

CITY COUNCIL STANDING COMMITTEE
Planning & Development Committees
Wednesday, April 17, 2013 – 7:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Vice Chair, Councilor Greg Verga; Councilor Joseph Ciolino (Alternate); Councilor Paul McGearry (Alternate)

Absent: Councilor Tobey; Councilor Hardy

Also Present: Councilor Cox; Linda T. Lowe

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

1. *Special Events Application re: request from St. Peter's Fiesta Committee to hold St. Peter's Fiesta June 26, 2013 through June 30, 2013*

Joseph Novello, Chair and Anthony Cusamano, St. Peter's Fiesta Committee told the P&D Committee that Fiesta plans are essentially the same as last year's and that the Fiesta Committee requested permission to hold the 2013 St. Peter's Fiesta, June 26th through June 30th. He said the Fiesta Committee has attended the Licensing Commission meeting where they discussed amusement rides and vendors and were there before the Special Events Advisory Committee in March. The St. Peter's Fiesta Committee is asking to have the Fiesta in St. Peter's Park and the surrounding areas as specified in the requesting letter to the Council, he said

Councilor Ciolino asked that the music be completely shut down during the Fiesta opening and closing ceremonies and said that there is a ride operator nearest the stage that does not shut the ride down which disrupts the ceremonies even though the music is turned off. He asked that ride be completely shut down during that timeframe. **Mr. Novello** said he would speak to the carnival operator, Fiesta Shows and ask that the offending ride be shut down at the specified times. **Councilor Ciolino** asked about a first aid station location at St. Peter's Park. **Mr. Novello** said the Fire Department informed the Fiesta Committee they needed specially trained personnel. Linda T. Lowe, City Clerk confirmed that it is now primarily the City's Fire Department which, she said, is one of the good things as a result of the Special Events Advisory Committee which allows the Fire Department to make their requirements more clear to event coordinators; and look at closing streets and crowd size and noted most events will have Emergency Medical Services requirements. She said the Fiesta Committee has had it made clear by Mr. Schultz what the requirements are and whatever the Fire Chief and Mr. Schultz say needs to be done, it will be complied with, be it a City ambulance located on site appropriately staffed at all times during the hours of Fiesta operation. **Ms. Lowe** said that it is primarily the Fire Department with whom such arrangements would be made and it was made clear to the Fiesta Committee what those requirements would need to be; if a City ambulance should be stationed at the event site during the Fiesta hours of operation, the Fiesta Committee intends to comply. **Mr. Cusamano** said last year appropriate signage was posted over the command stations where the police park their command trailer indicating the medical treatment area. When questioned by **Councilor Ciolino** about sanitary facilities, **Mr. Novello** noted the two locations at Tally's Corner and near the Birdseye building and a pump out truck stands by at all times to be used as necessary; and that the Fiesta Committee hires attendants to the men's and women's facilities for both locations. **Councilor Cox** discussed with Mr. Novello the stationing of the facilities' pump out truck asking that it be stationed away from any residences. **Mr. Novello** assured the Councilor the Fiesta Committee would be sensitive to the location and placement of the pump out truck and the sanitary facilities'.

Ms. Lowe also pointed out Mr. Novello attended a Licensing Commission meeting several months ago, which has authority over amusement rides, along with the amusement rides operator; and at that time the Police Chief was able to extensively question the carnival operator. She reported that the Fiesta Committee will come back to the Licensing Commission in June to obtain all necessary permits.

Councilor McGearry asked for clarification of the locations where vendors are not allowed. **Mr. Novello** clarified those areas within the control of the Fiesta Committee from June 26th through the 30th, and that vendor locations are the same as in years past. Vendors who don't have an agreement with the Fiesta Committee for the duration of the event are not allowed to vend in the designated areas from June 26th through June 30th which **Councilor Ciolino** confirmed. He noted the Fiesta Committee is not in control of the City designated vending spots on the Boulevard or in other areas of the City where the City has permitted vending locations outside of the designated Fiesta area.

Ms. Lowe said that she believed that at the Special Events Advisory Committee there was some discussion of a written agreement between the Beauport Gloucester property owner and the amusement operator as was done in 2012. It needs to be addressed as to whether there is an agreement or not that the amusements operator will have use of that property during Fiesta, she said. **Mr. Novello** noted that in the Fiesta Committee's letter of request the Council that if that property is made available, there would be an agreement made with the amusement company and the property owner to allow some equipment to be placed in the Beauport Gloucester the parking lot. He said as long as construction had not been started, they have come to an agreement on the use of the property. As of now, the plan is for some of the carnival equipment will be set up in that property's parking lot, he noted; but if construction commences before that time, there would have to be a consolidation of rides and the rides which would have been placed in the Beauport Gloucester parking lot area would be eliminated and rides in St. Peter's park will be consolidated.

MOTION: On motion by Councilor Ciolino, seconded by Councilor McGeary, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to allow the 2013 annual St. Peter's Fiesta, commencing on Wednesday evening, June 26, 2013 through Sunday, June 30, 2013, the use and control of St. Peter's Park on Rogers Street; the streets and sidewalks of Rogers Street from Mansfield Way to the entrance of Commercial Street; Commercial Street up to Fort Square to include the use of the Beauport Gloucester LLC property (if made available by written agreement with the owner); and from the intersection of Main and Washington Streets to St. Peter's Park; and on Friday, June 28th, Saturday, June 29th and Sunday, June 30th on only the water side of Stacy Boulevard from "The Tavern" to the Fishermen's Memorial (to the extent allowable by law) and the Ciaramitaro/Gemellaro Playground at Fort Square for the purpose of conducting the St. Peter's Fiesta on the days and dates mentioned herein. Further, vendors are not allowed on the southwesterly side of Commercial Street nor on the streets and sidewalks from Tally's to the Chamber of Commerce (33 Commercial Street). In addition, all hawkers, peddlers, or vendors, who conduct their business on June 26th through June 30th in these areas, must have the express consent of the St. Peter's Fiesta Committee; and with the following conditions:

1. That the kiddie rides (those restricted to children of a height of 42 inches or under) be kept at the St. Peter's Square Park and not at the Beauport Gloucester LLC property, should that property be used;
 2. That the footprint of the Fiesta be drawn out on a plan showing locations of, but not limited to, comfort stations and first aid stations to be placed on file with the City Clerk's office no later than 14 days in advance of the start of the 2013 St. Peter's Fiesta;
 3. That the music is to be shut down at the opening and closing ceremonies on the closest rides to the altar area;
 4. If the Beauport Gloucester LLC property is used, that a temporary fence be erected at the very back of the area known as the "Birdseye Parking Lot" to prohibit entrance to Pavilion Beach;
 5. Temporary lighting shall be placed illuminating the area used as a crossing between St. Peter's Park and the Beauport Gloucester LLC parking lot should that property be used;
 6. That Fiesta Shows, Inc. contribute \$3,000 for the added police coverage due to the expansion of the rides to the Beauport Gloucester LLC property payable to th City of Gloucester c/o of the Police Chief to be paid 14 days in advance of the opening of the 2013 St. Peter's Fiesta.
2. *Special Events Application re: request from YMCA to hold Backshore 5 Mile Road Race 5/10/13*

Barbara Berry, Race Director of the Cape Ann YMCA, 71 Middle Street said that this year's Backshore 5 Mile Road race is no different than that of a year ago and so seeks permission to conduct this annual event. She said the YMCA has met with the Special Events Advisory Committee to obtain guidance. She noted the race plans have the approval of the DPW, the Police Department and the Fire Department having met with Sgt. Gossom for the Police Department recommendations and with Mr. Schultz for EMS recommendations; and emailed Ruth George of the Addison Gilbert Hospital Emergency Department as well to notify her of the race date. Typically this event utilizes the Good Harbor Beach parking lot, the bathroom facilities there and the footbridge for race onlookers and participants to access the starting/finishing line on Nautilus Road. But because of the footbridge being out at Good Harbor Beach, the YMCA has made arrangements with Stop and Shop for use of a section of their parking lot for race participants. Sanitary facilities are an issue because of the lack of access to the City facilities at the Good Harbor Beach parking lot, the YMCA was looking to contact the Bass Rocks Beach Club to seek permission to use

their parking lot to set up sanitary facilities there. It was noted that all required documentation is on file, including a Certificate of Insurance naming the City of Gloucester as the Certificate Holder.

Ms. Lowe noted Ms. Berry came to the Special Events Advisory Committee. At her suggestion the Committee added a condition informing onlookers and participants that the Good Harbor footbridge is closed to make it clear the bridge is not to be used which she said was a concern of Mark Cole, Assistant DPW Director; and from a City perspective there was a liability issue. **Ms. Berry** assured race participants and onlookers would be informed that the footbridge was closed in all communications.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the Cape Ann YMCA on Friday, May 10, 2013 to hold the Backshore 5 Mile Road Race with the following conditions:

1. **Certificate of Insurance:**
A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's office on or before April 30, 2013.
 2. **Road Closure Plan:**
Memoranda from the Police Department and the Fire Department giving approval of the plans for the Backshore 5 Mile Road Race on May 10, 2013 are to be on file with the City Clerk's office on or before April 30, 2013. Roads to be closed 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 April 30, 2013. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require City Council approval.
 3. **Refuse and Comfort Stations:**
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicapped accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and be removed by 8:30 p.m., May 10, 2013.
 4. **Emergency Services:**
Emergency Medical Services plans are to be approved by Sander Schultz, Fire Department EMS Coordinator and filed with that department by April 30, 2013.
 5. **Staffing:**
Event staff is to have cell phones and be identified by distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire and DPW Departments in advance of the event.
 6. **Notification of Immediate Abutters and Businesses to Race Course:**
Notice shall be made by the event organizers by hand or by mail no later than 7 days in advance of the event to function halls, motels and hotels and other businesses along the race route.
 7. **Use of the Good Harbor Beach Footbridge:**
That race organizers advise participants and onlookers that the footbridge at Good Harbor Beach is closed.
 8. **Responsibility of the Cape Ann YMCA:**
The Cape Ann YMCA 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 Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.
3. *Communication from Mayor to Noreen Burke, Public Health Director re: Board of Health Recommendation to Join Northeast Mosquito Control District*

The Committee discussed the Mayor's memo and the recommendation of the Board of Health to join the Northeast Mosquito Control District (NEMCD). **Councilor Verga** said the Mayor's memo asked there be outreach via Ward Councilors to possible affected areas for more input. He said when he spoke to the Mayor she said she is requesting the Health Department come up with alternatives before the City joins in the spraying system.

Councilor McGeary noted the Public Health Director's memo says the City would be assessed \$87,000 for surveillance to find out if there is a problem; and then the City chooses whether or not to have spraying done. Testing, he said, given the presence of West Nile Virus, and EEE not far away, it is a consideration. He read a portion of the memo regarding the Vector Management Guide which indicates that the guide can be adapted to meet the needs of each community. Communities can state in the plan that they do not want spraying. Later if many traps test positive, the Vector Management Plan can be altered. The memo went on to say that the contract cost remains the same no matter whether all or some of the services are utilized. **Councilor McGeary** said that the downside is the City is on the hook for \$87,000 regardless of what services are used by the City. If the City does need spraying, however, it is covered. If the City does not, the City is still paying for surveillance and testing.

Councilor Verga inquired if B&F was looking at this matter in terms of the funding. **Councilor McGeary** informed Councilor Verga it has not been referred to B&F. **Councilor Ciolino** pointed out there is no recommendation from the Administration for this contract service. **Councilor Verga** suggested this be forwarded to B&F to have the Health Department make a case for funding the \$87,000 contract costs. However, he added that if the Mayor is not asking for the money the Council can't offer it up. **Ms. Lowe** pointed out state law with regard to adoption of the City budget says that if something is omitted from a proposed budget, the City Council can say they want "X" to be in the budget and so the Council can send the proposed budget back to the Mayor with a request that "X" be put in the budget saying that was the Council's only alternative if they wanted something additional in the proposed budget.

Councilor Verga said he was unsure as to the P&D Committee's role in this process at this particular point. **Councilor McGeary** pointed out that the Mayor didn't speak to the funding, she speaks of insufficient outreach and for a more comprehensive review of analysis of options to form a plan. He suggested since this is not a money issue at this point, P&D could ask there be alternatives formulated to be looked at, and then send those alternatives forward. **Councilor Verga** said the Mayor has requested some alternatives through the Health Department. He asked the Clerk of Committees to send an email to the Health Department to find out if there is a deadline to join the NEMCD as he said he didn't think it was fair to nix the entire concept; but that it was fair to get some alternatives first. **Councilor McGeary** said he agreed with Councilor Verga's plan to learn if there is a deadline and seek alternatives.

This matter is continued to June 5, 2013.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:31 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.