washington St  
Shaw's – Railroad Avenue (EJ area)  
Shaw's - Eastern Avenue  
Stop & Shop - Bass Avenue  
Cape Ann YMCA (EJ Area)



**CITY OF GLOUCESTER**  
Stage Fort Park Advisory Committee

**Stage Fort Park Improvements Meeting**

Thursday January 14, 2016 - 6:00 PM  
Cape Ann Savings Bank, Community Room  
123 Main Street, Gloucester MA

Note: Please park on Main Street, bank parking remains reserved for customers

The City of Gloucester plans to submit a grant application to make improvements to Stage Fort Park in anticipation of Gloucester's 400<sup>th</sup> anniversary. We invite anyone interested to attend a presentation on potential improvements and provide their comments. Potential improvements include:

1. Beautifying the area between the Gentile Bandstand and Visitor's Center;
2. Creating a new trail leading from the Visitor's Center towards Ravenswood Park via Tolman Avenue or another route;
3. Creating a new terrace to better accommodate popular festivals and the farmers' market; and
4. Adding kayak storage.

Families with children welcome. A child-care provider will be available on-site.

Members of the Open Space & Recreation Committee will also be present and participate in the discussion.



For more information contact  
Stephen Winslow, Sr. Project Manager, Mass in Motion  
Gloucester Community Development Department  
(978) 282-8007 or [swinslow@gloucester-ma.gov](mailto:swinslow@gloucester-ma.gov)

## Attachment B - 7

**Evidence of public support for the project.** Include copies of letters of support from the community's residents and/or newspaper articles (maximum of three for each) on the project.

### GoodMorningGloucester

### My View of Life on the Dock

GloucesterCast 166 With Guests Steven Winslow,  
@DonnaArd , Leslie Heffron, @KimSmithDesigns and  
Host @Joey\_C Taped 1/17/16

Posted on [January 17, 2016](#) by [Joey C](#) [Leave a comment](#)

Topics Include:

Steve Winslow- Stage Fort Park Beautification

Stage Fort Park Beautification Meeting-

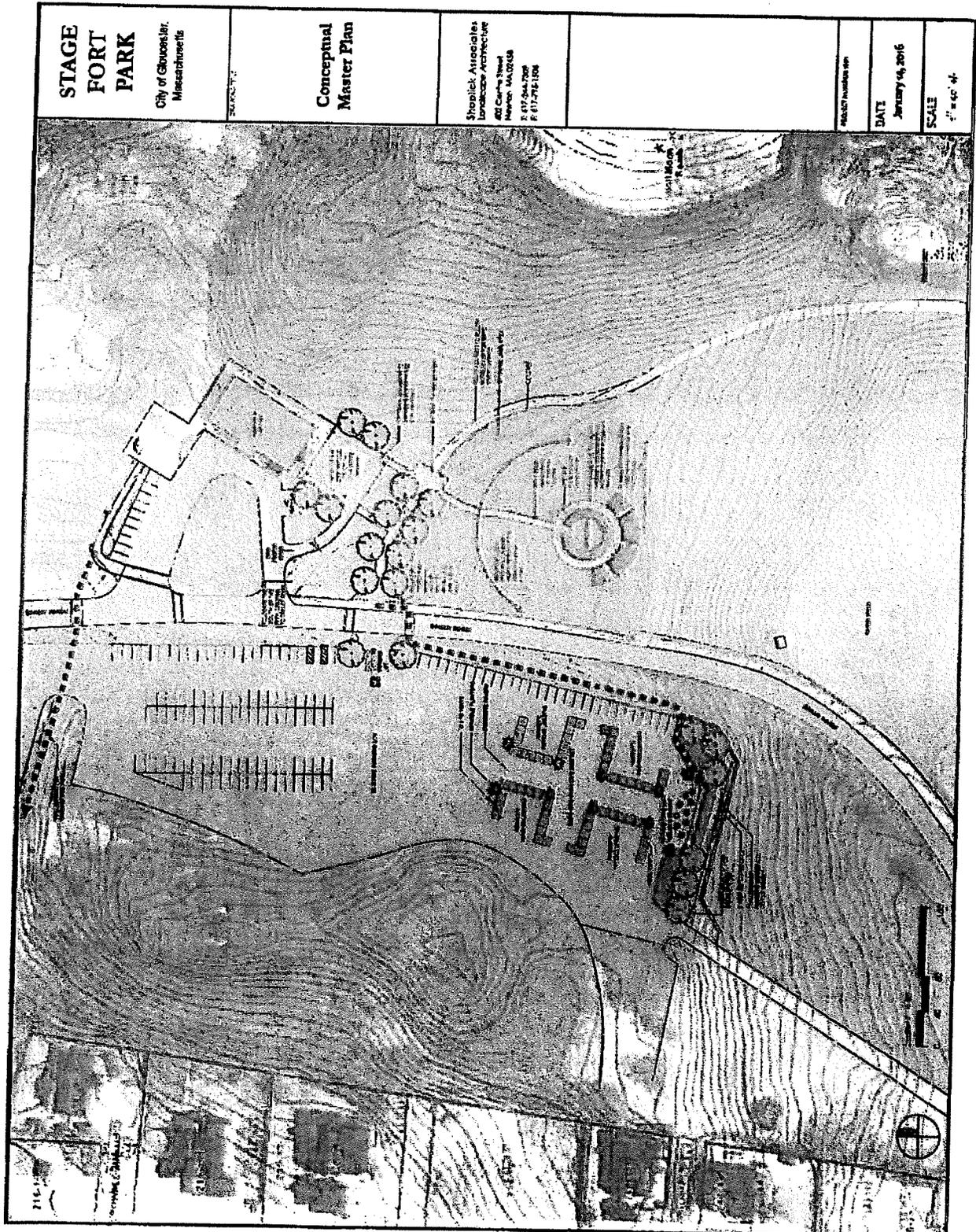
*A preliminary drawing was discussed outlining the new possible location for the Farmer's Market. Amongst several proposed improvements, my favorite was the idea to connect, via a new trail, Stage Fort Park to Ravenswood. GENIUS!! A commitment was made to continue to work with the Cape Ann Farmer's Market, Cyclocross, festivals, neighbors, and all interested parties. Looking forward to learning more!*

**STAGE FORT ADVISORY COMMITTEE**

**OPEN SPACE AND RECREATION COMMITTEE**

# Attachment B - 8

Preliminary park designs or plans for walking paths and trails that demonstrate the site's accessibility for people with disabilities.



## Attachment B - 9

Certified copies of the **municipal vote** (or draft warrant article or city council order, as necessary) authorizing application; raising, borrowing, or appropriating the total project cost (application item #5); and dedicating land to park, playground, or recreation purposes (application item #8). Refer to the Sample Municipal Vote, which is included in the application package, for guidance.

### SAMPLE MUNICIPAL VOTE

Each community should draft its warrant article or city council order with the guidance of municipal counsel. The form will vary with the type of project, source of funding, etc. All should include the following elements:

- I. Authorization to expend an amount equal to the full acquisition and/or development cost of the project. LWCF is a *reimbursement* program, not a match program; therefore, the total project cost must be raised or appropriated through current tax levy or borrowed; project bills paid by the municipality and then a reimbursement request is made to DCS for 50% of approved project costs up to the grant award amount.
- II. Indication of the source of funding (Conservation Fund, Community Preservation Act Fund, general fund, borrowing, etc.). M.G.L. Chapter 44, sections 7, 8C, and 12(a) on Municipal Indebtedness, allows cities and towns to borrow in anticipation of reimbursement. It is strongly recommended that the warrant article or city council order is prepared with the advice of city/town counsel, treasurer, and accountant to ensure that the appropriate section is noted in the warrant article. These sections permit the municipality to borrow in anticipation of a grant and require that a grant agreement be executed before the treasurer actually obtains the borrowed amount. This assures DCS that the municipality has 100% of the total project cost in hand, and assures the municipality that the project need not be completed if the proposal does not receive grant assistance. For further advice, please contact the Department of Revenue, Division of Local Services at (617) 626-2300.
- III. Acquisition projects: indicate that land is being acquired either for conservation and passive outdoor recreation purposes (Chapter 40, Section 8c) or for active recreation purposes (Chapter 45, Section 3) and will be in the care and control of the appropriate commission or department.
- IV. Authorization for the conservation commission or recreation department to seek reimbursement under the LWCF Act and enter any necessary contracts thereto.  
Land and Water Conservation Fund Act: P.L. 88-578, 78 Stat 897
- IV. If a taking is involved in an acquisition project, the conservation commission or recreation commission must, in writing, request the selectmen or city council to take the property via eminent domain.
- V. Communities may also consider language permitting a lease or license agreement to manage the property consistent with the LWCF program for maintenance, etc.

**Sample for LWCF Park Development Project – City Council Resolution**  
(For purposes of this example, the park project will be a City Common.)

**A RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM FOR IMPROVEMENTS TO THE COMMON**

- Whereas:** The City Common is by far a community-wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and
- Whereas:** The City Common is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and
- Whereas:** The City Common's ultimate restoration, guided in principal by the Master Plan, will greatly enhance this facility with improved infrastructure, path systems, site lighting, universal access, etc.; and
- Whereas:** The main focus of the Plan is to increase the available space on the Common to adequately host major events and activities. This overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation as one project; and
- Whereas:** The project was instead viewed as a series of phases, to be implemented over time, by priority as fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and
- Whereas:** The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897); and
- Whereas:** Phase I of the Common Restoration Project will cost a total of \$400,000 (Four Hundred Thousand Dollars) and the City has allocated \$400,000 in Community Development Block Grant funds for Phase I of the Common Restoration Project.

**NOW, THEREFORE, BE IT**

1. That the City Manager be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the City Manager be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by the Parks and Recreation Department; and
3. That this resolution shall take effect upon passage.

## **Attachment B - 10**

Copy of property deed confirming municipal ownership and dedication to conservation, park, playground, or recreation purposes for development and/or renovation projects.

### **REGISTRY OF DEEDS, BOOK 1543, PAGE 141**

#### ***STAGE FORT PARK DEED***

#### **CITY OF GLOUCESTER STATEMENT AS TO TAKING OF LAND & PLAN**

City of Gloucester. In board of Park Commissioners, March 15, 1898.

Whereas, the Board of Park Commissioners of the City of Gloucester in the County of Essex and Commonwealth of Massachusetts, being thereto authorized and directed by an Act of the Legislature of said Commonwealth, entitled: "An Act to establish Stage Fort Park in the City of Gloucester" being Chapter 459 of the Acts of the year 1897, and which Act has been duly accepted by said City of Gloucester, having given notice to Elizabeth Hough, Elizabeth P. Hough, Mary S. Hough, Annie A. Hough, Mary S. Hough, Trustee and Charles B. Barnes, all of Boston, in the County of Suffolk and said Commonwealth, and to said City of Gloucester, supposed owners of the lands, beach and flats, hereinafter described, and being the only parties known to us, to have any interest in said lands, beach and flats, of our intention to take in fee simple, and to lay out and located as a public park, under and by virtue of the provisions of said Chapter 459 of the Acts of the year 1897, and under the provisions of lay authorizing the assessments of betterments the lands, beach and flats hereinafter described, and of our intention to assess betterments therefor; such notices requiring such parties to appear before said Board of Park Commissioners at the Board of Aldermen's Room in the City Hall in said Gloucester on Tuesday, the fifteenth day of March, 1898, at two o'clock in the afternoon, and having caused such notices to be actually served upon each of said supposed owners more than seven days before the day so appointed for said hearing, and having also caused due notice to be given to all other persons, if any, who may be interested in the subject matter of said park, or in the betterments, which may be assessed therefore, whose names are not known to use, or who have no place of abode in said Gloucester, nor any tenant or authorized agent, and to Abigail Cressy, Walter Cressy, Louisa P. Deering, Alice Bott, Isaac P. Morse, George Elwell, Sarah A. Barrett, Abby L. Barrett, Mary E. Robinson, M. Viola Barrett, George H. Morse, Abby R. Bradstreet, Mary D. Turnbull, Richard Herrick, Alfred Cressy, Charles J. Peters, Samuel Rust, Charles S. Nelson, Ada C. Bowles, Emma B. Presson, Charles B. Presson Trustee, Amanda C. Bray, Lena P. Bray, Agnes F. Collins, Jane A. Nelson, Margaret Marshall, Charles Marshall, Elmer Marshall, Lucretia Marshall, Nellie Marshall, Frank Marshall, John L. Steele, Elizabeth Hough, Elizabeth P. Hough, Mary S. Hough, Julia A. Cressy, Emma F. Clark, Daniel W. Steele, Charles Steele, Mary S. Hough, Trustee, Charles B. Barnes, The City of Gloucester, Hattie Smith, Helen Steele, Esther Steele, supposed owners of land to be benefited by the taking and laying out of said lands, beach and flats for park purposes, and to all other persons and parties, if any, owning or having any rights in estates that will receive any benefit and advantage by the said proposed location and laying out of said Park, beyond the general advantage to all real estate in said City, of said public hearing, and of our intention to take in fee simple, and to lay out as a public park the lands, beach and flats hereinafter described under the provisions of law authorizing the assessments of betterments, and of our intention to assess upon the estates as benefited a proportional share of the expenses of such location and laying out by posting up copies of said notice in two public places in said Gloucester more than seven days before the time appointed for said hearing, and also by publishing said notice once a week for two successive weeks in the Gloucester Daily Times and the Cape Ann Breeze, both daily newspapers published in said Gloucester, the last of which publications were more than seven days prior to said time fixed for said hearing and having met at the time and place appointed for the hearing,

and there heard all parties interested who appeared at said hearing, deem it desirable and expedient to take the lands, beach and flats and rights in land hereinafter described for the purposes and under the powers and limitations set forth in said Chapter 459 of the Acts of the year 1897. Now therefore the said Board of Park Commissioners of the City of Gloucester by virtue of and in conformity with the provisions of said Chapter 459 of the Acts of the year 1897, and by virtue and in pursuance of the authority conferred upon said Board of Park Commissioners by said Act, hath this day taken and doth hereby take in fee simple in the name and for the benefit of the City of Gloucester and the inhabitants thereof, in the manner prescribed in and by said Chapter 459 of the Acts of the year 1897 and for all the purposes therein provided, and doth hereby lay out, locate and establish under the provisions of the lay authorizing the assessments of betterments, as a public park to be known as Stage Fort Park and to be preserved as a permanent memorial of the first settlement of the Massachusetts Bay Colony, all the following described tract of land with the flats and beach, commonly known as "The Stage Fort", in said City of Gloucester to wit: All that tract of land with the beach and flats adjacent and appurtenant thereto, with all the buildings and fixtures thereon (except the Life Saving Station Building of the Massachusetts Humane Society), situate on the southerly and easterly sides of Western Avenue and bounded and described as follows, namely: Beginning at an iron bolt in the face of the sea wall which forms the western side of the Gloucester Canal at the Cut Bridge, so called, on Western Avenue, in said City of Gloucester, said bolt being at the intersection of the south side line of said Western Avenue with the face of said sea wall, and running thence in a straight line south, eighty two degrees, thirty two minutes (82 deg. 32 min.) west by said south side line of said Western Avenue, a distance of two thousand, one hundred twenty (2120) feet to land of the devisees of Curtis C. Cressy; thence turning and running in a straight line south, one degree, fifty eight minutes (1 deg. 58 min.) east by land of said devisees of said Cressy, a distance of one hundred eighty two (182) feet, more or less, to a corner of land of George Elwell; thence turning and running in a straight line north eighty one degrees (81 deg.) east by land of said Elwell, a distance of fifteen (15) feet, more or less, to another corner thereof, thence turning and running in a straight line north two degrees forty seven minutes (2 deg. 47 min.) east, by land of said Elwell, a distance of twenty nine (29) feet, more or less, to another corner thereof and a wall; thence turning and running in a straight line north, seventy nine degrees, thirty one minutes (79 deg. 31 min.) east, by said wall and land of said Elwell, a distance of sixty six (66) feet, more or less, to another corner thereof and a private way now known as Stage Fort Avenue, leading southerly from said Western Avenue to land of said Elwell and others; thence turning and running in a straight line south, seventeen degrees, fifty minutes (17 deg. 50 min.) east by said way and land of said Elwell, a distance of sixty nine (69) feet, more or less to another corner of said Elwell's land and a wall' thence turning and running in a straight line south, forty seven degrees, twenty nine minutes (47 deg. 29 min.) west, by said wall and land of said Elwell and by land of M. Viola Barrett, a distance of three hundred twenty two (322) feet, more or less, to land of George H. Morse; thence turning and running in a straight line south, forty one degrees, eight minutes (41 deg. 8 min.) west, by land of said Morse, a distance of fifty three (53) feet, more or less to a corner thereof; thence turning and running in a straight line north, fifty nine degrees, thirty minutes (59 deg. 30 min.) west, by land of said Morse, a distance of seventy one (71) feet to the face of the wall and land of Washington Cemetery; thence turning and running in a straight line south, twenty four degrees, thirty minutes (24 deg. 30 min.) west by said face wall and land of said cemetery, a distance of one hundred six (106) feet to the south easterly corner thereof; thence turning an running in a straight line north, sixty three (63 deg.) degrees west, by another face wall and land of said cemetery, a distance of one hundred fifty seven (157) feet to Western Avenue; thence turning and running in a straight line south, thirteen degrees, six minutes (13 deg. 6 min.) west, by said Western Avenue, a distance of twenty five (25) feet to a division wall and land of Alfred Cressy and of the devisees of Nancy C. Bray and of John W. Bray; thence turning and running southeasterly by said wall and land of Alfred Cressy and of said devisees of said Nancy C

and John W. Bray, a distance of four hundred seventy eight (478) feet to a corner thereof; thence turning and running in a straight line south twenty one degrees, fifty five minutes (21 deg. 55 min.) west by said wall and by land of said Alfred Cressy, and of the the devisees of said Nancy C. Bray and John W. Bray, and by land of Emma B. Presson and again by other land of the devisees of said Nancy C. Bray and of John W. Bray, and again by other land of said Alfred Cressy and of the devisees of said Nancy C. Bray and of John W. Bray, a distance of eight hundred eighty one (881) feet to the southeasterly corner of land of said Cressy and of the devisees of said Nancy C and John W. Bray; then turning and running in a straight line north, seventy four degrees, forty seven minutes (74 deg. 47 min.) west, by said wall and land of said Cressy and of said devisees, a distance of two hundred forth three (243) feet, more or less, to said Western Avenue; thence turning and running southwesteryly by said Western Avenue, a distance of six hundred twenty two (622) feet, more or less, to a division wall and land of Mary D. Turnbull; thence turning and running in a straight line south, fifty degrees, forty nine minutes (50 deg. 49 min.) east, by said wall and upland, beach and flats of said Turnbull about one hundred fifty five (155) feet more or less to the sea; then turning and running by the sea easterly, northeasterly and northerly; thence again by the sea easterly, northerly and north westerly, thence again by the sea northerly, northeasterly and easterly to a point formed by the intersection of the line of extreme low water, and the prolongation of the line of the face of the sea wall , which forms the extreme western side of Gloucester canal aforesaid, thence turning and running northwesteryly in a straight line to the face of the sea wall, which forms the western side of said canal; thence again running northwesteryly in a straight line by the face of said sea wall about one hundred fifty (150) feet to said Western Avenue and to the iron bolt at the place of beginning, the land boundaries of this taking being indicated by heavy tinted red lines as shown upon the plan hereinafter referred to, and all rights in said land and all easements, privileges and appurtenances of every name and nature there to belonging, excepting, however, all rights of way, if any, of George Elwell and others in and over the said private way now known as "Stage Fort Avenue" as shown upon said plan, and as now used and enjoyed, all of which are shown upon a plan entitled "Park Department Plan showing the Taking of Land, Flats and Beach for Stage Fort Park in the City of Gloucester, by the Board of Park Commissioners under Chapter 459, Acts of 1897, Gloucester, Mass., February 5, 1898, Winslow L. Webber, City Engineer", the original of which is to be filed for record herewith in the Registry of Deeds for the Southern District of said County of Essex, and which is hereby made part hereof, and the duplicate of which is on file in the office of the City Engineer of the City of Gloucester. Intending to take and hereby taking each and every tract, estate or parcel or part thereof included within the foregoing description and by whomever owned or possessed, or however otherwise bounded and described, and be said measurements or any of them more or less. To have and to hold all and singular the said premises to said City of Gloucester and its successors and assigns to its and their own use and behoof forever, agreeably to the provisions of said Chapter 459 of the Acts of the year 1897. Witness the hands and seals of said Board of Park Commissions this fifteenth day of March A.D. 1898.

Commonwealth of Massachusetts  
Gloucester, March 15, 1898.

Essex ss.

Then personally appeared the above named William H. Jordan, Francis Proctor, Sylvester Cunningham, W. Frank Parsons, Joseph O. Proctor, the Board of Park Commissioners of the City of Gloucester, and acknowledged the foregoing, instrument, by them subscribed, to be their free act and deed before me.

Charles A. Russell, Justice of the Peace

Commonwealth of Massachusetts, County of Essex, City of Gloucester ss.

In Board of Park Commissioners March 15, 1898

Ordered, that the foregoing instrument of taking signed by us, containing a description of the lands, beach and flats therein taken together with said plan be filed and recorded forthwith in the Registry of Deeds for the Southern District of said County of Essex, William H. Jordan, Sylvester Cunningham, Francis Proctor, W. Frank Parsons, Joseph O. Proctor, Board of Park Commissioners of the City of Gloucester.

City of Gloucester.

In board of Park Commissioners March 22, 1898.

I, Francis Proctor, Secretary of the Board of Park Commissioners of the City of Gloucester, hereby declare that upon the fifteenth day of March A.D. 1898, said Board of Park Commissioners adopted and executed the foregoing order and instrument of taking. I do hereby further declare that it is the intention of said Board of Park Commissioners to assess betterments upon all those estates, which abut upon the Northerly, Westerly, Southerly and Easterly sides of that part of said Western Avenue as it runs which extends from the Cut Bridge at the Gloucester canal to land now or lately of the heirs of Aaron Jaquith and land of the Trustees of the estate of George O. Hovey which Avenue constitutes in part the Northerly and Westerly boundaries of said Stage Fort Park, as therein laid out and established by said Board of Park Commissioners in said Gloucester; and upon all those estates which abut upon the lands described in said order and instrument of taking and thereby taken and laid out for said Stage Fort Park; and upon all those estates which abut upon Beachmont Avenue, so called, a private way extending Easterly from said Western Avenue and which way constitutes in part the Western boundary of Stage Fort Park. The supposed owners of said lands and estates to be benefited by the said locating and laying out of said Stage Fort Park and to be affected by the said proposed assessemnt of betterments therefor are the following named persons, to wit: Abigail Cressy, Walter Cressy, Louisa P. Deering, Alice Bott, Isaac P. Morse, George Elwell, Sarah A. Barrett, Abby L. Barrett, Mary E. Robinson, M. Viola Barrett, George H. Morse, Abby R. Bradstreet, Mary D. Turnbull, Richard Herrick, Alfred Cressy, Charles H. Peters, Samuel Rust, Charles C. Nelson, Ada C. Bowles, Emma B. Presson, Charles B. Presson Trustee, Amanda C. Bray, Lena P. Bray, Annie Morey, Agnes F. Collins, Jane A. Nelson, Margaret Marshall, Charles Marshall, Elmer Marshall. Lucretia Marshall, Nellie Marshall, Frank Marshall, John L. Steele, Elizabeth Hough, Elizabeth P. Hough, Mary S. Hough, Annie A. Hough, Julia A. Cressy, Emma F. Clark, Daniel W. Steele, Charles Steele, Mary S. Hough Trustee, Charles B. Barnes, The City of Gloucester, Hattie Steele, Helen Steele, Esther Steele.

Francis Proctor, Secretary of the Board of Park Commissioners of the City of Gloucester

Essex ss. Rec'd Mar. 23, 1898 15 m. past 2 P.M. Rec by Willard J. Hale, Reg.

# Park Act of 1897

[CHAP. 459.]

AN ACT TO ESTABLISH STAGE FORT PARK IN THE CITY OF GLOUCESTER.

*Be it enacted, etc., as follows:*

SECTION 1. The board of park commissioners of the city of Gloucester is hereby authorized and directed to take by purchase or otherwise and to acquire in fee in the name and for the benefit of said city, for a public park, all that tract of land, flats and beach commonly known as the Stage Fort, in the city of Gloucester, which is bounded on the south and east by the sea, on the north by Western avenue in said city, and on the west by said Western avenue and lands of the devisees of John W. Bray and land of others. - Said park shall be known as Stage Fort Park, and shall be preserved as a permanent memorial of the first settlement of the Massachusetts Bay Colony.

SECTION 2. Said board of park commissioners shall estimate and determine as near as may be all damages sustained by any person or corporation by the taking of land or of any right therein under this act, but any one aggrieved by such determination of the board may have such damages assessed by a jury of the superior court in the same manner as is provided by law with respect to damages sustained by reason of the laying out of ways. If upon trial damages are increased beyond the award of the board the aggrieved party shall recover costs, otherwise such party shall pay costs, and costs shall be taxed as in civil cases; but no suit for such damages shall be brought after the expiration of two years from the date of the recording of the taking, as required by the following section.

SECTION 3. Within sixty days after any land or right therein is taken under this act said board shall file and cause to be recorded in the proper registry of deeds a description thereof sufficiently accurate for its identification, with a statement of the purpose for which the same is taken, which description shall be signed by a majority of said board.

SECTION 4. Said board shall have the same authority to determine the value of, and assess upon real estate the amount of, betterments accruing to said real estate by the locating and laying out of said park and reservation under this act as is conferred by chapter fifty-one of the Public Statutes upon boards of city or town officers authorized to lay out streets or ways; and the provisions of the first eight sections of said chapter, relating to ways, shall apply to such assessments by said board: *provided, however,* that no assessment shall be laid upon any real estate, except such as abuts upon said park and reservation, or upon a street or way bounded by such park and reservation.

SECTION 5. For the purpose of meeting the expenses incurred under this act for the purchase of said park and for the improvement of the same as a public pleasure ground said city may incur indebtedness outside its debt limit to an amount not exceeding in the aggregate seventy-five thousand dollars. Said city may from time to time as ordered by the city council, with the approval of the mayor, issue bonds, notes or scrip for the amount of the indebtedness above authorized, to be payable within not exceeding forty years from the date of issue, and to bear interest at a rate not exceeding five per cent. per annum. Except as herein otherwise provided the provisions of chapter twenty-nine of the Public Statutes relating to municipal indebtedness and the establishment of sinking funds, and acts in amendment thereof and in addition thereto, shall apply to the indebtedness authorized by this act and the securities issued therefor.

~~SECTION 6.~~ This act shall be submitted for acceptance to the legal voters of the city of Gloucester at the annual city election in the present year, and the affirmative votes of a majority of the voters shall be sufficient for its acceptance. If so accepted the board of park commissioners of said city shall within sixty days thereafter take the tract of land, flats and beach described in section one of this act, for the purposes of a park as therein provided; and shall thereafter, with as much expedition as possible, take such further steps as may be required to place the same in a condition to be thrown open to the public. Any justice of the supreme judicial or superior court on petition of any twenty or more legal voters of said city may, by any appropriate process in equity, compel said board of park commissioners to perform the duties imposed upon them by this act.

SECTION 7. So much of this act as authorizes the submission of the question of its acceptance to the legal voters of said city shall take effect upon its passage. If duly accepted as above-provided it shall take full effect from the date of its acceptance, but otherwise it shall be null and void. [Approved June 4, 1897.]

## Attachment B - II

<b>Early 2017</b>	<b>Grant Awarded</b>
<b>Spring 2017</b>	<b>Hire Designer Firm Conduct Site Survey</b>
<b>May 2017</b>	<b>25% Design Completed Community Meeting</b>
<b>July 2017</b>	<b>100% Design, Bid Package Complete</b>
<b>September 2017</b>	<b>Hire Construction Contractor</b>
<b>September to December 2017</b>	<b>Pulverize Parking Lot, Install Terrace Wall, Compact new subgrade Install drainage swale Grade path towards Ravenswood Grade and install new Bandstand and Tablet Rock Paths Install irrigation Grade, loam, seed Bandstand Lawn Install Gateway trees</b>
<b>April- May 2018</b>	<b>Install Events Plaza, Parking Lot Install Kayak Storage Install path towards Ravenswood</b>
<b>Opening Day</b>	<b>June 2018</b>

## **Attachment B - 12**

### **Stage Fort Park Fee Schedule**

Weddings, large group activities, and corporate outings need to make a reservation and obtain a permit before permission is granted.

Wedding permits are available for \$100 per permit

Group outings for \$50 per permit, and corporate outings or other similar activities for \$250 per permit.

Parking is available at \$10 per vehicle on weekdays and \$15 on weekends and holidays.

**Attachment C**

**LWCF RATING SYSTEM**

<b>Conservation Projects</b>		<b>Recreation Projects</b>	
Relevance to Statewide Comprehensive Outdoor Recreation Plan – how well does the project fit into the four goals of the SCORP? Points awarded on the number of goals met by the proposed project.	8 for 4 goals 6 for 3 goals 4 for 2 goals 2 for 1 goal (partial points may be awarded)	Relevance to Statewide Comprehensive Outdoor Recreation Plan – how well does the project fit into the four goals of the SCORP? Points awarded on the number of goals met by the proposed project.	8 for 4 goals 6 for 3 goals 4 for 2 goals 2 for 1 goal (partial points may be awarded)
Relevance to Open Space and Recreation Plan (for municipalities only) – how well does the project fit into the goals and objectives of the community's OSRP. Points awarded on the specificity of project reference in the plan.	5 for specific reference to project 2 for indirect reference to project	Relevance to Open Space and Recreation Plan (for municipalities) – how well does the project fit into the goals and objectives of the community's OSRP. Points awarded on the specificity of project reference in the plan.	5 for specific reference to project 2 for indirect reference to project
Relevance to agency's land acquisition or recreation capital plan (for state agencies only) – how well does the project fit into the agency's land acquisition plan.	5 for specific reference to project 2 for indirect reference to project	Relevance to agency's land acquisition or recreation capital plan (for state agencies) – how well does the project fit into the agency's land acquisition plan.	5 for specific reference to project 2 for indirect reference to project
Public participation – do the community's residents or agency's constituent base support this project? Points awarded on (1) the number of well advertised meetings (not solely advertised in a paper's legal notices) ; (2) advertising the meeting in Environmental Justice neighborhoods; (3) the attendance at the meetings and/or public comment letters received; (4) the number of support letters (maximum of 5), newspaper articles, and petitions for the project.	1 point for public meeting advertisement 2 points for EJ public meeting advertisement 2 points for meeting attendance 1 point for letters/articles on project	Public participation – do the community's residents or agency's constituent base support this project? Points awarded on (1) the number of well advertised meetings (not solely advertised in a paper's legal notices) ; (2) advertising the meeting in Environmental Justice neighborhoods; (3) the attendance at the meetings and/or public comment letters received; (4) the number of support letters (maximum of 5), newspaper articles, and petitions for the project.	1 point for public meeting advertisement 2 points for EJ public meeting advertisement 2 points for meeting attendance 1 points for letters/articles on project
Increasing available recreational opportunities – does the project expand the number of recreational opportunities available to residents, including those communities with less than 2000 residents? Points awarded on how well the project increases the availability of recreation to residents through programming.	5 points for significant increase in recreational opportunities available locally 3 points for expansion of opportunities currently available 3 points for providing programming that will expand opportunities	Increasing available recreational opportunities – does the project expand the number of recreational opportunities available to residents, including those communities with less than 2000 residents? Points awarded on how well the project increases the availability of recreation to residents through programming.	5 points for significant increase in recreational opportunities available locally 3 points for expansion of opportunities currently available 3 points for providing programming that will expand opportunities
Project accessibility – does the project provide access for multiple types of users throughout the year? Points awarded based on the number of user groups able to utilize the space and for how long.	1 point per season site is available 5 points for significant unscheduled space for all ages, genders, abilities	Project accessibility – does the project provide access for multiple types of users throughout the year? Points awarded based on the number of user groups able to utilize the space and for how long.	1 point per season site is available 5 points for significant unscheduled space for all ages, genders, abilities

Preference will be given to sites that are available for all people, year round.	3 points for both sexes, limited age groups	Preference will be given to sites that are available for all people, year round.	3 points for both sexes, limited age groups
Environmental Justice – does the project provide access to Environmental Justice populations?	3 points per EJ criteria within project location's Census block group	Environmental Justice – does the project provide access to Environmental Justice populations?	3 points per EJ criteria within project location's Census block group
Small communities – will the project benefit isolated rural villages with less than 2,000 in population	5 points for these projects	Small communities – will the project benefit isolated rural villages with less than 2,000 in population	5 points for these projects
Alternative transportation options – is the project accessible by modes of transportation other than a car? Points awarded based on the number of non-automobile transit options users have.	2 points for each of the following: public transit within a ½ mile, walking facilitated by sidewalks, cycling facilitated by bike lanes and bike racks, signage directing users to the site	Alternative transportation options – is the project accessible by modes of transportation other than a car? Points awarded based on the number of non-automobile transit options users have.	2 points for each of the following: public transit within a ½ mile, walking facilitated by sidewalks, cycling facilitated by bike lanes and bike racks, signage directing users to the site
Access for people with disabilities – does the project provide access for the people with disabilities? Points awarded based on how well thought out access plans are for people with disabilities.	Up to 5 points for plans that go above and beyond requirements (ie, Braille trails)	Access for people with disabilities – does the project provide access for the people with disabilities? Points awarded based on how well thought out access plans are for people with disabilities.	Up to 5 points for plans that go above and beyond requirements (ie, Boundless Playgrounds)
Trails – does the project increase the trail network in the community and/or region? Points awarded based on the amount available trails are increased in the community.	6 points for land acquisition that will connect existing trail networks 3 points for land acquisition that will contain an isolated trail	Trails – does the project increase the trail network in the community and/or region? Points awarded based on the amount available trails are increased in the community.	6 points for trail development on land previously purchased 3 points for trail on newly purchased land
Water access – does the project provide access to or protect a water resource?	4 points for the ability to recreate in the water 3 points for shore fishing opportunities 2 points for viewing water resource	Water access – does the project provide access to a water resource?	4 points for the ability to recreate in the water 3 points for shore fishing opportunities 2 points for viewing water resource
Wildlife management and recreation – does the project allow for wildlife viewing, hunting, or fishing?	3 points for hunting and fishing 2 points for wildlife viewing	Wildlife management and recreation – does the project allow for wildlife viewing?	3 points for wildlife viewing 2 points for signage about wildlife habitat
Application quality – how thorough is the application? Points awarded based on how well organized and complete the BID response is.	3 points for organization 2 points for thoroughness (partial points may be awarded)	Application quality – how thorough is the application? Points awarded based on how well organized and complete the BID response is.	3 points for organization 2 points for thoroughness (partial points may be awarded)
Project quality – how well does the proposed project meet the goals of the Land and Water Conservation Fund?	Up to 20 points	Project quality – how well does the proposed project meet the goals of the Land and Water Conservation Fund?	Up to 20 points



# **ENCLOSURE 7**

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. George Sibley  
17 Rocky Neck Avenue  
Gloucester, MA 01930

Dear George:

I am pleased to reappoint you to a two year term as a Trustee of the **Affordable Housing Trust**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefania Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefania Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Tom Daniel, Community Development Director

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Mary John Boylan  
85 Mt. Pleasant Avenue  
Gloucester, MA 01930

Dear Mary John:

I am pleased to reappoint you to a two year term as a Trustee of the **Affordable Housing Trust**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Tom Daniel, Community Development Director

# AFFORDABLE HOUSING TRUST

## An Ordinance Creating the Gloucester Affordable Housing Trust Fund Article VI, Division 4, Sections 2-601 - 2-615

### Sec. 2-601. Gloucester Affordable Housing Trust Fund - Purpose.

The Commonwealth of Massachusetts has recently enacted legislation clarifying the ability of municipalities to create Affordable Housing Trust funds by enacting Section 55C of Chapter 44 of the Massachusetts General Laws; and

due to the high cost of housing, it is becoming harder to maintain economic diversity in the housing stock of the City of Gloucester; and

this rising cost affects the ability of all ages of Gloucester residents to remain in Gloucester as well as affecting the ability of the City to attract new residents of all age ranges; and

the City of Gloucester is dedicated to providing diversity in housing, which diversity includes economic diversity; and

by adopting this Affordable Housing Trust Fund ordinance, it will allow flexibility in addressing the needs of the city in a regulatory and problematic fashion.

### Section 2-602. Same - Policy of the City of Gloucester.

It is the policy of the City of Gloucester to support the creation, preservation and maintenance of affordable housing. In doing so, it is also the policy of the City of Gloucester to protect, preserve, and enhance the economic and social diversity of the City, to provide affordable rental and homeownership options for people of all ages and income levels, and to accommodate the changing housing needs of families and individuals. The Gloucester Affordable Housing Trust Fund is created to promote this policy.

### Section 2-603. Same - Establishment of the Gloucester Affordable Housing Trust Fund.

There is hereby created the Gloucester Affordable Housing Trust Fund in accordance with Massachusetts General Laws Chapter 44, Section 55C, as now or hereafter amended or superseded. The Gloucester Affordable Housing Trust Fund shall hereinafter be known as the Trust.

### Section 2-604. Same - Definition.

For the purposes of Sections 2-601 through and including 2-615, as well as for the Declaration of Trust for the Trust or any other documents, Board shall mean the Board of Trustees of the Trust. Board Members and Trustees shall both mean members of the Board of the Trust, which terms may be used interchangeably.

### Section 2-605. Same - Membership.

Acting under the authority of M.G.L. Chapter 44 Section 55C, there is hereby created a Board of Trustees for the Trust established pursuant to Sections 2.604 through 2.615 of the Code of Ordinances of the City of Gloucester, Massachusetts for the purposes set out in the M.G.L. Chapter 44, Section 55C. The Board shall include no fewer than five (5) Trustees, including the Mayor, ex officio, or his or her written designee, ex officio. The remaining Trustees shall be appointed by the Mayor and approved by the City Council for a term not to exceed two years.

The Board Members shall have knowledge or expertise in areas including, but not limited to, affordable housing, real estate, real estate finance, or housing construction. The Mayor, however, shall not be required to appoint Board Members from all of these areas of knowledge or expertise, but shall only be required to make his or her best effort to find persons that meet this requirement. In addition, the City of Gloucester Community Development Director shall serve as an ex officio Trustee.

**Section 2-606. Same - Terms of the Board Members; Election of Officers.**

- (A) The terms of the Board Members set out in Sections 2-605 and 2-606 shall be two (2) year terms; provided, however, that for the appointment of the initial Board Members, three (3) members shall be appointed for one (1) year, and the remaining Trustees for two (2) years. The Board Members shall serve until their successors have been appointed and qualified. The Mayor, however, shall serve for his or her entire term of office as Mayor. The Mayor's written designee shall serve for the term of his or her written designation, which may be amended or revoked at any time in writing. The Community Development Director shall serve for the entire term of his or her employment as Community Development Director.
- (B) Pursuant to Section 7.5 of the Charter of the City of Gloucester, Massachusetts, every appointment to the Trust shall begin on the fifteenth day of February for the term specified in this Article and shall continue until a successor is chosen and qualified as specified in this Article, but in no case longer than six (6) months when the office shall be declared vacant.
- (C) The Board shall, annually, elect a Chairman and Vice-Chairman of the Board at the first regularly scheduled meeting after February 15.

**Section 2-607. Same - City Board.**

The Trust is a board of the City for purposes of M.G.L. Chapter 30B (Uniform Procurement Act) and Section 15A of M.G.L. Chapter 40 (Transfers of Land); but agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the City shall be exempt from said Chapter 30B.

**Section 2-608. Same - Removal of Trustees.**

Pursuant to Section 7.14 of the Charter of the City of Gloucester, Massachusetts, any Trustee may be removed from the Board and have his or her place declared vacant for the reasons set out in and under the procedures set out in said Section 7.14.

**Section 2-609. Same - Meetings of the Trust; Notice; Quorum.**

- (A) The Trust shall meet monthly as long as there is business requiring the attention of the Trust; provided, however, that the Trust shall meet at least on a quarterly basis. The meetings of the Trust shall be at such time and at such place as the Trustees shall determine. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, M.G.L. Chapter 39, Sections 23A, 23B and 23C.
- (B) A quorum at any meeting shall be a majority of the Trustees qualified and present in person.

**Section 2-610. Same - Powers and Duties.**

The Trust, acting through the Trustees, shall have the powers and duties set out in M.G.L. Chapter 44, Section 55C, as now or hereafter amended or superseded, which include but are not limited to the following:

(A) General Powers

- (1) with the approval of the City Council, to accept and receive property, whether real or personal, by gift, grant, devise, or transfer from any person, firm, corporation or other public or private entity, including without limitation, grants of funds or other property tendered to the trust in connection with provisions of any zoning ordinance or any other ordinance. Acceptance or receipt of funds shall require City Council approval pursuant to M.G.L. Chapter 44, Section 55C;
- (2) with the approval of the City Council to the extent required by ordinance and M.G.L. Chapter 30B, to purchase and retain real or personal property, including without restriction, investments that yield a high rate of income or no income;
- (3) with the approval of the City Council, to sell, lease, exchange, transfer or convey any personal, mixed, or real property at public auction or by private contract for such consideration and on such terms as to credit or otherwise, and to make such contracts and enter into such undertakings relative to Trust property as the Trustees deem advisable notwithstanding the length of any such lease or contract;
- (4) to employ advisors and agents, such as accountants, appraisers and lawyers as the Board deems necessary;
- (5) to pay reasonable compensation and expenses to all advisors and agents and to apportion such compensation between income and principal as the Board deems advisable;
- (6) with the approval of the City Council, to comprise, compromise, attribute, defend, enforce, release, settle or otherwise adjust claims in favor or against the Trust, including claims for taxes, and to accept any property, either in total or partial satisfaction of any indebtedness or other obligation, and subject to the provisions of M.G.L. Chapter 44, Section 55C, to continue to hold the same for such period of time as the Board may deem appropriate;

(B) Real Estate Related Powers:

- (1) with the approval of the City Council to execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the Trust; and
- (2) to own, manage or improve real property and, with the approval of the City Council, to sell or transfer any property which the Trustees determine not to be worth retaining;

(C) Financial Powers:

- (1) with the approval of the City Council, to disburse trust funds for the purpose of making loans or grants in furtherance of the creation or preservation of affordable housing in the City of Gloucester upon such terms as the Trustees shall deem most appropriate to carry out such purposes;
- (2) to incur debt;
- (3) to apportion receipts and charges between income and principal as the Board deems advisable, to amortize premiums and establish sinking funds for such purpose, and to create reserves for depreciation depletion or otherwise;

- (4) with the approval of the City Council, to participate in any reorganization, recapitalization, merger or similar transactions; and to give proxies or powers of attorney with or without power of substitution, to vote any securities or certificates of interest, and to consent to any contract, lease, mortgage, purchase or sale of property, by or between any corporation and any other corporation or person;
- (5) with the approval of the City Council, to deposit any security with any protective reorganization committee, and to delegate to such committee such powers and authority with relation thereto as the Board may deem proper and to pay, out of Trust property, such portion of expenses and compensation of such committee as the Board, with the approval of the City Council, may deem necessary and appropriate;
- (6) to carry property for accounting purposes other than acquisition date values;
- (7) with the approval the City Council, to borrow money on such terms and conditions and from such sources as the Trust deems advisable, and to mortgage and pledge trust assets as collateral;
- (8) to make distributions or divisions of principle in kind;
- (9) to hold all or part of the trust property uninvested for such purposes and for such time as the Board may deem appropriate; and
- (10) to extend the time for payment of any obligation to the Trust.

**Section 2-611. Same - Funds Paid into the Trust.**

Pursuant to M.G.L., Chapter 44, 55C.(d), and notwithstanding any general or special law to the contrary, all moneys paid to the Trust in accordance with the Gloucester Zoning Ordinance, exaction fee, or private contributions shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property and these funds need not be further appropriated to be expended. All moneys remaining in the Trust at the end of any fiscal year, whether or not expended by the Board within one year of the date they were appropriated into the Trust, remain Trust property.

**Section 2-612. Same - Custodian of the Funds.**

The City Treasurer will be the custodian of the funds.

**Section 2-613. Same - Taxes.**

The Trust is exempt from M.G.L. Chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any political subdivision thereto.

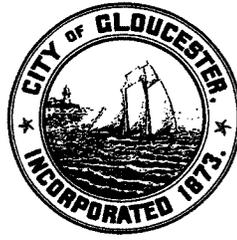
**Section. 2-614. Same - Governmental Body.**

The Trust is a governmental body for purposes of Sections 23A, 23B and 23C of M.G.L. Chapter 39.

**Section 2-615. Same - Reports to the Mayor and City Council; Annual Audits.**

- (A) The Trust shall, on a quarterly basis, provide written reports to the Mayor and City Council on each and every aspect of the business conducted by the Trust. The reports shall be provided on or before the 15th day of the month following the first day of a calendar quarter.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Joseph Rosa  
26 Fort Hill Avenue  
Gloucester, MA 01930

Dear Joe:

I am pleased to reappoint you to a three year term on the **Board of Health**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatja Romeo Theken".

Sefatja Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Max Schenk, Assistant Director of Public Health

Sec. 2-425. - Composition; appointment, term and removal of members.

The board of health shall consist of five members all of whom shall be appointed by the mayor, subject to the approval of the city council, staggered terms of three years each.

(Code 1970, § 2-297; Ord. No. 4-1991, § I, 2-26-1991)

**State Law reference**— Similar provisions, M.G.L. c. 111, § 26.

City Hall  
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ckirk@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Judith Peterson  
482 Washington Street  
Gloucester, MA 01930

Dear Judy:

I am pleased to reappoint you to a three year term on the **Board of Registrars**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

Sec. 7-1. - Board of registrars of voters.

- (a) There is hereby established a board of registrars of voters consisting of the city clerk and three other persons, who shall be appointed by the mayor, with the approval of the city council, as provided in subsection (b) of this section. In February or March in every year one registrar shall be appointed for a term of three years, beginning with April 1 following.
- (b) The mayor shall make appointments to the board of registrars of voters so that the members of the board shall represent the two leading political parties. Appointments shall be made such that the board membership, including the city clerk as a member, is comprised of at least one but no more than two members of the same political party. Every such appointment shall be made by the mayor from a list to be submitted to the mayor by the city committee of the political party from which the position is to be filled. The list submitted to the mayor shall contain the names of three enrolled members of the party who reside in the city and who have been selected by a majority vote of the committee at a duly called meeting for which a quorum was present. In the event the political party membership requirements, as stated herein, are met, in order that the mayor may appoint an independent voter to the board, the mayor shall then follow the requirements for appointments to city boards as set out in section 3-3 of the Charter.

(Code 1970, § 6-1; Ord. No. 13-1990, § I, 6-5-1990)

**Cross reference—** Boards, commissions, councils and committees, § 2-400 et seq.

**State Law reference—** Similar provisions, M.G.L. c. 51, § 15.

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CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Margaret Rosa  
26 Fort Hill Avenue  
Gloucester, MA 01930

Dear Maggie:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016. the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatza Romeo Theken". The signature is fluid and cursive, with a large loop at the end.

Sefatza Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Stephen Dexter  
162 Wheeler Street  
Gloucester, MA 01930

Dear Steve:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large loop at the end.

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

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Nine Dale Avenue  
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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. David C. Bell  
3 Banner Hill Way  
Gloucester, MA 01930

Dear J.J.:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mrs. Janis R. Bell  
257 East Main Street  
Gloucester, MA 01930

Dear Jan:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

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Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

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Nine Dale Avenue  
Gloucester, MA 01930



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CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mrs. Mary Rhineland-McCarl  
28 Old Nugent Farm Road  
Gloucester, MA 01930

Dear Mary:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

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Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

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Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

William Sanborn, Building Inspector  
City of Gloucester  
3 Pond Road  
Gloucester, MA 01930

Dear Bill:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

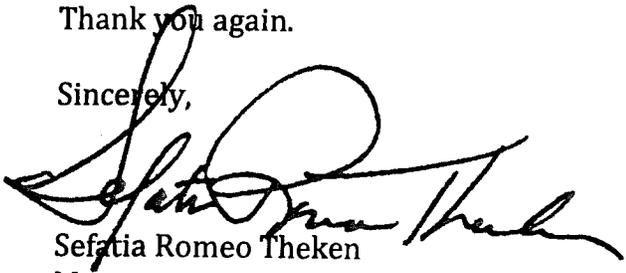
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,



Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. James Hafey  
Facilities Manager  
City of Gloucester

Dear Jim:

I am pleased to reappoint you to a three year term on the **City Hall Restoration Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

Sec. 2-523. - Created; terms; compensation; officers; duties.

- (a) *Created; terms.* There is hereby created a commission to be known as the "City Hall Restoration Commission," hereinafter called the commission, which shall consist of nine members, all of whom shall be appointed by the mayor and approved by the city council. The commission shall be selected with due care for providing an optimum mix of background and expertise required to fulfill the purpose. Upon the establishment of the commission, the mayor shall appoint three members to a term of one year; three to a term of two years and three to a term of three years. Thereafter, the mayor shall appoint each successor to a term of three years. In the event of death, resignation or removal of any member, a successor shall be appointed to serve for the unexpired term for which the member has been appointed.
- (b) *Compensation.* Members of the commission who are not city employees shall serve without compensation.
- (c) *Chairperson.* A chairperson shall be appointed by the mayor for a term of one year and may be reappointed. The chairperson shall decide all points of order and procedure, unless directed otherwise by a majority of the commission. The chairperson shall determine the chairpersons of the subcommittees, and shall be a member of all the subcommittees. The chairperson may serve as secretary of the commission.
- (d) *Vice-chairperson.* A vice-chairperson shall be appointed by the mayor for a term of one year and may be reappointed. The vice-chairperson shall serve as acting chairperson in the absence of the chairperson.
- (e) *Secretary.* A secretary of the commission shall be elected by the commission and shall be responsible for maintaining minutes of the regular meetings and a record of attendance of the commission members. The secretary shall also be responsible for filing reports with the city clerk/city council.
- (f) *Attendance at meetings.* Should a member fail to attend three consecutive regular meetings of the commission, and should there be no adequate excuse for such absence, the chair with the concurrence of the majority of the entire commission, shall recommend to the mayor that a vacancy be declared and the vacated position be filled.
- (g) *Committees.* Subcommittees shall be established as needed by vote of the commission. Such subcommittees shall each comprise at least three members, at least one of who shall be a commission member, and who shall serve as the chairperson of the subcommittee to the commission at the regular meeting.

(Ord. of 4-13-2004, § 1(2-517))

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Tom Kiely  
246 Western Avenue  
Gloucester, MA 01930

Dear Tom:

I am pleased to reappoint you to a two year term on the **Clean Energy Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

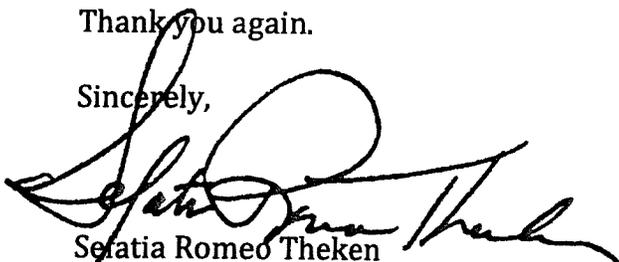
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,



Seratia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Linda Stout-Saunders  
52 Bennett Street  
Gloucester, MA 01930

Dear Linda:

I am pleased to reappoint you to a two year term on the **Clean Energy Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatja Romeo Theken". The signature is fluid and cursive, with a large initial "S".

Sefatja Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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FAX 978-281-9738  
stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Candace Wheeler  
8 Rockholm Road  
Gloucester, MA 01930

Dear Candace:

I am pleased to reappoint you to a two year term on the **Clean Energy Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sofatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

**Sec. 2-544. - Membership.**

- (a) The commission shall consist of seven members. Members shall be appointed by the mayor and approved by the city council, subject to the provisions of the city Charter. Appointees shall serve staggered terms of two years beginning at the date of appointment and ending on February 14 as required by the city Charter. Commission members shall be city residents and may include representation by appropriate city employees as determined by the mayor. Members will be selected based on relevant experience and knowledge in energy management strategies, renewable and alternate energies, energy efficiency and/or community sustainability. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.
- (b) The terms of the members shall be staggered, as such, the initial members shall be for the following terms:
- (1) Three members for one year;
  - (2) Four members for two years.
- (c) The commission shall:
- (1) Meet on a monthly basis and retain meeting minutes;
  - (2) Report to the mayor on a quarterly basis; and
  - (3) Beginning six months after its initial formation, the commission shall submit to the council on a semiannual basis a report of its activities and its progress in achieving its mission.

(Ord. of 5-19-2009, § 2-516)

DIVISION 11

SECTION 2-514 **CLEAN ENERGY COMMISSION**

Be it enacted by the City Council assembled and by the authority of the same as follows:

**Sec. 2-514** The Gloucester Clean Energy Commission is created to promote clean energy options in Gloucester, including energy efficiency, conservation and the development of clean and renewable energy.

**Sec. 2-515** The Commission shall pursue the following tasks:

- a) Propose and develop strategies to reduce energy costs of city-owned facilities and vehicles through energy conservation, efficiency and renewable energy measures. The strategies may include electricity, vehicle fuel, natural gas and oil conservation and may identify innovative cost-saving measures.
- b) Recommend city-wide programs including participation in federal or state-wide energy initiatives, such as the Green Communities Program, to promote and facilitate smart energy strategies for Gloucester citizens on both public and private real property.
- c) Work with appropriate city departments to track energy usage and costs associated with key assets and operations of the City.
- d) Identify climate adaptation and mitigation issues and strategies to safeguard the long-term economic and cultural vitality of the City.
- e) Follow emerging federal and state mandates, as well as initiatives and funding opportunities for energy conservation, renewable energy, or climate adaptation and mitigation strategies. Recommend strategies to comply with applicable mandatory or voluntary standards.
- f) Provide guidance, in the form of education or information, to the Mayor, City Council and key city departments and personnel, to support their decision-making on recommended strategies and clean energy opportunities.
- g) Serve as a communications and information resource on clean energy issues and city initiatives for the public through:
  - i) Meetings and sponsored events;
  - ii) Maintenance of an active web site;
  - iii) Regular communications to interested parties; and
  - iv) Public/private partnerships.

Sec. 2-516

a) The Commission shall consist of seven (7) members. Members shall be appointed by the Mayor and approved by the City Council, subject to the provisions of the City Charter. Appointees shall serve staggered terms of two years beginning at the date of appointment and ending on February 14 as required by the city charter. Commission members shall be Gloucester residents and may include representation by appropriate city employees as determined by the Mayor. Members will be selected based on relevant experience and knowledge in energy management strategies, renewable and alternate energies, energy efficiency and/or community sustainability. A vacancy occurring other than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

b) The terms of the members shall be staggered, as such, the initial members shall be for the following terms:

- i. Three members for one year;
- ii. Four members for two years.

c) The Commission shall:

- i. Meet on a monthly basis and retain meeting minutes;
- ii. Report to the Mayor on a quarterly basis; and
- iii. Beginning six months after its initial formation, the Commission shall submit to the Council on a semi-annual basis a report of its activities and its progress in achieving its mission.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



TEL 978-281-9700  
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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Ann Jo Jackson  
21 Salt Island Road  
Gloucester, MA 01930

Dear Ann Jo:

I am pleased to reappoint you to a three year term on the **Conservation Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Ms. Helen Shaw-Kwasie  
6 Nautical Heights  
Gloucester, MA 01930

Der Ms. Shaw-Kwasi:

I am pleased to reappoint you to a three year term on the **Conservation Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large loop at the end.

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

**ARTICLE III. CONSERVATION COMMISSION\***

\*Cross reference(s)--Boards, commissions, councils and committees, § 2-400 et seq.; conservation commission to promulgate rules and regulations relating to marshlands, § 12-19.

**Sec. 16-30. Created.**

There is hereby created a conservation commission under the authority of M.G.L.A. c. 40, § 8C.

(Code 1970, § 2-328)

**Sec. 16-31. Composition; appointment; terms of members.**

The conservation commission shall consist of seven (7) members, all of whom shall be residents of the city and all of whom shall be appointed by the mayor, subject to approval of the city council, to staggered terms of three (3) years.

(Code 1970, § 2-329)

State law reference(s)—Similar provisions, M.G.L.A. c. 40, § 8C.

**Sec. 16-32. Powers and duties.**

The conservation commission shall have all the duties and powers given to conservation commissions by M.G.L.A. c. 40, § 8C.

(Code 1970, § 2-330)

**Sec. 16-33. Condemnation of land or water upon commission's request.**

(a) For the purposes of this article, the city may, upon the written request of the conservation commission, take, by eminent domain under M.G.L.A. c. 79, the fee or any lesser interest in any land or waters located in the city, provided the taking has first been approved by two-thirds vote of the city council, which land and water shall thereupon be under the jurisdiction and control of the conservation commission.

(b) No action taken under this section shall affect the powers and duties of the state reclamation board or any mosquito control or other project operating under or authorized by M.G.L.A. c. 252, or restrict any established public access.

(c) Lands used for farming or agriculture, as defined in M.G.L.A. c. 128, § 1A shall not be taken by eminent domain under the authority of this section.

(Code 1970, § 2-331)

State law reference(s)—Similar provisions, M.G.L.A. c. 40, § 8C.

**Sec. 16-34. Rules and regulations; penalty for violations thereof.**

The conservation commission may adopt rules and regulations governing the use of land and waters under its control, and prescribe penalties, not exceeding a fine of one hundred dollars (\$100.00), for any violation thereof.

(Code 1970, § 2-332)

**State law reference(s)**—Similar provisions, M.G.L.A. c. 40, § 8C.

Secs. 16-35--16-44. Reserved.

#### ARTICLE IV. RESERVED\*

**\*Editor's note**—An ordinance of May 27, 1986, § 1, repealed Art. IV, §§ 16-45--16-48, pertaining to the downtown development commission, as derived from Code 1970, §§ 2-414--2-417.

Secs. 16-45--16-59. Reserved.

#### ARTICLE V. HISTORIC DISTRICT\*

**\*State law reference(s)**—Historic districts, M.G.L.A. c. 40C.

##### Sec. 16-60. Purpose.

The purpose of this article is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history or architecture of the city, and through the maintenance and improvement of settings for such buildings and places and the encouragement of designs compatible therewith.

(Ord. of 5-24-77, § 2)

**State law reference(s)**—Similar provisions, M.G.L.A. c. 40C, § 2.

##### Sec. 16-61. Created.

There is hereby established under the provisions of M.G.L.A. a historic district to be known as the Gloucester Historic District, which district shall include the area as shown on the plan on file in the city clerk's office.

(Ord. of 5-24-77, § 3)

**State law reference(s)**—Municipal authority to establish historic districts, M.G.L.A. c. 40C, § 3.

**Sec. 16-62. Historic district commission**—Established; membership; term of office; office.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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FAX 978-281-9738  
stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Hank Camille  
23 Langsford Street  
Gloucester, MA 01930

Dear Hank:

I am pleased to reappoint you to a three year term on the **Council on Aging**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

**DIVISION 4. - COUNCIL ON AGING**

Sec. 2-440. - Established; composition; appointment and terms of members.

There is hereby established a council on aging governed by a board of directors of up to 11 members. The director of public works, the chairperson of the board of health or their respective representatives, shall serve as ex officio members of the board of directors. The board of directors are further governed by the council on aging bylaws created in November of 2004.

(Code 1970, § 2-343; Ord. of 2-22-1977, § 1; Ord. of 5-27-1986, § I; Ord. of 2-1-2005(01), § I(2-440))

**State Law reference—** Municipal authority to establish council for the aging, M.G.L. c. 40, § 8B.

Sec. 2-441. - Members not compensated.

The members of the council on aging shall serve without compensation.

(Code 1970, § 2-344; Ord. of 2-1-2005(01), § I(2-441))

Sec. 2-442. - Designation of officers.

The officers of the council on aging shall consist of a chairperson, co-chairperson or vice-chairperson, secretary and treasurer.

(Code 1970, § 2-345; Ord. No. 25-1996, § J, 4-18-1995; Ord. of 2-1-2005(01), § I(2-442))

Sec. 2-443. - Supervision.

The council on aging shall be under the administrative supervision of the mayor.

(Code 1970, § 2-346; Ord. of 2-1-2005(01), § I(2-443))

Sec. 2-444. - Mission.

It shall be the mission of the council on aging to serve as a focal point where seniors and their families can access the local, state and federal network of elder services, while providing an integrated array of health, educational recreational, and social programs for older men and women.

(Code 1970, § 2-347; Ord. of 2-1-2005(01), § I(2-444))

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Karl Pulkkinen  
19 Walker Street  
Gloucester, MA 01930

Dear Mr. Pulkkinen:

I am pleased to reappoint you to a three year term on the Gloucester **Cultural Council**. Your appointment will be sent to the City Council for their meeting of February 9, 2016 and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which your appointment will be reviewed.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any further information, please do not hesitate to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

January 28, 2016

Ms. Caroline Haines  
13 Lincoln Avenue  
Gloucester, MA 01930

Dear Ms. Haines:

I am pleased to reappoint you to a three year term on the Gloucester **Cultural Council**. Your appointment will be sent to the City Council for their meeting of February 9, 2016 and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which your appointment will be reviewed.

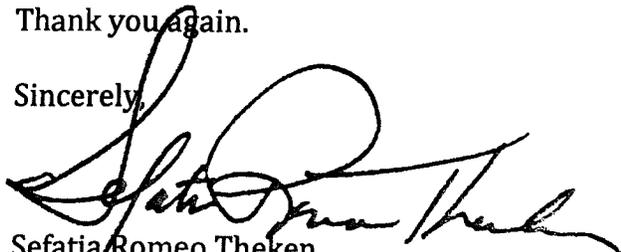
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any further information, please do not hesitate to contact my office.

Thank you again.

Sincerely,



Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

January 28, 2016

Ms. Rose Sheehan  
5 Trask Street  
Gloucester, MA 01930

Dear Ms. Sheehan:

I am pleased to reappoint you to a three year term on the Gloucester **Cultural Council**. Your appointment will be sent to the City Council for their meeting of February 9, 2016 and will be referred out to the Ordinance and Administration subcommittee. You will be contacted by the Clerk of Committees as to the date on which your appointment will be reviewed.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any further information, please do not hesitate to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council



THE 189<sup>TH</sup> GENERAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS

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PART I ADMINISTRATION OF THE GOVERNMENT

NEXT

TITLE II EXECUTIVE AND ADMINISTRATIVE OFFICERS OF THE COMMONWEALTH

PREV NEXT

CHAPTER 10 DEPARTMENT OF THE STATE TREASURER

PREV NEXT

Section 58 Local and regional cultural councils

PREV NEXT

Section 58. Any city or town may establish a local cultural council and any consortium of cities and towns, with the approval of the council, may establish a regional cultural council. Local cultural councils shall consist of at least five and not more than twenty-two members to be appointed by the mayor of a city, the city manager in a city having a Plan D or E form of government, the board of selectmen of a town or the executive officer in a town having a town council form of government.

Regional cultural councils shall consist of an equal number of members to be appointed from each city or town within the consortium in the manner herein described. The regional cultural council may adopt, at its option, a proportional membership consistent with the population of each municipality; provided, however, that each municipality shall have at least one member; and provided, further, that the adoption of such option shall be by a two-thirds vote of the regional cultural council. Notwithstanding any provisions to the contrary, if the council deems it necessary or desirable in order to carry out the purposes of this section and sections fifty-six and fifty-seven, the council may certify for payment in accordance with the provisions of section fifty-six those applications for funds received from any local or regional cultural councils whose composition is determined by the council as not complying with the provisions of this section, provided that upon notice of such noncompliance, such local or regional cultural council, or its appointing authority, as the case may be, either cures such noncompliance or provides certification satisfactory to the council of how and by when such compliance will be achieved.

Members of the local and regional cultural council shall be appointed for staggered terms of three years and any such member shall not be appointed to more than two consecutive terms. Members shall have demonstrated scholarship or creativity in, or distinguished service to, the arts, humanities, or interpretive sciences.

Upon a vacancy, for any reason, the member's successor, if any, shall be appointed for a term of three years, and shall serve until the qualification of such member's successor. Members shall not be elected public officials. Members shall be considered to be special municipal employees for the purposes of chapter two hundred and sixty-eight A. For purposes of chapter two hundred and sixty-eight A, any local or regional cultural council member who is authorized thereby to make disclosure to such member's city or town clerk or appointing authority, or to request a determination from such member's appointing authority, or to seek approval from the local legislative body may in lieu thereof, disclose to, or seek such approval

from the council, and the council is authorized to receive such disclosure and approve such exemptions. Local and regional cultural council members shall be classified as officers for purposes of section thirteen of chapter two hundred and fifty-eight. Members shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their duties. Local and regional cultural councils shall annually elect a chairman, secretary and treasurer.

Local and regional cultural councils may establish administrative units, but no such cultural council shall utilize more than five percent of the monies received from the State Arts Lottery Fund for administrative purposes, including member expenses.

Subject to rules, regulations, rulings or guidelines of the council, such local or regional cultural councils may decide the distribution of arts lottery funds or other funds that may be allocable to them, may also conduct other activities to promote and encourage the arts, may enter into contracts, subject to approval of town counsel or city solicitor as to form, and may do and perform any and all acts which may be necessary or desirable to carry out such powers and the purposes of sections fifty-six to fifty-eight, inclusive. Nothing in the provisions of section twenty-seven of chapter ten shall prevent a local or regional cultural council or an arts organization, or their agents or employees, from encouraging the sale of lottery tickets for the arts nor from being licensed as agents to sell lottery tickets for the arts. Notwithstanding the provisions of section fifty-three A of chapter forty-four, local and regional cultural councils may accept grants, contributions, gifts, bequests, devises, and other donations from all sources, including governmental bodies and shall deposit such monies and any other revenues, including revenues derived from local or regional cultural councils activities, in the revolving fund established under the provisions of this section. Funds received from sources other than the arts lottery fund may be disbursed at the discretion of the local or regional cultural council for the same purposes as arts lottery funds, including administrative expenses, provided, however, that the council may by rule, regulation, ruling or guideline establish further clarification of such purposes as well as procedures to assure that such funds are so used.

Notwithstanding the provisions of section fifty-three of chapter forty-four, any city, town or consortium of cities and towns otherwise pursuant to the provisions of section four A of chapter forty, shall establish in the city or town treasury, or in one of the cities or towns in the consortium a revolving account which shall be kept separate and apart from all other monies by the treasurer and in which shall be deposited all receipts from the state arts lottery fund, distributed under the provisions of section fifty-six, and any other receipts or donations to the local or regional cultural council authorized by law. A treasurer of a city, town or regional consortium as custodian may invest such portion of cash as deemed not required until such funds are to be expended and in such investments as are authorized under the provisions of section fifty-five of chapter forty-four. All such funds, including interest earned thereon, may be expended at the direction of the local or regional cultural council, without further appropriation, and such council may establish a subcommittee of no less than two members and may delegate thereto its authority to approve all payrolls, bills, requests for payment, or accounts prior to submission to the accountant, auditor or official performing similar functions; provided, however, that such subcommittee shall make available to such council at its next meeting, a record of such actions of such subcommittee; and provided further, however, that such funds as shall not have been expended twelve months after receipt shall be segregated and subject to further appropriation by the mayor, city council, city manager, board of selectmen or town manager for the purposes provided in sections fifty-six to fifty-eight inclusive. The city auditor, town accountant, or officer having similar duties, shall submit annually a report of said, revolving fund to the mayor, city council, city manager, board of selectmen, or town manager for their review and a copy of said report shall be submitted to the director of the bureau of accounts and the council.

City Hall  
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Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Alan DeLorenzo  
1 Horton Street  
Gloucester, MA 01930

Dear Alan:

I am pleased to reappoint you to a three year term on the **Downtown Development Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

DOWNTOWN DEVELOPMENT  
COMMISSION



CERTIFICATE OF VOTE

The Gloucester City Council, at a meeting held on, **TUESDAY, September 04, 2007**, at 7:00 p.m. In the Fred J. Kyrouz Auditorium, City Hall voted to approve the following action:

IN CITY COUNCIL:

**MOTION:** On motion of Councilor Tobey, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed that Division 7, entitled "Downtown Development Commission", Section 2-492, entitled "Created; membership; terms" be amended by **DELETING:** (a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of seven (7) members, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council and by **ADDING:** (a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of nine (9) members, one (1) member shall be a City Councilor, who shall serve ex officio, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council.

*Robert D. Whynott*

Robert D. Whynott, City Clerk

APPROVAL OF THE MAYOR

*John P. Bell*

John P. Bell, Mayor

VETOED BY THE MAYOR

John P. Bell, Mayor

SIGNED THIS 6 DAY OF Sept, 2007

All Ordinances shall become effective 31 days after passage except:  
Emergency Orders shall become Effective Next Day  
Zoning Changes shall be Effective Next Day.

purpose of filling a vacancy for any other reason, the appointment of the unexpired term immediately shall be made by the mayor and forwarded to the city council for their approval.

(Ord. No. 21-1991, 6-18-91)

**Sec. 2-475. Assistance of city officials, boards and employees.**

The commission shall receive regular support and assistance from the community development department. Such department may undertake planning, implementation and review responsibilities on behalf of the commission. Further, the commission may request the services and assistance of any of the officials, boards; and through the mayor, employees of the city at all reasonable times when the commission determines that it requires the assistance and advice of such officials, boards and employees in the performance of its duties.

(Ord. No. 21-1991, 6-18-91)

**Sec. 2-476. Semi-annual reports.**

The tourism commission shall submit semi-annually a report to the mayor and the city council of its activities.

(Ord. No. 21-1991, 6-18-91)

Secs. 2-477--2-490. Reserved.

**DIVISION 7. DOWNTOWN DEVELOPMENT COMMISSION\***

\*Editor's note--Inasmuch as Ord. No. 28-1991, adopted July 7, 1991, did not specify manner of codification, inclusion herein as Division 7, §§ 2-491--2-495, was at the discretion of the editor.

**Sec. 2-491. Purpose.**

In recognition of the continuing need for preservation, revitalization and improvement of Gloucester's central business district and its environs, a downtown development commission is hereby recreated and reestablished.

(Ord. No. 28-1991, 7-7-91)

**Sec. 2-492. Created; membership; terms.**

(a) There is hereby recreated and reestablished in the City of Gloucester a commission to be known as the downtown development commission consisting of seven (7) members, all of whom shall be appointed by the mayor of the city and shall be confirmed by the Gloucester City Council. Upon the establishment of this commission the mayor shall appoint three (3) members for three (3) years; two (2) members for two (2) years; and two (2) members for one (1) year; and as each term expires the mayor in like manner shall appoint members to serve for three (3) years.

(b) In the case of resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, the appointment for the unexpired term shall immediately be made by the mayor.

(Ord. No. 28-1991, 7-7-91)

**Sec. 2-493. Mission.**

It shall be the mission of the downtown development commission to encourage economic revitalization within a context of historic preservation, community involvement and activities, a strong identity and tourism. The commission shall undertake, but not be limited to, the following activities:

- (1) Examine and evaluate conditions on an on-going basis.
- (2) Propose and promote physical improvements.
- (3) Coordinate public and private efforts.
- (4) Encourage, in cooperation with the Cape Ann Chamber of Commerce, a creative marketing plan, coordinated advertising, promotions and special events.
- (5) Promote the establishment of new businesses.
- (6) Encourage the establishment of special committees, composed of municipal officials, bankers, merchants, industrialists, preservationists, chamber of commerce officials, downtown residents, design professionals, developers, real estate brokers, and others concerned with downtown.
- (7) Promote and encourage the proper mix of goods, services, housing, recreation and entertainment.
- (8) Coordinate, through the community development department, the activities related to downtown of the historical commission, the historic district commission, the waterways commission, the planning board, the tourism commission, the economic development and industrial corporation, the redevelopment authority, and the housing authority.

(Ord. No. 28-1991, 7-7-91)

**Sec. 2-494. Assistance of city officials, boards and employees.**

The commission shall receive regular support and assistance from the community development department. Such department may undertake planning, implementation and review responsibilities on behalf of the commission. Further, the commission may request the services and assistance of any of the officials, boards and, through the mayor, employees of the city at all reasonable times when the commission determines that it requires the assistance and advise of such officials, boards and employees in the performance of its duties.

(Ord. No. 28-1991, 7-7-91)

**Sec. 2-495. Annual report.**

The downtown development commission shall submit an annual report of its activities to the city council.

(Ord. No. 28-1991, 7-7-91)

**DIVISION 8. HUMAN RIGHTS COMMISSION****Sec. 2-496. Policy.**

It is hereby declared to be the public policy of the city, including its employees, agents and officials, to protect and promote the constitutional, civil and human rights of all people within the city. Further, the city asserts that:

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Scott O. Swicker  
241 Essex Avenue  
Gloucester, MA 01930

Dear Scott:

I am pleased to reappoint you to a three year term on the **Fisheries Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

# FISHERIES COMMISSION

1956

## AN ACT INCORPORATING THE GLOUCESTER FISHERIES COM- MISSION. Chap. 260

*Be it enacted, etc., as follows:*

SECTION 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this act and shall have an official seal as determined by the original membership of the commission.

SECTION 2. Said Gloucester Fisheries Commission shall be set up and sponsored by the city of Gloucester to investigate, advocate and recommend measures for the promotion, preservation and protection of the Gloucester fishing industry.

SECTION 3. Members of this commission shall be appointed by the mayor for a term concurrent with that of the mayor and shall be the mayor who shall be chairman, three members of the city council and five persons who are actively connected with the production, processing or employment phases of the industry.

SECTION 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding three thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 5. This act shall take effect upon its passage.

*Approved April 11, 1956. ?*

62

## Chap. 631. AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION AND INCREASING THE AMOUNT OF MONEY THAT THE CITY OF GLOUCESTER MAY APPROPRIATE FOR SAID COMMISSION.

*Be it enacted, etc., as follows:*

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3 and inserting in place thereof the following section: — *Section 3.* The commission shall consist of the mayor and twelve persons to be appointed by him, of whom two shall be members of the city council and five shall be connected with the production, processing or employment phases of the industry. Each member shall serve for a term concurrent with that of the mayor, who shall be chairman thereof.

SECTION 2. Said chapter 260 is hereby further amended by inserting after section 3 the following section: —

*Section 3A.* The city manager may appoint a permanent secretary to said commission upon its recommendation. Said secretary shall have no vote and shall receive such compensation as may be determined by the city manager with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

*Section 4.* The city of Gloucester is hereby authorized to appropriate

annually a sum of money not exceeding twenty thousand dollars for the purposes of said Gloucester Fisheries Commission.

SECTION 4. This act shall take effect upon its acceptance by the city of Gloucester.

*Approved July 5, 1962.*



The Commonwealth of Massachusetts

1970

IN THE YEAR ONE THOUSAND NINE HUNDRED AND SEVENTY.

AN ACT

CODIFYING AND AMENDING THE ACTS OF 1956, CHAPTER 260 AND OF 1962, CHAPTER 631 RELATIVE TO THE INCORPORATION OF, MEMBERSHIP IN, AND MONIES TO BE APPROPRIATED BY THE CITY OF GLOUCESTER FOR THE BENEFIT OF, THE GLOUCESTER FISHERIES COMMISSION.

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

SECTION 1. Chapter 260 of the Acts of 1956 and Chapter 631 of the Acts of 1962 are hereby amended by striking out, in their entirety, said Chapter 260 of the Acts of 1956 and Chapter 631 of the Acts of 1962 and inserting in place thereof the following codified and amended version:

Section 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this Act and shall have an official seal as determined by the original membership of the Commission.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Seventy-eight

AN ACT RELATIVE TO THE GLOUCESTER FISHERIES COMMISSION.

BA  
Gloucester

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

SECTION 1. Chapter 620 of the acts of 1956 is hereby amended by striking out section 3, as amended by section 1 of chapter 631 of the acts of 1962, and inserting in place thereof the following section:-

Section 3. There shall be nine members of the commission one of whom shall be the mayor of the city of Gloucester who shall be the chairman and eight persons to be appointed by said mayor, in accordance with the city charter, three of whom shall be members of the city council of said city and five of whom shall be actively connected with the production, processing or employment phases of the fishing industry.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, inserted by section 2 of said chapter 631, and inserting in place thereof the following section:-

Section 3A. The mayor may appoint an executive secretary to said commission upon its recommendation. Said executive secretary shall have no vote and shall receive such compensation as may be determined by the mayor with the approval of the city council.

SECTION 3. Said chapter 260 is hereby further amended by striking out section 4, as amended by section 3 of said chapter 631, and inserting in place thereof the following two sections:-

Section 4. The city of Gloucester is hereby authorized to appropriate annually a sum of money not exceeding sixty thousand dollars for the purposes of said commission.

Section 4A. Said commission may accept and expend gifts, bequests or devises of personal property or interests in real property for the purposes of said commission in the name of said city or of said commission subject to the approval of the mayor and the city council of said city as provided in section fifty-three A of chapter forty-four of the General Laws.

SECTION 4. This act shall take effect upon its passage.

1980

AN ACT RELATIVE TO THE MEMBERSHIP OF THE GLOUCESTER FISHERIES COMMISSION.

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

SECTION 1. Chapter 260 of the acts of 1956 is hereby amended by striking out section 3, as most recently amended by section 1 of chapter 519 of the acts of 1978, and inserting in place thereof the following section:-

Section 3. The commission shall consist of thirteen members, as follows: (a) the mayor or his designee, shall be the chairman and (b) twelve persons to be appointed by the said mayor, seven of whom shall be heads of organizations within the city relating to the fishing industry and four of whom shall be other persons residing in the city.

SECTION 2. Said chapter 260 is hereby further amended by striking out section 3A, as amended by section 2 of said chapter 519, and inserting in place thereof the following section:-

Section 3A. The mayor upon the recommendation of the commission may appoint an executive director who shall receive such compensation as may be determined by the mayor with the approval of the city council.

SECTION 3. This act shall take effect upon its passage.

House of Representatives, June

20, 1980.

Passed to be enacted,

George Luvician

, Speaker.

In Senate, June

23, 1980.

Passed to be enacted,

William A. Bulger

, President.

July 3, 1980.

Approved,

at 1 o'clock and 37 minutes, A. M.

Edward J. King  
Governor.

THE COMMONWEALTH OF MASSACHUSETTS  
ADVANCE COPY      1984      ACTS AND RESOLVES  
MICHAEL JOSEPH CONNOLLY, SECRETARY OF STATE

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1984

Chap. 338. AN ACT RELATIVE TO THE MEMBERSHIP OF  
THE GLOUCESTER FISHERIES COMMISSION.

Be it enacted, etc., as follows:

~~Chapter 260 of the acts of 1956~~ is hereby amended by striking  
out section 3, as most recently amended by section 1 of chapter  
~~361 of the acts of 1980~~ and inserting in place thereof the follow-  
ing section: -

Section 3. The commission shall consist of thirteen members,  
one of whom shall be the mayor or his designee, and twelve  
persons to be appointed by the mayor, seven of whom shall be  
elected officers of organizations within the city, whose primary  
concern is the fishing industry and four of whom shall be other  
persons residing in the city and one of whom shall be a lay  
person. The chairman of the commission shall be elected by a  
vote of the majority of the members present and voting thereon.

Approved December 17, 1984

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City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Paul Shea  
7 Revere Street  
Gloucester, MA 01930

Dear Mr. Shea:

I am pleased to reappoint you to a three year term on the **Historic District Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefania Romeo Theken". The signature is fluid and cursive, with a large initial "S".

Sefania Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

Sec. 16-62. - Historic district commission—Established; membership; term of office; office.

- (a) There is hereby established, under M.G.L. c. 40C, a historic district commission with all the powers and duties of a historic district commission specified in M.G.L. c. 40C.
- (b) The historic district commission shall consist of seven regular members and two alternate members, appointed by the mayor, subject to confirmation by the city council who shall serve staggered terms of three years. The commission shall include one regular member appointed from two nominees submitted by the Cape Ann Historical Association, one regular member appointed from two nominees submitted by the Boston chapter of the American Institute of Architects and one regular member appointed from two nominees submitted by the Cape Ann Board of Realtors. Two regular members of the commission shall be owners of property within a historic district in the city. All members of the commission, with the exception of that member nominated by the Boston chapter of the American Institute of Architects, shall be residents of the city. Vacancies shall be filled by appointment for the unexpired term. In case of the absence, inability to act or unwillingness to act because of self-interest on the part of a member of the commission, his place shall be taken by an alternate member designated by the chairperson. Each member and alternate shall continue in office after the expiration of his term until his successor is duly appointed and qualified. All members shall serve without compensation.
- (c) The historic district commission shall elect annually a chairperson and vice-chairperson from its own number and a secretary from within or without its number.

(Ord. of 5-24-1977, § 4)

**Cross reference**— Boards, commissions, councils and committees, § 2-400 et seq.

**State Law reference**— Municipal authority to establish historic district commission, M.G.L. c. 40C, § 4.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. John McElhenny  
10 Allen Street  
Gloucester, MA 01930

Dear John:

I am pleased to reappoint you to a three year term on the **Open Space and Recreation Committee**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefania Romeo Theken". The signature is fluid and cursive, with a large initial "S".

Sefania Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

# OPEN SPACE AND RECREATION COMMITTEE



## Gloucester City Council CERTIFICATE OF VOTE Certificate Number: 2009-183

The Gloucester City Council, at a Special City Council meeting held on, **TUESDAY, AUGUST 25, 2009** at 7:00 p.m. in Fred J. Kyrouz Auditorium, City Hall, voted to approve the following action:

### IN CITY COUNCIL:

**MOTION:** On motion of Councilor Foote, seconded by Councilor Devlin, the City Council voted **8 IN FAVOR 0 OPPOSED** to **AMEND** Chapter 2 "Administration" by **ADDING** "Open Space and Recreation Advisory Committee" Sections 2-517 through 2-520 as follows:

Be it enacted by the City Council assembled and by the authority of same as follows:

Section 2- 517 - Establishment; composition; appointment and terms of members

There is hereby established an Open Space and Recreation Committee which is created to formulate and implement an Open Space and Recreation Plan (OSRP) for the City of Gloucester. The Open Space and Recreation Committee will assist the city in its future actions with regard to open space parcels within the city. The committee shall consist of seven (7) members who shall be appointed by the Mayor from the residents of the city and confirmed by the City Council. The members shall serve for three-year staggered terms beginning on the date of appointment and ending on February 14 as required by City Charter.

Section 2 - 518 Purpose

The Committee shall create and implement an OSRP which shall:

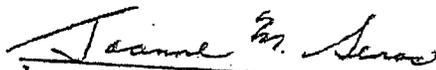
- a. Ensure the existence, smart use and access to open space in perpetuity.
- b. Ensure that contiguous areas and functions and values that depend on them are maintained
- c. Propose a process for agreements with abutters with shared use/conservation interests for enhancing open space.
- d. Recommend planned city growth and business development in a way that fully contemplates and strives to maintain the functions, values, uses and vision for open space in Gloucester.
- e. Establish a criteria and process for ceding open space to development or dedicated use
- f. Promote awareness and use of open spaces through a descriptive inventory of open spaces.

Section 2 - 519 Process

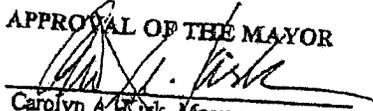
The former open space plans shall be used to create the plan which shall be submitted to the Commonwealth.

Section 2-520 Authorities and Responsibilities

- a. The Open Space and Recreation Committee shall act as an advisory committee to the Mayor, City Council, municipal boards, and the general public on matters concerning open space and recreation and shall have no budgetary powers.
- b. A majority of appointed members serving on the committee shall constitute a quorum and no meeting shall be continued without a quorum being present, unless a subcommittee has been established.
- c. The committee shall submit a summary of its activity and its progress on semiannually basis in the months of September and April.
- d. The Open Space and Recreation Committee may promote ad-hoc committees to develop stewardship for public open spaces. Such activities shall be coordinated with the Parks Department and Conservation Commission.

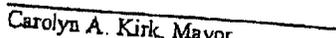
  
Joanne M. Senos, Interim City Clerk

APPROVAL OF THE MAYOR

  
Carolyn A. Kirk, Mayor

SIGNED THIS 13 DAY OF Aug 2009

VETOED BY THE MAYOR

  
Carolyn A. Kirk, Mayor

*All Ordinances shall become effective 31 days after passage except:  
Emergency Orders shall become Effective Next Day  
Zoning Changes shall be Effective Next Day.*

Sec. 2-551. - Established; composition; appointment; terms.

There is hereby established an open space and recreation committee which is created to formulate and implement an open space and recreation plan (OSRP) for the city. The open space and recreation committee will assist the city in its future actions with regard to open space parcels within the city. The committee shall consist of seven members who shall be appointed by the mayor from the residents of the city and confirmed by the city council. The members shall serve for three-year staggered terms beginning on the date of appointment and ending on February 14 as required by the city Charter.

(Ord. of 8-25-2009(01), § 2-517)

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

January 29, 2016

Mr. William F. Taylor  
325 Concord Street  
Gloucester, MA 01930

Dear William:

I am pleased to reappoint you to a three year term on the **Planting Committee**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Thank you again.

Sincerely,

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

January 29, 2016

Ms. Bonnie Angus  
5 Nashua Avenue  
Gloucester, MA 01930

Dear Bonnie:

I am pleased to reappoint you to a three year term on the **Planting Committee**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

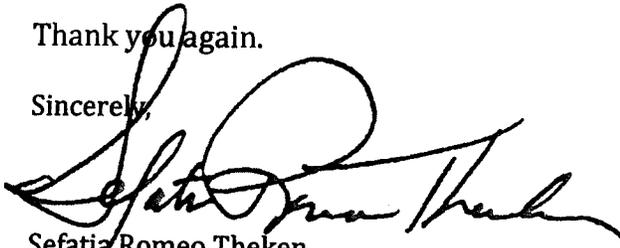
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

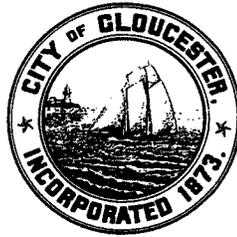
Sincerely,



Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 29, 2016

Ms. Susan Kelly  
23 Biskie Head Point  
Gloucester, MA 01930

Dear Susan:

I am pleased to reappoint you to a three year term on the **Planting Committee**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large loop at the beginning.

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

Sec. 24-41. - Established.

There is hereby established a city plantings committee, consisting of the director of public works or his designee, the tree warden, and not less than three nor more than seven additional members appointed by the mayor from the voters and residents of the city. Appointees shall serve staggered terms of three years, and appointments shall be subject to Charter sections 3-3 and 2-10.

(Ord. No. 15-1991, 5-28-1991)

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 29, 2016

Ms. Ann-Jo Jackson  
21 Salt Island Road  
Gloucester, MA 01930

Dear Ms. Jackson:

I am pleased to reappoint you to a three year term as the Conservation Commission representative on the **Shellfish Advisory Commission, with a term to expire 2/14/2019**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large initial "S".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 29, 2016

Mr. Dan Molloy  
38 Fort Square  
Gloucester, MA 01930

Dear Mr. Molloy:

I am pleased to reappoint you to a three year term on the **Shellfish Advisory Commission**, with a term to expire 2/14/2019. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

Sec. 20-2. - Shellfish advisory commission.

- (a) *Created; membership; appointment; compensation.* There is hereby created and established in the city a commission to be known as the shellfish advisory commission. The commission shall consist of five members of all whom shall be citizens of the city and shall be appointed by the mayor, subject to confirmation by the city council, and shall be unpaid.
- (b) *Terms of members; chairperson.* All members of the shellfish advisory commission shall be appointed for three-year terms. The commission shall choose one of their members to be chairperson.
- (c) *Compensation.* The shellfish advisory commission shall consist of three persons from the shellfish industry, the chairperson of the conservation commission or his designee and a marine biologist, if available.
- (d) *Duties.* The shellfish advisory commission shall advise the mayor and city council on all matters pertaining to shellfish, seaworms and eels. The commission may establish, subject to approval by the city council, a management plan with rules and regulations relating to the issuance of permits and taking of shellfish, seaworms and eels.

(Ord. No. 49-95, § I, 12-29-1995)

**Cross reference—** Boards, commissions, councils, and committees, § 2-400 et seq.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 29, 2016

Mr. Robert Ryan  
3 Blake Court  
Gloucester, MA 01930

Dear Bob:

I am pleased to reappoint you to a three year term on the **Traffic Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatja Romeo Theken". The signature is fluid and cursive, with a large loop at the end.

Sefatja Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 29, 2016

Mr. Anthony Bertolino  
132 Bass Avenue  
Gloucester, MA 01930

Dear Tony:

I am pleased to reappoint you to a three year term on the **Traffic Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large loop at the end.

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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FAX 978-281-9738  
stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 29, 2016

Mr. Michael Mulcahey  
11 Kent Road  
Gloucester, MA 01930

Dear Michael:

I am pleased to reappoint you to a three year term on the **Traffic Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

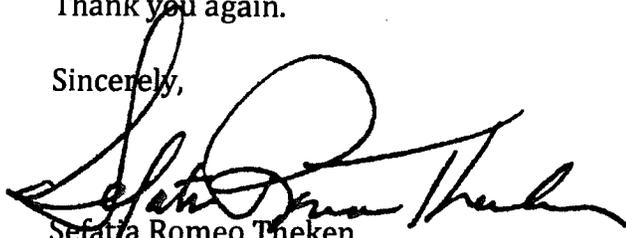
In order for you to continue voting at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,



Sefat'a Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

Sec. 22-32. - Composition; appointment; terms of members.

The traffic commission shall consist of five members appointed by the mayor and confirmed by the city council. Appointments to the commission shall be for terms of three years. In case of the resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, an appointment for the unexpired term shall immediately be made by the mayor.

(Code 1970, § 21-23)

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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stheken@gloucester-ma.gov

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 1, 2016

Mr. Michael Sanborn  
P.O. Box 696  
Gloucester, MA 01930

Dear Mr. Sanborn:

I am pleased to reappoint you to a three year term as a member of the **Trust Fund Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
John Dunn, Chief Financial Officer

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 1, 2016

Mr. John Fleming  
38 Harriet Road  
Gloucester, MA 01930

Dear Mr. Fleming:

I am pleased to reappoint you to a three year term as a member of the **Trust Fund Commission**. Your appointment will be sent to the City Council for their meeting of February 9, 2016. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be contacted by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

I have issued you a 90 day temporary appointment, effective February 14, 2016, the date on which your current term expired. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
John Dunn, Chief Financial Officer

Sec. 2-596. - Board of commissioners of trust funds—Created; membership; purpose; officers.

- (a) There is hereby created and established the board of commissioners of trust funds consisting of three persons who are residents of the city at the time of their appointment. The board shall have the management of all trust funds given or bequeathed for the benefit of the city or the inhabitants thereof, unless the donor, in making the gift or bequest, shall otherwise provide.
- (b) The members of the board of commissioners of trust funds shall be appointed by the mayor and confirmed by the city council. All members of the board shall be appointed for a three-year term. Vacancies shall be filled by the mayor with the approval of the city council.
- (c) The board of commissioners of trust funds shall choose one of its members to be chairperson and one member to be clerk.

(Code 1970, §§ 2-270—2-273)

**State Law reference—** Similar provisions, M.G.L. c. 41, § 45.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

February 3, 2016

Mr. James Bordinaro  
126 Wheeler Street  
Gloucester, MA 01930

Dear Jim:

I am pleased to reappoint you to a three year term as a Fishing member of the **Waterways Board**. Your appointment will be forwarded to the City Council for their February 9, 2016 meeting. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

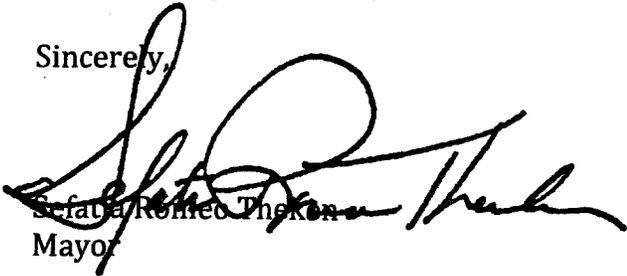
In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any additional information, please feel free to contact my office.

Thank you again.

Sincerely,



Stefano Romeo Thesken  
Mayor

cc: Mayor's Report to the City Council  
Ralph Pino, Chair-Waterways Board

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 3, 2016

Mr. Mark Lacey  
47 Rocky Neck Avenue  
Gloucester, MA 01930

Dear Mark:

I am pleased to reappoint you to a three year term as a Recreational Boating member of the **Waterways Board**. Your appointment will be forwarded to the City Council for their February 9, 2016 meeting. Confirmation of your appointment will be referred out to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

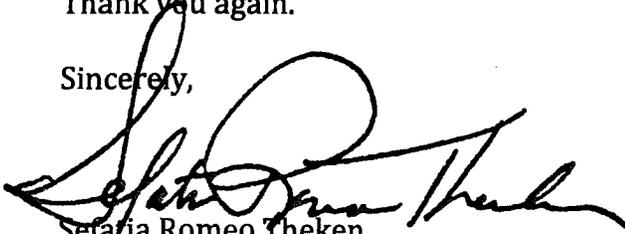
In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment effective February 14, 2016, the date on which your current term expires. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any additional information, please feel free to contact my office.

Thank you again.

Sincerely,



Serafia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Ralph Pino, Chair-Waterways Board

**Sec. 10-1. - Waterways board.**

The purposes of the waterways board is to provide a broad-based citizen management organization that guides the use and development of the city's waterways and public waterfront facilities. The waterways board shall be the city body which establishes policies and regulations for the city's waterways. It is intended that the board adopt clear, concise and fair policies and regulations that promote improved access to the water for all citizens, including commercial fishermen, business owners and recreational boaters. In cooperation with the harbormaster and other city staff, the board is intended to ensure that our waterways are well planned and maintained, utilized to the maximum extent possible, safe, and reflect positively upon the city.

(Ord. No. 17-1993, 12-14-1993)

**Sec. 10-2. - Composition and term.**

- (a) *Composition.* The city waterways board shall consist of nine citizens of the city appointed by the mayor and confirmed by the city council. The appointees shall include three persons who are directly involved with the fishing industry, two persons who are recreational boaters, two persons who are directly involved with economic development of the city, and two persons at large who need not be involved with any marine-related activity.
- (b) *Term.* The term of all members shall be three years except that the initial terms shall be staggered so that the terms of no more than three members shall terminate in any one year. If a member resigns or is removed for any reason before his term expires, the mayor shall appoint a replacement within one month of the vacancy. Said appointment must be confirmed by the city council. Members of the waterways board and its standing committees shall be volunteers who are not compensated.

(Ord. No. 17-1993, 12-14-1993; Ord. of 9-27-2011)

# **ENCLOSURE 8**

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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FAX 978-281-9738  
stheken@gloucester-ma.gov

**CITY OF GLOUCESTER  
OFFICE OF THE MAYOR**

February 1, 2016

Mr. Eric Magers  
7 Marchant Street  
Gloucester, MA 01930

Dear Eric:

Thank you for your interest in serving on the Clean City Commission. I am pleased to appoint you to a three year term on the commission. So that you may attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90-day temporary appointment.

Your appointment will be forwarded to the City Council for their meeting of February 9, 2016, at which time it will be referred out to the Ordinance and Administration subcommittee. You will be notified by the Clerk of Committees as to the date on which your appointment will be reviewed by the O&A Committee.

Please report to the City Clerk's office at your earliest convenience to pick up your appointment card and be sworn in.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, written over the word "Sincerely,".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

## Christine Pantano

---

**From:** Eric Magers <MagersE@mersd.org>  
**Sent:** Friday, January 15, 2016 9:47 AM  
**To:** Christine Pantano  
**Cc:** 'magerse@gmail.com'  
**Subject:** Clean City Commission  
**Attachments:** Eric Magers Resume.pdf

Hello Christine,

My name is Eric Magers and I am a Gloucester resident (7 Marchant Street) and am interested in serving on the Clean City Commission. I have experience in “greening” and would love to use my energy in this city I have grown to love. ☺ Please let me know if your office requires anything from me in the form of an official letter, phone conversation or meeting as I am happy to accommodate your request (resume attached for your perusal)! Thank you for looking favorably upon this request,  
Eric Magers



*A US Department of Education Green Ribbon Schools Award Winner!*

## ***Eric Magers***

7 Marchant Street, Gloucester, MA 01930

[magerse@gmail.com](mailto:magerse@gmail.com) 978.879.9769

### **SUMMARY:**

A dynamic and passionate educator working in a challenging Environmental Education position within a progressive school system. Driven by the desire to improve the well-being of students in their quest of lifelong learning and collaborate with other professionals to grow and improve local and national Environmental Education strategies.

### **PROFESSIONAL EXPERIENCE:**

**Manchester Essex Regional School District, Manchester, MA**

**1998 – present**

***Director, Green Team, Green Scholars, & Green Apprentices Programs***

- Spearheaded program which won coveted federal ED Department Green Ribbon Award
- Developed and instituted district-wide solid waste reduction strategies considerably reducing waste up to 75% while saving between \$5 and \$12 K annually
- Co-Lead efforts in town-wide plastic bag ban (third in state) and curbside composting initiatives
- Spearheaded K-12 green movement in district with Nutrition and Facilities Departments resulting in their full dedication to sustainability
- Designed state, regional and national award-winning Environmental Education program and developed an implementation guide for other schools to develop their own programs. Have trained over 50 environmental educators and administrators in the Scholars model
- Direct a comprehensive award winning K-12 environmental education program with advisors at each school and level (100+ members)
- Collaborate with over 25 local and state-wide community organizations for projects (e.g. plastic bag elimination, assessment of town buildings for fossil fuel consumption, Mass Audubon, MECT, and more)
- Train 20+ school systems, organizations, and townships on sustainability best practices
- Present at conferences with several collaborators and official partners i.e. MassDEP, MassRecycle, GreenSchools, Alliance for Climate Education (ACE), Green Ribbon Schools, EPA, and the US Green Building Council.

***Physical Education, Health & Project Adventure Instructor:***

**2006 – present**

- Implement curriculum for middle and high school students
- Facilitate experiential learning programs with students in grades 6-12

***Coach / Advisor:*** downhill skiing, rock climbing, field hockey, and Ultimate Frisbee

**1998 – present**

- Coach several sports to different ages and multiple levels
- Maintain safety programs to minimize injuries

***Spanish Teacher:*** teach middle & high school

**1998 – 2014**

- Designed, developed and teach Spanish language courses, grades K-8 & high school levels 1-4

**North Shore Sustainability Partnership (NSSP), Beverly, MA**

**2012-present**

Director of North Shore Sustainability Partnership (NSSP) which is a collaboration of over 50 community and school partners that advance sustainability practices by sharing best practices, developing effective and replicable sustainable strategies, and facilitate environmental education programs through the experiential education model. Consult with PA and their affiliates to become more “green”

**Seaside Sustainability, Gloucester, MA**

**2011-present**

Executive Director and President of an award winning organization that educates students from surrounding communities on the future of the world’s oceans and how the impacts of acidification, plastics, sea level change, and invasive species. The organization is run by a team of students at the Manchester Essex Regional School District specializing in working with schools, students, officials, and communities to become sustainable.

**Manchester Costal Stream Team, Manchester, MA**

**2010-present**

As an active member of the grassroots organization town committee Manchester Coastal Stream Team, we serve as the local task force for Salem Sound Coast Watch who develops corrective measures for environmental issues that affect local waterways. Work focuses on projects designed to maintain and improve water cleanliness, quality, to preserve coastal waterways and habitats, and to incorporate public participation and education.

**Project Adventure (PA), Beverly, MA**

**2005-present**

Facilitate experiential learning for youth, college and professional groups including risk taking, team development, leadership skills, and diversity awareness. Level II Practitioner certification

**TownGreen 2025, Gloucester, MA**

**2014-present**

As a group member, citizens work to launch town-wide sustainability initiatives including energy efficiency programs, community engagement, green product and services fairs, and creating and disseminating opportunities for homeowners to access residential energy management and sustainable living programs. The principal goal of the group is to create a carbon neutral city by 2025

**Gloucester Clean City Commission, Gloucester, MA**

**2015-present**

As an unofficial member of the Clean City Commission, it aims to keep the city beautiful by: organizing and directing volunteer efforts to keep the city beautiful; keeping the Mayor and appropriate city departments informed of the maintenance and beautification needs of public property; work with all city departments, including the Department of Public Works; the Department of Parks and Recreation; the School Department; the Conservation Commission and the Waterways Board.

**Communications Coordinator for Secretaries Advisory Group for Energy & Environmental Education (SAGEEE), Boston, MA**

**2012-present**

Coordinate communications for members, working groups and stakeholders from Massachusetts Environmental Education Society (MEES), New England Environmental Education Alliance (NEEEA), and North American Association for Environmental Education (NAAEE). SAGEE is developing an Environmental Literacy Plan (ELP) which will identify key attributes of and targets for young people who will make up an environmentally literate citizenry. This work expands on the existing Benchmarks for Environmental Literacy previously published in Massachusetts, and will better prepare t for the state passage of the Federal No Child Left Inside Act (NCLIA).

**Municipal Energy Efficiency Program (MEEP), Manchester, MA**

**2012-2016**

As an award winning volunteer board member of the year, assisted in the proposal to certify the Town of Manchester, MA as a Green Community through the Department of Energy Resources (DOER) Green Communities Division. DOER works with local and regional government entities to pursue energy efficiency and collaborates with Mass Save to administer efficiency services to local and regional government entities.

**Sports Tek, Gloucester, MA**

**1985-2011**

Owned (began 1998) and operated successful contracting company that built, restored, repaired and painted tennis and basketball courts, running tracks, and play areas; managed 10+ employees and major equipment; contacts included both from the private and public sector with over \$450K annual operating budget

**PERSONAL & SIGNIFICANT STUDENT ACCOLADES & AWARDS:**

- USGBC Center for Green Schools Trailblazing Teacher of the Year 2014
- Presidential Innovation Award for Environmental Educators @ White House (Honorable Mention) 2014
- Federal ED Green Ribbon School Award 2013
- Alliance for Climate Education (ACE) Teacher of the Year 2013
- New England Environmental Education Alliance (NEEEA) Formal Teacher of the Year 2013
- Manchester Volunteer of the Year 2013
- New England Aquarium Ocean Stewardship Award & Honorable Mention 2013
- Leadership Award 2010 by MassDEP & MassRecycle

- School Recycling 2010 Award by MassDEP & MassRecycle
- GreenSchools Green Difference Awards:
  - Outstanding Green Community Hero, Outstanding Green Student, Outstanding Green-O-Vation Program, Outstanding Sustainability Leadership 5+ years, Outstanding Green Program Director – 2015
  - Outstanding Green Team 2013 & 2014
  - Student Ambassadors Award 2011, 2012, 2013, 2014
  - Green Leader Green Scholars Advisors 2012
  - Outstanding Scholars 1.0 Green Program 2011
  - Outstanding Green School 2010
  - Green Apprentices 2014
- Commonwealth of MA Commitment to Environmental Stewardship 2010, 2011, 2012, 2013
- Commonwealth of MA Excellence in Energy and Environmental Education 2012, 2013, 2014, 2015
- Scholars won US (EPA) President's Environmental Youth Award (PEYA) 2011, 2012, 2013, 2014, 2015
- Two Scholar awards at the White House in Washington, DC

### **CERTIFICATIONS & LICENCES:**

- Massachusetts Department of Elementary and Secondary Education (DESE)
  - 6-12 Earth Science
  - K-12 Physical Education
  - K-12 Health/Family Consumer Sciences
  - K-12 Spanish
  - Middle School General Curriculum
  - Elementary General Curriculum
- Project Adventure Level II Trainer
- CPR, First Aid, & Wilderness First Responder
- English Language Learners (ELL) English Language Proficiency Benchmarks and Outcomes
- Massachusetts Boater Certification

### **EDUCATION:**

*Salem State University, Salem, MA*

- M.Ed. Physical Education 2011
- M.Ed. Elementary Education (magna cum laude) 2003
- BA Business, Speech Communication, & Spanish (cum laude) 1996

### **PRINCIPLE PRESENTATIONS @ CONFERENCES:**

The MERSD Green Team has been asked to present at many conferences in New England:

- Educators Summit Local Solutions: Northeast Conference on Climate Change Preparedness, Manchester, NH
- Green Schools National Conference, Sacramento, CA
- GreenSchools Summits 2011, 2012, 2013, 2014
- MASS DEP & MassRecycle's Recycling & Organics Conference & Trade Show, 2011, 2012, 2013, 2014
- Mass Environmental Education Society (MEES), Worcester MA.
- Massachusetts STEM Summit Foxborough, MA
- NYSAR3 Potential New Recycling Hot Spots, Cooperstown, NY
- New England Environmental Education Alliance 2013 Conference & Sustainable Schools Summit
- MA Green Communities Department of Energy Resources (DOER) Green Ribbon 2012 & 2013
- Alliance for Climate Education Waste Reduction & Organics, 2012, Boston, MA
- Massachusetts Association for Superintendents and School Committees
- Mass Agriculture in the Classroom, Boston, MA

Sec. 2-503. - Established; terms; compensation.

- (a) There shall be in the city a commission known as the "Gloucester Clean City Commission," hereinafter called the commission, which shall consist of seven members and two alternates appointed by the mayor and approved by the city council, to serve without compensation.
- (b) The commissioners shall be appointed from a list developed by the mayor through an application process, which shall include public notice as provided in Charter, § 7-6. Said list shall be updated as vacancies on the commission occur. All such appointments by the mayor shall be confirmed by the city council.
- (c) The commissioners shall serve a term of three years; provided, however, that of the members first appointed to the commission, one shall be appointed to a term of one year, two shall be appointed to a term of two years, and two shall be appointed to a term of three years. Thereafter, the mayor shall appoint each successor to a term of three years. In the event of the death or resignation of any member, a successor shall be appointed to serve for the unexpired term for which the member has been appointed.
- (d) The loss of office by a commissioner due to excessive absence shall be governed by Charter, § 7-14.  
(Ord. No. 20-1996, § I, 7-9-1996; Ord. of 10-9-2001(01), § I)

Sec. 2-504. - Qualifications of commissioners.

- (a) Commissioners shall be residents of the city at the time of their appointment and throughout their tenure.
- (b) Commissioners shall be representative of the citizens of the city and may include residents of each of the five wards in the city as well as members of the business and public school communities.
- (c) Commissioners shall swear to uphold the laws of the United States, the commonwealth and the city.  
(Ord. No. 20-1996, § I, 7-9-1996)

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 2, 2016

Ms. Ellen Preston  
64 Sumner Street  
Gloucester, MA 01930

Dear Ellen:

Thank you for your interest in serving on the **Community Preservation Committee**. I have issued you a 90-day temporary appointment to serve on this committee, effective February 14, 2016, which will enable you to attend and vote at meetings. Please report to the City Clerk's office at your earliest convenience to be sworn in.

Your appointment will be forwarded to the City Council for their February 9, 2016 meeting. At that time, your appointment will be referred out to the Ordinance and Administration subcommittee, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require any additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the Community Preservation Committee. I truly appreciate the hard work and dedication you and your colleagues on this important committee will offer on behalf of the City of Gloucester.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large loop at the beginning.

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Tom Daniel, Community Development Director

**Ellen G. Preston**  
**64 Sumner Street**  
**Gloucester, MA 01930**  
**(978) 281-1533**

January 6, 2016

Mayor Sefatia Romeo Theken  
City Hall  
9 Dale Avenue  
Gloucester, MA 01930

Dear Mayor,

Debbie Laurie has informed me that there will be two openings on the Community Preservation Committee, and asked if I would be interested in filling one. I told her yes, I would be very interested.

Being on the Gloucester Fishermen Athletic Association board and the Gloucester Education Foundation Programs Committee has not only helped give me a good understanding of the appropriation of funds, but also an even greater appreciation for our city!

I look forward to hearing from you. Best wishes for the New Year!

Sincerely,



Ellen Preston

*Ellen G. Preston  
64 Sumner Street  
Gloucester, MA 01930  
(978) 281-1533*

**Qualifications:**

- 14 years municipal work in Gloucester, MA
- Over 20 years of academic, athletic and administrative experience

**Experience:**

- Part time: Gloucester City Clerk's Office, Health Dept., Building Dept. 2009-2012
- Gloucester Community Development - Assistant City Planner 2001-2009
- Gloucester City Clerk's Office, Senior Clerk 1999-2001
- Elliott Shipping Co., Cape Canaveral, FL, Clerk 1994-1997
- Pingree School, South Hamilton, MA 1970-1994  
- Latin/Greek Teacher; Field Hockey/Lacrosse Coach; Athletic Director
- Director of Maine Indian Camp, Quebec Labrador Foundation 1977-1982

**Professional Affiliations:**

- Gloucester Education Foundation 2014 to present
- Gloucester Fishermen Athletic Association 2011 to Present
- Quebec-Labrador Foundation, Ipswich, MA 1990 to Present

**Volunteer Work:**

- Open Door, Food Pantry 2014 to Present
- Coach: O'Maley Field Hockey; Cape Ann Youth Lacrosse 2012 to 2015
- Gloucester High School Girls Lacrosse Coach 2000-2002

**Education:**

- Columbia University: B.S.
- Bowdoin College: NEH Grant for Greek Institute

Sec. 2-533. - Membership, terms and compensation.

The community preservation committee shall consist of nine members, all of whom shall be residents of the city. Committee members shall be appointed by the mayor and confirmed by the city council for a period of three years expiring on February 15. The committee shall be composed of the following:

- (1) Four members shall be members of the boards and commission as required by the Community Preservation Act, M.G.L. c. 44B, § 5 and appointed by the mayor subject to confirmation of the city council. If a statutory board or commission no longer functions or exists within the city then the mayor shall appoint a member from the general public who has expertise or performs like duties as the board or commission. Each board or commission shall submit the name of one of its members to sit on the committee within 45 days of a vacancy of the statutory membership. The statute directs that a member from each of the following shall be designated as a member of the committee:
  - a. One member of the conservation commission as designated by the commission.
  - b. One member of the historical commission as designated by the commission.
  - c. One member of the planning board as designated by the board.
  - d. One member of the parks and recreation department.
  - e. One member of the housing authority as designated by the authority.
- (2) There shall be four members of the general public not currently holding elected or appointed office, as appointed by the mayor.
  - a. The at-large members may include citizens who have expertise or demonstrated interest in open space, recreation, historic preservation, affordable housing and municipal finance and fiscal accounting practices.
  - b. To the extent possible, the members of the committee will be selected so that the five wards are fairly represented.

The commission and boards which may designate a member for appointment shall do so within 45 days of the effective date of the ordinance from which this division is derived and shall forward the names to the mayor. Should a commission or board fail to designate a member for appointment within 45 days, the mayor shall appoint the member from the general public. Should a member from a designated commission or board be no longer able to serve on the preservation committee, the mayor shall appoint a successor member.

- (3) All committee members shall serve on the committee without compensation.

(Ord. of 2-10-2009(03), § 2-515)

Sec. 2-534. - Terms of office; officers; vacancies.

- (a) *Terms.* The term of office for each member of the committee shall be three years. No member shall serve more than two terms. In order to stagger the terms of the members, the terms of the initial appointments shall be as follows:

- (1) The historic commission member, the conservation commission member, two at-large members appointed by the mayor shall serve for three years;
- (2)

The housing authority member, the planning board member and one at-large member appointed by the mayor shall serve for two years;

- (3) The parks and recreation member and one at-large member appointed by the mayor shall serve for one year.

For purposes of this subsection, the initial one- and two-year appointments shall be deemed not to constitute full terms.

(b) *Officers.*

- (1) The committee shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations and establish any subcommittees as it deems appropriate.
- (2) A committee member may serve as chairperson for two consecutive years, after which he shall not be eligible to be nominated for the same position. However, a two-thirds vote of the committee can waive this provision.

- (c) *Vacancies.* Any vacancy shall be filled by the respective board, commission, authority or mayor for the remainder of the unexpired time. In the event that a committee member is unable for any reason to complete serving a term, whether by failure of reappointment to his underlying board, commission or authority, or otherwise, the board, commission or authority responsible for designating said committee member shall forthwith designate another of its members to complete the remainder of the term.

(Ord. of 2-10-2009(03), § 2-516)

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

January 28, 2016

Mr. Robert Quinn  
150 Cherry Street  
Gloucester, MA 01930

Dear Bob:

Thank you for your interest in serving on the City of Gloucester's **Council on Aging**. I am pleased to appoint you to a three year term on the COA. So you can attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment.

Your appointment will be forwarded to the City Council for their meeting of February 9, 2016 and will be referred out to the next Ordinance and Administration subcommittee meeting. You will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

At your convenience, please report to the City Clerk's office to pick up your appointment card and be sworn in.

Thank you again, Bob, for volunteering your time on behalf of the City of Gloucester. I look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

Sincerely,

A handwritten signature in black ink, appearing to read "Stefania Romeo Theken". The signature is fluid and cursive, written over a large, stylized flourish.

Stefania Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Lucy Sheehan, Senior Center Coordinator

Robert P. Quinn

150 Cherry St.

Gloucester, MA 01930

January 5, 2016

Tel 978-281-1408

Office of the Mayor

Mayor Sefatia Romeo Theken

9 Dale Ave

Gloucester, MA 01930

Subject: Request to be appointed a member of the Council on Aging

Dear Mayor Theken.

I am a senior citizen age 83 and have been volunteering my time to help my fellow citizens. I have volunteered to Cape Ann TV for 14 years and video taped over 350 programs for the Sawyer Free Library and the Cape Ann Historical Museum.

Recently I have been taking art lessons at the Baker Center and was approached by management to join the Council of the Aging. Since I have been involved in assisting the elderly in the City of Gloucester and being a senior citizen and retired, I am interested in joining the Council of Aging. I am, at this time asking if you could appoint me to this committee. With my experience in Industrial Management and local business I feel I can contribute to this committee and support the citizens of Gloucester.

I am a member of the Cape Ann Amateur Radio Association, a Past President of the Magnolia Lions Club and have been a supporter of Val Gilman, the Ward 4 Councilor and supply her name as a personal reference.

If you have any questions or comments, I can be reached at the address above.

Sincerely yours,



Robert P. Quinn

Sec. 2-440. - Established; composition; appointment and terms of members.

There is hereby established a council on aging governed by a board of directors of up to 11 members. The director of public works, the chairperson of the board of health or their respective representatives, shall serve as ex officio members of the board of directors. The board of directors are further governed by the council on aging bylaws created in November of 2004.

(Code 1970, § 2-343; Ord. of 2-22-1977, § 1; Ord. of 5-27-1986, § 1; Ord. of 2-1-2005(01), § 1(2-440))

**State Law reference—** Municipal authority to establish council for the aging, M.G.L. c. 40, § 8B.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

February 2, 2016

Mr. William Fonvielle  
27 Old Salem Road  
Gloucester, MA 01930

Dear Bill:

Please accept my sincere thanks for your interest in serving on the **Stage Fort Park Advisory Committee**. I am pleased to appoint you to a three term as an **at large** member on this committee and will be forwarding your appointment to the City Council for their meeting of February 9, 2016. Your appointment will be referred to the next Ordinance and Administration subcommittee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Until your appointment confirmation is finalized by the City Council, I have issued you a 90 day temporary appointment. Please report to the City Clerk's Office at your earliest convenience to pick up your appointment card and be sworn in.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to working with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council

## Christine Pantano

---

**From:** William Fonvielle <bill@performancemeasures.com>  
**Sent:** Friday, January 15, 2016 12:07 AM  
**To:** Sefatia Romeo Theken; Jim Destino  
**Subject:** Membership Application  
**Attachments:** Membership Application.docx

Dear Sefatia,

Attached is my application for your appointment as a member of the Stage Fort Park Advisory Committee. By way of background, at the last Council meeting, the Council approved an ordinance change that in effect created two new mayoral appointments and at the same time specified that the Council and DPW representatives would become non-voting ex officio members. The impetus for this was a feeling by some members of the Farmers' Market that it should have a designated seat on the committee. They approached then Councilor Verga who introduced an order to this effect. However, this was opposed unanimously by the Advisory Committee for a number of good reasons, the logic of which persuaded O&A to strike that provision from the proposed ordinance change. Councilor Verga agreed to this as well. However, the other proposed changes were accepted and recommended to the full Council.

Please let me know your intentions on this matter.

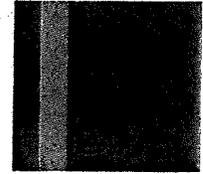
*William (Bill) Fonvielle*

President, Performance Measurement Associates  
27 Old Salem Road  
Gloucester, MA 01930  
1-978-837-2108



**William Fonvielle**

27 Old Salem Road - Gloucester, MA 01930  
978-281-1650 - bill@performancemeasures.com



January 14, 2016

Honorable Mayor Sefatia Romeo-Theken  
Gloucester City Hall, 3 Dale Avenue  
Gloucester, MA 01930

Dear Mayor Theken,

I am requesting appointment to the Stage Fort Park Advisory Committee. The action taken by the City Council at its January 12<sup>th</sup> meeting amending GCO Chapter 15 concerning the membership of the Committee created two new mayoral appointments. I am applying for one of these new positions as a citizen at large.

I believe my qualifications are well known to you and your office. I have served since the initiation of the Committee as the Council's representative, and have been an active and I believe, effective member. Thus, my appointment would provide continuity. I am also a user and a neighbor of the park; indeed, I can see much of it from my bedroom window. I look forward to helping prepare the park to become the centerpiece for Gloucester's 400<sup>th</sup> anniversary celebration.

Warm regards,

*William Fonvielle*

William Fonvielle





**Gloucester City Council**  
**CERTIFICATE OF VOTE**  
**Certificate Number: 2016-011**

The Gloucester City Council, at a meeting held on **Tuesday, January 12, 2016** at 7:00 p.m. in the Kyrouz Auditorium, City Hall, voted to approve the following:

**IN CITY COUNCIL:**

On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Sec. 15-2 Composition; requirements; tenure by DELETING 15-2(a) and ADDING new 15-2(a) as follows:

“The Stage Fort Park Advisory Committee shall consist of up to nine members appointed by the Mayor and approved by the Council to a term of up to three years. Voting members shall represent the organizations with direct interest of the park and to the extent possible including representatives of the Gloucester Rotary Club, Gloucester Dog Park, Gloucester Little League, Friends of Stage Fort Park, recreation and gardening, and landscaping. Additional voting members may be “at-large” residents of the city. Additionally, the DPW Director, or his designee, as well as a City Councilor appointed by the Council President shall serve as non-voting ex officio members.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Sec. 15-2 Composition; requirements; tenure by ADDING new Sec. 15-2(b) as follows: “At the first of each calendar year the Committee shall elect from among their members a Chair, Vice-Chair and a Secretary.”

Linda T. Lowe, City Clerk

Date: JAN 14 2016

APPROVED BY THE MAYOR

Sefatia Romeo Theken

VETOED BY THE MAYOR

Sefatia Romeo Theken

SIGNED THIS 14<sup>th</sup> DAY OF JANUARY, 2016

All Ordinances shall become effective 31 days after passage except  
Emergency Orders and Zoning Amendments shall become effective the next day.

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 3, 2016

Mr. Robert Alves  
55 Perkins Street  
Gloucester, MA 01930

Dear Bob:

Thank you for your interest in serving on the City of Gloucester's **Waterways Board**. I am pleased to appoint you to a one year term as an Economic Development member of the Board, with a term to expire February 14, 2017. You will be filling the unexpired term of Robert Gillis who has resigned from the Board.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment effective February 14, 2016. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any additional information, please feel free to contact my office.

Thank you again.

Sincerely,

A handwritten signature in black ink, appearing to read "Sefatia Romeo Theken". The signature is fluid and cursive, with a large initial "S".

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Ralph Pino, Chair-Waterways Board

**Robert J. Alves**  
55 Perkins Street  
Gloucester, MA 01930  
Phone: (617) 899-3075  
Email: [captria@comcast.net](mailto:captria@comcast.net)

## **CAREER SUMMARY**

National Account Executive experienced in qualifying, building, managing, selling, consulting to Fortune 100 enterprise application, storage, web and E-Commerce marketplace

## **CORE COMPETANCIES**

Enterprise Software Sales	Web Performance Management	Professional Services Sales
eCommerce	F500/SMB Account Development	Start-up Sales
Capacity Planning	Application Performance	Strategic Alliances
Storage Management	Large Transaction Sales	SaaS

## **Experience**

**April 2008 – April 2010**

**BMC Software**

**Weston, MA**

Software Company offering End-User Experience Web performance monitoring to manage optimize and troubleshoot global web applications. Responsibilities included developing Eastern Canada sales region.

### Territory Sales Executive

- Attained 100% revenue growth closing
- Initiated partnership with “Scalar Decisions” as the exclusive Canadian VAR. Worked with Scalar CEO and VP Sales coordinating all sales, technical support, marketing, seminars, presentations, etc. Introduced Scalar to Rogers.com and Indigo Books and Music (\$400K+)

**Feb 2004 – March 2008**

**BEA SYSTEMS**

**Burlington, MA**

World leading Application-SOA Software provider.

### Major Account Executive

- Closed (\$1.6M) JP Morgan Invest opportunity while initiating CSC business partnership
- Exceeded \$1.8M quota 2003, 2004 (132%), 2005 (140%)
- Recognized at 2005 Eastern US Sales Directors meeting for expanding JP Morgan Invest footprint (400%)
- Selected to join JP Morgan Global Account Management Team
- Closed \$1M EMC opportunity while initiating business partnership with Accenture
- Closed \$1M Tufts Health Plan opportunity

**Jan 2002 – Dec 2003**

**Traveled throughout Europe satisfying a lifelong dream to experience other cultures and countries**

**Jan 1987 – Nov 2001**

**BMC SOFTWARE**

**Waltham, MA**

Leading provider of enterprise-management solutions enabling system-wide availability and “what-if” capacity planning solutions. BMC Software purchased BGS Systems in 1995

**Exceeded sales quota annually "10" consecutive years in multiple domestic territories**

**AT&T Wireless National Account Manager 1997 - 2001**

- Starting at ground level grew AT&T Wireless sales \$800K (1997), \$1.5M (1998), \$1.9M (1999), \$21M AT&T Wireless ELA (2001)
- "Senior Vice President Sales Award" (1999), (2001) In addition to President Club, given to top 5% of overall BMC Sales Executives Worldwide
- Selected to join AT&T National Account Sales Team

**National Account Manager 1993 - 1996**

- Ranked #2 Sales Executive 1993, 1994 (22 Sales Executives)
- Ranked #1 Sales Executive 1995, 1996 (22 Sales Executives)
- Averaged 150% of 1M+ Quota

**Account Manager 1987-1992**

- Tele-marketing Minnesota, Wisconsin and Florida
- Opened and developed sales regions via cold-calling and mailing campaigns
- Exceeded Quota Annually 100%

**EDUCATION**

**Boston College**

**Bachelor Arts Degree**

**Chestnut Hill, MA**

**INTERESTS**

**Boating, Skiing, Karate, Cooking, Travel**

**References furnished upon request**

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

February 3, 2016

Captain Phil Cusumano  
5 Seaview Road  
Gloucester, MA 01930

Dear Phil:

Thank you for your interest in once again serving on the City of Gloucester's **Waterways Board**. I am pleased to appoint you to a three year term as a Fishing member of the Board, with a term to expire February 14, 2019.

In order for you to attend and vote at meetings until your appointment confirmation is finalized, I have issued you a 90 day temporary appointment effective February 14, 2016. Please report to the City Clerk's office to pick up your appointment card and be sworn in at your earliest convenience.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require any additional information, please feel free to contact my office.

Thank you again.

Sincerely,

Sefatia Romeo Theken  
Mayor

cc: Mayor's Report to the City Council  
Ralph Pino, Chair-Waterways Board

**Captain Phil Cusumano**  
5 Seaview  
5 Seaview Road, Gloucester, MA 01930  
508-284-7445  
[www.PhilCusumanoArt.com](http://www.PhilCusumanoArt.com)

I am writing this letter to you as a letter of interest to become a member of the Waterways Board. Captain Phil Cusumano is a U.S.C.G. licensed Master 100 ton near Coastal (out to 200 miles offshore). He is a member of The Maritime Consortium.

Currently I am full time Captain during the summer for a 60' Offshore M/V Whole Life out of Boston. In his off time he is Captain of the triple screw Privateer IV, a 110' tour and charter boat and the 95' Privateer for Seven Seas Gloucester. Capt. Phil also teaches onboard, one on one, to anyone wishing to learn docking, close quarter maneuvering, trip planning and navigation.

I am a marine artist as well as a sea captain. He has lived the life of his subject matter, commercial fishing. His paintings document the fishing industry from the era of the tall ships to the present day.

Due to his continuing love and passion for the ocean, he pursued his Captain's license and then became cofounder of North Star Yacht Deliveries, Inc., and On the Water Training, "a state of the art" delivery and teaching service. The delivery service specializes in the over the water transport of large and small yachts, power or sail, commercial or private. The teaching is specifically designed to individual training of the boat owner on board his or her own boat to assist in making boating a safe and pleasurable boating operation and experience. He was past captain of Sea Song III, a 48' Carver Motor Yacht hailing Gloucester Harbor, MA for 5 years until its sale in the summer of 2002.

With boats ranging from 35' to 125' I has navigated from New England to Florida and the Keys, the Great Lakes, St. Lawrence Seaway (Thousand Island area), Welland Canal, the New York Canal System, as well as the Hudson River from Lake Champlain to New York Harbor. In total he has spent forty years on the water and in the boating community.

As the commercial fishing industry became more and more challenged with government regulations and as fishing stocks dwindled, I decided to put his creative art background to work and opened a small business as a graphic designer for twelve years. During this time he also continued painting, his primary medium being oils. In total he has spent forty years on the water and in the boating community.

I am writing this letter to you as a letter of interest to become a member of the Waterways Board.

I was born and raised in Gloucester and have lived here for almost sixty four years. Having been involved in the fishing and boating industry on Cape Ann for most of my life I am very interested in the development of the harbor.

I have been very active in the community and involved in many committees one of which was the 375th Anniversary committee. At that time we worked very hard to get the USS Constitution to the city and almost succeeded. A visit from this great ship would have given Gloucester a tremendous boost in revenue at that time.

For fifteen years I was president of Fish Box Derby, Inc. In addition, I was a member of the Seafood Festival in its first three years and then the Parade of Lights committee for eight years. Most recently, as you know I participated on the Harbor Panel which is still meeting.

As a marine artist I also have a deep appreciation for the beauty of Gloucester and need to keep the integrity of the harbor while at the same time looking for ways to improve its function.

I am interested and committed to the present and future development of the harbor and feel that all my experiences as an active member on committees would also be of benefit on the Waterways board.

Thank you for your consideration,

Capt. Phil Cusumano

Sec. 10-1. - Waterways board.

The purposes of the waterways board is to provide a broad-based citizen management organization that guides the use and development of the city's waterways and public waterfront facilities. The waterways board shall be the city body which establishes policies and regulations for the city's waterways. It is intended that the board adopt clear, concise and fair policies and regulations that promote improved access to the water for all citizens, including commercial fishermen, business owners and recreational boaters. In cooperation with the harbormaster and other city staff, the board is intended to ensure that our waterways are well planned and maintained, utilized to the maximum extent possible, safe, and reflect positively upon the city.

(Ord. No. 17-1993, 12-14-1993)

Sec. 10-2. - Composition and term.

- (a) *Composition.* The city waterways board shall consist of nine citizens of the city appointed by the mayor and confirmed by the city council. The appointees shall include three persons who are directly involved with the fishing industry, two persons who are recreational boaters, two persons who are directly involved with economic development of the city, and two persons at large who need not be involved with any marine-related activity.
- (b) *Term.* The term of all members shall be three years except that the initial terms shall be staggered so that the terms of no more than three members shall terminate in any one year. If a member resigns or is removed for any reason before his term expires, the mayor shall appoint a replacement within one month of the vacancy. Said appointment must be confirmed by the city council. Members of the waterways board and its standing committees shall be volunteers who are not compensated.

(Ord. No. 17-1993, 12-14-1993; Ord. of 9-27-2011)

# **ENCLOSURE 9**



**Kenneth E. Lento**  
Project Manager  
NE Site Investigation and  
Remediation Group

VIA USPS  
February 1, 2016

Mayor Sefatia Romeo Theken  
City Of Gloucester  
9 Dale Avenue  
Gloucester MA 01930

RE: Status Update  
National Grid Remediation Project, Harbor Loop, Gloucester

Dear Mayor Theken:

This is an update regarding the status of the National Grid Remediation Project along Harbor Loop in Gloucester as of mid-January 2016. You are receiving this notice as an abutter to the project, or because you have expressed interest in receiving updates about the progress of the work.

**Dredging:** The project involves dredging of approximately 25,000 cubic yards of contaminated sediment from Gloucester Harbor. The permits for the project have Time-of-Year restrictions which require that dredging be completed by February 14 of each year. To date, approximately 12,000 cubic yards of sediment have been dredged and loaded into scows. The wet sediment is allowed to settle within the scow, and the excess water is pumped to a water treatment system located on another barge near the Site. The water is discharged back into Gloucester Harbor after treatment. Approximately 1.5 million gallons of water has been treated to date. The sediment is then shipped via barge to a licensed facility in New Jersey for processing and disposal. Based on the current production rates, we anticipate that more than half of the total volume will be dredged and the dredging to be performed within the channel portion of Gloucester Harbor will be completed during the first work season. This will leave the remainder of the sediment near the shoreline area of the site to be removed during the second dredging season. The second dredging season will start in July 2016 and will continue into February 2017.

**Solomon Jacobs Park Seawalls:** This is one of the very technically challenging components of the project: it involves constructing a deep excavation support system behind the old granite block walls, removing the outer walls and the soil behind them, and then rebuilding a new seawall along the park perimeter. To allow access to this area for barge-mounted equipment, the timber pier in front of the park was removed in the fall 2015. The excavation support system was completed in December and is visible from the harbor during low tide – it consists of a series of grout-filled steel piles, with steel plates below the high-water mark and wooden boards above, and steel rods connecting this system to weighted concrete blocks buried behind the plates. This support system allows the excavator to safely dig down to the depths required to pour concrete for the base of the new walls. The concrete base of the new seawall will be almost 8 feet below the low tide mark, so much of the work must be coordinated with the tides and/or conducted under water, with divers inspecting the underwater work. As of late January, two-thirds of the concrete base has been completed, with the top surface just below the low water mark. It is anticipated that the entire concrete base will be completed, and that the bottom blocks of the granite block wall will start to rise above it, within the next several weeks.

The project is on track to complete reconstructing these seawalls by mid-May 2016. Over the next several weeks, steel piles will be installed in front of the new park seawalls to support a floating dock system for the City of Gloucester. The floats will be installed in May 2016 so that the park can re-open to use by the public in the summer.

**Harbormaster Building Seawall:** The project involves building a new steel-pile-supported seawall in front of the Harbormaster Building extending onto Maritime Gloucester. This task is complicated by the age and condition of the existing granite wall, the presence of the building adjacent to the wall, the limited access available for large equipment, and extremely large boulders beneath the wall and directly in front of the wall that are submerged below the floor of the harbor. Initial piles have been installed in front of the Maritime Gloucester Boat House building and in front of one corner of the Harbormaster Building. Additional piles may be driven before February 14, when work will be suspended in accordance with the Time-of-Year restrictions. Starting in fall 2016, temporary in-water supports will be built so that specialized equipment can be used to complete the wall construction during the second work season.

**United States Coast Guard:** The rehabilitation of USCG Pier 2 is progressing, with new cross-bracing and fender piles installed at this location. Once complete, a temporary docking system will be built in front of Pier 2. This will provide an alternative location for the Coast Guard to dock their vessels during the second work season, when the nearshore sediments on their property are being dredged.

**Maritime Gloucester:** For safety reasons, the area in front of the Boat House is currently restricted to remediation crew and equipment. Therefore, a new landing and stairs were built on the north side of the Boat House for access into the building, and a new landing was added to one of the finger piers to allow gig rowers continued access to the harbor. Limited pile-driving may be conducted in front of the Maritime Gloucester seawall over the next several weeks, but most of the remediation at this property will be conducted during the second work season.

**Environmental Controls:** The orange booms floating around each of the remediation work areas in the harbor are the tops of in-water curtains designed to control turbidity (suspended particles in the water column) and sheens generated during dredging, drilling, pile driving, and excavation. Absorbent booms at the water surface act as a sponge to collect sheens, and are regularly inspected and replaced as necessary. The underwater curtains are also inspected for snagging on underwater obstructions, and are adjusted as needed to allow them to move freely with the tides.

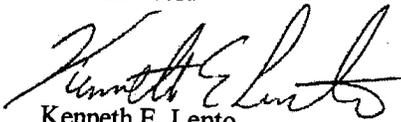
Throughout the work, regular readings are taken to monitor dust levels, noise levels and vibrations around the work area. The air quality is continuously monitored by an automated system of sensors to protect the safety of both the workers at the site and occupants of surrounded properties.

More detailed information about the project, including plans and permits, can be found at the project website: [www.gloucestermgpsite.com](http://www.gloucestermgpsite.com). We will also be uploading photos of the work to the website.

We will send out informational notices prior to and following each significant new phase of work. If you would like to unsubscribe from this mailing list, please contact me at: [Kenneth.Lento@nationalgrid.com](mailto:Kenneth.Lento@nationalgrid.com) or 781-907-3655.

Sincerely,

National Grid

  
Kenneth E. Lento  
Project Manager

Cc: File

City Hall  
Nine Dale Avenue  
Gloucester, MA 01930



CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

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

CITY CLERK  
GLOUCESTER, MA  
16 JAN 28 PM 3:21

January 28, 2016

Mr. Charles Marcous  
20 Ocean Avenue  
Magnolia, MA 01930

Dear Mr. Marcous:

I am writing in response to your appearance before the City Council during Oral Communications on January 26th. In your comments, you expressed concern regarding the closing of the Magnolia Fire sub-station.

As the Chief explained, this is a complex issue to which the City has committed substantial resources in order to address staffing problems over the past two years. The unusually high number of injuries within the department, as well as the new contract language, has made it extremely difficult to have the station open 100% of the time. We continually look for opportunities to make city government efficient and fund public safety to the level our residents deserve.

Sincerely,

James Destino  
Chief Administrative Officer

cc: Sefatia Romeo Theken, Mayor  
Gloucester City Council  
Eric Smith, Fire Chief



**GLOUCESTER CITY COUNCIL**  
9 Dale Avenue, Gloucester, MA 01930

CITY CLERK  
GLOUCESTER, MA  
16 FEB -4 PM 2:43

## MEMORANDUM

**FROM:** Joe Ciolino, Council President  
**TO:** City Council  
Mayor  
**Date:** February 3, 2016  
**Re:** Appointment of City Council Representative to Boards, Commissions and Committees

In accordance with the GCO Waterways Administration Sec. 10.4(3), I hereby appoint Ward 3, Councilor Steve LeBlanc, to be the representative on the Waterways Board.

In accordance with the GCO Stage Fort Park Advisory Committee Sec. 15.2, I hereby appoint Ward 5 Councilor, Sean Nolan, to be the representative on the Stage Fort Park Advisory Committee.

In accordance with the GCO Magnolia Woods Oversight and Advisory Committee Sec. 2.556 (a), I hereby appoint Ward 5 Councilor, Sean Nolan, to be the representative on the Magnolia Woods Oversight and Advisory Committee.

In accordance with the GCO Downtown Development Commission Sec. 2-492(a), I hereby appoint Ward 2 Councilor, Melissa Cox, to be the representative on the Downtown Development Commission.

In accordance with the GCO Poet Laureate established Sec. 2-514 (3), I hereby appoint Councilor at Large, Paul Lundberg, to be the representative on the Poet Laureate Selection Committee.

In accordance with GCO Sec. 2-472, I hereby appoint Councilor at Large, Joseph M. Orlando, Jr., to be the representative on the Tourism Commission.

In accordance with the Council on Aging By-Laws, I hereby appoint Ward 4 Councilor, Valerie Gilman, to be the representative on the Council on Aging Board.

In accordance with the Acts of 1956 and subsequent Acts relating to the Gloucester Fisheries Commission, I hereby appoint Ward 1 Councilor, Scott Memhard, to be the representative on the Fisheries Commission.



**THE GLOUCESTER PUBLIC SCHOOLS**  
GLOUCESTER SCHOOL COMMITTEE

Jonathan Pope, Chairperson

Kathleen A. Clancy, Vice-Chairperson

Sefatia Romeo Theken, Mayor of Gloucester  
Joel Favazza  
Anthony Gross  
Michelle Sweet  
Melissa Teixeira

2 BLACKBURN DRIVE  
GLOUCESTER, MASSACHUSETTS 01930

TEL: 978-281-9800  
FAX: 978-281-9899  
WWW.GLOUCESTERSCHOOLS.COM

February 3, 2016

Mr. Joseph Ciolino  
President  
Gloucester City Council  
9 Dale Avenue – City Hall  
Gloucester, MA 01930

CITY CLERK  
GLOUCESTER, MA  
16 FEB -3 PM 2:41

Dear Council President Ciolino:

On behalf of the West Parish Building Committee, School Committee, and Superintendent Safier, I am inviting the City Council to take a tour/walk-through of our new West Parish Elementary School on Thursday, February 11, 2016, at 4 pm.

If you have any questions, please call me at 978-985-1007.

Thank you!

Sincerely,

Jonathan Pope  
Chairperson

**GLOUCESTER CONTRIBUTORY RETIREMENT SYSTEM BOARD**

**P. O. Box 114**

**GLOUCESTER, MA 01931-0114**

*Patricia Ivas, Administrator*

Tel: (978) 281-9744 Fax: (978) 281-9817

*Katie Mahan, Asst. Administrator*

*Chairman Douglas A. MacArthur*

**Board Members:**

*Edward Hardy*

*Kenny Costa*

*Melissa Hobbs*

*Leonard Campanello*

February 1, 2016

Joseph Ciolino  
Council President  
Gloucester City Council  
City Hall, 9 Dale Avenue  
Gloucester, MA 01930

16 FEB -6 PM 5:27  
CITY CLERK  
GLOUCESTER, MA

Dear President Joseph Ciolino:

In accordance with M.G.L. Chapter 32, section 103 (i), the Gloucester Contributory Retirement System Board hereby notifies the Gloucester City Council that the Board will hold a public meeting to decide whether or not to grant a COLA and the amount of that increase.

The public meeting will be held at the Gloucester Retirement Office on Wednesday, March 30, 2016 at 3 p.m. at 127 Eastern Avenue, Cape Ann Marketplace, Lower Level.

Sincerely,



Patricia Ivas  
Administrator

cc: Mayor Sefatia Romeo Theken



FOR YOUTH DEVELOPMENT  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

**Cape Ann YMCA**  
71 Middle Street  
Gloucester, MA 01930  
978.283.0470  
fax 978.283.3114

January 2016

Cape Ann YMCA

Gloucester, MA 01930

**Greater Beverly YMCA**  
254 Essex Street  
Beverly, MA 01915  
978.927.6855  
fax 978.927.6530

The Cape Ann YMCA is asking the Gloucester City Council to approve the use of roads, Good Harbor Beach Parking Lot and restroom facilities to conduct a The Backshore 5 Mile Road Race on Friday, May 6, 2016. We expect 300-400 participants.

**Haverhill YMCA**  
81 Winter Street  
Haverhill, MA 01830  
978.374.0506  
fax 978.373.0710

Race Schedule and Route

**Ipswich Family YMCA**  
110 County Road  
Ipswich, MA 01938  
978.356.9622  
fax 978.356.0625

The race would start near the Good Harbor Beach Footbridge at 6:30pm and finish in the same location at 7:30pm.

**Lynch/van Otterloo YMCA**  
40 Leggs Hill Road  
Marblehead, MA 01945  
781.631.9622  
fax 781.639.0190

We would require no street closures.

**Salem YMCA**  
One Sewall Street  
Salem, MA 01970  
978.744.0351  
fax 978.740.9168

Attached are letters to both the Gloucester Police Department requesting their assistance with traffic at the start and as a lead car and the Gloucester Department of Public Works requesting permission to use the Good Harbor Beach parking lot and restroom facilities.

**YMCA of the North Shore**  
245 Cabot Street  
Beverly, MA 01915  
978.922.0990  
fax 978.922.7602

Barbara Berry  
Race Director  
Cape Ann YMCA  
978.283.0470  
berryb@northshoreymca.org



[www.northshoreymca.org](http://www.northshoreymca.org)

16 FEB - 4 9

16 FEB - 4 PM 4:19

CITY OF GLOUCESTER - SPECIAL EVENTS PERMITS

NAME OF EVENT: Seaside 5 M Race DATE OF EVENT: May 6, 2016

Special Events

Permitting is required for most types of special events. A "Special Event" is an event open to the general public; it can be held on public or private property; it may feature entertainment, amusements, food & beverages; it may be classified as a festival, road race, parade or walk-a-thon. A special event in the City of Gloucester, depending on the size and nature of the event, may require a number of permits or approvals from various departments within the City before it is officially approved and is granted a "special event" permit. Furthermore, special events are also governed by the Gloucester Code of Ordinances §11-8 and §11-10.

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first. The applicant **must complete** a Special Events Application form in advance, including written approvals, (as provided in the application) which includes:

- Date of Event; hours of Event; Rain Date;
- A detailed site plan or map of the area showing all locations for the following: all American with Disabilities Act (ADA) accessibility, pedestrian and fire access, dimensions of stages & tents; type of equipment or generators & the placement of any vendors and any portable toilet facilities (Site plan/map must be 8-1/2 x11 inches and be legible - capable of copy reproduction);
- If the site of the event is privately owned, a letter from the landlord or property owner giving the applicant the right to use the property is required;
- If the event is featuring entertainment, you need to list all performances;
- If the event is featuring amusements, you need to list **all** rides & games;
- If this is the "first year" of your event, please attach any letters of support from local community and business organizations;
- A list of all vendors including food and if propane is used. Vendors will need state or city license before date of event and Health Department approvals;
- Certificate of Insurance listing City as the insured (Certificate Holder).

After the Applicant presents the application to the Special Events Advisory Committee, the applicant is to submit the completed permit form (download at: gloucester-ma.gov or available in City Clerk's office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations, \$50.00 for for-profit organizations, at the City Clerk's office. At that time, an appointment for a review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk, in order to begin the approval process. **All first time applicants must file completed application and finalized at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.**

Linda T. Lowe, City Clerk  
Gloucester City Hall, 9 Dale Avenue  
Gloucester, MA 01930  
PHONE: 978-281-9720  
EMAIL: [llowe@gloucester-ma.gov](mailto:llowe@gloucester-ma.gov)

Hours of Service:  
Monday through Wednesday: 8:30 a.m.-4:00 p.m.  
Thursday: 8:30 a.m. to 6:30 p.m.  
Friday: 8:30 a.m. to 12:30 p.m.

Paul McGeary, City Council President & Councillor Greg Verga, Chair, Planning & Development Committee

Completed copy filed: Date: 1/25/16 Initial: LTL Copy to Applicant: Date: 1/25 Initial: \_\_\_\_\_  
Fee Paid: \$ 25 Date: 1/25 Initial: LTL

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. **NOTE: Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.**

**Approvals Required:** Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of Dept. Head/ Designee	Notes by Department Head or Designee
<u>2/4/16</u>	1. Special Events Advisory Committee _____
	2. Planning & Development Committee _____
<u>2-4-16</u>	3. Gloucester Police Department <u>AK J &amp; MTR</u> Is Police Detail Required? <u>YES</u> No. of Details <u>Watch</u> Traffic, Parking & Transportation _____
<u>2-4-16</u>	4. Health Department <u>Rosabe Nicastro</u>
<u>AK</u>	5. Building Inspector _____
<u>AK</u>	6. Electrical Inspector _____
<u>MC</u>	7. Department of Public Works: _____ Use of City Property: Yes/No Location if yes: <u>GHB LOT / RESTROOMS</u>
<u>VB</u>	8. Gloucester Fire Department _____ Is a Fire Detail Required? _____ No. of Details _____ EMS <input checked="" type="checkbox"/> Use of Propane: _____ (Attach EMS Memo)
<u>2/4/16</u>	9. Licensing Commission (includes vendors) (Through City Clerk: _____)
<u>2/4/16</u>	10. Other <u>Carol Thistle</u> <u>W. Calkott</u>

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

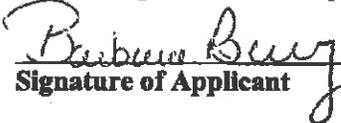
Barbara Berry  
Signature of Applicant

Feb 4, 2016

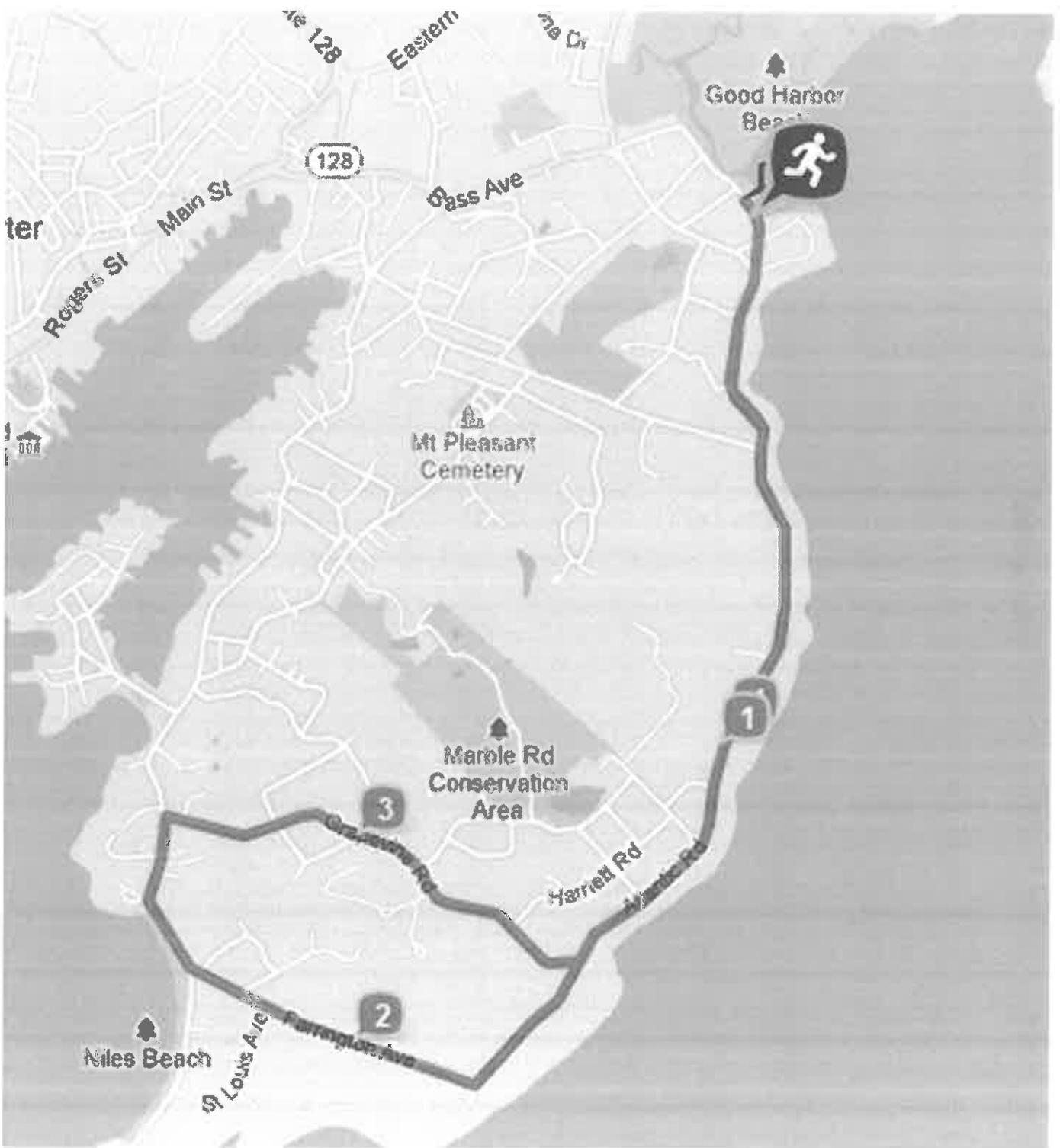
**RESPONSIBILITIES OF APPLICANT**

1. All members of the organizing committee and concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any non-payment of fees to any City department will result in the denial of the application.
3. The applicant is responsible to ensure that there is no illegal activity on the areas under their supervision during the event.
4. All concessions must be stationary and placed in such a way to not hamper the access of pedestrians. They must be placed tight against curbs, not block fire hydrants or sidewalk ramps. Concessions must be moved if in the opinion of City officials on-site they pose a problem for access or public safety. Concessions utilizing compressed gas or generators or propane must comply with the regulations of the City of Gloucester Fire Department and receive approval through the Licensing Commission.
5. Federal & State law requires a minimum of 4 ft. of clear unobstructed sidewalk be available at all times for pedestrians. The applicant must keep sidewalks, ramps and curb cuts clear of any interference from their vendors or their event participants. No storage is allowed on the sidewalk.
6. Any items to be sold must be listed with their prices. All beverages in cans and plastic bottles and must be recycled according to the City of Gloucester recycling guidelines. The use of any type of glass containers is prohibited unless prior approval is granted by the *Department of Public Works*.
7. The applicant will be responsible for any damage to public property caused by the event.
8. All applicants are responsible for filing their applications in a timely manner: First time applicants must file completed application 90 days in advance and have finalized all necessary approvals at least 60 days in advance of their event. Annual event applicants should file completed application 75 days in advance and have finalized at least 45 days in advance. Non-compliance with these deadlines may result in denial of the application.
9. The applicant shall indemnify and hold harmless the City of Gloucester and its employees from any damage it may sustain or be required to pay by reason of said event, or by any reason of any act or neglect by the applicant or their agent relating to such event or by reason of any violation of the terms and condition of this license. Applicant shall also provide a Certificate of Insurance prior to approval by the Planning & Development Committee.
10. The City of Gloucester reserves the right to deny the application at any time.

*I/We fully understand and agree to all the terms set forth in this application. The information that I/We have provided is truthful and accurate. I/We accept all responsibility related to this event.*

  
Signature of Applicant

\_\_\_\_\_, 20\_\_\_\_





**Cape Ann YMCA**  
71 Middle Street  
Gloucester, MA 01930  
978.283.0470  
fax 978.283.3114

**Greater Beverly YMCA**  
254 Essex Street  
Beverly, MA 01915  
978.927.6855  
fax 978.927.6530

**Haverhill YMCA**  
81 Winter Street  
Haverhill, MA 01830  
978.374.0506  
fax 978.373.0710

**Ipswich Family YMCA**  
110 County Road  
Ipswich, MA 01938  
978.356.9622  
fax 978.356.0625

**Lynch/van Otterloo  
YMCA**  
40 Leggs Hill Road  
Marblehead, MA 01945  
781.631.9622  
fax 781.639.0190

**Salem YMCA**  
One Sewall Street  
Salem, MA 01970  
978.744.0351  
fax 978.740.9168

**YMCA of the  
North Shore**  
245 Cabot Street  
Beverly, MA 01915  
978.922.0990  
fax 978.922.7602



**United Way**  
Massachusetts Bay  
Merrimack Valley  
North Shore

FOR YOUTH DEVELOPMENT  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

February 2016

Cape Ann YMCA  
71 Middle St  
Gloucester, MA 01930

Dear Inn Keeper,

This letter is to inform you of the Cape Ann YMCA's upcoming Backshore 5 Mile Road Race on Friday, May 6, 2016. This year marks the 31st running of the event, which raises money for the Y's financial assistance program. This program provides assistance to Cape Ann residents allowing them to take advantage of the Y's membership, programs, camps and childcare.

The race begins at 6:30pm from the footbridge on Nautilus St. and proceeds onto Atlantic Road, continuing on Atlantic, looping onto Grapevine Rd back to Atlantic and then back again to the footbridge on Nautilus St. The race should be completed by 7:30pm, with the bulk of the runners completing the course in about 45 minutes.

Please feel free to make your guests aware that there may be some slight delays on these roads that night. Enclosed are some race registration form for any of your guests that would like to join us or they can simply participate by cheering the runners on!

Feel free to contact me with any questions or concerns.

Have a great summer season!

Barbara Berry  
Race Director  
Cape Ann YMCA  
978.283.0470  
berryb@northshoreymca.org

[www.northshoreymca.org](http://www.northshoreymca.org)



**Cape Ann YMCA**  
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Gloucester, MA 01930  
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fax 978.373.0710

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110 County Road  
Ipswich, MA 01938  
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40 Leggs Hill Road  
Marblehead, MA 01945  
781.631.9622  
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**Salem YMCA**  
One Sewall Street  
Salem, MA 01970  
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fax 978.740.9168

**YMCA of the  
North Shore**  
245 Cabot Street  
Beverly, MA 01915  
978.922.0990  
fax 978.922.7602



**United Way**  
Massachusetts Bay  
Merrimack Valley  
North Shore

FOR YOUTH DEVELOPMENT  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY

January 2016

The Cape Ann YMCA is asking the Gloucester City Council to approve the use of roads and the main courtyard in front of the O'Maley School/Talbot Rink for the 84th running of the Around Cape Ann 25K Road Race and the 13<sup>th</sup> running of the Run the Goose 7K on September 5, 2016. We expect 500-600 participants.

#### **Around Cape Ann Race Schedule**

The race would start at the O'Maley School on the access road in front of the Talbot Rink at 8:00am. The race would end approximately 1:00pm and we would be on the property until 3:00pm.

It is our intent to have a letter from the Director of Public Works, Mike Hale for the use of this school property for the day.

We request permission to post "Runner's in the Road" signs at key locations along the course for safety purposes. These signs would be posted on the morning of September 4, 2016 and removed by 3:00pm that same afternoon.

#### **Run the Goose Race Schedule**

The race would start on Cherry St at the intersection of Cherry and the entrance to the O'Maley School at 8:00am. The race would end approximately 9:30am and we would be on the property until 3:00pm.

Regards,

Barbara Berry, Race Director

Cape Ann YMCA

berryb@northshoreymca.org

[www.northshoreymca.org](http://www.northshoreymca.org)

CITY CLERK  
GLOUCESTER, MA

16 FEB -4 PM 4: 19

CITY OF GLOUCESTER - SPECIAL EVENTS PERMITS

NAME OF EVENT: Around Cape Ann 2K DATE OF EVENT: Sept 5 2016

Special Events

Permitting is required for most types of special events. A "Special Event" is an event open to the general public; it can be held on public or private property; it may feature entertainment, amusements, food & beverages; it may be classified as a festival, road race, parade or walk-a-thon. A special event in the City of Gloucester, depending on the size and nature of the event, may require a number of permits or approvals from various departments within the City before it is officially approved and is granted a "special event" permit. Furthermore, special events are also governed by the Gloucester Code of Ordinances §11-8 and §11-10.

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first. The applicant **must complete** a Special Events Application form in advance, including written approvals, (as provided in the application) which includes:

- Date of Event; hours of Event; Rain Date;
- A detailed site plan or map of the area showing all locations for the following: all American with Disabilities Act (ADA) accessibility, pedestrian and fire access, dimensions of stages & tents; type of equipment or generators & the placement of any vendors and any portable toilet facilities (Site plan/map must be 8-1/2 x11 inches and be legible - capable of copy reproduction);
- If the site of the event is privately owned, a letter from the landlord or property owner giving the applicant the right to use the property is required;
- If the event is featuring entertainment, you need to list all performances;
- If the event is featuring amusements, you need to list all rides & games;
- If this is the "first year" of your event, please attach any letters of support from local community and business organizations;
- A list of all vendors including food and if propane is used. Vendors will need state or city license before date of event and Health Department approvals;
- Certificate of Insurance listing City as the insured (Certificate Holder).

After the Applicant presents the application to the Special Events Advisory Committee, the applicant is to submit the completed permit form (download at: [gloucester-ma.gov](http://gloucester-ma.gov) or available in City Clerk's office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations, \$50.00 for for-profit organizations, at the City Clerk's office. At that time, an appointment for a review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk, in order to begin the approval process. **All first time applicants must file completed application and finalized at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.**

Linda T. Lowe, City Clerk  
Gloucester City Hall, 9 Dale Avenue  
Gloucester, MA 01930  
PHONE: 978-281-9720  
EMAIL: [llowe@gloucester-ma.gov](mailto:llowe@gloucester-ma.gov)

Hours of Service:  
Monday through Wednesday: 8:30 a.m.-4:00 p.m.  
Thursday: 8:30 a.m. to 6:30 p.m.  
Friday: 8:30 a.m. to 12:30 p.m.

Paul McGeary, City Council President & Councillor Greg Verga, Chair, Planning & Development Committee

Completed copy filed: Date: 1/25/16 Initial: LTL Copy to Applicant: Date: 1/25 Initial: \_\_\_\_\_  
Fee Paid: \$ 25 Date: 1/25 Initial: LTL

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. **NOTE:** Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.

**Approvals Required:** Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of  
Dept. Head/  
Designee

Notes by Department Head or Designee

- |                   |   |
|-------------------|---|
| <u>          </u> | 1. Special Events Advisory Committee _____  |
| <u>          </u> | 2. Planning & Development Committee _____   |
| <u>          </u> | 3. Gloucester Police Department _____   |
|                   | Is Police Detail Required? _____ No. of Details _____                                 |
|                   | Traffic, Parking & Transportation _____   |
| <u>          </u> | 4. Health Department _____  |
| <u>          </u> | 5. Building Inspector _____   |
| <u>          </u> | 6. Electrical Inspector _____   |
| <u>          </u> | 7. Department of Public Works: _____  |
|                   | Use of City Property: Yes/No Location if yes: _____                                   |
| <u>          </u> | 8. Gloucester Fire Department _____   |
|                   | Is a Fire Detail Required? _____ No. of Details _____ EMS _____ Use of Propane: _____ |
|                   | (Attach EMS Memo)   |
| <u>          </u> | 9. Licensing Commission (includes vendors) (Through City Clerk: _____                 |
| <u>          </u> | 10. Other _____   |

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

Barbara Berry  
Signature of Applicant

\_\_\_\_\_, 20\_\_

Around the Cape

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. NOTE: Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.

Approvals Required: Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of  
Dept. Head/  
Designee

Notes by Department Head or Designee

- 2/4/16 1. Special Events Advisory Committee \_\_\_\_\_
- 2. Planning & Development Committee \_\_\_\_\_
- 2-4-16 3. Gloucester Police Department A/C J.J. Vetro  
Is Police Detail Required? Yes No. of Details T B S  
Traffic, Parking & Transportation \_\_\_\_\_
- 2-4-16 4. Health Department Rashae Newcastle
- 5. Building Inspector \_\_\_\_\_
- 6. Electrical Inspector \_\_\_\_\_
- 7. Department of Public Works: \_\_\_\_\_  
Use of City Property: Yes/No Location if yes: ONALEY PK LOT
- TA 8. Gloucester Fire Department \_\_\_\_\_  
Is a Fire Detail Required? \_\_\_\_\_ No. of Details \_\_\_\_\_ EMS 1 Use of Propane: \_\_\_\_\_  
(Attach EMS Memo)
- 2-4-16 9. Licensing Commission (includes vendors) (Through City Clerk: \_\_\_\_\_)
- 2-4-16 10. Other Carol Thistle  
JM Caulk & H

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

Barbara Barry  
Signature of Applicant

Feb 4, 2016

**RESPONSIBILITIES OF APPLICANT**

1. All members of the organizing committee and concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any non-payment of fees to any City department will result in the denial of the application.
3. The applicant is responsible to ensure that there is no illegal activity on the areas under their supervision during the event.
4. All concessions must be stationary and placed in such a way to not hamper the access of pedestrians. They must be placed tight against curbs, not block fire hydrants or sidewalk ramps. Concessions must be moved if in the opinion of City officials on-site they pose a problem for access or public safety. Concessions utilizing compressed gas or generators or propane must comply with the regulations of the City of Gloucester Fire Department and receive approval through the Licensing Commission.
5. Federal & State law requires a minimum of 4 ft. of clear unobstructed sidewalk be available at all times for pedestrians. The applicant must keep sidewalks, ramps and curb cuts clear of any interference from their vendors or their event participants. No storage is allowed on the sidewalk.
6. Any items to be sold must be listed with their prices. All beverages in cans and plastic bottles and must be recycled according to the City of Gloucester recycling guidelines. The use of any type of glass containers is prohibited unless prior approval is granted by the *Department of Public Works*.
7. The applicant will be responsible for any damage to public property caused by the event.
8. All applicants are responsible for filing their applications in a timely manner: First time applicants must file completed application 90 days in advance and have finalized all necessary approvals at least 60 days in advance of their event. Annual event applicants should file completed application 75 days in advance and have finalized at least 45 days in advance. Non-compliance with these deadlines may result in denial of the application.
9. The applicant **shall indemnify and hold harmless the City of Gloucester and its employees** from any damage it may sustain or be required to pay by reason of said event, or by any reason of any act or neglect by the applicant or their agent relating to such event or by reason of any violation of the terms and condition of this license. Applicant shall also provide a **Certificate of Insurance** prior to approval by the Planning & Development Committee.
10. The City of Gloucester reserves the right to deny the application at any time.

*I/We fully understand and agree to all the terms set forth in this application. The information that I/We have provided is truthful and accurate. I/We accept all responsibility related to this event.*

  
\_\_\_\_\_, 20\_\_\_\_  
Signature of Applicant

 Head south toward Dr Osman Babson Rd	0 mi (+0.03 mi)
 Continue straight onto Dr Osman Babson Rd	0.03 mi (+0.06 mi)
 Head south on Dr Osman Babson Rd toward Washington St	0.09 mi (+0.1 mi)
 Head west on Dr Osman Babson Rd toward Washington St	0.19 mi (+0.1 mi)
 Head northwest on Dr Osman Babson Rd toward Washington St	0.28 mi (+0.1 mi)
 Head north on Dr Osman Babson Rd toward Washington St	0.38 mi (+0.04 mi)
 Head northwest on Dr Osman Babson Rd toward Washington St	0.43 mi (+0.08 mi)
 Head west on Dr Osman Babson Rd toward Washington St	0.51 mi (+0 mi)
 Turn right onto Washington St Destination will be on the right	0.51 mi (+0.15 mi)
 Head north on Washington St toward Meadow Ln	0.66 mi (+0.11 mi)
 Head northeast on Washington St toward Hodgkins St Destination will be on the right	0.77 mi (+0.1 mi)
 Head northeast on Washington St toward Seeall St Destination will be on the right	0.88 mi (+0.11 mi)
 Head north on Washington St toward Seeall St Destination will be on the right	0.99 mi (+0.11 mi)
 Head northeast on Washington St toward Reef Knot Way Destination will be on the right	1.09 mi (+0.14 mi)
 Head north on Washington St toward Gee Ave Destination will be on the right	1.23 mi (+0.13 mi)
 Head north on Washington St toward Clam Alley	1.37 mi (+0.1 mi)
 Head northeast on Washington St toward Holly St	1.46 mi (+0.1 mi)
 Slight right onto Holly St	1.56 mi (+0 mi)
 Head southwest on Holly St toward Washington St	1.56 mi (+0 mi)
 Sharp right onto Washington St	1.57 mi (+0.12 mi)
 Head northwest on Washington St toward Autumn Ln	1.69 mi (+0.12 mi)

 Head north on Washington St	1.81 mi (+0.14 mi)
 Head north on Washington St Destination will be on the right	1.95 mi (+0.22 mi)
 Head north on Washington St toward Goose Cove Ln	2.16 mi (+0.12 mi)
 Head northwest on Washington St toward Costa Dr	2.26 mi (+0.09 mi)
 Head northwest on Washington St toward Butternut Ln	2.38 mi (+0.15 mi)
 Head north on Washington St toward Bittersweet Rd	2.53 mi (+0.12 mi)
 Head north on Washington St toward Bennett St N	2.65 mi (+0.16 mi)
 Head north on Washington St toward Bennett St N	2.81 mi (+0.12 mi)
 Turn right onto Bennett St N	2.93 mi (+0 mi)
 Head northwest on Bennett St N toward Washington St	2.93 mi (+0 mi)
 Turn right onto Washington St Destination will be on the right	2.93 mi (+0.09 mi)
 Head north on Washington St toward Leonard St Destination will be on the right	3.02 mi (+0.1 mi)
 Head north on Washington St toward Ames Dr Destination will be on the right	3.12 mi (+0.15 mi)
 Head northeast on Washington St toward Albion Ct	3.27 mi (+0.12 mi)
 Head north on Washington St toward Homestead Dr	3.39 mi (+0.22 mi)
 Head north on Washington St toward N Kilby St Destination will be on the right	3.61 mi (+0.17 mi)
 Head northeast on Washington St toward Plum Ct Destination will be on the right	3.78 mi (+0.13 mi)
 Head northeast on Washington St toward Mt Locust Pl	3.91 mi (+0.2 mi)
 Head north on Washington St toward Rowley Shore	4.11 mi (+0.14 mi)
 Head northeast on Washington St toward Young Ave Destination will be on the right	4.24 mi (+0.11 mi)
 Head east on Washington St toward Tucker St Destination will be on the right	4.35 mi (+0.09 mi)
 Head east on Washington St toward Morgan Ave	4.45 mi (+0.08 mi)
 Head east on Washington St toward Morgan Ave	4.53 mi (+0.13 mi)

 Head east on Washington St toward McLellan St Destination will be on the right	4.66 mi (+0.2 mi)
 Head northeast on Washington St toward Butman Ave Destination will be on the right	4.86 mi (+0.22 mi)
 Head northeast on Washington St toward Langsford St Destination will be on the right	5.08 mi (+0.14 mi)
 Head northeast on Washington St toward Folly Point Rd Destination will be on the right	5.22 mi (+0.14 mi)
 Head northeast on MA-127 S/Washington St toward Woodbury Hill Continue to follow MA-127 S	5.36 mi (+0.25 mi)
 Head northeast on MA-127 S toward Marchant St	5.61 mi (+0.12 mi)
 Head east on MA-127 S toward Woodbury Ln Destination will be on the right	5.73 mi (+0.15 mi)
 Head east on MA-127 S toward Woodbury Ln Destination will be on the right	5.89 mi (+0.1 mi)
 Head southeast on MA-127 S toward Worcester Pl Destination will be on the right	5.99 mi (+0.08 mi)
 Head southeast on MA-127 S toward Worcester Pl	6.08 mi (+0.11 mi)
 Head south on MA-127 S toward Curtis St	6.19 mi (+0.1 mi)
 Head southeast on MA-127 S toward Phillips Ave	6.29 mi (+0.13 mi)
 Head southeast on MA-127 S toward Haven Ave Destination will be on the right	6.42 mi (+0.17 mi)
 Head southeast on MA-127 S toward Edmonds Ln	6.59 mi (+0.13 mi)
 Head southeast on MA-127 S toward Breakwater Ave	6.72 mi (+0.16 mi)
 Head south on MA-127 S toward Curtis St	6.88 mi (+0.08 mi)
 Head south on MA-127 S toward Chapel Ln	6.96 mi (+0.21 mi)
 Head south on MA-127 S toward Landmark Ln	7.17 mi (+0.14 mi)
 Head south on MA-127 S toward Pigeon Hill Wharf	7.31 mi (+0.14 mi)
 Head south on MA-127 S/Granite St toward Rowe Ave	7.46 mi (+0.16 mi)
Head southeast on Granite St toward Rowe Point	7.62 mi (+0.18 mi)
Head southeast on Beach St	7.8 mi (+0.07 mi)

 Head south on Beach St	7.87 mi (+0.06 mi)
 Head south on Beach St toward Smith St	7.93 mi (+0.06 mi)
 Head southeast on Beach St toward Pearson Way	7.99 mi (+0.07 mi)
 Head southeast on Beach St toward King St	8.06 mi (+0.08 mi)
 Head south on Beach St toward Main St	8.14 mi (+0.07 mi)
 Head southeast on Beach St toward Main St	8.21 mi (+0.03 mi)
 Slight left onto Main St	8.24 mi (+0.01 mi)
 Head east on Main St toward Jewett St	8.25 mi (+0.07 mi)
 Head east on Main St toward School St	8.32 mi (+0 mi)
 Turn right onto School St	8.33 mi (+0.09 mi)
 Head northeast on Broadway toward Mt Pleasant St	8.41 mi (+0.09 mi)
 Head east on Broadway toward Mt Pleasant St	8.5 mi (+0.01 mi)
 Turn right onto Mt Pleasant St	8.52 mi (+0.04 mi)
 Head southeast on Mt Pleasant St toward Atlantic Ave	8.56 mi (+0.05 mi)
 Head southeast on Mt Pleasant St toward Norwood Ave	8.61 mi (+0.05 mi)
 Head southeast on Mt Pleasant St toward Pleasant St	8.66 mi (+0.09 mi)
 Head southeast on Mt Pleasant St toward Pleasant Rd	8.74 mi (+0.06 mi)
 Continue onto South St	8.8 mi (+0 mi)
 Head east on South St toward S Street Ct	8.81 mi (+0.12 mi)
 Head east on South St toward Dean Rd	8.93 mi (+0.12 mi)
 Head east on South St toward Smith Rd	9.05 mi (+0.08 mi)
 Head east on South St toward Marmion Way	9.13 mi (+0.08 mi)
 Head east on South St toward Country Club Rd	9.21 mi (+0.11 mi)
 Head southeast on South St toward Marmion Way	9.33 mi (+0.08 mi)
 Head southeast on South St toward Thomas Rd	9.41 mi (+0.13 mi)

 Head southeast on South St toward Whale Cove Ln	9.53 mi (+0.08 mi)
 Head south on South St toward Driftwood Rd	9.61 mi (+0.11 mi)
 Head south on South St toward Whale Cove Rd	9.72 mi (+0.12 mi)
 Head south on South St toward Lee Way	9.84 mi (+0.04 mi)
 Head south on South St toward Lee Way	9.88 mi (+0.08 mi)
 Head southwest on South St toward Oakes Ln	9.96 mi (+0.11 mi)
 Head south on South St	10.07 mi (+0.16 mi)
 Head south on South St	10.23 mi (+0.01 mi)
 Continue onto Thatcher Rd	10.23 mi (+0.11 mi)
 Head southwest on Thatcher Rd toward Tregony Bow	10.34 mi (+0.15 mi)
 Head southwest on Thatcher Rd toward Heritage Dr	10.49 mi (+0.08 mi)
 Head southwest on Thatcher Rd toward Heritage Dr	10.57 mi (+0.11 mi)
 Head southwest on Thatcher Rd toward Ridgewood Rd	10.68 mi (+0.08 mi)
 Head southwest on Thatcher Rd toward Ridgewood Rd	10.76 mi (+0.14 mi)
 Head southwest on Thatcher Rd toward Frank St	10.9 mi (+0.05 mi)
 Head southwest on Thatcher Rd toward Frank St	10.95 mi (+0.18 mi)
 Head southwest on Thatcher Rd toward Sandpiper Ln	11.13 mi (+0.08 mi)
 Head southwest on Thatcher Rd toward Farm Ln	11.21 mi (+0.12 mi)
 Head southwest on Thatcher Rd toward Farm Ln	11.33 mi (+0.11 mi)
 Head west on Thatcher Rd toward Farm Ln Destination will be on the left	11.44 mi (+0.15 mi)
 Head southwest on Thatcher Rd toward Glenmere Rd	11.59 mi (+0.15 mi)
 Head south on Thatcher Rd toward Glenmere Rd	11.74 mi (+0.05 mi)
 Head south on Thatcher Rd toward Rockport Rd	11.79 mi (+0.13 mi)
 Head southwest on Thatcher Rd toward Rockport Rd	11.92 mi (+0.07 mi)

 Head southwest on Thatcher Rd toward Rockport Rd	11.99 mi (+0.11 mi)
 Head southwest on Thatcher Rd toward Witham St	12.11 mi (+0.14 mi)
 Head southwest on Thatcher Rd toward Witham St	12.25 mi (+0.13 mi)
 Head southwest on Thatcher Rd toward Old Nugent Farm Rd Destination will be on the left	12.33 mi (+0.16 mi)
 Head west on Thatcher Rd toward Old Nugent Farm Rd	12.54 mi (+0.17 mi)
 Head west on Thatcher Rd toward Barn Ln	12.71 mi (+0.09 mi)
 Head southwest on Thatcher Rd toward Barn Ln	12.79 mi (+0.11 mi)
 Head south on Thatcher Rd toward Marina Dr	12.9 mi (+0.1 mi)
 Head south on Thatcher Rd toward Rio Dr	13 mi (+0.12 mi)
 Head west on Bass Ave	13.12 mi (+0.09 mi)
 Head west on Bass Ave toward Hinckley Rd	13.21 mi (+0.13 mi)
 Head west on Bass Ave toward Hinckley Rd	13.34 mi (+0.1 mi)
 Head northwest on Bass Ave toward Hartz St	13.44 mi (+0.07 mi)
 Head northwest on Bass Ave toward Amero Ct	13.51 mi (+0.1 mi)
 Head west on Bass Ave toward MA-128 S	13.61 mi (+0.04 mi)
 Continue onto E Main St	13.65 mi (+0.04 mi)
 Head west on E Main St toward Parker St	13.69 mi (+0.06 mi)
 Head west on E Main St	13.74 mi (+0.14 mi)
 Head west on Main St toward Haven Terrace	13.89 mi (+0.13 mi)
 Head west on Main St toward Prospect St	14.02 mi (+0.03 mi)
 Head north on Prospect St toward Fears Ct	14.06 mi (+0.07 mi)
 Head northwest on Prospect St toward Taylor St	14.12 mi (+0.1 mi)
 Head southwest on Prospect St toward Warner St	14.23 mi (+0.06 mi)
 Head southwest on Prospect St toward Allen St	14.29 mi (+0.07 mi)

 Head west on Prospect St toward Elm St	14.37 mi (+0.18 mi)
 Head north on Maplewood Ave toward Smith St	14.54 mi (+0.12 mi)
 Head northwest on Maplewood Ave toward Whistlestop Way	14.66 mi (+0.09 mi)
 Head northwest on Maplewood Ave toward Whistlestop Way	14.75 mi (+0.1 mi)
 Slight right to stay on Maplewood Ave	14.85 mi (+0.04 mi)
 Head northwest on Maplewood Ave toward Derby St	14.88 mi (+0.15 mi)
 Head north on Maplewood Ave toward Grove St	15.03 mi (+0.12 mi)
 Head north on Maplewood Ave toward Gloucester Ave	15.15 mi (+0.06 mi)
 Head north on Maplewood Ave toward Maplewood Ct	15.2 mi (+0.04 mi)
 Head north on Maplewood Ave toward Poplar St	15.25 mi (+0 mi)
 Turn left onto Poplar St	15.25 mi (+0.06 mi)
 Head west on Poplar St toward Cherry St	15.31 mi (+0.08 mi)
 Head north on Cherry St toward Ellery St	15.4 mi (+0.07 mi)
 Head northwest on Cherry St toward Ellery St	15.46 mi (+0.04 mi)
 Head north on Cherry St toward Ellery St	15.5 mi (+0.11 mi)
 Head northeast on Cherry St toward Dr Osman Babson Rd	15.61 mi (+0.03 mi)
 Head northeast on Cherry St toward Dr Osman Babson Rd	15.64 mi (+0.02 mi)
 Head northwest on Dr Osman Babson Rd	15.66 mi (+0.03 mi)
 Head west on Dr Osman Babson Rd	15.7 mi (+0 mi)
 Turn right	15.7 mi (+0.05 mi)
 Destination	15.75 mi (+0 mi)



**Cape Ann YMCA**  
 71 Middle Street  
 Gloucester, MA 01930  
 978.283.0470  
 fax 978.283.3114

**Greater Beverly YMCA**  
 254 Essex Street  
 Beverly, MA 01915  
 978.927.6855  
 fax 978.927.6530

**Haverhill YMCA**  
 81 Winter Street  
 Haverhill, MA 01830  
 978.374.0506  
 fax 978.373.0710

**Ipswich Family YMCA**  
 110 County Road  
 Ipswich, MA 01938  
 978.356.9622  
 fax 978.356.0625

**Lynch/van Otterloo  
 YMCA**  
 40 Leggs Hill Road  
 Marblehead, MA 01945  
 781.631.9622  
 fax 781.639.0190

**Salem YMCA**  
 One Sewall Street  
 Salem, MA 01970  
 978.744.0351  
 fax 978.740.9168

**YMCA of the  
 North Shore**  
 245 Cabot Street  
 Beverly, MA 01915  
 978.922.0990  
 fax 978.922.7602



**FOR YOUTH DEVELOPMENT  
 FOR HEALTHY LIVING  
 FOR SOCIAL RESPONSIBILITY**

January 2016

The Cape Ann YMCA is asking the Gloucester City Council to approve the use of roads and the main courtyard in front of the O'Maley School/Talbot Rink for the 84th running of the Around Cape Ann 25K Road Race and the 13<sup>th</sup> running of the Run the Goose 7K on September 5, 2016. We expect 500-600 participants.

**Around Cape Ann Race Schedule**

The race would start at the O'Maley School on the access road in front of the Talbot Rink at 8:00am. The race would end approximately 1:00pm and we would be on the property until 3:00pm.

It is our intent to have a letter from the Director of Public Works, Mike Hale for the use of this school property for the day.

We request permission to post "Runner's in the Road" signs at key locations along the course for safety purposes. These signs would be posted on the morning of September 4, 2016 and removed by 3:00pm that same afternoon.

**Run the Goose Race Schedule**

The race would start on Cherry St at the intersection of Cherry and the entrance to the O'Maley School at 8:00am. The race would end approximately 9:30am and we would be on the property until 3:00pm.

Regards,

*Barbara*

Barbara Berry, Race Director

Cape Ann YMCA

[berrymb@northshoremca.org](mailto:berrymb@northshoremca.org)

[www.northshoremca.org](http://www.northshoremca.org)

CITY CLERK  
GLOUCESTER, MA

16 FEB -6 PM 4:18

CITY OF GLOUCESTER – SPECIAL EVENTS PERMITS

NAME OF EVENT: Run the Goose      DATE OF EVENT: Sept 5 2016

**Special Events**

Permitting is required for most types of special events. A "Special Event" is an event open to the general public; it can be held on public or private property; it may feature entertainment, amusements, food & beverages; it may be classified as a festival, road race, parade or walk-a-thon. A special event in the City of Gloucester, depending on the size and nature of the event, may require a number of permits or approvals from various departments within the City before it is officially approved and is granted a "special event" permit. Furthermore, special events are also governed by the Gloucester Code of Ordinances §11-8 and §11-10.

In order to assure that the City, as well as the special event applicant, has as much information as needed before beginning the permitting process, the City requires the applicant to come to the City Clerk first. The applicant **must complete** a Special Events Application form in advance, including written approvals, (as provided in the application) which includes:

- Date of Event; hours of Event; Rain Date;
- A detailed site plan or map of the area showing all locations for the following: all American with Disabilities Act (ADA) accessibility, pedestrian and fire access, dimensions of stages & tents; type of equipment or generators & the placement of any vendors and any portable toilet facilities (Site plan/map must be 8-1/2 x11 inches and be legible – capable of copy reproduction);
- If the site of the event is privately owned, a letter from the landlord or property owner giving the applicant the right to use the property is required;
- If the event is featuring entertainment, you need to list all performances;
- If the event is featuring amusements, you need to list all rides & games;
- If this is the "first year" of your event, please attach any letters of support from local community and business organizations;
- A list of all vendors including food and if propane is used. Vendors will need state or city license before date of event and Health Department approvals;
- Certificate of Insurance listing City as the insured (Certificate Holder).

After the Applicant presents the application to the Special Events Advisory Committee, the applicant is to submit the completed permit form (download at: [gloucester-ma.gov](http://gloucester-ma.gov) or available in City Clerk's office) signed and dated with cash or check made payable to the City of Gloucester: \$25.00 for non-profit organizations, \$50.00 for for-profit organizations, at the City Clerk's office. At that time, an appointment for a review prior to the submission of the permit to the City Council process must be made at the convenience of the City Clerk, in order to begin the approval process. **All first time applicants must file completed application and finalized at least 60 days in advance of their event; annual event applicants must file completed application and finalized at least 45 days in advance. Non-compliance with these filing deadlines may result in denial of the application.**

Linda T. Lowe, City Clerk  
Gloucester City Hall, 9 Dale Avenue  
Gloucester, MA 01930  
PHONE: 978-281-9720  
EMAIL: [lloew@glooucester-ma.gov](mailto:lloew@glooucester-ma.gov)

Hours of Service:  
Monday through Wednesday: 8:30 a.m.-4:00 p.m.  
Thursday: 8:30 a.m. to 6:30 p.m.  
Friday: 8:30 a.m. to 12:30 p.m.

**Paul McGeary, City Council President & Councilor Greg Verga, Chair, Planning & Development Committee**

Completed copy filed: Date: 1/25/16 Initial: LFL Copy to Applicant: Date: 1/25 Initial: \_\_\_\_\_  
Fee Paid: \$ 25 Date: 1/25 Initial: LFL

FOR PARADES, ROAD RACES, BIKE RIDES AND WALK-A-THON EVENTS ONLY

PARADE \_\_\_\_\_

ROAD RACE X \_\_\_\_\_

WALK-A-THON \_\_\_\_\_

1. Name, land line & cell phone number of contact person on the ground Day of Event:  
Run the Goose 7K Barbara Berry 978 9989471  
Cape Ann YMCA 978 283 0470
2. Name, Address & 24/7 telephone number of person responsible for clean up if different from above:  
Barbara Berry 978 998 9471  
71 Middle St
3. Locations of Water Stops (if any): Goose Cove Parking lot
4. Will Detours for Motor Vehicles be required? No If so, where and what length of time:
- 4A. Are street closures required? No (This is determined by the Police Department)

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5. Parade Formation Location & Time for Participants: \_\_\_\_\_
6. Dismissal Location & Time for Participants: \_\_\_\_\_
7. Additional Parade Information:
  - Number of Floats: \_\_\_\_\_
  - Location of Viewing Stations: \_\_\_\_\_
  
  - Are Weapons Being Carried(If "Yes", Police approval may be required: Yes: No
  - Are Parade Marshalls Being Assigned to Keep Parade Moving: Yes: No
8. Name and Address of Insurer: \_\_\_\_\_
9. Attach or Provide a Certificate of Insurance naming the City of Gloucester the Certificate Holder.

CITY APPROVAL (FOR COMMITTEE MEMBERS USE ONLY):

You will need to obtain all necessary approvals, permits or certificates from the following Departments: Please note that costs for some City support services during an event are an estimate only. Some Departments may forward an invoice for services rendered at the completion of the event and others may request payment in advance. **NOTE: Applicants must comply with the Code of Ordinances, Ch. 11 (Vendors) as applicable and as required by City Clerks and/or Licensing Commission and all other applicable ordinances.**

**Approvals Required:** Written approvals below should be submitted by time of applicant's appearance before the Planning & Development Committee by this form (below) and if necessary by memorandum or email from the appropriate City staff to the Office of the City Clerk.

Initials of Dept. Head/ Designee	<u>Notes by Department Head or Designee</u>
2/4/16	1. Special Events Advisory Committee _____
_____	2. Planning & Development Committee _____
2-4	3. Gloucester Police Department <u>pk J J</u> Is Police Detail Required? <u>yes</u> No. of Details <u>T B B</u> Traffic, Parking & Transportation _____
2-4-16	4. Health Department <u>Rasabe Nicastro</u>
al	5. Building Inspector _____
es	6. Electrical Inspector _____
WC	7. Department of Public Works: _____ Use of City Property: <input checked="" type="checkbox"/> Yes / <input type="checkbox"/> No Location if yes: <u>OMALEY PARKING LOT</u>
TA	8. Gloucester Fire Department <u>SAME DETAIL AS 25 K</u> Is a Fire Detail Required? <input type="checkbox"/> No. of Details <input type="checkbox"/> EMS <input checked="" type="checkbox"/> Use of Propane: <input type="checkbox"/> (Attach EMS Memo)
2/4/16	9. Licensing Commission (includes vendors) (Through City Clerk: _____)
2/4/16	10. Other <u>Carol Thistle</u> <u>Altausk</u>

The Departments or Committees listed above may have their own separate permit/application process. Applicants are responsible for applying for and obtaining all required permits & certificates from the various individual departments.

Barbara Berry \_\_\_\_\_, 20\_\_\_\_  
Signature of Applicant

**RESPONSIBILITIES OF APPLICANT**

1. All members of the organizing committee and concessionaires/vendors must adhere to the rules and regulations set forth by all applicable departments.
2. The applicant and concessionaire/vendor are responsible to pay all applicable fees required by applicable ordinances and State law. Any non-payment of fees to any City department will result in the denial of the application.
3. The applicant is responsible to ensure that there is no illegal activity on the areas under their supervision during the event.
4. All concessions must be stationary and placed in such a way to not hamper the access of pedestrians. They must be placed tight against curbs, not block fire hydrants or sidewalk ramps. Concessions must be moved if in the opinion of City officials on-site they pose a problem for access or public safety. Concessions utilizing compressed gas or generators or propane must comply with the regulations of the City of Gloucester Fire Department and receive approval through the Licensing Commission.
5. Federal & State law requires a minimum of 4 ft. of clear unobstructed sidewalk be available at all times for pedestrians. The applicant must keep sidewalks, ramps and curb cuts clear of any interference from their vendors or their event participants. No storage is allowed on the sidewalk.
6. Any items to be sold must be listed with their prices. All beverages in cans and plastic bottles and must be recycled according to the City of Gloucester recycling guidelines. The use of any type of glass containers is prohibited unless prior approval is granted by the *Department of Public Works*.
7. The applicant will be responsible for any damage to public property caused by the event.
8. All applicants are responsible for filing their applications in a timely manner: First time applicants must file completed application 90 days in advance and have finalized all necessary approvals at least 60 days in advance of their event. Annual event applicants should file completed application 75 days in advance and have finalized at least 45 days in advance. Non-compliance with these deadlines may result in denial of the application.
9. The applicant **shall indemnify and hold harmless the City of Gloucester and its employees** from any damage it may sustain or be required to pay by reason of said event, or by any reason of any act or neglect by the applicant or their agent relating to such event or by reason of any violation of the terms and condition of this license. Applicant shall also provide a **Certificate of Insurance** prior to approval by the Planning & Development Committee.
10. The City of Gloucester reserves the right to deny the application at any time.

*I/We fully understand and agree to all the terms set forth in this application. The information that I/We have provided is truthful and accurate. I/We accept all responsibility related to this event.*

  
\_\_\_\_\_, 20\_\_\_\_  
Signature of Applicant

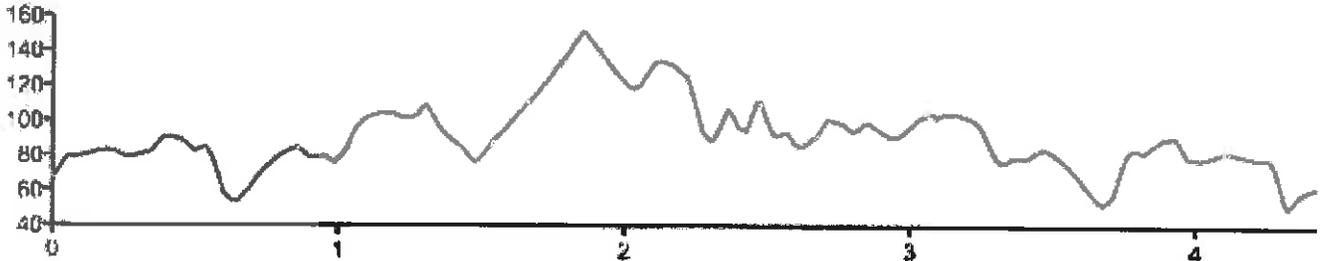


**Run the Goose 7K Map**  
Distance: 4.43 mi  
Elevation: 145.3 ft (Max: 151.9 ft)

mapmyrun



ELEVATION (ft)



DISTANCE (mi)

Map data ©2014 Google

**FYI... Goose Cove Dog Walkers,  
Walkers and Runners!**



**RUN THE GOOSE 7K Road Race  
MONDAY, SEPTEMBER 5, 2016  
8:00am**

**The Cape Ann YMCA is holding a 7K Road  
Race around Goose Cove,  
on Labor Day!**

**We expect approximately 300 runners.  
The race should be completed by 9:00am.**

**If you would like to help out we would love your support!**

**For more information, please contact Barbara Berry at**

**[berryb@northshoreymca.org](mailto:berryb@northshoreymca.org)**



## CITY OF GLOUCESTER 2016 CITY COUNCIL ORDER

**ORDER:** CC#2016-004  
**COUNCILLOR:** Val Gilman

**DATE RECEIVED BY COUNCIL:** 02/09/16  
**REFERRED TO:** O&A & Traffic Commission  
**FOR COUNCIL VOTE:**

**ORDERED** that the O&A Committee review the matter of whether there should be a “No Parking” sign at the intersection of South Kilby Street and Brierwood Street at #5 South Kilby Street under Code of Ordinances Sec. 22-270 and whether the O&A Committee should approve the same depending upon the opinion of the Traffic Commission.

**FURTHER ORDERED** that this matter be referred to the Ordinances and Administration Committee for review and recommendation and that it be referred to the Traffic Commission to study the area, consult with the Ward 4 Councillor and the owner of #5 South Kilby Street prior to making their recommendation.

Val Gilman  
Ward 4 Councillor



## CITY OF GLOUCESTER 2016 CITY COUNCIL ORDER

**ORDER:** CC#2016-005  
**COUNCILLOR:** Steve LeBlanc, James O'Hara

**DATE RECEIVED BY COUNCIL:** 02/09/16  
**REFERRED TO:** O&A  
**FOR COUNCIL VOTE:**

**ORDERED** the matter of whether there should be further amendments to the Code of Ordinances on Dogs, Chapter 4, Sec. 4-15 to 4-22 be referred to the Ordinances & Administration Standing Committee to determine if there should be amendments to the same. Further, the Ordinances & Administration Standing Committee shall also consider whether or not to form an Ad Hoc Committee to study the possible amendments.

**FURTHER ORDERED** that the Ordinances and Administration standing committee consider whether they shall recommend further amendment to the Dog Ordinance Sec. 4-15 to 4-22 and whether they shall work with an Ad Hoc Committee concerning those amendments.

Steve LeBlanc  
Ward 3 Councillor

James O'Hara  
Councillor at Large

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, January 26, 2016 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Chair, Councilor Joseph Ciolino; Vice Chair, Steven LeBlanc, Jr.; Councilor Melissa Cox; Councilor Paul Lundberg; Councilor Valerie Gilman; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Joseph Orlando, Jr.**

**Also Present: Mayor Sefatia Theken; Linda T. Lowe; Kenny Costa; Jim Destino; Chip Payson; John Dunn; Fire Chief Eric Smith; Jonathan Pope; Mike Hale; Debbie Laurie; Assistant Fire Chief Tom Aiello; Fire Captain Tom LoGrande; Gregg Cademartori; Melissa Teixeira; James Pope**

**The meeting was called to order at 7:02 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.**

**Flag Salute & Moment of Silence.****Oral Communications:**

**Charles Marcous**, 20 Ocean Avenue, said that the Magnolia Fire Station has been closed off and on in recent months. Noting that on December 26, 2005 his home burned down, which he said, in his opinion, would have been a minor fire had that station been open at that time because there needs to be four firemen on the scene before a firefighter will enter the home to fight the fire. He said two men showed up from West Gloucester and they had to wait another ten minutes for “two” to show up from Central Station in downtown Gloucester. He added that half the city in West Gloucester is on the other side of the bridge, covered by two men. He said they need four.

**Presentations/Commendations:**

**1 of 1:** Fire Chief Eric Smith with Fire Department update on staffing and station coverage

**Fire Chief Eric Smith** noted that much of Fire Department staffing and station coverage was discussed at the January 21 Budget & Finance Committee meeting. He recounted for the Council that the Fire Department undertook a significant reorganization in 2013. A memo was submitted to the Mayor by him that December on the reorganization, what his vision was and what they were trying to accomplish. The memo specified that outskirt stations would be open more frequently aided by moving from a 42 hour work-week structure with four firefighting groups to a 56 hour work-week structure with three firefighting groups. That was the language used then as well as now, **Chief Smith** pointed out, citing that even during the FY16 budget meeting when this issue was discussed. This is a tight budget year and as much as could be was allocated to the Fire Department, he said, and that every department was going to have to live within their budget they were given. He indicated his department has done that faithfully throughout this fiscal year.

He also pointed out that it was stated in the B&F meetings that if the department continued as they had in FY15 with the level of use of the Family and Medical Leave Act (FLMA), the disabilities with injured-on-duty personnel, and retirements the department didn’t have the money to replace staff immediately which he added that staff replacement is a slow process, if that continued in FY16 that the department would experience probably the shutdown of one of the stations and run with Magnolia closures. He said it is unfortunate and isn’t the goal of the Administration -- they as do the citizens want the Magnolia Station open as does he and the men and women of the Gloucester Fire Department. They know how critical it is to public safety, but with finances as they are, with staffing hampered by injuries, leave and retirements -- these are things out of their control that they can’t specifically manage but have to work within the budget to manage the situation as it is presented.

**Chief Smith** explained that his department has made a series of internal budget transfers of over \$120,000 out of different line items into the Overtime Account to keep the station open as much as the possibly could which stretched the overtime account out until Dec. 10. He said on that date he discussed with the Mayor’s office that there was nowhere else to pull funding from and in working with officers on his staff, re-examining what department needs were else he could pull funding from quickly into the overtime account to bolster it. He said while they are concerned about continuing to short the department funding on things such as training which he added is in his opinion critical to the future of the department and the present operations of the department, but opening a fire station is more important, he said. As of Dec, 10, the department went from 18 personnel minimum staffing which is two above the contractual minimum of 16, that doesn’t allow Magnolia Station to be open. Sixteen personnel will only open three of the stations and closes Magnolia down, and is the fiscal reality. It is balancing the overtime pay with the actual department budget, and that they have to meet that 16 minimum manning contractually because closing the Bay View Fire Station is unacceptable. While this is not as acceptable for Magnolia Station to be closed,

it is the best they can do under the circumstances with their FY16 staffing challenges which mirror what happened in FY15 with 10 personnel injured on duty with significant injuries; three of those injured on duty staff have been converted to disability retirements because the injuries were so significant that they were not fit for duty and had to be put out on medical retirement. The department is waiting for funding to hire the replacements and now only have funding to fill one of the vacancies. He pointed out that the Civil Service process is not a quick one, having found several candidates on the first generated list that weren't qualified to take the position, and now they have another list generated they are working from, and at the same time are transferring funding into overtime to keep Magnolia open. He reiterated that with ten injuries on duty with long healing processes, returning those personnel to active duty is also a slow process. The department and the physicians want firefighters back on the line only if they are at 100 percent. **Chief Smith** noted that six firefighters were out in FY16 under FMLA with relatives or injuries to themselves that occurred off duty, and reiterated that there are four retirements they've not yet been able to replace that lost staff due to funding with the exception of one position which they're working on.

He said that due to all these combined factors it has led to the closure more often of the Magnolia Fire Station. Based on Monday, Jan. 25 numbers, the Magnolia Fire Station is opened a little more than 70 percent of the time. He said it is his expectation that number will rise slightly should the Supplemental Budgetary Transfer coming before the Council this even passes. The plan in place for that was much like the plan for allocation of a one-time free cash infusion to open Bay View more often two years ago. He explained the process by which the money is spread out through the shifts by the Deputy Chiefs who run the shifts, and said that as long as they manage it within the amount of funding per pay period, to spread it through the rest of the shifts for the fiscal year. He said that when there are days that they are only one person short and have 17 staff on a shift they would only have to hire one firefighter on overtime to the night shift and see what improvements that makes. He said he thought and the residents he has spoken with their greatest concern are for the evening hours and is where they'll focus their attention and funding to immediately to see what they can do about improving those numbers.

#### COUNCILOR QUESTIONS:

**Councilor Gilman** recalled her home having two fires, one occurring with Bay View Fire Station open, one with Bay View Fire Station closed. She expressed her empathy for the concerned residents of Magnolia. She asked about the decision process to close Magnolia Station rather than another outlying station and how it affects the manning of other stations when one outlying station is closed and how it affects response time. **Chief Smith** said it is straight math -- how long it to get to the scene, and call volume plays a part. When comparing a twelve minute response time versus an eight minute response time when speaking of headquarters or West Gloucester station, getting into those areas, typically the department is in the four minute response time range on average when fully staffed. When Magnolia Fire Station is closed that moves up to about eight minutes; when Bay View is closed with the long-standing history of the department it is about twelve minutes response time to Bay View from Central Station. He said that because of those response times, it shows that Bay View is the priority to open first, and the run volume is fairly balanced. Magnolia has had an uptick in its call volume -- there is a lot of new housing, new families moving in, and pointing out he and his family live in Magnolia also, he too, wants the Magnolia Fire Station open as much as any citizen who lives there. Any time a station movement occurs, if it is a major alarm, the typical response is West Gloucester comes in as the second pump along with the ladder truck and front line pump at headquarters with the rescue unit which is considered their basic first line complement. The next pump to come in to cover headquarters because the department always puts an asset under those circumstances at headquarters to cover that area of town as that is where the bulk of the calls are and where the most risk is. When doing the risk assessment, if they only are staffing one station full time that is the station you would pick. When headquarters is emptied out on a response that is the first station they have to move to cover. The coverage rotates in typically from Bay View into headquarters so that there is an asset on and off the island. The only time Bay View doesn't rotate in is if the call was in Magnolia and Magnolia Fire Station was open, headquarters would roll into Magnolia with the Magnolia pump and West Gloucester would come in to cover headquarters and Bay View would remain in quarters. This process is set forth in Fire Department policies and is how it is managed. **Chief Smith** commented that it made common sense, and the evaluations for response time dictates how these policies are developed and how the department manages such situations. Once they step up beyond just a response to find out what is going on at a location, if it is a working fire it brings every vehicle on duty to the scene or minimally that third engine is coming to the fire to make sure there is enough staff and coverage and the last remaining pump that would have sat gets pulled out into headquarters. On a working fire until a second alarm is sounded, the Chief said that all department resources from the city are committed to the incident. If the Deputy Fire Chief doesn't feel he needs that fourth pump it sits at headquarters. There is no net effect to those outlying stations, he said. He pointed out that the Rockport Fire Department responds in to cover during a working fire when a second alarm is sounded with an additional two engines and a ladder truck which is the same courtesy Gloucester gives to them when they have

working fires as well with neighboring Cape Ann communities of Essex and Manchester (known as “mutual aid”). Some things have changed, he pointed out, since they put a fourth fire station back in service, but it has been the same basic structure for years which he said works. The way the contract is laid out, the way the staffing is dictated and the national standards on how they fight fires and staff, the Gloucester Fire Department is doing well, he said, and although not perfect this is as close as they can get given the range of affordability and staffing issues, he said.

**Councilor Gilman** asked had the department been able to get some of the firefighters on disability to come back for light duty for desk jobs, and if so, did those firefighters could as part of the 18 personnel headcount on a shift. **Chief Smith** said that it is. He briefly explained the process by which they keep track of their personnel out on disability. He noted that light duty is spelled out in the contract. But because of the certain rehabilitation processes to get people in for light duty is very difficult. He advised that light duty is not completely without physical ability. Central Station doesn't have an elevator and there are stairs. The firefighter has to be able to use both arms simultaneously to work the phones, radios and computers, nor can they be on any drugs that may impair their judgement to dispatch in an emergency situation. Light duty personnel helps but doesn't get put into play as often as they would like, he said. **Councilor Gilman** said overtime policy is different for firefighters than the traditional 40 hour FLSA (Fair Labor Standards Act) and where time and a half is triggered. **Chief Smith** said Police and Fire follow the same rule unless they do something contractually different. The bottom line rule for FLSA overtime baseline minimum agreed to, firefighters don't do any overtime until they exceed 212 worked hours on the job. If they take any time off for sick, vacation time, or personal leave, it deducts from their actual work hours. If the firefighter meets the 212 hours in a 28 day cycle (two back-to-back pay periods), they're due time and a half for working beyond the 212 hours. A typical cycle is 216 hours, he noted. Firefighters are already scheduled to work four hours, they will be at the overtime rate. They are already paying the straight time rate and budgeted for the addition for the FLSA increase, but in the old system if it was over 42 hours by a minute then overtime kicked in, he pointed out, and was why it was so expensive to maintain the stations, and spent almost \$700,000 to keep Bay View open more often. He said this solution of a three group system was the best way to go to keep people in the same group and makes training operations simpler. He noted they added lieutenants to the line, an Assistant Chief's position, and a civilian master mechanic who has the fleet in better shape than it's been in some time. He also pointed out that previously the Fire Department wasn't responsible for retirement payouts which came out of the Personnel Department's budget. Now those payouts come from the Fire Department's budget, and because of the number of the retirements in FY16 that payout came to \$180,000.

**Councilor Nolan** commented that there is a reason to see the Magnolia Fire Station open and the Chief understands the issues and is doing what he can. With Magnolia closed a certain amount of time he asked if that situation is giving the Chief any insights for the development of the FY17 Fire Department budget and what can be done to prevent these closures moving forward. **Chief Smith** said in July 2016, which is the start of the new fiscal year; the funds will be available to hire more firefighters. As funding is now, salary lag money has paid the budget gap for retirement payouts. He expressed confidence that on July 1 the department will be ready to move forward and cover four of the open positions. They will do the best they can with the staff they have and the funding available to the department for the time being, he said. With twenty personnel out and retirements, it is a tough situation to manage -- it means the department has been down 10 percent of its workforce since the beginning of FY15 with an overtime investment available.

**Councilor O'Hara** thanked the Chief and the Administration for the Chief coming forward to questions from the Council. He noted that he was on the Fire Chief Selection Committee for the hiring Chief Smith. He expressed his appreciation for what the Fire Department does to keep the city safe. He said that with Magnolia Fire Station closed with a structure fire what is the deployment of apparatus. **Chief Smith** reiterated that both West Gloucester and Central Station respond with Bay View coming in to cover headquarters. **Councilor O'Hara** said with Magnolia Fire Station closed due to manpower reductions and budget limitations what station closes next. **Chief Smith** said they won't close another station and is why they made the reduction to 16 minimum manning and is compelled by the contract to maintain 16 minimum manning and would be a violation of the contract to do otherwise, and espoused he was doing everything he could to meet that 16 minimum manning requirements of the contract and to keep the station open. He said not only is it his goal but a goal of the community. He reiterated his earlier statement that the department has managed to keep the Magnolia Fire Station open about a 70 percent rate and with tonight's transfer into the overtime account, it could nudge that percentage up further. At **Councilor O'Hara's** prompting, **Chief Smith** re-reviewed that there are three shifts with 72 firefighters on the line divided into 24 staff per group. With four retired firefighters, one staff comes off of each group which means three shifts of firefighters, 72 personnel on the line divided to 24 per group. He reported that the Assistant Chief is responsible for deployment of the staff and is constantly moving people around to keep the three groups balanced so not to short any one group to prevent recurrent overtime. With that many people out, they are very close to not making the 16

minimum manning, he said, and is where the expense on the overtime budget has gone through what was budgeted. He pointed out that shift staffing has hovered in the 22 to 21 man range, but with several staff off on training, someone goes out sick or on vacation they drop to below minimum manning, and this is how they went through the original \$100,000 budgeted for overtime. He reiterated the department had put in \$120,000+ into the overtime account from within its own department budget. He reiterated that he is confident with the money remaining they can maintain 16 minimum manning but that he said he can't guarantee 18 personnel reporting every day to open the Magnolia Fire Station. **Councilor O'Hara** asked if there is the ability on a weekly basis to project station closures. **Chief Smith** said that they can project vacations, holidays, knowing when people typically take off. When this system was designed going from 18 to 24 personnel, the number of personnel who can take leave time hasn't changed -- and is a restriction on the union. Five personnel off were allowed under the contract when there were only 18 per group. Eighteen is what it takes to open all the stations, he reminded the Councilor, but the firefighters are also entitled to take the time off they've earned in accordance with the contract and their Standard Operating Guidelines. It means they have to hire on overtime to keep the minimum standard to maintain the stations. When the department went to 24 staff per group, he said, they could absorb five people being off, having 19 personnel reporting gets every station is open plus one person and was some of the thought process behind the three group configuration, he said. He noted that in general they are faced annually with two to three personnel out on injuries which are the nature of the job of a firefighter. **Councilor O'Hara** asked if the department typically builds retirements into their budget for buyouts and sick time payouts. **Chief Smith** said all contractual pieces are accounted for in the budget of which some is legally required by the state, and portions of it are what are contained in the contract. Those have been funded to a degree and any needed additional funding is required to be pulled out of salary/wage lag money once someone retires -- the balance of their salary still sits in the account and that funding is then used to fund the payoffs they're short in that line item. He said they were only able to fund that with \$50,000 in FY16 knowing they were looking at maybe about \$180,000 cost overall. Three of four retirements they couldn't predict when those retirements would come through from the State Retirement Board. They are on hold for hiring until the funding is truly available he said. They have the money to hire one firefighter and possibly a second one by the end of FY16, but it is about the numbers. **Councilor O'Hara** asked what response time to the Magnolia station area is if Magnolia Fire Station is closed. **Chief Smith** said depending on the kind of vehicle and type of response required, it is an eight minute response on average. West Gloucester would beat rescue to the Ocean Avenue area if it's an EMS call; if it's a fire call more westerly or over off of Western Avenue, headquarters would beat West Gloucester to the scene and is dependent upon whether it is EMS or a fire call and where the call is sited in the district. **Councilor O'Hara** asked what does the national standard for response time. **Chief Smith** said under the National Fire Protection Association (NFPA) standard it is four minutes and that under most situations with all stations staffed they have met those standards most of the time. He said it is a tough community to cover with 42 square miles divided by a river and with water delivery. The stations are widespread and the cost of doing business takes a lot of funding to deliver the level of service the community needs. It is why they're only putting two staff minimally in the outskirts station which doesn't meet the NFPA standards either, he said. He said that is why the headquarters task force is staffed with four on the pump and four on the ladder because those apparatus have full capability and are stationed in the area with the highest risk and highest call volume and can at least muster that kind of firefighting force right away. He said that while this isn't optimal, it is the best that the department can afford to do. **Both Councilor O'Hara** and **Chief Smith** agreed the city had some high hazard buildings. **Chief Smith** said his door is always open and said that Councilors could contact him with their concerns or questions, as well as any of his personnel. He said since becoming Chief he has maintained a transparent operation. He reiterated it is hard math as to what they do to keep stations open with the resources available. He said the staff isn't happy about this; there is not enmity between the union and the city over this because everyone is realistic and understands the problem and they're doing what they can. **Councilor O'Hara** said residents want all the stations opened and expressed his appreciation again for the department and the Chief for answering Councilor questions.

**Councilor Orlando** asked about the Special Budgetary Transfer to come forward under the Budget & Finance Committee Report out of the department's safety equipment budget that will see money moved into the salary/wage overtime account. He asked what the department won't be able to purchase as a result. **Chief Smith** said it was projected they would have the five retirements and would have five personnel they'd have to fully equip for a new hire which is significant, and \$20,000 is about equal to four personnel equipage, and it is unlikely four will be hired in FY16 (as stated earlier, one possibly only two new hires) which makes these funds available in this line item. **Councilor Orlando** asked if the funds are moved what is the improved percentage the Magnolia Station will be open. **Chief Smith** reiterated that it is his hope to increase the number of openings in Magnolia and said he didn't want to give a number without being able to predict future injuries and leaves. He said once the transfer is approved they have to crunch the numbers and see how it will work with possibly several firefighters returning to work. He

suggested the percentage of openings could rise to 80 percent. **Councilor Orlando** asked if the new hires the department intends to bring in, based on the four or five retirements in process, will that reduce the payroll footprint and allow funds to be moved into the overtime account to keep Magnolia open. **Chief Smith** said that has already been rolled into the decision on when they can hire for FY16. He explained he can afford to hire one new firefighter/paramedic and won't know what they'll be paying out for any other retirees yet. For FY17 they should be starting at 72 personnel, short of those staff out for injuries or FSLA.

**Councilor Memhard** also expressed his appreciation to the Chief for taking his time addressing the B&F Committee and the Council and made the following statements: He commending the Chief for the job he's done, that the city is enjoying more stations open as a result of the careful work in budgeting and planning the Chief has done. He noted that the Chief said it is a matter of straightforward math and analysis, but the fear and consequence of a fire when it is our home or our neighbor's is not straightforward but is emotional, affecting insurance and many other things and is an area of concern. The community has had a sense this has been addressed, and the Council has been caught unawares and has been a communications issue. He asked what the overall department budget was. **Chief Smith** said it is about \$8.5 million with 79 total staff and includes station equipment and maintenance. **Councilor Memhard** noting Mr. Marcous' statements under Oral Communications about his house fire in 2005 that two people manning the Magnolia Fire Station is good but doesn't mean the department can initiate fire response at the site. **Chief Smith** said that was correct depending on the nature of the incident. If there isn't a life in the building at risk federal law prohibits making direct entry unless there is two personnel to go in and two personnel remaining outside with a fifth to maintain incident command which is a safety factor that is in the national standards. This policy is followed to the letter so long as no life is in jeopardy, he said. But if there is a life in jeopardy, the Chief indicated that rule is moot, and the federal government acknowledges that allowing the firefighters go in with two or three people but he cautioned it is not optimal because it is a superficial response -- they don't have anyone to hook up water, manage apparatus and direct the scene. Based on the risk assessment they will do what they have to do, but he said he is tasked with keeping his personnel safe. **Councilor Memhard** said that they are making substantial progress with a time of concern between now and the end of the fiscal year and when the new budget goes into effect July 1. He said he hoped the Chief will address these concerns with the Council, and the Administration with enough foresight within the limits of the injuries so that next year the department will be in a better situation with the new budget and contract to give Gloucester residents the peace of mind they all pay for with their tax dollars. **Chief Smith** indicated his agreement with Councilor Memhard.

**Councilor Lundberg** expressed that the Council appreciates the relationship the Chief has developed with the firefighter's union and that they also appreciate their attitude toward their mission. These are difficult financial times, and that the Chief deserves a lot of credit as does the Administration to honoring the firefighter's role in crafting a good working relationship.

*The Council recessed at 7:53 p.m. and reconvened at 7:58 p.m.*

**Confirmation of New Appointments:** None.

**Consent Agenda:**

- **CONFIRMATION OF REAPPOINTMENTS**
  - **MAYOR'S REPORT**
1. Communication from Superintendent of Schools re: requesting Council vote on MSBA Statement of Interest-Accelerated Repair Program-Gloucester High School Roof (Refer B&F)
  2. Memorandum from Fire Chief re: acceptance of two grants-FY16 S.A.F.E. in the amount of \$4,837 & Senior Safe grant in the amount of \$2,917 from Dept. of Fire Services (Refer B&F)
  3. Memorandum, Grant Application & Checklist from Fire Chief re: FEMA Assistance to Firefighters Grant in the amount of \$422,300 (Refer B&F)
  4. Memorandum from Police Chief re: requesting approval to pay two grievances from previous fiscal years with FY16 funds (Refer B&F)
  5. Memorandum from Personnel Dept. re: permission to pay for goods procured in FY15 with FY16 funds (Refer B&F)
  6. Memorandum from General Counsel & Assistant General Counsel re: changes to GZO Sec. 5.27 et al entitled, "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities" (Refer P&D)
  7. New Appointments:
    - Conservation Commission TTE 02/14/19 William Cook (Refer O&A)
    - 8. Report to Mayor by the Ad Hoc Recreation Boating Advisory Committee (Info Only)
      - **COMMUNICATIONS/INVITATIONS**
  1. Request from Council on Aging re: City Council acceptance of Gloucester Council on Aging By-Laws (Info Only)
    - **APPLICATIONS/PETITIONS**
  1. Special Events Application: Request to hold the 10K Lone Gull Road Race on September 25, 2016 (Refer P&D)
    - **COUNCILORS ORDERS**
  1. CC2016-003 (Gilman) Request that the soon to be rehabilitated baseball/softball field adjacent to Wilson Field (Dr. Osman Babson Rd.) be dedicated to a long-tenured Board Member and volunteer of the Gloucester Little League (Refer O&A)
    - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 01/12/16

(Approve/File)

2. Standing Committee Meetings: B&F 01/21/16 (under separate cover), O&A 01/18/16 (no meeting), P&D 01/20/16

(Approve/File)

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

**Councilor Lundberg** asked to pull Item #6 Memorandum from General Counsel & Assistant General Counsel re: changes to GZO Sec. 5.27 et al entitled, "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities" from the Mayor's Report and then made the following two motions:

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, to make certain corrective amendments to the Gloucester Zoning Ordinance Sec. 5.27 et al "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities under Sec. 1.11.2(e) of the Zoning Ordinance.**

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted 8 in favor, 1 (Orlando) opposed, that the public hearing of the corrective amendments to the Gloucester Zoning Ordinance Sec. 5.27 et al "Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities shall be held February 23, 2016, and that under Section 1.11.4(b) that the notice to the abutters be waived because it affects so many properties making notice impracticable.**

**By unanimous consent of the Council the Consent Agenda as accepted as amended.**

**Committee Reports:**

**Budget & Finance: January 21, 2016**

**1. *Supplemental Appropriation-Budgetary Request (2016-SA-21) from DPW Water Department***

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2016-SA-21 in the amount of \$78,000 from Account #610000.10.480.32620.0000.00.000.00.000, Water Enterprise Fund, Retained Earnings Water Construction Renewal to Account #610000.10.450.52000.0000.00.000.00.052, Water Enterprise Fund, Contractual Services for the purpose of funding an amendment to an engineering contract in order to comply with current Mass. DCR Office of Dam Safety orders and requirements.

**DISCUSSION:**

**Councilor Memhard** explained that this supplemental appropriation is from the Water Enterprise Fund retained earnings, Water Construction Renewal account that would be used to fund an amendment for an engineering contract the city currently holds in order to comply with current Massachusetts Department of Conservation and Recreation Office of Dam Safety orders and requirements for the purpose of mandated dam inspections and another round of testing. There are 12 dams and half have been done and the other half will now be taken care of.

**Council President Ciolino** noted the standards have changed and indicated his understanding that was the reason why the contract was being amended. **Mike Hale**, DPW Director, said it wasn't that the standards had changed that much but rather it is compliance with the standards. He said that the city has managed its compliance to the Office of Dam safety for about the last eight years; prior to that the city was well in arrears with the inspections of its dams and dikes. High hazard dams which are those if breached could cost life and/or property damage, and there are 10 such dams in the city. They require a report to be done every two years. There are three significant hazard dams in the city, which require inspection every five years. It is important to keep up with the inspection of city dams to ensure their integrity, he said, and know of any problems in advance so capital plans can be budgeted for. They are doing this with the Haskell Dam for which they were awarded a \$172,000 from the state this past summer to begin the engineering services for the rehabilitation of that 70 year old dam, he noted.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2016-SA-21 in the amount of \$78,000 from Account #610000.10.480.32620.0000.00.000.00.000, Water Enterprise Fund, Retained Earnings Water Construction Renewal to Account #610000.10.450.52000.0000.00.000.00.052, Water Enterprise Fund, Contractual Services for the purpose of funding an amendment to an engineering contract in order to comply with current Mass. DCR Office of Dam Safety orders and requirements.**

**2. *Special Budgetary Transfer Request (2016-SBT-5) from Fire Department***

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Special Budgetary Transfer 2016-SBT-5 in the amount of \$20,000 from Account #101000.10.250.55810.0000.00.000.00.054, Fire Department, Work/Safety Clothes, to Account #101000.10.220.51300.0000.00.000.00.051 Fire Department, Salary/Wage, Overtime, for the purpose of funding the Fire Department Overtime account to ensure fire station openings.

**DISCUSSION:**

**Councilor Memhard** indicated that this transfer was similar to an October 2015 transfer and is intended to assure that the salary/wage overtime account is funded to enable three stations are fully opened with a fourth open as often as possible based on staffing coverage.

**Councilor O'Hara** asked if there is a method to track this funding to ensure its use for overtime funding to staff Fire Stations. **Council President Ciolino** said he understood that this would open the stations more often, and he added the question how far this would take the department's overtime funding for station openings. **Chief Smith** said the department will stretch the funding to the end of June by breaking it up into pay periods and be strictly encumbered into the salary/wage overtime account which is solely used for hiring for shifts to open stations.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-5 in the amount of \$20,000 from Account #101000.10.250.55810.0000.00.000.00.054, Fire Department, Work/Safety Clothes, to Account #101000.10.220.51300.0000.00.000.00.051 Fire Department, Salary/Wage, Overtime, for the purpose of funding the Fire Department Overtime account to ensure fire station openings.**

**Council President Ciolino** stated by way of this vote the Council is showing their support and solidarity with the Fire Department.

**3. *Memorandum from CFO & Director of Information Services & Special Budgetary Transfer request (2016-SBT-6) from Treasurer/Collector's Office***

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Special Budgetary Transfer 2016-SBT-6 in the amount of \$42,750 from Account #101000.10.145.57420.0000.00.000.00.057 Treasurer/Collector-Property Insurance-General Liability to Account #101000.10.155.52000.0000.00.000.00.052, Information Technology-Contractual Services for the purpose of funding the transition to a new email platform.

**DISCUSSION:**

**Councilor Memhard** said that IT Director, James Pope, and CFO, John Dunn addressed this matter in some detail during the B&F meeting explaining to the Committee that this transfer relates to a change-over of the city-wide email system. He briefly recalled for the Council that the entire city's municipal email platform several months ago went down for seven consecutive days. As a result the Administration reviewed three different plans as how to move forward to provide email service to the city's employees. The CFO and the IT Director concluded that Google Apps offered the best choice for a range of features as well as being very competitive financially which turns out to be the lowest cost solution to provide the level of service the city needs. To achieve the conversion a transfer is needed to pay for it. The funds are coming from an account in the Treasurer/Collector's Department, the General

Liability Property Insurance, which was budgeted in the spring of each year based on information they get from MIIA, and then when they get the actual bill they have historical credits that offset that bill. He said because of good history it allowed for a positive budget variance in this account, and therefore can be used to source this \$42,750 conversion cost and first year of the Google Apps service includes training.

**Councilor Ciolino** said that this isn't \$47,000 for Gmail. **John Dunn**, CFO, explained that: the impetus for this conversion is the problems with the city email platform and concerns for "seat" licenses. When looking to fix the problem, three different approaches were assessed and determined that Google Apps will provide a suite of software useable by clerks and users throughout the system. It will put the city's information in the Cloud in a distributed format which will provide a high level of security. The city won't have to maintain equipment or programs. Given the set of circumstances, this appears to be the best approach, with the city getting email and a suite of services with storage in the Cloud.

**Councilor Cox** said at her place of employment they are utilizing Google Apps which works extremely well and briefly described a few advantages users will have. She commended the foresight of the Administration for moving forward with this.

**Councilor Orlando** added that this move will save the city money over a five-year period per Mr. Pope's excellent presentation which will provide the city with better email and information security and save the city money.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-6 in the amount of \$42,750 from Account #101000.10.145.57420.0000.00.000.00.057 Treasurer/Collector-Property Insurance-General Liability to Account #101000.10.155 52000.0000.00.000.00.052, Information Technology-Contractual Services for the purpose of funding the transition to a new email platform.**

**4. Request from Police Chief for acceptance of \$42,700.60 from MIIA for the replacement cost of cruiser 1692**

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Orlando, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c.44, §53, to appropriate \$42,700.60 for a new Gloucester Police Department cruiser from insurance proceeds received from the city's insurer, Massachusetts Interlocal Insurance Association (MIIA) in the amount of \$42,700.60 for a total loss payment for the Gloucester Police Department cruiser #1692, a 2013 Ford Interceptor.

**DISCUSSION:**

**Councilor Memhard** recognized that the Police Chief was on the front page of the New York Times New England edition with a long full article in Section A1 the previous day regarding the Angel Program.

He explained that on October 3, 2015 there was a serious accident where Police Cruiser #1962, a 2013 Ford Interceptor was totaled, badly injuring an officer. On December 15 the city's insurer, MIIA, issued a check for \$42,700.60 for the cruiser's replacement value. These funds are to be deposited into an account so that the money can be used to replace the cruiser with a new vehicle. The Chief indicated the recovered specialized equipment will also be installed in the new vehicle.

**Councilor Cox** asked the Administration for an update on the condition of the injured police officer. **Jim Destino**, CAO, said that the officer broke his neck and is still recovering and is hoped to make a full recovery.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Gilman, the City Council voted 9 in favor, 0 opposed, to accept under MGL c.44, §53, to appropriate \$42,700.60 for a new Gloucester Police Department cruiser from insurance proceeds received from the city's insurer, Massachusetts Interlocal Insurance Association (MIIA) in the amount of \$42,700.60 for a total loss payment for the Gloucester Police Department cruiser #1692, a 2013 Ford Interceptor.**

**5. Memorandum from Affordable Housing Trust for approval of Affordable Housing Trust funding in the amount of \$10,000 for 206 Main Street**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Lundberg, the Budget & Finance Committee voted 2 in favor, 1 (Orlando) opposed, to recommend that the City Council appropriate \$10,000.00 for an affordable housing project as requested by the Affordable Housing Trust Committee

for the 206 Main Street LP, Harbor Village Housing Project from Fund# 820022, Affordable Housing Trust fund for the purpose of supporting the creation of affordable rental units for households earning no more than 60 percent to Area Median Income adjusted for household size. Units shall carry a State Affordable Housing Restriction in perpetuity.

#### **DISCUSSION:**

**Councilor Memhard** said that the discussion on this matter at the B&F meeting was fairly involved. The Affordable Housing Trust (AHT) felt this was an appropriate use of their funds, as Councilor Lundberg confirmed being compatible with the AHT mission statement. He said concern was expressed that the city was already incurring extra expense to retain counsel to represent the city for the 40B project, called a “friendly” 40B, but the city does incur extra costs that precedent was being set to subsidize or assist other housing projects coming into the city. Tom Daniel, Community Development Director, stated and representatives from Action, Inc., that this was an essential part of the community’s commitment to supporting this project and essential to the consideration of the state level grant approval as a city statement of support for the project.

**Councilor Cox** pointing out that this project is in her ward and had done a great deal of reading on the 40B projects. She said one of the ways a project such as this can leverage their request to the state for preference such as to city resident preference, veteran’s preferences, while it isn’t guaranteed, it is a request that can be put forward in the application to the state. She explained that when the state looks at the application they also look at the support that the city is giving the project and one of the ways the city can show their support is through funding. Noting that the AHT has a \$247,000 balance, a \$10,000 show of support, she said, is extremely weak. She said she had hoped there would have been more money put forward, and knew the applicant had hoped that as well, and city residents, of whom there are many in support the project. She confirmed that the city did hire an attorney at the request of the Zoning Board of Appeals (ZBA) to assist them on this one project. Penalizing the project or the ZBA for an attorney to assist them won’t appear as positives in the eyes of the state when making a request for local preferences.

**Councilor Orlando** said he voted at B&F against this funding for several reasons none of which are related to the need for affordable housing that the city needs. He said his reservations about the project are that the city will incur more costs in a project of this magnitude than just in a legal bill. He noted he had asked the Mayor’s office to advise the Council what has been spent to date as a result of the project and what it will total. He recounted that at the B&F meeting he asked if the city contributed this \$10,000 can it have some say in how that money is used --for things like the exterior design to comport with the downtown, or used for something the city could control like water and sewer connections to take some of the burden off taxpayers. He said he wasn’t given any assurances that the city had any say in how the funds would be spent because it is a 40B project. He pointed out he wasn’t given any kind of guarantee or hope the city wouldn’t have to spend a great deal of money for a sizeable infrastructure project on Main Street to increase water and sewer capacity as a result of this project. He suggested that the city will have to bear a lot of costs in the future because of this 40B project, and that in of itself would show a great deal of support and was why he didn’t think they should use \$10,000 towards the project. He added that the city shouldn’t be getting in the way of a private entity building on their private property, but said it shouldn’t require the city to put city funds and resources towards this project and would vote against the funding tonight.

**Councilor Gilman** said she spent quite a bit of time looking at previous AHT minutes. She noted that in 2009 for the Central Grammar apartment project, the AHT contributed \$50,000 for affordable housing units; \$30,000 for Taylor Street for three affordable housing units in 2011; and two units on Marsh Street in 2011 at \$40,000. She said that if the developer’s request was \$10,000, then that is sufficient as a sign of good faith, and suggested that is likely the minimum likely that the state would see as an indication of the city’s support. This is a small amount and she would support the motion, she said.

**Councilor Cox** offered a correction that the \$10,000 wasn’t the project partnership’s request. The request was higher, and this was what they were able to settle for, she said.

**Councilor LeBlanc** said he agreed with Councilor Orlando, that this 40B project will be a bigger burden on the city financially moving forward and that the \$10,000 would be better served to be left in reserve for a different project and would not support the appropriation of this funding for the 40B project on Main Street.

**Councilor Lundberg**, pointing out that Councilor Orlando had said there was no assurance about the extra burden on the downtown infrastructure, Tom Daniel, Community Development Director, specifically addressed that point at the B&F meeting by saying that water and sewer was sufficient as it exists today to support this development.

**Council President Ciolino** said at the B&F meeting he heard that the \$10,000 was a good faith indication on the part of the city to show the state that the city supports the 40B project, but that a good faith effort for a 40B

project is a contradiction. He pointed out that a 40B project bypasses every city board and commission except the ZBA -- and if they turn the project down, the project appeals to the state and likely gets it passed. He said were this a regular housing project with affordable housing units attached it would be a great investment. He noted this project is coming as a whole 40B project. He said he viewed 40B projects as hostile but added that he agreed with the project which would be good and agreed that the volunteers of the AHT have done a good job, but he said he believed that a project will come forward the city can spend its money on and have more control. He asked where one goes to get \$10,000 in funding with no strings attached -- the city doesn't get a performance report of where the taxpayer dollars went and expressed his concern. He said it would be better if the \$10,000 was put in an appropriation account for reimbursing expenses associated with the project the city is going to incur when the ZBA hires an attorney to make sure the city is properly represented which he surmised would be expensive. He said he would vote against this funding.

**Peggy Hegarty Steck**, Action, Inc. and **Mickey Northcutt**, CEO, North Shore Community Development Corporation came forward at the request of **Councilor Memhard** who said it is a competitive track to make the financial application to the state and asked through the Chair that they speak to the role of the \$10,000 contribution and their expectation. He said he is concerned that the Council not do anything that would delay the development plans for the project as it will take several years to get up and running and indicated he is motivated to see this accomplished in as quick a timeframe as possible for the benefit of the community. **Mr. Northcutt** said when they apply to the state for funding; there is a prerequisite that the state looks for a local funding match. He said his organization has never had a 40B project that wasn't supported with funding in some way from the community where the project was being developed, either through HOME funds, Affordable Housing Trust Funds, or CPA funds. He indicated since he's never had a project that wasn't financially supported in some way by a community wasn't sure of the process. It is the state's view that they won't put state resources into projects where there isn't a local match, he pointed out. State funding is extremely competitive, he explained, and applications can be made once per year, and he said they would be submitting an application to the state in March. He said it is usual that 80 to 100 applications go in and only about 25 are funded, but it doesn't preclude their going forward again in a new funding cycle. The process is very competitive, he noted, pointing out that there hasn't been an affordable housing project that's applied for resources at the state level for many years. He said they knew the state to be supportive of the concept of doing something in Gloucester. The local match is a prerequisite, he said.

**Councilor Lundberg** said the idea the partnership has this funding without the city's contribution is not correct. If the city doesn't indicate its interest through this funding the project won't be funded on a state level and the project will not go forward. **Mr. Northcutt** said it was an accurate statement. **Council President Ciolino** said the Brier Neck project has an affordable housing aspect that the city didn't contribute to. **Councilor Cox** said that if that project didn't ask for funding from the city it wouldn't have extended it to them. **Ms. Steck** indicated that not all 40B projects are the same, and some projects use a portion of a project as affordable and finance it on their own to get the project done and are not going through the same funding process as the Main Street project which is 100 percent affordable housing units. **Mr. Northcutt** added that the AHT asked them to put a purpose on the \$10,000 and it was for masonry and it will be used for the side of the building to be on the main street side be brick. **Ms. Steck** said there was a tracking process and communication entailed.

**Councilor Nolan** said he recalled there would be no public funds to be used for this 40B project and there were no issues with that. He asked if this was a match funding from the state. **Mr. Northcutt** said they are applying for much more than \$10,000 at the state level and have private funds as well. The state administers some federal as well as state monies, and the total dollar amount they are applying for is several million. The \$10,000 indicates the city has some, "skin in the game." He said the last three project they've done they've had a range of \$100,000 to \$400,000 contributed from CPA, HOME money or from Affordable Housing Trust. The project can't be done without public funds, he said.

**Councilor Memhard** asked for an overview of the project. **Mr. Northcutt** said that the project is a 30 unit development, with three street-level retail spaces. There will be 10 one-bedroom units, 3 three-bedroom units and 17 two-bedroom units, all 100 percent deemed affordable housing with a 50 year deed restriction and all units will count towards the city's affordable housing inventory. He indicated Gloucester needs 300 units. **Councilor Memhard** said that to achieve these 30 affordable housing units lessens the exposure of private developers being able to hang their hats on a 40B project so they can avoid most all permitting bodies of the city. A project like this helps eliminate this loophole, he said.

**Councilor Lundberg** said that the Brier Neck Crossing project highlights an excellent example of putting in market rate units with an affordable unit to get around city permitting. This project is what 40B was designed to do. Once 10 percent of the housing stock for affordable housing is reached, the city doesn't have to deal with 40B projects.

**Councilor Orlando** asks if the ZBA turns the project down what happens to the \$10,000 if the Council approves the funding. **Mr. Northcutt** said they would never spend the money unless the project is built. He said he was sure the money would stay in the Trust until they start construction and would be when they draw down such funds. **Councilor Orlando** said if the ZBA hasn't given their approval he said there is no need for approval of these funds as there is no project moving forward at this time. He said that Councilor Nolan noted that at one of the presentations on the project suggested there would be no public funds required for this project. **Mr. Northcutt** said they didn't say that the project wouldn't require public funds because it isn't possible to build the type of affordable housing they're proposing to construct without public funds. **Ms. Steck** said this idea came from people in the audience who thought the city was paying for the whole thing which it isn't and that the city contribution is significantly smaller than private financing and the state. She said that the only city funds they're asking for is funds that can only be used for funding affordable housing which is the purpose of AHT funds. She confirmed some people thought that the city would have to spend millions for this project, and it is not true.

**Councilor LeBlanc moved** to postpone the Council vote on the appropriation of Affordable Housing Trust funds of \$10,000 until the ZBA comes forward with a recommendation on the 206 Main Street LP housing project, seconded by **Councilor Orlando**.

**Councilor Gilman** said she wanted more information, some historical data, as to why the other properties the AHT had funded received so much more than this project. Affordable housing is workforce housing, and she said she would support the postponement of the vote.

**Council President Ciolino** suggested that the Council they can send this matter back to the AHT and ask them to come back with this again when the ZBA renders its decision and to place restrictions on the funds so the city knows exactly where the money is going.

**Councilor Lundberg** pointed out that the AHT funds are not taxpayers' money; rather, the Trust money came from a developer who, in order to skirt affordable housing on his project, made that contribution to the Trust.

**Councilor Orlando** said the developer owns the property, so it is taxpayer money.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Orlando, the City Council voted 7 in favor, 2 (Lundberg, Cox) opposed, to postpone voting on a \$10,000 appropriation out of the Affordable Housing Trust fund for the purpose as recommended by the Affordable Housing Trust in support of the creation of affordable housing rental units for the 206 Main Street LP housing project until the Zoning Board of Appeals has rendered its decision on the project.**

**7. Memorandum from Community Development Director for approval of two grants from Mass. Cultural Council in the amount of \$4,000 for support of Gloucester Harbortown Cultural District and \$5,000 for support of the Rocky Neck Cultural District**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council a FY16 Cultural District Initiative Grant in the amount of \$4,000 for the purpose of supporting the Harbortown Cultural District. All funds for grant awards are to be spent by June 30, 2016. Matching funds must be raised by June 30, 2016 and is a 1:1 cash match.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council a FY16 Cultural District Initiative Grant in the amount of \$4,000 for the purpose of supporting the Harbortown Cultural District. All funds for grant awards are to be spent by June 30, 2016. Matching funds must be raised by June 30, 2016 and is a 1:1 cash match.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council a FY16 Cultural District Initiative Grant in the amount of \$5,000 for the purpose of supporting the Rocky Neck Cultural District. All funds for grant awards are to be spent by June 30, 2016. Matching funds must be raised by June 30, 2016 and is a 1:1 cash match.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council a FY16 Cultural District Initiative Grant in the amount of \$5,000 for the purpose of supporting the Rocky Neck Cultural District. All funds for grant awards are to be spent by June 30, 2016. Matching funds must be raised by June 30, 2016 and is a 1:1 cash match.**

**8. Memorandum from Health Department for acceptance of a Nicotine Delivery Device Mini-Grant in the amount of \$1,000 from Health Resources**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a private grant from Health Resources in Action for a Nicotine Delivery Device Mini-Grant in the amount of \$1,000. The purpose of this grant is to fund the Gloucester Youth Council efforts in conjunction with School Administration to work to create a school policy to include guidelines for the use of nicotine delivery devices such as e-cigarettes and provide educational outreach to the school community.

**DISCUSSION: None.**

**Councilor Memhard** extended the Council's congratulations to Max Schenk upon being named to the post of Assistant Public Health Director.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, City Council voted 9 in favor, 0 opposed, to accept under MGL c. 44, §53A a private grant from Health Resources in Action for a Nicotine Delivery Device Mini-Grant in the amount of \$1,000. The purpose of this grant is to fund the Gloucester Youth Council efforts in conjunction with School Administration to work to create a school policy to include guidelines for the use of nicotine delivery devices such as e-cigarettes and provide educational outreach to the school community.**

**Ordinances & Administration: January 18, 2016 – No Meeting - National Holiday**

**Planning & Development: January 20, 2016**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the Planning & Development Committee voted 2 in favor, 0 opposed, to recommend that the City Council grant a perpetual easement for consideration of one (\$1.00) Dollar to Massachusetts Electric Company the right to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current for the transmission of intelligence, an UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM located through, under, over across and upon a parcel of land situated on the southerly side of Western Avenue, being more particularly shown on a Plan of Land dated February 5, 1989 by Winslow L. Webster, City Engineer recorded with the Essex South Registry of Deeds and known as portion of Stage Fort Park and as shown on a sketch entitled, "national grid WR#18176220," being 50+/- feet of 2" – 3" conduit from MH123-1 near 119 Western Avenue, and 30 +/- feet from the edge of Western Avenue into Stage Fort Park to a transformer with padmount for a total distance of 80 +/- feet. The installation shall consist of lines of buried wires and cables and lines of wires and cables installed in underground conduits together with all equipment and appurtenances thereto for the transmission of intelligence and the furnishing of electric service to the described premises and to service others, and without limiting the generality of the foregoing but specifically including the following equipment: namely, manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the property described herein, and also including the right to pass and repass over, across and upon said land in order to renew, replace, repair, remove, add to, maintain operate, patrol and otherwise change said "underground system" and to make such other excavations as may be necessary and to clear the portions of the areas where the underground system is located of such trees and bushes as may interfere with safe and efficient operation. Grantee

will properly backfill said excavations and restore surfaces of the land. It is the responsibility of Massachusetts Electric Company to file the granted easement at their expense with the Essex South Registry of Deeds.

**Councilor Lundberg** explained that this was an after-the-fact housekeeping situation. The installation of the transformer and pad mount already exist at Stage Fort Park.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to grant a perpetual easement for consideration of one (\$1.00) Dollar to Massachusetts Electric Company the right to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current for the transmission of intelligence, an UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM located through, under, over across and upon a parcel of land situated on the southerly side of Western Avenue, being more particularly shown on a Plan of Land dated February 5, 1989 by Winslow L. Webster, City Engineer recorded with the Essex South Registry of Deeds and known as portion of Stage Fort Park and as shown on a sketch entitled, "national grid WR#18176220," being 50+/- feet of 2" – 3" conduit from MH123-1 near 119 Western Avenue, and 30 +/- feet from the edge of Western Avenue into Stage Fort Park to a transformer with padmount for a total distance of 80 +/- feet. The installation shall consist of lines of buried wires and cables and lines of wires and cables installed in underground conduits together with all equipment and appurtenances thereto for the transmission of intelligence and the furnishing of electric service to the described premises and to service others, and without limiting the generality of the foregoing but specifically including the following equipment: namely, manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padamount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the property described herein, and also including the right to pass and repass over, across and upon said land in order to renew, replace, repair, remove, add to, maintain operate, patrol and otherwise change said "underground system" and to make such other excavations as may be necessary and to clear the portions of the areas where the underground system is located of such trees and bushes as may interfere with safe and efficient operation. Grantee will properly backfill said excavation and restore surfaces of the land. It is the responsibility of Massachusetts Electric Company to file the granted easement at their expense with the Essex South Registry of Deeds.**

**Scheduled Public Hearings:**

**1. PH2016-003: Amend GCO Sec. 21-84(c)(g) and Section 21-85(b)**

**This public hearing is opened at 8:52 p.m.**

**Council President Ciolino** said that this public hearing is continued to February 9, 2016 as it is not yet through the Ordinances & Administration Committee.

**This public hearing is continued to February 9, 2016.**

**2. PH2016-004: Amend GCO Chapter 11, Sec. 11-1 by adding the definition of a Farmer's Market**

**This public hearing is opened at 8:53 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:53 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the Code of Ordinances Chapter 11, Section 11-1 by ADDING the following definition:

"A farmer's market is a public market for the primary purpose of connecting and mutually benefitting Massachusetts farmers, communities and shoppers while promoting and selling products grown and raised by participating farmers. A proposed farmers market must meet the minimum qualification for Massachusetts Farmers' Markets as defined by the Massachusetts Department of Agricultural Resources (MDAR) that include, without limitation, two or more

farmers primarily selling products that they grew, produced or raised; set hours of regularly scheduled operation; products that are clearly labeled as to origin; and written rules that govern the operation of the farmers market that 1) assure its primary purpose is to provide a direct marketing opportunity for Massachusetts farmers, foresters and fisheries, 2) addresses the terms and conditions of sales, including pricing and labeling, vendor eligibility and product source, and compliance by all vendors with local, state and federal laws and regulations, 3) include a written grievance procedure, and 4) address market and vendor liability, including any insurance requirements.

Included in this definition are state licensed farm-wineries and fresh fish caught by local fishermen.

All vendors participating in a farmer's market covered by this definition are exempt as vendors under Code of Ordinances Section 11-14(a).

Any other vendors participating in the farmer's market must obtain a local vendors license.

Farmers markets are not included under Zoning Ordinance Use Schedule, "Open Uses," Section 2.3.3 (1) and (2). Farmers' markets must comply with all applicable local, state and federal laws and regulations."

#### **DISCUSSION:**

**Councilor Lundberg** said that the P&D Committee had voted to recommend a previous definition (May 6, 2015). He noted at that time that the Planning Board had recommended that rather than the Zoning Ordinance amendment, the definition belonged in the Code of Ordinances; and prompted the return of the matter to P&D to be reexamined. The result, as reviewed and recommended by General Counsel, is now before the Council to amend the Code of Ordinances codifying a definition of a Farmer's Market based on the Massachusetts Department of Agricultural Resources definition which also has the full endorsement of the P&D Committee. He added the purpose of the ordinance and the state recommendation is that vendors at a Farmer's Market who are farmers don't have to pay for a local vendor license. Vendors at a Farmer's Market who aren't farmers like the candle maker or a poster seller would need a local vendor's license to participate he said.

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend the Code of Ordinances Chapter 11, Section 11-1 by ADDING the following definition:**

**"A farmer's market is a public market for the primary purpose of connecting and mutually benefitting Massachusetts farmers, communities and shoppers while promoting and selling products grown and raised by participating farmers.**

**A proposed farmers market must meet the minimum qualification for Massachusetts Farmers' Markets as defined by the Massachusetts Department of Agricultural Resources (MDAR) that include, without limitation, two or more farmers primarily selling products that they grew, produced or raised; set hours of regularly scheduled operation; products that are clearly labeled as to origin; and written rules that govern the operation of the farmers market that 1) assure its primary purpose is to provide a direct marketing opportunity for Massachusetts farmers, foresters and fisheries, 2) addresses the terms and conditions of sales, including pricing and labeling, vendor eligibility and product source, and compliance by all vendors with local, state and federal laws and regulations, 3) include a written grievance procedure, and 4) address market and vendor liability, including any insurance requirements.**

**Included in this definition are state licensed farm-wineries and fresh fish caught by local fishermen.**

**All vendors participating in a farmer's market covered by this definition are exempt as vendors under Code of Ordinances Section 11-14(a).**

**Any other vendors participating in the farmer's market must obtain a local vendors license.**

**Farmers markets are not included under Zoning Ordinance Use Schedule, "Open Uses," Section 2.3.3 (1) and (2).**

**Farmers' markets must comply with all applicable local, state and federal laws and regulations."**

- 3. PH2016-005: SCP2015-008: Western Avenue #53, GZO Sec. 2.3.1.7 multi-family, Sec. 3.2.2 reduction in minimum lot area and open space per dwelling unit**

**This public hearing is opened at 8:57 p.m.**

**Those speaking in favor:**

**Attorney Joel Favazza**, Seaside Legal Solutions, 111 Main Street, representing Donald A. Roby and Paul A. Jensen (owners/applicants) attorney for the permitting process only, explained that the applicants are seeking to

convert the property at 53 Western Avenue back to a four-family residential dwelling pursuant to GZO Sections 2.3.1.7 multi-family, and 3.2.2 (a) reduction in minimum lot area and open space per dwelling unit.

**Mr. Favazza** said that currently the owners use the property as a combination of two separate apartments and an inn with three rental suites. He pointed out that city records show that the property was used as a four-family as far back as 1982 and until as recently as 2010. Currently the building is categorized as having two apartments and a three-suite in. In 2015 his clients looking to purchase the property presented the neighborhood with an option of taking the building down, putting up a new structure, the neighborhood wasn't thrilled it was coming down. The Historical Commission heard of the proposal and was not enthusiastic either. The applicant's reconsidered the project and came back with a way to preserve the building and still make this project financially viable by turning it back into a four-unit building. This project meets the neighborhood concerns that there will be sufficient parking and the concerns of the Historic Commission that the façade will remain much as is seen today.

It was pointed out there are no proposed additions to or expansion of the existing building outside of its current footprint. The garage will be torn down and be replaced with open air parking. The building will have two units over two units each with two bedrooms and a view of the Boulevard and Gloucester Harbor.

**Mr. Favazza** then reviewed the six criteria for a Special Council Permit pursuant to GZO Sec. 1.8.3 as:

- Social, economic or community need served: The proposed conversion provides new downtown residences while maintaining the historical character of the existing building and provides quality housing in the downtown;
- Traffic Flow & Safety: The proposed use is less intense than currently exists on the property and will provide more parking than currently is available;
- Adequacy of utilities & other public services: The proposed use is less intense than currently exists and the utilities on site are adequate to handle the use;
- Neighborhood character & social structure: The building abuts a six-unit condominium and other two- and three-family condominium buildings along Babson Court and will fit into the R-5 zoning district, and the building has been in place for centuries;
- Qualities of the natural environment: There will be no negative impacts to the qualities of the natural environment. The paved surfaces will remain;
- Potential fiscal impact: Four units are required in order to make the purchase and renovation of the property financially viable.

**Mr. Favazza** noted that the lot area decrease is in keeping with the immediate area and that there isn't a lot of open space on Babson Court and Western Avenue. He noted that the building will look as it has historically. He said it is a good project and good collaboration with the neighbors.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 9:02 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council GRANT a Special Council Permit (SCP2015-008) to allow for an existing building to be converted to four residential units at Western Avenue #53, Gloucester Massachusetts, Map 3, Lot 47, zoned R-5, pursuant to Section 2.3.1.7 reduction in minimum lot area per dwelling unit from 2,500 square feet to 1,900 square feet for a total of 600 square feet in relief; and Sec. 3.2.2., decrease in minimum open space per dwelling unit from 1,250 square feet to allow for no open space per dwelling unit. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

#### **DISCUSSION:**

**Councilor Lundberg** said that with the due diligence of Ward 3 Councilor, Steven LeBlanc, who held meetings with the neighbors to work through any concerns about the project, as well as adjustment to the design of the building by the applicant through the airing of those concerns, and that the application meets the six standards of GZO Sec. 1.8.3 in its intent and purpose, the P&D Committee has unanimously recommended the Special Council Permit be granted for Western Avenue #53.

**Councilor LeBlanc** thanked Attorney Favazza and his clients for responding to the concerns of the neighborhood so that the project doesn't impact the neighborhood. The Boulevard is the entire city's neighborhood; he pointed out and expressed his appreciation to the applicants for doing the right thing.

**Council President Ciolino** noted many developers have come to him asking how to make something work in the city, and he said he advises it is important to get the neighbors on board. He congratulated Councilor LeBlanc for his efforts and the applicants for their responsiveness. He said they set a good example of how a project should be handled and expressed hope that this will help guide future applicants.

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to GRANT a Special Council Permit (SCP2015-008) to allow for an existing building to be converted to four residential units at Western Avenue #53, Gloucester Massachusetts, Map 3, Lot 47, zoned R-5, pursuant to Section 2.3.1.7 reduction in minimum lot area per dwelling unit from 2,500 square feet to 1,900 square feet for a total of 600 square feet in relief; and Sec. 3.2.2., decrease in minimum open space per dwelling unit from 1,250 square feet to allow for no open space per dwelling unit. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.**

**4. PH2016-006: SCP2015-009: Bass Avenue #53, GZO Sec. 2.3.1.7 multi-family, Sec. 3.2.2 reduction in minimum lot area and open space per dwelling unit**

**This public hearing is opened at 9:06 p.m.**

**Those speaking in favor:**

**Mr. Favazza**, Seaside Legal Solutions, 111 Main Street, representing 53 Bass Avenue, LLC (owner/applicant) seek to allow the existing five-unit dwelling which have existed on site. In 1977 a prior owner went to the ZBA and the City Council who received permission and proper relief to expand the building to four units. Between 1977 and 1981 a fifth unit appeared that had no permitting associated with it. The fifth unit persisted and existed from 1981 until the summer of 2015 when his client purchased the property and in his doing his due diligence he exposed the fact there was a permitting deficiency.

The initial tack was to go before the ZBA and then the Council and get what was on the ground reflected on paper. However, when the applicant went before the ZBA they were met with substantial "speed bumps." The ZBA wanted to see some concessions, and that they expressed that there were concerns about the parking situation on the property and the density on the property. This property is in the R-10 district so it isn't often to see five units on a property. Although it is a double lot, it is not overly large. The ZBA said they wanted the parking corrected as a condition of the relief to allow the five units to persist and also at the urging of the ZBA his clients have agreed to make one of the one-bedroom units to be restricted as an "affordable" rental unit (see ZBA decision dated December 10, 2015 on file) which counts towards the affordable housing stock for the city through a recorded deed restriction. The ZBA approved this in their decision also.

**Mr. Favazza** then reviewed the six criteria for a Special Council Permit pursuant to GZO Sec. 1.8.3 as:

- Social, economic or community need served: By allowing the existing fifth unit to remain provides the city with an affordably-priced workforce single bedroom housing unit that would otherwise be eliminated if the permit should be denied and will add a legally affordable housing unit to the city's affordable housing stock;
- Traffic Flow & Safety: The parking lot will have 8 paved lined parking spaces none of which will require tandem parking or backing out onto Bass Avenue. Given the demographic of renters typically on this property, very few own more than one car or none at all. It is unlikely that the eight spaces will be filled by tenant vehicles, but if that should happen there will be space for all eight. The only non-compliant aspect is that technically parking is included in the front yard setback for a multi-family that has a forty-foot front yard setback on a 70 foot deep lot, and that requires a variance.
- Adequacy of utilities & other public services: The utilities and available public services are sufficient -- no upgrades are required and there are no changes.
- Neighborhood character & social structure: The building has existed in its current five-unit configuration almost 35 years and does not nor has it in the past been in conflict with the neighborhood. A next-door-neighbor who lived at that location since the 1980's testified at the ZBA public hearing she has never had an issue with the number of people living in the building. The neighborhood character remains as is.
- Qualities of the natural environment: More paved surfaces will be created with some grassy area being removed. There will be removal of overgrowth from the property to be replaced with appropriate

landscaping. This is a double lot, and even though this is a reduction in non-paved area, there is enough open space in keeping with the neighborhood. It was noted this reduction is a trade-off in creating the eight conforming parking spaces, but when weighed out, it is more important to prevent vehicles from backing into Bass Avenue traffic than to have a few feet of grassy area behind the building.

- Potential fiscal impact: The rent collected from five units allows the owner to invest in the upkeep and maintenance of the property.

**Those speaking in opposition:** None.

**Communication:** None.

**Councilor Questions:**

**Councilor Memhard** said there is a substantial back lot and that the neighborhood is in support of this project. He noted there was a letter (on file) of support in the Special Council Permit file from an immediate neighbor in a single family home. **Mr. Favazza** said the neighborhood was alerted through normal channels when they received the abutters notice from the ZBA and for this Special Council Permit public hearing. He said in addition, there was an extra communication from his office explaining the trade-off proposed allowing the fifth unit to remain to make parking compliant. He recalled they received one letter from the immediate neighbor in support of the application, that no one appeared at the ZBA hearing to speak for or against the project and no one voiced support or objections neither at the P&D Committee meeting nor at this public hearing this evening. While people aren't lining up in support of the project neither are they voicing their objections, he concluded.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council GRANT a Special Council Permit (SCP2015-009) to allow for an existing building to be legally converted to five residential units at Bass Avenue #53, Gloucester Massachusetts, Map 55, Lot 13, zoned R-10, pursuant to Section 2.3.1.7 reduction in minimum lot area per dwelling unit from 5,000 square feet to 1,463 square feet for a total of 3,537 square feet in relief; and Sec. 3.2.2., decrease in minimum open space per dwelling unit from 3,500 square feet to 400 square feet space per dwelling unit for a total of 3,100 square feet in relief. One unit shall remain an affordable unit pursuant to the Zoning Board of Appeals decision. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

**DISCUSSION:**

**Councilor Lundberg** said that this Special Council Permit was recommended unanimously by the P&D Committee who were agreement with the decision of the Zoning Board of Appeal. By setting apart one apartment unit for affordable housing, the city is increasing its housing stock in a positive step forward. The project meets the six standards under GZO Sec. 1.8.3 in its intent and purpose, he pointed out.

**MOTION:** On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by **ROLL CALL 9** in favor, 0 opposed, to GRANT a Special Council Permit (SCP2015-009) to allow for an existing building to be legally converted to five residential units at Bass Avenue #53, Gloucester Massachusetts, Map 55, Lot 13, zoned R-10, pursuant to Section 2.3.1.7 reduction in minimum lot area per dwelling unit from 5,000 square feet to 1,463 square feet for a total of 3,537 square feet in relief; and Sec. 3.2.2., decrease in minimum open space per dwelling unit from 3,500 square feet to 400 square feet space per dwelling unit for a total of 3,100 square feet in relief. One unit shall remain an affordable unit pursuant to the Zoning Board of Appeals decision. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

**For Council Vote:**

**1. Warrant for Presidential Primary Election on March 1, 2016**

**MOTION:** The City Council voted **BY ROLL CALL 9** in favor, 0 opposed to adopt the warrant for the Presidential Primary Election, to be held March 1, 2016.

**Unfinished Business:** None.

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

**Councilors' Requests to the Mayor:**

**Councilor Gilman** reminded city property owners that they have an obligation to clear snow off sidewalks per city ordinance. She said the clearing of sidewalks would be appreciated by everyone as it is a public safety issue.

**Councilor Memhard** said that there was a request from a Harrison Avenue resident from his ward that was copied other Councilors that the Route 128 extension sidewalks are not cleared of snow and are unable to be traversed making this a very hazardous situation and needs the attention by MassDOT. **Council President Ciolino** advised he had copied State Senator Bruce Tarr's office on this matter.

**Councilor O'Hara** extended his thanks to the Council and to the Administration for allowing the Fire Chief to come before them to answer their questions on the importance of keeping fire stations open. He also thanked the men and women of the Fire Department for their dedicated service to the city.

**Councilor Orlando** requested through the Administration to receive from the Department of Public Works information on the infrastructure needs if any on Main Street pursuant to the 40B project proposed for 206 Main Street as well as to receive information on outside legal counsel's legal retainer and associated costs for advice to advise to the ZBA on the 40B project permitting process.

**Councilor Cox** invited those who are in favor of the 206 Main Street project come to the Zoning Board of Appeals' next meeting. Pointing out that the last snow storm wasn't accompanied by a parking ban, she asked that the DPW through the Administration clean up snow remaining on city roadways in advance of the next snow storm.

**Council President Ciolino** asked that the Kyrouz Auditorium clock be fixed. He offered his congratulations to Councilor Cox being named President of the Pride Stride organization.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 9:25 p.m.**

**Respectfully submitted,**

*Dana C. Jorgenson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

**BUDGET & FINANCE MEETING MINUTES**

**02/04/16**

**(UNDER SEPARATE COVER)**

**Ordinances & Administration Committee**  
Monday, February 1, 2016 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
**-Minutes-**

**Present:** Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Sean Nolan  
**Absent:** None.

**Also Present:** Mayor Theken; Councilor Lundberg; Councilor Joseph Ciolino; Linda T. Lowe; Jim Destino; Donna Compton; Tom Daniel; John Dunn; Paul Keane; Chip Payson; Bill Sanborn; Mike Hale; Mark Cole; Nancy Papows

**The meeting was called to order at 6:00 p.m. Matters were taken out of order. There was a quorum of the City Council until 6:47 p.m. when Councilor Lundberg left the meeting.**

Prior to taking up the matters on the Committee agenda, Chair, **Councilor LeBlanc** announced that as with City Council meetings, Standing Committee meetings are no different in that complaints as to an individual’s performance is not acceptable in a public forum.

**1. A. New Appointments:**

Zoning Board of Appeals                      H. Sage Walcott-Alternate Member                      TTE 02/14/18

**Mr. Walcott** said he has lived in Gloucester for forty years and is a former General Counsel under City Manager, Paul Talbot; and Mayor Leo Alper and so he understands city processes.

**Councilor LeBlanc** said the city is fortunate to have such a good resource as Mr. Walcott on the ZBA, and although he would be acting as an alternate member, he would likely be sitting in more frequently than he might expect.

**Councilors O’Hara** and **Councilor Nolan** thanked Mr. Walcott for stepping forward as a volunteer.

**Mayor Sefatia Theken** said the Administration believes this is a great appointment and that Mr. Walcott is a needed asset for the ZBA as an alternate member, as well as being willing to attend all meetings.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint H. Sage Walcott an Alternate Member of the Zoning Board of Appeals, TTE 02/14/18.**

Historical Commission                      Sandy Barry-Alternate Member                      TTE 02/14/18

It was noted there was a memorandum issued by the Mayor to the Committee dated today’s date (on file) expressing that the Administration is asking Ms. Barry to be appointed as a regular member of the Historical Commission.

**Ms. Barry** said that she has lived in Gloucester for 18 years and is very appreciative of the city’s history supports its historic preservation. She reviewed she is a volunteer for Cape Ann Animal Aid, a member of the board and of the Cape Ann Trail Stewards, and a member of the Historical Burial Grounds subcommittee. She said through her work with the Historical Burial Grounds subcommittee is where she got to know members of the Historical Commission.

**Councilor Nolan** said he was pleased Ms. Barry wanted to build a Historical Commission website as well as her continuing to work to preserve the city’s historic burial grounds. **Councilor LeBlanc** added his approval of Ms. Barry’s appointment especially in light of her interest to establish a Historical Commission website and her continuing to work for the preservation of the city’s historic burial grounds.

Chief Administrative Officer, **Jim Destino**, clarified for **Ms. Barry** in response to her inquiry, that she can be a member of the Historical Commission and the Historical Burial Grounds subcommittee as they are related, which was confirmed by City Clerk, **Linda T. Lowe**.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint Sandy Barry to the Historical Commission, TTE 02/14/18.**

Council on Aging

Greg Verga

TTE 02/14/19

Former City Councilor, **Greg Verga** recounted he has lived in Gloucester almost 48 years, and that after his Council term was up in December 2015 he consulted with the Mayor who suggested his joining the Council on Aging, that it would be a good fit for him. Noting that at times the COA has difficulty reaching a quorum, he said his appointment will help in that he is able to adjust his schedule to attend meetings.

**Councilor Nolan** expressed his appreciation as did **Councilor O'Hara** for Mr. Verga's continuing spirit of volunteerism.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint Greg Verga to the Council on Aging, TTE 02/14/19.**

Conservation Commission

William Cook

TTE 02/14/19

**Mr. Cook**, said he has lived on Coffins Beach during the summer in a family owned home since 1955, excepting during his Army service, and three years ago moved to Gloucester full time. Noting that he has been actively involved in that area's beach community, he said the Wingersheek Beach Association actually rewrote their bylaws so he could become an officer in the various associations there. He said he has a desire to become more active in the community as a whole, not just within the beach community.

He advised that he is Vice President of one of the smaller beach associations within the Wingersheek Beach Association and on the Board of Directors for the overall Beach Association. He pointed out when taking the state's on-line ethics training course it brought up a possible conflict of interest and he contacted the State Ethics Commission advising them of this possibility. He was told to file an Ethics Determination as required under G.L. c. 268A, §19(c) and had done so (disclosure form on file). The Wingersheek coastal marshland and shore area is large, and so falls under the purview of the Conservation Commission, he said. He added that as a result when a matter comes up before the Conservation Commission involving this area he would have to declare that under MGL c. 268A this information and that he has no financial interest that would be compromised unless the Beach Association did something to increase the property values, according to the State Ethics Commission.

**Councilor Nolan** thanked Mr. Cook for his service to his country expressing appreciation for his overall experience and willingness to step forward as a city volunteer.

**Councilor Ciolino** said the Conservation Commission is a difficult Commission for applicants to come before and asked that Mr. Cook be helpful to these applicants so that the process is less daunting to them.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council appoint William Cook to the Conservation Commission, TTE 02/14/19.**

**B. Management Reappointments:**

Purchasing Agent	Donna Compton	TTE 02/14/17
Community Development Director	Tom Daniel	TTE 02/14/17
Chief Administrative Officer	James Destino	TTE 02/14/17
Chief Financial Officer	John Dunn	TTE 02/14/17
City Engineer	Paul Keane	TTE 02/14/17
General Counsel	Charles "Chip" Payson	TTE 02/14/17
Building Inspector	William Sanborn	TTE 02/14/17
Director of Public Works	Michael Hale	TTE 02/14/18
Assistant Director of Public Works	Mark Cole	TTE 02/14/18
Principal Assessor	Nancy Papows	TTE 02/14/19

**Councilor O'Hara** clarified that he had prior to this meeting asked for the resumes of the management reappointees to help him become better acquainted with the background of each manager as he was new to the Council. He expressed his confidence in the Mayor and her CAO, Jim Destino, and looked forward to getting to know and work with all city department managers.

**Mayor Sefatia Theken** reviewed for the Committee the Management Reappointments clarified she has no specific right or left hand person, rather she has a team in place she's worked with some for thirteen years as a City Councilor and as Mayor, some of whom she worked with even longer as a community advocate. She said the management team works closely together to ensure accountability in everything they do. She was pointed out that there had been a manager's workshop last year with more programs to come forward to ensure the best practices and efforts comes from all city employees to benefit the city. She acknowledged Chief Administrative Officer, Jim Destino as her chief adviser. She expressed her confidence that the managers before the Committee for reappointment make the city better by their employ.

**Councilor LeBlanc** advised his fellow Councilors to take the time to meet with the managers who were present in order to become familiar with them and their purview.

Donna Compton, Purchasing Agent

TTE 02/14/17

**Councilors Nolan** and **O'Hara** extended their thanks to Ms. Compton for her continued service to the city.

**MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to reappoint Donna Compton as Purchasing Agent, TTE 02/14/17.**

Tom Daniel, Community Development Director

TTE 02/14/17

**Councilors O'Hara** and **Nolan** offer their thanks to Mr. Daniel for his dedication to his job. **Councilor LeBlanc** added that Mr. Daniel is always helpful and that if he doesn't have a ready answer he seeks out an answer and conveys it promptly.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to reappoint Tom Daniel as Director of Community Development, TTE 02/14/17.**

Jim Destino, Chief Administrative Officer

TTE 02/14/17

**Councilor O'Hara** advised he had met with Mr. Destino that morning at the early hour of 5:00 a.m. and thanked him for it.

**Councilor LeBlanc** thanked Mr. Destino for taking the time to help the new Council make the adjustment with so many new members and participating in a recent Council workshop on procedures. He said that as a city moving forward it is essential that the Council and the Administration work together. As the Mayor has, the Council has to give the city back to its residents and stand up for them, he noted. He said he was pleased Mr. Destino is returning for another term as CAO and expressed his appreciation for all his hard work on behalf of the city.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint James Destino as Chief Administrative Officer, TTE 02/14/17.**

John Dunn, Chief Financial Officer

TTE 02/14/17

**MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint John Dunn as Chief Financial Officer, TTE 02/14/17.**

Paul Keane, City Engineer

TTE 02/14/17

**Councilor LeBlanc** said he has dealt with Mr. Keane numerous times over the past several years and expressed his appreciation for his responsiveness. **Councilor O'Hara** offered his thanks to Mr. Keane for his service to the city. **Councilor Nolan** said he looked forward to spending time with Mr. Keane to learn more about his work, and asked how the city's GIS system was working. **Mr. Keane** said it works very well.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Paul Keane as City Engineer, TTE 02/14/17.**

Charles "Chip" Payson, General Counsel

TTE 02/14/17

**Councilor Nolan** said that he has observed that Mr. Payson has become more hands on during his short tenure with the city, and that he looks forward to working with him. **Councilor O'Hara** thanked Mr. Payson for participating in the Council workshop several weeks ago. **Councilor LeBlanc** expressed his appreciation for Mr. Payson's open door policy with the Council.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Charles "Chip" Payson as General Counsel, TTE 02/14/17.**

William Sanborn, Building Inspector

TTE 02/14/17

**Councilor O'Hara** said he knew that contractors, he being one as well, who work in the city appreciate Mr. Sanborn's responsiveness along with the rest of his department. He said Mr. Sanborn has a difficult job and thanked him for his hard work. **Councilor Nolan** said that many contractors speak highly of Mr. Sanborn, that he has a firm grasp of the law and is fair in enforcing the building codes. **Councilor LeBlanc** added his appreciation for Mr. Sanborn's work and his responsiveness to Councilor inquiries.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint William Sanborn as Building Inspector, TTE 02/14/17.**

Michael Hale, Public Works Director

TTE 02/14/18

**Councilor Nolan** said he appreciated Mr. Hale's grasp of the city's issues adding that Mr. Hale has one of the hardest jobs in the city balancing the needs of the municipal buildings, school properties, and city infrastructure and is doing a good job. **Councilor O'Hara** also expressed his appreciation for Mr. Hale's leadership and said he supported his efforts and that of his department wholeheartedly. **Councilor LeBlanc** said he also appreciated having such a good working relationship with Mr. Hale and thanked him for his continued responsiveness. He said that the employees of the DPW department say good things about their working for Mr. Hale and their work environment which is a direct reflection of Mr. Hale's leadership.

**MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to reappoint Mike Hale as Director of Public Works, TTE 02/14/18.**

Mark Cole, Public Works Assistant Director

TTE 02/14/18

**Councilor O'Hara** said that Mr. Cole as Mr. Hale's right hand also has a tough job managing the city's beaches and parks, expressing his appreciation for his work. **Councilor Nolan** said he has known Mr. Cole for some time and has heard only positive things about him. **Councilor LeBlanc** said that the DPW is doing a great job and encouraged Mr. Cole to keep up the good work.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mark Cole as Assistant Director of Public Works, TTE 02/14/18.**

Nancy Papows, Principal Assessor

TTE 02/14/19

**Councilor O'Hara** thanked Ms. Papows for her years of service to the city. **Councilor LeBlanc** highlighted that Ms. Papows' good staff is a reflection of Ms. Papows leadership.

**Mr. Destino** invited all the Councilors to meet with Ms. Papows for a primer as she is the in-house expert on tax classification before that matter comes before the Council this coming fall.

**Councilor Ciolino** said that the Assessor's has a tough job and that Ms. Papows' department does a very good job with customer service. He said that everyone he has sent to her department for assistance always comments favorably as to the service they received.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Nancy Papows as Principal Assessor, TTE 02/14/19.**

**Mayor Theken** thanked her staff for their continuing dedication to the city. She noted that now as Mayor versus working as a Councilor that these managers work hard and expressed her appreciation for having a strong team behind her. She encouraged people to thank their city staff who work hard for the entire community and its betterment. She encouraged the Councilors to get to know the staff, many of whom have worked for the city for years, not because it is a job because they love the city and what they do.

**Councilor Lundberg** said this is a high quality management team and the city is lucky to have them.

**2. CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont'd from 12-07-15)**

**Councilor LeBlanc** informed the Committee that he has been asked by Councilor Cox to have this matter continued to April 4. **Councilor Ciolino** said that he would appreciate that the managers of the three main food chain stores were invited to that Committee meeting. **Councilor LeBlanc** said the Committee is in the process of this review and that nothing will be done quickly to ensure that this ordinance amendment, should it be recommended, be done well.

This matter is to be continued to April 4, 2016.

**3. CC2015-046 (McGeary) Amend GCO Sections 21-84 (c) (g) and Section 21-85 (b) to consider the recommendation of the Planning & Development Committee**

The Clerk of Committees recounted for the Committee that the Planning & Development Committee had voted down the changes to GCO Sections 21-84 (c) (g) and Section 21-85 (b) and had recommended that the O&A Committee endorse the same. The P&D Committee wants to see this matter referred to General Counsel for review at City Council so that the ordinance sections pertaining to private ways repair and subsequent taking as city roadways can be holistically reviewed and then any changes offered to the Committee and Council or its consideration.

The Committee voiced its agreement with the P&D Committee's assessment of the Council Order.

This matter has been advertised for public hearing.

**4. CC2016- 001 (Cox) Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perkins & Mt. Vernon Streets**

**Councilor LeBlanc** advised that Councilor Cox has asked that the O&A Committee continue this matter to its February 29 meeting.

This matter is continued to February 29, 2016.

**5. CC2016-002 (Cox) City Council requests the Traffic Commission to conduct a study of tractor trailer parking on Rogers Street**

**Councilor LeBlanc** said that Councilor Cox has asked the O&A Committee to continue this matter to March 14. **Councilor Ciolino** pointed out that this review should also include buses which is a part of the ordinance section as tour buses do park on Rogers Street as well and are currently permitted to do so.

This matter is continued to March 14, 2016.

**6. CC2016-003 (Gilman) Request that the soon-to-be rehabilitated baseball/softball field adjacent to Wilson Field (Dr. Osman Babson Road) be dedicated to a long-tenured Board Member and volunteer of the Gloucester Little League**

**Dean Murray**, 216 Bray Street, Assistant Vice President of Cape Ann Bank, and a member of the Board of the for the Cape Ann Little League, explained that the field between Wilson and Nate Ross Field is being rehabilitated and that funds are being raised, \$90,000 in a joint project with the Public Works Department. He said the Gloucester Little League is asking that the City Council approve the naming of the rehabilitated baseball/softball field in honor of Harold "Bucky" Rogers, II, in order to recognize his 40 years of dedicated service to the Gloucester Little League.

**Councilor Nolan** offered, as did **Councilor O'Hara**, that he would support this dedication being well acquainted Mr. Rogers through their participation with the Gloucester Little League.

**Councilor LeBlanc** and **Ms. Lowe** briefly clarified for **Councilor Ciolino** and **Mayor Theken** that the Council Order didn't name Mr. Rogers per the wishes of Councilor Gilman until Mr. Rogers was informed of the honor. They also clarified that this matter would come out of the O&A Committee report at the Feb. 9 Council meeting.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, recommends that the City Council dedicate and name the baseball/softball field adjacent to Wilson Field on Dr. Osman Babson Road in honor of 40-year member of the Board of Directors of the Gloucester Little League, Harold J. "Bucky" Rogers, II.**

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:55 p.m.

Respectfully submitted,

*Dana C. Jorgensson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**

**Planning & Development Committee**  
February 3, 2016 – 5:30 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
-Minutes-

**Present:** Chair, Councilor Lundberg; Vice Chair, Councilor Melissa Cox; Councilor LeBlanc (Alternate)

**Absent:** Councilor Gilman

**Also Present:** Linda T. Lowe

The meeting was called to order at 5:31 p.m.

1. *Memorandum from General Counsel & Assistant General Counsel re: changes to GZO Sec. 5.27 et al entitled, “Medical Marijuana Treatment Centers and Medical Marijuana Cultivation Facilities” (Also referred to the Planning Board)*

Linda T. Lowe, City Clerk, reported that Chip Payson, General Counsel, had confirmed to him there was no need to attend this P&D Committee meeting.

This matter is continued to February 17, 2016 pending a recommendation of the Planning Board.

2. *Special Events Application: Request to hold the 10K Lone Gull Road Race on September 25, 2016*

Attorney Leonard F. Femino, Race Director of the Lone Gull 10K Race, now in its tenth year benefitting the Children’s Center for Communications advised this fundraising road race has gained so much notoriety that three weeks ago the membership of the U.S. Track & Field (USTAF) voted the Lone Gull 10K Road Race as the best road race in New England, attracting many top runners. He noted that a USTAF questionnaire for top runners asked that if the Lone Gull 10K wasn’t a USTAF race would they go back to Gloucester regardless, and the answer was, “Yes.” He advised that the race organization make changes every year to improve the race. He said all of the Children’s Center faculty is involved. Institution for Savings is the primary race sponsor with 33 others. The race is scheduled a week later this year to assure that there will be enough hotel, motel and inn rooms in the city for the runners and their families to stay, he advised.

Councilor Cox asked if the race organization places a cap on the number of runners. Mr. Femino said they don’t, but through race data analysis he knew two years ago there would be 1,400 and last year just over 1,000. He said that if the organizers thought there would be 1,700 they would have back-up plans such as using busing, more port-a-potties, etc. He noted that a 10 kilometer distance is a difficult and not a popular distance so it doesn’t have as a broad appeal as a 5K or half marathon distance. Councilor Cox said that she’s never had any complaints concerning this race and endorsed the event.

The event was presented to the Special Events Advisory Committee and received all the necessary sign offs, Ms. Lowe confirmed.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Lone Gull 10K Road Race sponsored by the Children’s Center for Communication to be held Sunday, September 25, 2016 with a rain date of Sunday, October 16, 2016 with the following conditions:

1. A Certificate of Insurance naming the City of Gloucester as an additional insured party has been filed with the City Clerk’s office.
2. **Road Closure Plan:**  
Approvals of the Special Events Advisory Committee giving approval of the plans for the Lone Gull 10K Road Race have been given. Roads to be closed on the Back Shore are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before September 16, 2016.
3. **Refuse and Comfort Stations:**  
All event refuse and recycling must be removed by the organizer. Any portable toilets (with two handicapped accessible) are to be provided and maintained by the organizer, placed the evening

- before the day of the event or early in the morning of the day of the event and be removed by 1:00 p.m., Sunday, September 25, 2016.
4. **Emergency Services:**  
Any EMS requirements of the City EMS Director must be met.
  5. **Staffing:**  
Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire, or DPW Departments.
  6. **Notification of Immediate Abutters and Businesses to Parade Route:**  
Notice shall be made by the event organizer by hand or by mail no later than 7 (seven) days in advance of the event to any function halls, motels and hotels, and other businesses along the race route.
  7. **Responsibility of the Children's Center for Communication:**  
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Health Department, and the Licensing Commission. It is the sole responsibility of the Children's Center for Communication 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. Any changes to the route must receive prior approval from the Police and Fire Departments.

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:40 p.m.

Respectfully submitted,

*Dana C. Jorgenson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**



# GLOUCESTER CITY COUNCIL 2016 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2016-003  
**SUBJECT:** Amend GCO Sec. 21-84 (c) (g) and Sec. 21-85 (b)  
**DATE OPENED:** 02/09/16  
**CONTINUED TO:**  
**CONTINUED FROM:** 01/26/16  
**COMMITTEE:** O&A 02/01/16 & P&D 01/06/16

Legals	Legals
<p align="center"><b>NOTICE OF PUBLIC HEARINGS</b></p> <p>The Gloucester City Council will hold public hearings on <b>Tuesday, January 26, 2016</b> at 7:00 PM in the Kyrouz Auditorium, City Hall, relative to the following proposed amendments to the Gloucester Code of Ordinances as follows:</p> <p><b>Amend the Code of Ordinances Section 21-84 subsection (c) as follows:</b></p> <p>By <b>DELETING</b> the last sentence, "The engineer's preliminary cost estimate is for guidance of the petitioners only and does not replace the full set of engineering plans required in Sec. 21-85 (g) below.</p> <p><b>Amend the Code of Ordinances Section 21-84 subsection (g) as follows:</b></p> <p>By <b>DELETING</b> the statement within the first sentence, "...including a set of engineering plans, prepared and signed by a registered engineer in the field."</p> <p>And <b>ADDING</b> a sentence at the end of subsection (g) as follows: "The DPW director may waive this requirement if in his opinion the preliminary estimate of the cost of the project as provided by the city engineer in Section 21-84 (c) is sufficiently detailed for the project to be undertaken."</p> <p><b>Amend the Code of Ordinances Section 21-85 subsection (b) by ADDING</b> after the last sentence the following statement:</p> <p>"Abutters may designate a representative to cast the requisite votes on matters required by this Article. Such designation shall be a signed and notarized letter designating such representative by name and address complete with a copy of said abutters identification attached to said letter by all owners of the property if owned jointly, by the trustee of any trust having ownership of the property, by all the partners of a partnership, or by the chief executive of a corporation having ownership of the property on behalf of which votes are being cast. The designation documents must be delivered to the City Clerk no later than 48 hours before the date and time set for the meeting at which votes will be cast."</p> <p><b>Amend the Code of Ordinances Chapter 11, Section 11-1 by ADDING</b> the following definition:</p> <p>"A farmer's market is a public market for the primary purpose of connecting and mutually benefitting Massachusetts farmers, communities and shoppers while promoting and selling products grown and raised by participating farmers.</p> <p>A proposed farmers market must meet the minimum qualification for Massachusetts Farmers' Markets as defined by the Massachusetts Department of Agricultural Resources (MDAR) that include, without limitation, two or more farmers primarily selling products that they grew, produced or raised; set hours of regularly scheduled operation; products that are clearly labeled as to origin; and written rules that govern the operation of the farmers market that 1) assure its primary purpose is to provide a direct marketing opportunity for Massachusetts farmers, foresters and fisheries, 2) addresses the terms and conditions of sales, including pricing and labeling, vendor eligibility and product source, and compliance by all vendors with local, state and federal laws and regulations, 3) include a written grievance procedure, and 4) address market and vendor liability, including any insurance requirements. Included in this definition are state licensed farm-wineries and fresh fish caught by local fishermen. All vendors participating in a farmer's market covered by this definition are exempt as vendors under Code of Ordinances Section 11-14(a). Any other vendors participating in the farmer's market must obtain a local vendors license. Farmers markets are not included under Zoning Ordinance Use Schedule, "Open Uses," Section 2.3.3 (1) and (2). Farmers' markets must comply with all applicable local, state and federal laws and regulations."</p> <p><b>At the public hearings, all interested persons will have the opportunity to be heard.</b></p> <p align="right">By Vote of the City Council Linda T. Lowe, City Clerk</p> <p>GT - 1/14/16</p>	

will properly backfill said excavations and restore surfaces of the land. It is the responsibility of Massachusetts Electric Company to file the granted easement at their expense with the Essex South Registry of Deeds.

**Councilor Lundberg** explained that this was an after-the-fact housekeeping situation. The installation of the transformer and pad mount already exist at Stage Fort Park.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to grant a perpetual easement for consideration of one (\$1.00) Dollar to Massachusetts Electric Company the right to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current for the transmission of intelligence, an UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM located through, under, over across and upon a parcel of land situated on the southerly side of Western Avenue, being more particularly shown on a Plan of Land dated February 5, 1989 by Winslow L. Webster, City Engineer recorded with the Essex South Registry of Deeds and known as portion of Stage Fort Park and as shown on a sketch entitled, "national grid WR#18176220," being 50+/- feet of 2" – 3" conduit from MH123-1 near 119 Western Avenue, and 30 +/- feet from the edge of Western Avenue into Stage Fort Park to a transformer with padmount for a total distance of 80 +/- feet. The installation shall consist of lines of buried wires and cables and lines of wires and cables installed in underground conduits together with all equipment and appurtenances thereto for the transmission of intelligence and the furnishing of electric service to the described premises and to service others, and without limiting the generality of the foregoing but specifically including the following equipment: namely, manholes, manhole openings, bollards, handholes, junction boxes, transformers, transformer vaults, padmounts, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the property described herein, and also including the right to pass and repass over, across and upon said land in order to renew, replace, repair, remove, add to, maintain operate, patrol and otherwise change said "underground system" and to make such other excavations as may be necessary and to clear the portions of the areas where the underground system is located of such trees and bushes as may interfere with safe and efficient operation. Grantee will properly backfill said excavation and restore surfaces of the land. It is the responsibility of Massachusetts Electric Company to file the granted easement at their expense with the Essex South Registry of Deeds.

**Scheduled Public Hearings:**

- 1. PH2016-003: Amend GCO Sec. 21-84(c)(g) and Section 21-85(b)

This public hearing is opened at 8:52 p.m.

Council President Ciolino said that this public hearing is continued to February 9, 2016 as it is not yet through the Ordinances & Administration Committee.

This public hearing is continued to February 9, 2016.

2. PH2016-004: Amend GCO Chapter 11, Sec. 11-1 by adding the definition of a Farmer's Market

This public hearing is opened at 8:53 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 8:53 p.m.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the Code of Ordinances Chapter 11, Section 11-1 by ADDING the following definition:

"A farmer's market is a public market for the primary purpose of connecting and mutually benefitting Massachusetts farmers, communities and shoppers while promoting and selling products grown and raised by participating farmers. A proposed farmers market must meet the minimum qualification for Massachusetts Farmers' Markets as defined by the Massachusetts Department of Agricultural Resources (MDAR) that include, without limitation, two or more

**Councilor O'Hara** thanked Ms. Papows for her years of service to the city. **Councilor LeBlanc** highlighted that Ms. Papows' good staff is a reflection of Ms. Papows leadership.

**Mr. Destino** invited all the Councilors to meet with Ms. Papows for a primer as she is the in-house expert on tax classification before that matter comes before the Council this coming fall.

**Councilor Ciolino** said that the Assessor's has a tough job and that Ms. Papows' department does a very good job with customer service. He said that everyone he has sent to her department for assistance always comments favorably as to the service they received.

**MOTION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Nancy Papows as Principal Assessor, TTE 02/14/19.**

**Mayor Theken** thanked her staff for their continuing dedication to the city. She noted that now as Mayor versus working as a Councilor that these managers work hard and expressed her appreciation for having a strong team behind her. She encouraged people to thank their city staff who work hard for the entire community and its betterment. She encouraged the Councilors to get to know the staff, many of whom have worked for the city for years, not because it is a job because they love the city and what they do.

**Councilor Lundberg** said this is a high quality management team and the city is lucky to have them.

2. ***CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont'd from 12-07-15)***

**Councilor LeBlanc** informed the Committee that he has been asked by Councilor Cox to have this matter continued to April 4. **Councilor Ciolino** said that he would appreciate that the managers of the three main food chain stores were invited to that Committee meeting. **Councilor LeBlanc** said the Committee is in the process of this review and that nothing will be done quickly to ensure that this ordinance amendment, should it be recommended, be done well.

This matter is to be continued to April 4, 2016.

→ 3. ***CC2015-046 (McGeary) Amend GCO Sections 21-84 (c) (g) and Section 21-85 (b) to consider the recommendation of the Planning & Development Committee***

The Clerk of Committees recounted for the Committee that the Planning & Development Committee had voted down the changes to GCO Sections 21-84 (c) (g) and Section 21-85 (b) and had recommended that the O&A Committee endorse the same. The P&D Committee wants to see this matter referred to General Counsel for review at City Council so that the ordinance sections pertaining to private ways repair and subsequent taking as city roadways can be holistically reviewed and then any changes offered to the Committee and Council or its consideration.

The Committee voiced its agreement with the P&D Committee's assessment of the Council Order.

This matter has been advertised for public hearing.

4. ***CC2016- 001 (Cox) Amend GCO Sec. 22-269 "Stop Intersections" by adding stop signs at the intersection of Perlans & Mt. Vernon Streets***

**Councilor LeBlanc** advised that Councilor Cox has asked that the O&A Committee continue this matter to its February 29 meeting.

This matter is continued to February 29, 2016.

5. ***CC2016-002 (Cox) City Council requests the Traffic Commission to conduct a study of tractor trailer parking on Rogers Street***

**Councilor Cox** asked which unit would be deemed affordable. **Mr. Favazza** indicated it would be either the units on the plan showing a designation of "1R or 1L." **Councilor Cox** pointed out that one of the two submitted parking plans showed a shed on the property. **Mr. Favazza** confirmed the shed was being removed to make way for the improved parking area to comply with the ZBA decision.

**Councilor Lundberg** said he viewed the parking area today and noted the improvements, with **Councilor Gilman** indicated she also had driven by the property to view it.

City Clerk, **Linda T. Lowe** suggested the addition of language for the recommendation of a Special Council Permit for 53 Bass Avenue to include wording confirming the existence of an affordable unit.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council GRANT a Special Council Permit (SCP2015-009) to allow for an existing building to be legally converted to five residential units at Bass Avenue #53, Gloucester Massachusetts, Map 55, Lot 13, zoned R-10, pursuant to Section 2.3.1.7 reduction in minimum lot area per dwelling unit from 5,000 square feet to 1,463 square feet for a total of 3,537 square feet in relief; and Sec. 3.2.2., decrease in minimum open space per dwelling unit from 3,500 square feet to 400 square feet space per dwelling unit for a total of 3,100 square feet in relief. One unit shall remain an affordable unit pursuant to the Zoning Board of Appeals decision. The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

This matter will be advertised for public hearing.

→ 3. *CC2015-046 (McGeary) Amend GCO Sections 21-84 (c) (g) and Section 21-85 (b)*

**Mr. Destino** speaking to the proposed amendments to GCO Sections 21-84 (c) (g) and Section 21-85 (b), said it is the policy of the Mayor's Office to appropriate a certain amount of money each year to allow residents who want to get their private road paved pay a 100 percent betterment. He recalled briefly the recent experience of the Council of the Dec. 15 public hearings on a series of private roadway paving betterment projects and the ordinance issues surrounding that effort. He suggested that former Councilor McGeary was trying to streamline the Council process. He said the Administration has reservations on the proposed streamlining. He highlighted two areas of objection to the Administration of the proposed amendments, one of which was placing the onus of the cost of the engineering piece onto the city which he suggested may not be an appropriate use of taxpayers' funds to engineer private roads. The second concern is abutters being able to use a proxy voter instead of being at a meeting to make their vote. He said it is the recommendation of the Administration to look at the ordinance in its totality, and that they can't support the recommended ordinance amendments as presented.

**Councilor Lundberg** said that the process clearly needs to be improved and that the ordinance needs to be looked at in a holistic manner in order to determine what areas of it need amending. **Mr. Destino** suggested that if the Committee would like to submit a Council Order to have the Administration and the Committee undertakes a review the entire section of the Code, they would be amenable to that.

**Councilor Cox** suggested that this matter being a Code of Ordinance concern would be the purview of the Ordinances & Administration Committee, particularly if the Administration wants to put forward their own amendments to O&A. **Councilor Lundberg** said that as an on-going management goal of the city, the streamlining of the ordinance should be done by the city's professionals and brought to the Standing Committee(s), and clarify who is responsible for what. **Mr. Destino** said that the key is that a private road paving betterment project has to be packaged completely by the ward Councilor and given to the city.

**Councilor Gilman** said she would not vote in favor of the amendments to GCO Sec. 21-84 and 21-85 as she would rather see a pause in moving forward on the amendments so that the appropriate departments can review the process in its entirety.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 0 in favor, 3 opposed, to recommend that the City Council Amend the Code of Ordinances Section 21-84 subsection (c) by DELETING the last sentence, "The engineer's preliminary cost estimate is for guidance of the petitioners only and does not replace the full set of engineering plans required in Sec. 21-85 (g) below."

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Cox, the Planning & Development Committee voted 0 in favor, 3 opposed, to recommend that the City Council Amend the Code of Ordinances Section 21-84 subsection (g) as follows:

By **DELETING** the statement within the first sentence, "...including a set of engineering plans, prepared and signed by a registered engineer in the field."

And **ADDING** a sentence at the end of subsection (g) as follows: The DPW director may waive this requirement if in his opinion the preliminary estimate of the cost of the project as provided by the city engineer in Section 21-84 (c) is sufficiently detailed for the project to be undertaken.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 0 in favor, 3 opposed, to recommend that the City Council Amend the Code of Ordinances Section 21-85 subsection (b) by **ADDING** after the last sentence the following statement:

"Abutters may designate a representative to cast the requisite votes on matters required by this Article. Such designation shall be a signed and notarized letter designating such representative by name and address complete with a copy of said abutters identification attached to said letter by all owners of the property if owned jointly, by the trustee of any trust having ownership of the property, by all the partners of a partnership, or by the chief executive of a corporation having ownership of the property on behalf of which votes are being cast. The designation documents must be delivered to the City Clerk no later than 48 hours before the date and time set for the meeting at which votes will be cast.

These matters are to be advertised for public hearing.

**4. Memorandum from Public Works re: Acceptance of Unaccepted or Private Ways (Cont'd from 12/09/15)**

Mike Hale, Public Works Director, said that this matter is a longstanding process which he described as follows: The DPW created a paving management plan several years ago to identify conditions of public roads and which private ways are in a condition to have the city help. The city can only spend public dollars on temporary repairs on private ways which leaves many neighborhoods in limbo as to what they can and can't do as they aren't eligible for local money or state funding. The idea of acceptance of private roads to become public ways hasn't been acted on commonly by the city. There have been only two private ways accepted in the Director's 16 years with the city. It was noted that it was in the 1970's when the last large bundle of private ways were accepted as public roads, and the 1940's prior to that.

Last year the DPW looked at which roads would make the most sense to be accepted as public ways. Some are ways that have no ownership rights to them -- they were subdivisions where no specific rights were granted to the abutting properties or were statutory private ways which the city laid out and never went forward with the formal process of accepting them as public. It was noted most of the proposed roads (previously voted by P&D to recommend to the City Council to add to the roster of city accepted public ways: *Apple Street; Baker Street; Beach Road; Birch Grove Heights; Biskie Head Point; Blueberry Lane; Brierwood Street; Brightside Avenue; Colburn Street; Colonial Street; Crowell Avenue; Decatur Street; Dogtown Road; Dr. Osman Babson Road; Duley Street; Gilbert Road; Goodwin Road; Grapevine Road; Harold Court; Harriet Road; High Popples Road; Hillside Road; Honeysuckle Road; Hough Avenue; Jacque Lane; Juniper Road; Lane's Cove Road; Laurel Street; Lawndale Circle; Lincoln Avenue; Lincoln Street; Linden Road; Lisa Drive; Macomber Road; Marsh Street; Mason Court; Montvale Avenue; Morgan Avenue; Munsey Lane; North Kilby Street; Oceanview Drive; Pigeon Lane; Rockport Road; Scott Street*).

The process of developing a plan that can be recorded at the Registry of Deeds as well as accepted by the Council is what is slowing the DPW up. There is a full-time employee who is not a full-time surveyor, who is licensed, for the city. He submitted a two-page plan of a project that the city entered into two years ago, a paving of High Popples Road, Jacques Lane (placed on file) and Mayflower Lane which is a private way off of the former roads. The concept was at that time that the residents had agreed to pay for part of that paving project so that the city would consider accepting those private ways as public ways through a separate Council process. He noted that in order for the plan before the Committee to be developed there is a significant amount of surveying involved which he described briefly to the Committee and described the kind of research that has to be done in conjunction with the surveying. This level of effort has to be done for all private ways that are being put forward to be accepted as public ways. It was noted that the DPW has almost completed the work for approximately 12 private roads to be



# GLOUCESTER CITY COUNCIL 2016 PUBLIC HEARING

**PUBLIC HEARING NUMBER:** PH2016-007  
**SUBJECT:** An off cycle recommendation from the Community Preservation Committee to appropriate \$50,000 for the purpose of renovating the Stage Fort Park Visitor's Center Restroom project  
**DATE OPENED:** 02/09/16  
**CONTINUED TO:**  
**CONTINUED FROM:**  
**COMMITTEE:** B&F 01/21/06

## Legal Notices

Stage Fort Park Visitors Center  
Restroom Project

### LEGAL NOTICE NOTICE OF PUBLIC HEARING

In accordance with the provisions of City Charter Section 2-11(d), the Gloucester City Council will hold a public hearing on Tuesday, February 9, 2016 at 7:00 P.M. in the Kyrouz Auditorium, City Hall, relative to the following

Under Gloucester Code of Ordinances sec. 2-517(8) of the Gloucester Community Preservation Act and MGL Chapter 44B sec. 5(h) (2) and sec. 5(d) of the Massachusetts Community Preservation Act, the Gloucester City Council will hear an off cycle recommendation of the Community Preservation Committee to appropriate \$50,000 (Fifty Thousand Dollars) from the Community Preservation Act funds for the purpose of renovating the Stage Fort Park Visitor's Center Restroom project

The recommendation of the City of Gloucester Community Preservation Committee is on file in the Office of the City Clerk and is available for viewing by the public during business hours.

At the public hearing, all interested persons will have the opportunity to be heard based on procedures determined by the Council.

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

AD#13985270  
CAB 1/29/16

that's what they want by telling the state, then it sets that into motion. **Councilor Ciolino** said if the city does their own project they can say it is all devoted to city residents if the city pays for it without state funding.

**Councilor Lundberg** said cost city has to bear because this project is 40B is a separate pot of money from the AHT which is fulfilling a mission as the trustees sees fit. How the city funds its own project is the city's responsibility and is separate issue from what is before the Committee. He said that having read the AHT mission statement, this \$10,000 contribution is consistent with it.

**Mr. Daniel** clarified some previous misinformation by saying that that even with city land and city money it is illegal to make a housing project 100 percent for Gloucester residents. They can do veteran's preferences but it is harder to do the resident preference.

**Councilor Orlando** asked if there were any other applications for other projects that the AHT is considering to put money into. **Mr. Daniel** said no applications pending now. The Mayor talked about some opportunities with city-owned lands that these funds could be accessed for but there are no applications pending for funding.

**Councilor Gilman** suggested Councilors attend the Gloucester Housing Production Plan forum on Wednesday, Jan. 27 from 6:00 p.m. to 8:00 p.m. at City Hall, in Kyrouz Auditorium. She asked **Mr. Daniel** if it would be possible to put at the beginning of the session that information is provided to clarify any misnomers in the community to make sure the process is working interactively to come up with projection plan that people are in compliance with the spirit of the law.

Responding to an inquiry by **Councilor Orlando, Kenny Costa**, City Auditor, said that there hasn't been any money put into the Trust account in the last 10 years. **Debbie Laurie**, Senior Project Manager with Community Development added that there haven't been any projects over 12 units that might trigger a contribution if the project didn't want to put in an affordable housing unit. **Mr. Destino** said by ordinance, 15 percent of a housing project over 12 units has to be affordable housing, and building such units is preferable rather than a contribution to the AHT. **Mr. Costa** confirmed that the last appropriation from the Trust was three years ago from the Taylor Street project.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Lundberg, the Budget & Finance Committee voted 2 in favor, 1 (Orlando) opposed, to recommend that the City Council appropriate \$10,000.00 for an affordable housing project as requested by the Affordable Housing Trust Committee for the 206 Main Street LP, Harbor Village Housing Project from Fund# 820022, Affordable Housing Trust fund for the purpose of supporting the creation of affordable rental units for households earning no more than 60 percent to Area Median Income adjusted for household size. Units shall carry a State Affordable Housing Restriction in perpetuity.**

→ 6. *Memorandum from Community Development Director for approval of a Community Preservation off-cycle recommendation for Stage Fort Park restroom renovations in the amount of \$50,000*

**Ms. Laurie** said that the Community Preservation Committee (CPC) has received an off-cycle application for funding of \$50,000 to support the State Fort Park Visitor's Center Restroom Renovations Project from the Department of Public Works for better ADA access and tie into city sewer.

**Mr. Cole** said there is a men's and ladies room with a handicapped still in each room and doesn't meet today's Code. He said between the two rest rooms is a small office used in the past for a restroom attendant, and as a first aid room. He explained that the plan is to gut the bathrooms, put in all new fixtures to meet ADA requirements by: installing new plumbing fixtures; installing new stall partitions; installing new lighting and ceiling tiles; removing old shower stalls and turn them into baby changing stations; install a new rooftop exhaust unit; installing new windows in each room that have been boarded up for years and tying the bathrooms into the city's sewer system. The middle room will be a unisex handicapped bathroom and replacing the outside door to make it completely handicapped accessible for wheelchair entry. He said the DPW has an outside cleaning contractor for the Police Station and are talking to them about the addition of the Visitor Center restroom to be professionally cleaned 7 days a week. He noted that in the 17 years he's been with the city, they've not done anything to the Visitor Center bathrooms. With the volume of people in and out of the Visitor's Center nine months of the year this is a worthwhile project he said. **Mr. Destino** extended the Administration's thanks to the CPC for taking up this off-cycle application.

**Councilor Orlando** said that with two large city beaches that every summer are overcrowded to the extent where they have to be turned away at Route 128's exit 14. If they are telling people to come to Gloucester to spend their money they need to have other places for people to go and in turn having good facilities for them to use is important.

**COMMITTEE RECOMMENDATION:** On motion by Councilor Memhard, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council appropriate \$50,000 (Fifty Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee to provide off-cycle funding for the purpose of the City of Gloucester Public Works Department to support renovations at the Stage Fort Park Visitor's Center to include extensive reconstruction of the public restroom facilities to meet ADA requirements. The renovation and reconstruction work will consist of: Installation of new plumbing fixtures; new stall partitions; new lighting and ceiling tiles; remove old shower stalls and create baby changing stations; install new rooftop exhaust unit and install new windows in each room that have been previously boarded up. The Public Works Department also agrees to be responsible for the future cleaning and maintenance of the Stage Fort Park Visitor Center's rooms. The appropriation will be allocated to the Open Space category and funded by up to \$50,000 from Unreserved Fund Balance in Fund #270000. The project will be tracked in the Community Preservation Fund Capital Projects – Open Space Capital Projects Fund #340013.

This matter will be advertised for public hearing.

7. *Memorandum from Community Development Director for approval of two grants from Mass. Cultural Council in the amount of \$4,000 for support of Gloucester Harbortown Cultural District and \$5,000 for support of the Rocky Neck Cultural District*

Mr. Daniel explained that these two grants were received from the Massachusetts Cultural Council in support of its two cultural districts. The state, until now, hasn't provided funding support and has initiated this new grant to apply which cultural districts can apply for up to \$5,000 in funding. The grants have a one-to-one match requirement, and the MCC requires the funds be awarded to the cultural districts through the city. He reported that: The grant requires that the projects be completed by June 30, 2016. The Harbortown Cultural District intends to use the grant to fund non-permanent creative place making projects – to engage more people in the district and have more artists in the downtown. The idea is to have this take place over Memorial Day weekend with a series of projects going on, although not known yet, and are meant to engage the community with artists and performers in a variety of venues and styles. This will not take place on municipal property but at a variety of locations of the cultural district's partners. This money will pay for the artists. They will meet the match requirement by using the \$4,000 included in the city's FY16 budget for the district.

Councilor Memhard acknowledged the Committee's receipt of an email in support of the acceptance of the \$4,000 Mass. Cultural Council grant for the Harbortown Cultural District from Rebecca Borden, Chair of the Harbortown Cultural District who was unable to attend. The email was placed on file.

Suzanne Gilbert Lee, representing the Rocky Neck Cultural District, noted that the Rocky Neck Cultural District intends to use the grant funds for marketing and for programming. The marketing portion would cover the design and production of a Rocky Neck Cultural District walking map and brochure, converting the Rocky Neck Art Colony sign on the Neck's causeway to a Cultural District sign. The programming to be funded is a unique exhibit that is partnered by two Cultural District members, the North Shore Art Association and the Ocean Alliance for an exhibit entitled, "The Art of Science."

Councilor Orlando discussed acceptance process with Mr. Costa and Mr. Daniel. Councilor Orlando briefly discussed with how the cultural districts are funded. Mr. Destino said that for years the city has given a very small amount of funding to the Cultural Council which was cut from \$7,000 to \$4,000 in FY16, almost a 40 percent cut. The cultural districts are leveraging that budgeted money to seek out grant funding to be used to support the cultural districts. There is no additional funding on the part of the city, he said. He assured that the match is not additional funding by the city, but is a leveraging of funding already in place.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Lundberg, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the Massachusetts Cultural Council a FY16 Cultural District Initiative Grant in the amount of \$4,000 for the purpose of supporting the Harbortown Cultural District. All funds for grant awards are to be spent by June 30, 2016. Matching funds must be raised by June 30, 2016 and is a 1:1 cash match.

## **Gloucester Council on Aging By-Laws**

CITY CLERK  
GLOUCESTER, MA

16 JAN 12 AM 10:00

### **Article I - Name**

The name of the organization shall be the Gloucester Council on Aging, hereinafter referred to as the COA, as established by City Ordinance by the City of Gloucester, Massachusetts. (Article XVIII, Sec. 2 - 343-347.)

### **Article II - Mission**

The mission of the Council on Aging is to serve as a focal point where seniors and their families can access the Local, State, and Federal network of Elder Services while providing an integrated array of health, educational, recreational, and social programs for older men and women. The mission will be accomplished by causing the following goals and objectives to be achieved.

The Council on Aging's Board of Directors, working at the pleasure of the Mayor and in partnership with the COA's Executive Director, shall:

- A. Identify the needs of the elder population of our community.
- B. Educate the community regarding issues facing seniors and advocate on their behalf.
- C. Promote the development of programs and activities and the coordination of existing services to fulfill identified needs.
- D. Maintain a working relationship with governmental and private agencies and organizations.
- E. Be cognizant of relevant legislative initiatives.

### **Article III - Offices**

The principle offices of the Council on Aging are located in The Rose Baker Senior Center, 6 Manuel F. Lewis Street, Gloucester, Massachusetts 01930.

### **Article IV - Membership**

The Council on Aging shall be governed by a Board of Directors consisting of up to eleven (11) members.

- A. Ex officio member of the COA Board shall be Gloucester's Director of Public Works, or an appointed representative.
- B. Appointees selected from the voters and residents of the City of Gloucester shall serve a term on the COA Board after being nominated by the Mayor, confirmed by the City Council and sworn in by the City Clerk. Voting members shall include a member of the City Council and the Chairperson of the Board of Health or an appointed representative.

**Article IV – Membership  
(Cont)**

C. Members shall be appointed by the Mayor on a rotating basis so that not more than three (3) new members shall be confirmed annually for a three (3) year term.

D. Non-Voting Honorary Members of the COA Board serve at the pleasure of the Mayor.

E. All appointed members of the Council on Aging's Board of Directors shall be free of professional conflicts of interest and serve without material compensation.

**Resignation**

A COA Board member wishing to resign that position must notify in writing the Mayor and the Chairperson or Co-Chairpersons of the COA Board.

**Requested Resignation**

Regular attendance is required of all members. In the event of unexplained absences by a member for three (3) or more consecutive meetings, the COA Board, through the Chairperson with notification to the Mayor and the City Council, may request the resignation of that member. Six consecutive, unexplained absences during any calendar year shall constitute an automatic dismissal from the COA Board.

**Article V - Members' Voting Rights**

Voting rights shall be vested in the members. Each member shall be entitled to cast one vote on an agenda item under discussion. All votes shall be delivered in person.

**Article VI – Meetings**

All meetings of the COA Board of Directors will be advertised according to the City of Gloucester's Ordinance procedures for notification and will be conducted in compliance with the Massachusetts Open Meeting Law. (M.G.L. – Chapter 39: Section 23B). That is, meeting notices must be filed with the municipal clerk at least 48 hours in advance of the meeting board displaying meeting notices on or in a door, window, or near the entrance of the municipal building in which the clerk's office is located in such a manner as to be visible to the public from outside the building, or;

**Notification of Meetings**

At the discretion of the member, official notification shall be accomplished either when a file is mailed or hand delivered to a designated postal address or when a file is sent via electronic mail transfer.

**Meeting Minutes**

The meeting minutes shall be approved in a timely manner. Minutes requested by the public must be available within ten (10) days of the request whether they are approved or in draft form.

**Quorum**

At least five (5) of the current appointed COA Board membership shall be sufficient to constitute a quorum. Lacking a quorum, meetings may be conducted for informational purposes only.

## **Article VI – Meetings (Cont)**

### **Voting**

Except as may otherwise be provided for in these by-laws, the vote of a majority of the quorum present shall be sufficient to decide a matter under discussion.

### **Conducting Meetings**

- A. For the conducting of official business, a quorum must be present.
  
- B. At the discretion of the Chairperson, meetings may be conducted according to Robert's Rules of Order.
  
- C. Persons wishing to speak may do so when recognized by the Chairperson.

### **Regular Meetings**

Regular meetings of the COA Board of Directors will be held once a month. A file containing notice of the meeting, an agenda, minutes slated for approval, and any other supporting documents will be sent to each member at least 10 days prior to the meeting.

### **Special Meetings**

Special Meetings may be called at any time by the Chairperson, Co-Chairperson or Vice Chairperson, or by one third (1/3) of the members. A file containing notice of the meeting, an agenda and any supporting documents will be sent to each member at least twenty-four (24) hours prior to the meeting.

### **Annual Meeting**

Unless postponed by a two thirds (2/3) majority of the Board for an extended period of not more than thirty days, an Annual Meeting will be held the second week of October for the purpose of electing officers. A file containing notice of the Annual Meeting, an agenda and any supporting documents will be sent to each member at least fourteen (14) days prior to the meeting.

## **Article VII - Officers**

The officers of the Council on Aging's Board of Directors shall consist of a Chairperson, Co-Chairperson or Vice Chairperson, and Secretary.

### **Nomination of Officers**

Unless otherwise specified in these by-laws, Officers will not be nominated by a right of succession.

## **Article VII - Officers**

(Cont)

### **Election of Officers**

A. Officers shall be elected at the Annual Meeting of the COA Board of Directors by the members and shall take office for a one-year term upon election.

B. Election of an officer to fill a vacancy created by whatever cause may take place at any regular or special meeting in order to fill the unexpired term. If the office of Chairperson is vacated that office shall be filled by the Co-Chairperson or Vice Chairperson for the unexpired term of the Chairperson.

### **Chairperson**

The Chairperson shall be the chief executive officer of the COA Board of Directors. Subject to the direction of the COA Board members while working at the pleasure of the Mayor and in concert with the COA's Executive Director, the Chairperson shall cause the following responsibilities to be met:

- A. Prepare an agenda so as to comply with ordinance procedures for notification.
- B. Preside at all meetings of the COA Board that comply with the Open Meeting Law.
- C. Appoint as needed all committee members and chairs.
- D. Appoint as needed all liaisons to City Boards and Commissions.
- E. Be an ex-officio member of all committees.
- F. Act when required as a signer on all accounts and official documents.

### **Vice Chairperson or Co-Chairperson**

During the absence or disability of the Chairperson, the Co-Chairperson or Vice Chairperson shall fulfill all the functions and responsibilities of the Chairperson.

### **Secretary**

The Secretary shall cause the following responsibilities to be met:

- A. Record and provide transcribed minutes of all proceedings of the COA Board.
- B. Cause all notices to be duly given in accordance with the provisions of the by-laws.
- C. Retain all records of the COA Board.
- D. Prepare, disseminate, and file any matters of correspondence of concern to the COA Board.
- E. Forward the Annual Report of the Council on Aging to the Mayor, the City Council, and the Massachusetts Executive Office of Elder Affairs.

## Article VIII - Committees

### General considerations:

A. The Chairperson may appoint members to staff and/or to chair ad hoc committees as needed. An ad hoc committee's purpose is to investigate specific matters and report findings to the COA Board. Ad hoc committees are not authorized to take action representing the COA Board.

B. The Chairperson may appoint each member to at least one (1) standing committee.

C. At least 2 members of the Board may participate on the committee to select a new executive director and may assist in other hiring decisions.

C. By consent of the Board should the need for staffing arise, standing committees may include the following four (4) committees:

#### 1. Executive Committee

A. This committee is comprised of the Chairperson, Co-Chairperson or Vice Chairperson, Secretary, and the Chairperson of each Standing Committee.

B. This committee is responsible for rendering decisions of an urgent nature in the absence of a quorum.

#### 2. Legislative Committee

A. This committee will keep current and report to the COA Board on issues of a legislative and/or legal nature that impact the Council on Aging.

B. This committee may act as a liaison between the COA Board and other organizations

#### 3. Education / Local Affairs Committee

This committee will keep current and report to the COA Board on matters of health, education, and welfare that impact seniors and their families in the Gloucester community.

#### 4. Board Development

A. This committee will prepare a slate of officers for upcoming elections.

B. This committee will encourage cohesiveness among board members and offer direction for the organization at large.

### **Article IX - Amendments**

Amendments to these by-laws may be considered at either a special meeting or at a regularly scheduled meeting. In either case COA Board members must be given at least fourteen (14) days notification of the meeting. The notification file shall include an agenda, a copy of the existing pertinent by-law section(s), a copy of the full text of the proposed amendment(s), a statement of the purpose of the proposed change and an appraisal from the City of Gloucester's Legal Department.

Ratification of the proposed amendment(s) to these by-laws must be approved by a two-thirds (2/3) vote of the full Board.



# CITY of GLOUCESTER CITY COUNCIL

City Hall ~ 9 Dale Avenue, Gloucester Massachusetts 01930  
Office (978) 281-9722 Fax (978) 282-3051

CITY CLERK  
GLOUCESTER, MA  
16 FEB -3 AM 11:13

February 3, 2016

To: City Council

From: Linda T. Lowe

Re: Application of 53 Western Ave. for SCP for Multi-Family and for Decrease in Minimum Lot Area and Open Space

Attached is the SCP decision for SCP 2015 -008 for an existing multi-family with a decrease in lot area and a decrease in minimum open space. Please consider the Decision for approval.

Thank you

**In Re:**

<b>Application of Donald A. Roby and Paul Arthur Jensen )</b>	
<b>For a Special Council Permit for 53 Western Avenue )</b>	<b>DECISION OF THE CITY</b>
<b>(Map 3, Lot 47) pursuant to City )</b>	<b>COUNCIL OF THE</b>
<b>of Gloucester Zoning Ordinance Section 1.10.1(a)(3), )</b>	<b>CITY OF GLOUCESTER</b>
<b>Section 2.3.1.7 (multi-family), and Section 3.2.2 )</b>	
<b>(decrease in minimum required lot area and open )</b>	
<b>space per dwelling unit) )</b>	

The City Council of the City of Gloucester, Massachusetts, constituting the Special Permit granting authority under the laws of the Commonwealth of Massachusetts and the Zoning Ordinance of the City of Gloucester, hereby adopts the following Findings and Decision with regard to the application of Donald A. Roby and Paul Arthur Jensen (collectively, "Petitioner") for a Special Council Permit pursuant to Section 1.10.1(a)(3), Section 2.3.1.7 (multi-family), and Section 3.2.2 (decrease in minimum required lot area and open space per dwelling unit) of the Gloucester Zoning Ordinance (the "GZO"), for 53 Western Avenue, Gloucester, Massachusetts.

**Procedural History**

1. On December 8, 2015, Petitioner filed a Special Permit application (incorporated herein by reference) pursuant to Sections 1.10.1(a)(3), 2.3.1.7, and 3.2.2 of the GZO.
2. The Special Permit application included an existing conditions site plan, a proposed-parking site plan, and a proposed floor plan.
3. On January 6, 2016, after proper advertising and notice, the City Council Planning and Development Committee held a public meeting to consider the application. The Committee reviewed the plans and application and found that the requirements of the GZO had been met pursuant to Sections 1.10.1(a)(3), 2.3.1.7, and 3.2.2 thereof.
4. The Planning and Development Committee voted unanimously to recommend to the City Council to grant a Special Council Permit to Petitioner, pursuant to 1.10.1(a)(3), 2.3.1.7, and 3.2.2 of the GZO.
5. Following proper notice and advertisement, on January 26, 2016, the City Council held a public hearing on the application. Attorney Joel Favazza, of Seaside Legal Solutions, P.C., spoke on behalf of the applicant. No one spoke in opposition.
6. After a hearing on November 12, 2015, in a decision dated December 10, 2015, the City of Gloucester Zoning Board of Appeals granted Petitioner variances for front yard setback, side yard setback, lot width, lot area, lot area per dwelling unit, lot frontage, and percentage of vegetative cover. The decision of the ZBA is incorporated herein by reference.

## Findings

1. Donald A. Roby and Paul Arthur Jensen are the owners of the property located at 53 Western Avenue, as shown on Assessor's Map 3, Lot 47 (the "Locus").
2. The zoning district is R-5 (High Density Residential).
3. Petitioner is seeking the necessary zoning relief to convert the property to a four-unit multi-family residential property.
4. Petitioner has worked with the ward councilor, members of the Historical Commission, and the neighbors to receive and respond to input from the neighborhood.
5. There is no alteration or expansion of the existing building proposed.
6. An existing garage on site will be demolished and replaced with additional open air parking spaces.
7. City records indicate that the Locus existed as a four-unit multi-family residential property as far back as 1982 and as recently as 2010.
8. The Locus is currently used as two apartments and an inn with three suites.
9. The proposed use would require 2,500 square feet of lot area per dwelling unit for a total of 10,000 square feet; the Locus only contains approximately 7,600 square feet of lot area and therefore will only have 1,900 square feet of lot area per dwelling unit under the proposed use.
10. The proposed use would require 1,250 square feet of open space per dwelling unit for a total of 5,000 square feet of open space; the Locus does not contain lot area qualifying as "open space" and therefore will have 0 square feet of open space per dwelling unit under the proposed use.

## Multi-Family

11. The proposed conversion back to four units provides additional downtown residences while maintaining the historic character and appearance of the Locus.
12. The proposed use is less intense than currently exists, requiring less vehicular traffic to and from the Locus, and the proposed site configuration provides more parking than currently exists.
13. The proposed use is less intense than currently exists and the existing utilities and public services servicing the Locus are adequate for the proposed use.
14. The building abuts a six-unit condominium building and exists in a neighborhood with several two- and three-family buildings; the proposed four-family use will fit in well with the neighborhood. The building itself has existed in its current configuration for decades and, as it is not being altered or expanded, will maintain consistency for the neighborhood.
15. There will be no negative impact to the qualities of the natural environment on the Locus.

16. Allowing four units makes the project financially viable for Petitioner and their successors to invest the necessary money into rehabilitating the property.

Decrease in Minimum Lot Area per Dwelling Unit

17. Because the conversion to four units is a return to form for the building, which itself has existed in its current exterior configuration for decades, and which sits among other multi-family properties on undersized lots with little green space, the decrease in minimum open space and lot area per dwelling unit is in keeping with neighborhood character and structural density.

**Special Permit Criteria**

Multi-Family

Section 1.8.3 of the City of Gloucester Zoning Ordinance states that the Special Permit Granting Authority shall review the proposed structure to determine that it is in harmony with the general purpose and intent of the ordinance, and that it will not adversely affect the neighborhood, the zoning district or the city to such an extent as to outweigh the beneficial effects of said use. In reviewing special permit applications, SPGA shall consider, but not be limited to, the following six factors: (a) the social, economic and community needs that will be served by the proposed use; (b) traffic flow and safety; (c) adequacy of utilities and other public services; (d) neighborhood character and social structure; (e) qualities of the natural environment; and (f) potential fiscal impact.

Decrease in Minimum Lot Area and Open Space per Dwelling Unit

Footnote (a) for Section 3.2.2 of the City of Gloucester Zoning Ordinance states that minimum lot area per dwelling unit or minimum open space per dwelling unit, or both, may be decreased by special permit issued by the City Council, but only upon a finding that such lesser lot area or open space is in keeping with neighborhood character and structural density.

**Decision**

In view of the foregoing and having considered the entire record herein, including all minutes of the Planning and Development Committee meeting and all testimony and documents received at the hearing, the City Council, acting as the Special Permit Granting Authority, hereby decides that Petitioner's application for 53 Western Avenue meets the requirements of Section 1.10.1(a)(3), Section 2.3.1.7 (multi-family), and Section 3.2.2 (decrease in minimum required lot area and open space per dwelling unit) of the GZO subject to the conditions detailed in the Record of Votes below.

**Record of Votes**

On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by roll call 9 in favor, 0 opposed, to grant a Special Council Permit (SCP2015-008) to allow for an existing building to be converted to four residential units at Western Avenue #53, Gloucester, Massachusetts, Map 3, Lot 47, zoned R-5, pursuant to Section 2.3.1.7, decrease in minimum lot area per dwelling unit from 2,500 square feet to 1,900 square feet for a total of 600 square feet per dwelling unit in relief; and Section 3.2.2, decrease in minimum open space per dwelling unit from 1,250 square feet to allow for no open space per dwelling unit. The application under GZO Section 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits because:

- Social, economic, or community need served: the proposed conversion provides downtown residences while maintaining the historical character of the existing building and provides quality housing downtown.

- **Traffic flow and safety:** the proposed use is less intense than currently exists on the property and will provide more parking than currently is available.
- **Adequacy of utilities and other public services:** the proposed use is less intense than currently exists and the utilities on site are adequate to handle the use.
- **Neighborhood character & social structure:** the building has been in place for centuries and abuts a six-unit condominium and other two- and three-family buildings and will fit into the R-5 zoning district.
- **Potential fiscal impact:** four units is the minimum number of units to make the purchase and renovation of the property financially viable.

The following general conditions shall also apply:

1. In granting this special permit, the City Council has relied upon the oral and written representations of the applicant, owner, and representative, the documents submitted in support of its application and in its testimony at the committee meeting and the public hearing. Any failure to honor any material representation shall constitute just cause for revocation of this special permit.
2. The minutes of the Planning and Development Committee meeting and the City Council public hearing and all documents, plans and testimony received during the hearing are incorporated into this decision. All construction and use of the property must comply with the plans submitted with this permit application. Any changes, which are not contemplated by this permit, will require either a new special permit or an amendment hereto.
3. Each finding, term and condition of this decision is intended to be severable. Any invalidity in any finding, term or condition of this decision shall not be held to invalidate any other finding, term or condition of this decision.
4. This permit shall not take effect until a certified copy of this decision is recorded with the Registry of Deeds for Essex County. The fee for such recording shall be paid by the owner.

On February 9, 2016, the City Council adopted this decision.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws Chapter 40A, and shall be filed within twenty days after the filing of the above-referenced decision in the City Clerk's Office. Copies of the complete decision and final plans are on file with the City Clerk.

Pursuant to Rule 25 of the City Council Rules of Procedure, the President of the City Council and the City Clerk have signed this decision demonstrating that it is a true and accurate reflection of the January 26, 2016, votes of the City Council sitting as the Special Permit Granting Authority.

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Joseph Ciolino  
President, Gloucester City Council

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Linda T. Lowe, City Clerk



# CITY of GLOUCESTER CITY COUNCIL

City Hall ~ 9 Dale Avenue, Gloucester Massachusetts 01930  
Office (978) 281-9722 Fax (978) 282-3051

February 3, 2016

To: City Council

From: Linda T.Lowe

Re: Application of 53 Bass Ave. for SCP for Multi-Family and for Decrease in Minimum Lot Area and Open Space

Attached is the SCP decision for SCP 2015 -009 for an existing multi-family with a decrease in lot area and a decrease in minimum open space. Please consider the Decision for approval.

Thank you

CITY CLERK  
GLOUCESTER, MA  
16 FEB -3 AM 11:39

**In Re:**

<b>Application of 53 Bass Ave, LLC</b>	)	
<b>For a Special Council Permit for 53 Bass Avenue</b>	)	<b>DECISION OF THE CITY</b>
<b>(Map 55, Lot 13) pursuant to City</b>	)	<b>COUNCIL OF THE</b>
<b>of Gloucester Zoning Ordinance Section 1.10.1(a)(3),</b>	)	<b>CITY OF GLOUCESTER</b>
<b>Section 2.3.1.7 (multi-family), and Section 3.2.2</b>	)	
<b>(decrease in minimum required lot area and open</b>	)	
<b>space per dwelling unit)</b>	)	

The City Council of the City of Gloucester, Massachusetts, constituting the Special Permit granting authority under the laws of the Commonwealth of Massachusetts and the Zoning Ordinance of the City of Gloucester, hereby adopts the following Findings and Decision with regard to the application of 53 Bass Ave, LLC (“Petitioner”), for a Special Council Permit pursuant to Section 1.10.1(a)(3), Section 2.3.1.7 (multi-family), and Section 3.2.2 (decrease in minimum required lot area and open space per dwelling unit) of the Gloucester Zoning Ordinance (the “GZO”), for 53 Bass Avenue, Gloucester, Massachusetts.

**Procedural History**

1. On December 8, 2015, Petitioner filed a Special Permit application (incorporated herein by reference) pursuant to Sections 1.10.1(a)(3), 2.3.1.7, and 3.2.2 of the GZO.
2. The Special Permit application included a proposed parking plan and write-up explaining the configuration of the existing units.
3. On January 6, 2016, after proper advertising and notice, the City Council Planning and Development Committee held a public meeting to consider the application. The Committee reviewed the plans and application and found that the requirements of the GZO had been met pursuant to Sections 1.10.1(a)(3), 2.3.1.7, and 3.2.2 thereof.
4. The Planning and Development Committee voted unanimously to recommend to the City Council to grant a Special Council Permit to Petitioner, pursuant to 1.10.1(a)(3), 2.3.1.7, and 3.2.2 of the GZO.
5. Following proper notice and advertisement, on January 26, 2016, the City Council held a public hearing on the application. Attorney Joel Favazza, of Seaside Legal Solutions, P.C., spoke on behalf of the applicant. No one spoke in opposition.
6. After a hearing on November 12, 2015, in a decision dated December 10, 2015, the City of Gloucester Zoning Board of Appeals granted Petitioner variances for front yard setback, side yard setback, lot width, lot area, lot area per dwelling unit, lot frontage, and percentage of vegetative cover. The decision of the ZBA is incorporated herein by reference.

## Findings

1. 53 Bass Ave, LLC, is the owner of the property located at 53 Bass Avenue, as shown on Assessor's Map 55, Lot 13 (the "Locus").
2. The zoning district is R-10 (Medium/High Density Residential).
3. Petitioner is seeking the necessary zoning relief to bring the existing five-unit multi-family dwelling into compliance with the GZO.
4. There is no alteration or expansion of the existing building proposed; no new units are being added.
5. The existing parking lot will be completely redesigned so as to provide eight paved parking spaces, none of which will require tandem parking or backing out onto Bass Ave
6. Although the Locus received the necessary relief for four units in 1977, a fifth unit that has existed since approximately 1981 has never been properly permitted.
7. The proposed use would require 5,000 square feet of lot area per dwelling unit for a total of 25,000 square feet; the Locus only contains approximately 7,315 square feet of lot area and therefore will only have 1,463 square feet of lot area per dwelling unit under the proposed use.
8. The proposed use would require 3,500 square feet of open space per dwelling unit for a total of 17,500 square feet of open space; the proposed parking reconfiguration will reduce the already lacking open space on the property to approximately 2,000 square feet of open space and therefore will only have 400 square feet of open space per dwelling unit under the proposed use.
9. As a condition of the ZBA relief granted, Petitioner must designate one unit as affordable housing with a restriction recorded at the local Registry of Deeds. That condition is incorporated herein by reference and made a condition of this Decision as well.

## Multi-Family

10. By allowing the fifth unit to remain, the building will continue to provide several single-bedroom "workforce" housing units, one of which is being officially restricted as an affordable housing unit.
11. The proposed reconfiguration of the parking lot will provide additional parking spaces and make exiting the property in a vehicle safer for pedestrian and vehicular traffic alike.
12. The existing utilities and public services serving the property are adequate; there will be no increase to the demand thereof.
13. The building has existed in a five-unit configuration for nearly 35 years without issue; at the ZBA hearing on this matter, a neighbor testified she had been a direct abutter since the late 1980s and had not had any issues with the number of people living in the building. The neighborhood character will remain unchanged by this proposal.

14. There will be no negative impact to the qualities of the natural environment on the Locus; although some grassy areas will be replaced with additional parking, the green space remaining will be appropriately landscaped.
15. Allowing the fifth unit to remain provides additional rental income and further enables the property owner to continue to invest in the maintenance and upkeep of the Locus.

Decrease in Minimum Lot Area per Dwelling Unit

16. Because the building has existed in its current five-unit configuration for nearly 35 years and is not being altered externally—as well as the fact that the only decrease to open space is to make room for more compliant parking—the decrease in minimum open space and lot area per dwelling unit is in keeping with neighborhood character and structural density.

**Special Permit Criteria**

Multi-Family

Section 1.8.3 of the City of Gloucester Zoning Ordinance states that the Special Permit Granting Authority shall review the proposed structure to determine that it is in harmony with the general purpose and intent of the ordinance, and that it will not adversely affect the neighborhood, the zoning district or the city to such an extent as to outweigh the beneficial effects of said use. In reviewing special permit applications, SPGA shall consider, but not be limited to, the following six factors: (a) the social, economic and community needs that will be served by the proposed use; (b) traffic flow and safety; (c) adequacy of utilities and other public services; (d) neighborhood character and social structure; (e) qualities of the natural environment; and (f) potential fiscal impact.

Decrease in Minimum Lot Area and Open Space per Dwelling Unit

Footnote (a) for Section 3.2.2 of the City of Gloucester Zoning Ordinance states that minimum lot area per dwelling unit or minimum open space per dwelling unit, or both, may be decreased by special permit issued by the City Council, but only upon a finding that such lesser lot area or open space is in keeping with neighborhood character and structural density.

**Decision**

In view of the foregoing and having considered the entire record herein, including all minutes of the Planning and Development Committee meeting and all testimony and documents received at the hearing, the City Council, acting as the Special Permit Granting Authority, hereby decides that Petitioner's application for 53 Bass Avenue and the document entitled "Mortgage Inspection" as marked up by Seaside Legal Solutions, P.C. and signed by the City Council meets the requirements of Section 1.10.1(a)(3), Section 2.3.1.7 (multi-family), Section 3.2.2 (decrease in minimum required lot area and open space per dwelling unit), and Section 1.8.3 of the GZO subject to the conditions detailed in the Record of Votes below.

**Record of Votes**

On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted by roll call 9 in favor, 0 opposed, to grant a Special Council Permit (SCP2015-008) to allow for an existing building to be converted to four residential units at Bass Avenue #53, Gloucester, Massachusetts, Map 55, Lot 13, zoned R-5, pursuant to Section 2.3.1.7, decrease in minimum lot area per dwelling unit from 5,000 square feet to 1,463 square feet for a total of 3,537 square feet per dwelling unit in relief; and Section 3.2.2, decrease in minimum open space per dwelling unit from 3,500 square feet to 400 square feet for

a total of 3,100 square feet of open space per dwelling unit. The application under GZO Section 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits because:

- **Social, economic, or community need served:** allowing the existing fifth unit to remain provides the city with an affordably-priced single bedroom housing unit that would otherwise be eliminated if the permit should be denied and will add a legally affordable housing unit.
- **Traffic flow and safety:** the ZBA has required a major overhaul of the existing parking lot that will greatly improve traffic flow on the site and in the neighborhood in general.
- **Adequacy of utilities and other public services:** the fifth unit has existed for at least 34 years without issue; the utilities and available public services are sufficient.
- **Neighborhood character and social structure:** the building has existed in its current five-unit configuration for at least 34 years and does not conflict with the neighborhood. This property is a double lot and there will remain a good-sized backyard for a densely packed R-10 area.
- **Qualities of the natural environment:** there will be no negative impacts to the qualities of the natural environment and, although there will be a reduction in open space, scrub brush and overgrowth will also be removed from the property.
- **Potential fiscal impact:** the rent collected from five units allows the owner to invest in the upkeep and maintenance of the property.

The following general conditions shall also apply:

1. In granting this special permit, the City Council has relied upon the oral and written representations of the applicant, owner, and representative, the documents submitted in support of its application and in its testimony at the committee meeting and the public hearing. Any failure to honor any material representation shall constitute just cause for revocation of this special permit.
2. The minutes of the Planning and Development Committee meeting and the City Council public hearing and all documents, plans and testimony received during the hearing are incorporated into this decision. All construction and use of the property must comply with the plans submitted with this permit application. Any changes, which are not contemplated by this permit, will require either a new special permit or an amendment hereto.
3. Each finding, term and condition of this decision is intended to be severable. Any invalidity in any finding, term or condition of this decision shall not be held to invalidate any other finding, term or condition of this decision.
4. This permit shall not take effect until a certified copy of this decision is recorded with the Registry of Deeds for Essex County. The fee for such recording shall be paid by the owner.

On February 9, 2016, the City Council adopted this decision.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws Chapter 40A, and shall be filed within twenty days after the filing of the above-referenced decision in the City Clerk's Office. Copies of the complete decision and final plans are on file with the City Clerk.

Pursuant to Rule 25 of the City Council Rules of Procedure, the President of the City Council and the City Clerk have signed this decision demonstrating that it is a true and accurate reflection of the January 26, 2016, votes of the City Council sitting as the Special Permit Granting Authority.

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Joseph Ciolino  
President, Gloucester City Council

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Linda T. Lowe, City Clerk