



CITY CLERK  
GLOUCESTER, MA

12 MAR 15 AM 11:23

## GLOUCESTER CITY COUNCIL

9 Dale Avenue, Gloucester, MA 01930  
Office (978) 281-9720 Fax (978) 282-3051

### Budget & Finance Committee

Thursday, March 22, 2012 – 6:00 p.m.  
1<sup>st</sup> Fl. Council Committee Rm. – City Hall

### AGENDA

*(Items May be taken out of order at the discretion of the Committee)*

1. *Continued Business:*

- A) *Review and Recommendations for Disposition of real property re: Magnolia School House (a.k.a. Blynman School) (Cont'd from 02/23/12)*
2. *Request from DPW Director re: \$350,000 to fund engineering investigation for lower Essex Avenue area sewer and West Gloucester sewer collection system*
3. *Initial Recommendation to School Committee from Superintendent of Schools & Chief Finance Officer re: FY13 School District Budget*
4. *Memorandum from CAO re: Fire Department Overtime*
5. *CC2012-016 (Verga/Whynott) Request for presentation from Administration re: Report of all parking meters revenues and projected revenues*
6. *Memo from City Auditor regarding accounts having expenditures which exceed their authorization And Auditor's Report*

### COMMITTEE

Councilor Paul McGeary, Chair  
Councilor Joseph Ciolino, Vice Chair  
Councilor Melissa Cox

### Committee members – Please bring relevant documentation

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk  
Jim Duggan  
Kenny Costa  
Jeffrey Towne  
Mike Hale  
Dr. Richard Safier/Tom Markham  
Jonathan Pope

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 of Gloucester

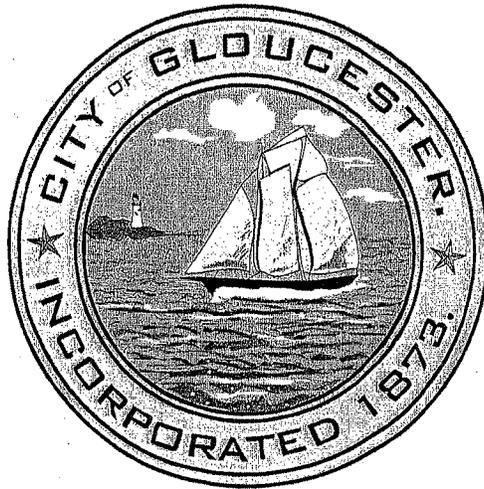
Office of the Purchasing Agent

City Hall, 9 Dale Avenue

Gloucester, Massachusetts 01930

Telephone 978 281 9710 Fax 978 281 8763

[www.gloucester-ma.gov](http://www.gloucester-ma.gov)



## REQUEST FOR PROPOSALS #12093

SALE OF

**MAGNOLIA SCHOOL HOUSE**

46 Magnolia Avenue, Gloucester, MA

Request for Proposal Available:

Proposal Submission Deadline:

***DRAFT FOR CITY COUNCIL APPROVAL***

**SECTION 1: NEWSPAPER ADVERTISING**

To: Cape Ann Beacon

From: Donna Compton, Purchasing Agent

Date: TBD

Re: **Please run this ad on the Records/Legal page as small as possible on Fri** and again on Friday,

**CITY OF GLOUCESTER, MA.  
REQUEST FOR PROPOSALS # 12093  
Sale of Blynman (Magnolia) School House**

Pursuant to M.G.L.c 30B, the City is seeking proposals for the Sale of City owned land and building located at 46 Magnolia Ave., shown on assessor's map 174, lot 3. The property is listed as **14,060 SF** lot area and **2,160 sf** 1<sup>st</sup> flr area, 1,040 sf finished & 1,120 sf unfinished basement area. The City seeks to have services rendered to Magnolia and other local residents by requiring that the property be utilized for a Historical Museum and programs. The RFP package will be available on **TBD** at the Office of the Purchasing Agent. Proposals must be received and will be opened at the Office of the Purchasing Agent, City Hall, 9 Dale Ave., Gloucester, MA 01930 no later than **TBD**. The City reserves the right to reject any and all proposals, or to accept that which is deemed in the best interest of the City. **The City shall not be responsible for proposals arriving late due to couriers, deliveries to wrong locations, express mailing services, etc.**

**Donna Compton  
Purchasing Agent**

**SECTION 2: CENTRAL REGISTER POSTING**

**Entire RFP Documentation for the Magnolia School House (Blynman School)**

**May be viewed on line at [www.gloucester-ma.gov](http://www.gloucester-ma.gov)**

**Under Budget & Finance Agenda Packets**

**For February 23, 2012**

**Or on file in the City Clerk's Office**

**LAW OFFICES  
ATTORNEY MARK L. NESTOR**

*Putnam Place Business Center  
180 Boulder Drive, Suite 150  
Fitchburg, MA 01420  
(978) 345-3544  
Facsimile (978) 345-8034*

*45 Middle Street, Suite 1  
P.O. Box 5357  
Gloucester, MA 01930  
(978) 283-7117  
Facsimile (978) 283-5118  
Email:[nestorlaw@aol.com](mailto:nestorlaw@aol.com)*

*Direct all correspondence to the Gloucester Office*

March 1, 2012

Councilor Paul McGeary, Chair  
Budget and Finance Committee  
Gloucester City Council  
9 Dale Avenue  
Gloucester, MA 01930

Re: Request for Proposals for Sale of Magnolia School  
House

Dear Councilor McGeary:

Please be advised that I have been retained by the Magnolia Historical Society, Inc. in regards to the above-referenced Request for Proposal. My clients have provided me with of the most recent Request for Proposal #12093, a copy of which is attached. However, in reviewing that document and comparing it with some other City records and other records there appears to be at least two significant discrepancies that need to be resolved. The first one is regarding the lot area. The RFP states the lot area is 14,060 square feet. However, the assessor's card for same only reflects .32 acres, which is approximately 13,939 square feet. More importantly, the Deed that was provided to me from the City Clerk's Office, only references 12,280 square feet, a copy of which is attached. As such, there is a significant discrepancy that I think needs to be corrected in the RFP before it can be republished. Further, I have been advised that according to the assessor's card for that parcel, Map 174, Lot 3, it reflects lot dimensions of 100 foot frontage on Magnolia Avenue and the other two sides and rear are all 125 feet each. However, if you review the Deed, it reflects frontage and rear widths of 100 feet and the side width of 125 feet. Again, this is a significant discrepancy that needs to be addressed. Further, according to the RFP, Section 7 Restrictions, the use of the property is restricted to providing a Historic Museum.

12 MAR -5 AM 11:53  
CITY CLERK  
GLOUCESTER, MA

Councilor Paul McGeary, Chairperson  
March 1, 2012  
Page 2

When I review the restrictions for that type of property, in the Zoning District for the schoolhouse which is R-30, it clearly prohibits Museums and other IRS 501C(3) non-profit entities, which the Magnolia Society is, as an accepted use unless it is granted a Special Permit by the Council. I am not sure that an RFP can be published which restricts it to a Museum if in fact a Museum at this point is not authorized in that district. This would appear to be a significant impairment. I understand Planning and Development Committee, there is a Hearing on this matter scheduled for Wednesday, March 21, 2012, by the Budget & Finance on this RFP. I would be happy to discuss this at that meeting.

Thank you in advance for your attention to this matter. If you have any questions, please feel free to contact my Gloucester office.

Sincerely yours,



Mark L. Nestor

MLN: dpw  
Enclosures  
cc: Suzanne Egan, Esq.  
Lisa Ramos

# City of Gloucester

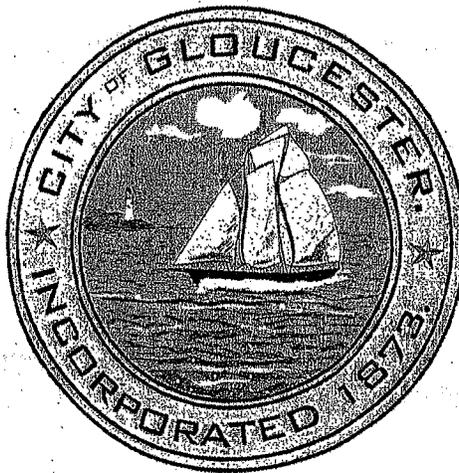
Office of the Purchasing Agent

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## REQUEST FOR PROPOSALS #12093

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Proposal Submission Deadline:

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Donna Compton  
Purchasing Agent

**SECTION 2: CENTRAL REGISTER POSTING**

- B. Include in Package:** Five copies of your Proposal, including, but not limited to:
1. A description of the method the applicant intends to use to manage the project, if awarded the contract.
  2. Description of the qualifications of the key participants whom the Proposer plans to utilize.
  3. Any other information the Proposer considers relevant
  4. Non-Collusion Statement
  5. References

**SECTION 10: PROPOSAL EVALUATION:**

This section describes the criteria and process to be used by the City of Gloucester in evaluating proposals received in response to the RFP. All proposals will be evaluated by the City of Gloucester.

**SECTION 11: MINIMUM CRITERIA:**

The City of Gloucester will conduct a preliminary review of each proposal to determine whether it meets the minimum criteria listed below. Proposals that do not meet these minimum criteria may be disqualified from further consideration

1. The proposal includes all information required in this Request for Proposal
2. The proposer agrees to meet the City of Gloucester's sale terms.
3. The proposal meets the City's identified need for Gloucester Historical Museum services.

The City of Gloucester will be evaluating all Proposals to qualify them as being responsible and responsive to the requirements of the RFP. All Proposals **must include** the following elements to be considered valid for this property sale:

1. **Description of Proposer and Affiliates**  
A description of the Proposer Buyer whether an individual, Corporation, Partnership, Trust, etc. If the Proposer is a team, include a list of members.
2. **Proposer Contact Information**  
Include the primary contact name, address, phone and fax number. Provide the address, contact name and phone number for each member of the Proposer's team.
3. **Bid Price Sheet**  
The Proposal must clearly state in written word and numerical form the amount of the bid. The City of Gloucester reserves the right to reject any and all bids. The City of Gloucester has established a minimum bid price of TBD
4. **Evidence of Financial Ability**  
Provide information, as provided in paragraph 6, that will demonstrate to the City that the Proposer has the financial ability to purchase, develop, and financially sustain the property. Such evidence may include Financial Statements of proposer and/or its affiliates, letters of intent from lenders and lender references showing sources of funds for acquisition, construction or site development, permanent financing and any proposed real estate development/environmental cost cap insurance products. The City shall decide if the evidence is sufficient.
5. **Certificate of Non Collusion**
6. **Project Description:** The Proposer must provide a narrative description of the proposed use of the property. This narrative description is required so that the City can determine if the proposed use is in compliance with the terms and conditions of the RFP and other municipal laws and regulations.

**SECTION 14:**

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalty of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club or other organization, entity or group of individuals.

Bidder: \_\_\_\_\_ Address: \_\_\_\_\_  
 Authorized Signature \_\_\_\_\_ Title: \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax: \_\_\_\_\_

**SECTION 15:**

**TAX COMPLIANCE**

**IF A CORPORATION:**

State in which Incorporated \_\_\_\_\_  
 President \_\_\_\_\_  
 Treasurer \_\_\_\_\_  
 Secretary \_\_\_\_\_

If a Foreign (out of State) corporation - are you registered to do business in Massachusetts? YES \_\_\_ NO \_\_\_ If you are selected for this work, you are required under Massachusetts General Law Chapter 38D, to obtain from the Secretary of State, Foreign Corp. Section, State House, Boston, a certificate to the awarding authority prior to award.

**IF A PARTNERSHIP (Name All Partners):**

Name	Address	City	State/Zip
_____	_____	_____	_____
_____	_____	_____	_____

**IF AN INDIVIDUAL:**

Name	Address	City	State/Zip
_____	_____	_____	_____

**IF AN INDIVIDUAL DOING BUSINESS UNDER A FIRM NAME:**

Name of Firm	Business Address	City	State/Zip
_____	_____	_____	_____
Name of Individual	Address	City	State/Zip
_____	_____	_____	_____

**ATTESTATION CLAUSE**

Pursuant to MGL c 62C sec 49A. I certify under penalties of perjury that I, to my best knowledge and belief, have filed all state tax returns and paid all state taxes required by law.

Social Security No. Or Federal Identification No \_\_\_\_\_ Signature or Individual or Corporate Name \_\_\_\_\_

Corporate Officer (If Applicable)

The City reserves the right to reject any and all bids or to accept the bid deemed in the best interest of the City of Gloucester, MA.

**SECTION 16:**

**HAZARDOUS MATERIALS RELEASE ("Hold Harmless" Agreement)  
 RELEASE REGARDING HAZARDOUS MATERIALS  
 Magnolia Schoolhouse, 46 Magnolia Avenue, Gloucester, MA 01930**

The City assumes no liability for any release of hazardous materials on the property. The Proposer has not relied upon any representations by the City with respect to hazardous materials, except to the extent disclosed herein.

The Proposer agrees to release and hold harmless the City of Gloucester from any liability arising out of any hazardous materials that may be present on the property.

Proposer \_\_\_\_\_ Date: \_\_\_\_\_

**PURCHASE & SALE AGREEMENT - DOCUMENT WILL BE SUPPLIED TO SUCCESSFUL PROPOSER**

SECTION 17: PRICE PROPOSAL SHEET RFP 12093

All Proposers shall submit bids in strict accordance with the submission requirements listed below. Any Proposer failing to provide all of the following submission requirements will be considered "non-responsive" and their proposal may be rejected without further consideration

PRICE PROPOSAL

Location	Total Bid Price
Magnolia Schoolhouse, 46 Magnolia Ave - AWARD LINE	

METHOD OF AWARD:

The City of Gloucester will review all proposals submitted for full compliance with the requirements contained in RFP #12093. The City's objective is to award an agreement to the responsive and responsible Proposer who is in full compliance with the requirements of the RFP and who submits the highest bid price. The highest bid must meet or exceed the minimum bid set by the City Council.

BIDDERS SIGNATURE:

I understand the terms and conditions contained in RFP 12093 and in accordance submit this bid.

Signature of proposer or authorized agent \_\_\_\_\_ Print or type name of proposer \_\_\_\_\_ Title \_\_\_\_\_

Name of Business \_\_\_\_\_ Business Address \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

**CONTRACT TERMS AND CONDITIONS**

The following terms and conditions shall apply to the sale of the property described within this RFP:

1. **The City's Responsibility:**

- a. The City of Gloucester's City Solicitor and CFO shall conduct a review of the Successful Proposer's property tax history. A delinquency, lien, etc. for any fee, charge, preexisting payment agreement with the Treasurer/Collector or tax in the payment of taxes on any property in the City of Gloucester or any other city shall be cause to reject the Proposer's bid. Applicant(s) must also state if they ever had property in which the City of Gloucester foreclosed, and the circumstances leading to the previous foreclosure(s)

2. **The Successful Proposer's Responsibility:**

- a. The Successful Proposer shall complete a thorough on site inspection before submitting a proposal.
- b. The Successful Proposer agrees to purchase the property "AS-IS".
- c. The Successful Proposer agrees to be solely responsible for obtaining any and all permits, approvals, waivers, releases or any other requirements necessary to use or rehabilitate the property.
- d. The Successful Proposer agrees the development of the property shall be in compliance with all applicable Federal, State and Municipal Laws and Regulations.
- e. The Successful Proposer agrees to execute a Purchase and Sales Agreement with the City within Thirty (30) days of the Notice of Award.
- f. The Successful Proposer agrees to remit the full bid price and complete the sales agreement and closing within Ninety (90) days from the Notice of Award.
- g. The Successful Proposer understands that if they fail to complete the Purchase and Sales Agreement within Thirty (30) days or fails to complete the sales agreement and closing within Ninety (90) days, the City shall revoke the notice of award and retain all moneys received as liquid damages.

**PART VII MISCELLANEOUS**1. **Amendments/Modifications to Proposals**

The Proposer may at any time prior to the deadline for submission of the Proposals, amend or modify a Proposal by submitting the amendment/modification to the address specified in Part V of the RFP, in a sealed package and clearly marked with the following information:

**TITLE:** "RFP 12093, Proposal for Disposition by Sale of Magnolia Schoolhouse"  
**FROM:** Name and address of Proposer(s)  
**TO:** City of Gloucester, Office of the Purchasing Agent  
 9 Dale Avenue, Gloucester, MA 01930  
**DUE:** TBD

2. **Withdrawal of Proposals**

Any Proposer may withdraw its Proposal at any time prior to the deadline established in this RFP. The Proposer wishing to withdraw a proposal must provide a written authorization and or acknowledgment that he or she is withdrawing the Proposal and the City of Gloucester is held harmless from any responsibility as a result of the Proposal withdrawal.

3. **Rejection of Proposals**

The City of Gloucester reserves the right to reject any or all proposals. The City has established a minimum bid price of \$TBD.

4. **Authorization to Sell**

All proposers are hereby notified that property described herein has been declared surplus property by the Gloucester City Council with the authorization to issue a Request for Proposals with conditions.

5. **Addendum**

Any addendum to the RFP will be sent by mail or fax to those proposers who have registered with the Office of the Purchasing Agent and received a copy of the RFP. The City will not be responsible for notifying anyone who received a copy of the RFP from any other source. If it is not possible to notify all parties who received an RFP prior to the deadline for submission, the City reserves the right to extend the deadline for submission through proper notice.

6. **Conditions**

Submission of a proposal in response to this RFP constitutes an agreement by Proposer and any and all grantees in any subsequent deed from the City to be bound by and comply with all provisions of the entire RFP, including the following conditions, which shall survive the execution and acceptance of a deed of the subject property.

- a. That the property in question, whether occupied or not shall be in compliance with any and applicable Building, Sanitary and Health Codes by the Successful Proposer.
- b. That upon conveyance, the deed and any other documents or plans relevant to the closing shall be recorded at the Successful Proposer expense in the Registry of Deeds.
- c. That the Successful Proposer shall also pay for any documentary tax stamps, as may be applicable to the sale of this property.
- d. That the Successful Proposer has paid all taxes as may be due in compliance with MGL, Chapter 62, Section 49A as amended. See section 15.
- e. That the Successful Proposer must comply with, execute, and include with the proposal the affidavit of compliance with the provisions of MGL, Chapter 7, Section 40J. See section 18

**ATTACHMENT "A"**  
**ASSESSOR'S INFORMATION**



Powered by Vision Government Solutions, Inc.



Map/Lot/Unit : 174/ 3/ 1/ 1  
 Location: 46 MAGNOLIA AV  
 Owner Name: GLOUCESTER CITY OF  
 Account Number: 0174 0003 001

**Parcel Value**

Item	Current Assessed Value	FY 2011 Assessed Value
Buildings	275,100	196,500
Xtra Bldg Features	0	0
Outbuildings	0	0
Land	132,400	145,200
<b>Total:</b>	<b>407,500</b>	<b>341,700</b>

**Owner of Record**

GLOUCESTER CITY OF  
 FULLER SCHOOL  
 GLOUCESTER, MA 01930 0000

**Ownership History**

Owner Name	Book/Page	Sale Date	Sale Price
GLOUCESTER CITY OF		1/1/1895	0

**Land Use**

Land Use Code	Land Use Description
931C	MUN IMP COMM

**Land Line Valuation**

Size	Zone	Assessed Value
0.32/AC	R-30	132,400



**Construction Detail**

<b>Building # 1</b>	<b>MODEL</b> Commercial	<b>Stories:</b> 1
<b>STYLE</b> Other Municip	<b>Exterior Wall 1</b> Wood Shingle	<b>Roof Structure</b> Gable/Hip
<b>Occupancy</b> 1	<b>Interior Wall 1</b> Plastered	<b>Interior Wall 2</b> Drywall/Sheet
<b>Roof Cover</b> Asph/F Gls/Cmp	<b>Interior Floor 2</b> Hardwood	<b>Heating Fuel</b> Oil
<b>Interior Floor 1</b> Vinyl	<b>AC Type</b> None	<b>Bldg Use</b> MUN IMP COMM
<b>Heating Type</b> Forced Air-Duc	<b>Total Baths</b> 2	<b>Heat/AC</b> NONE
<b>Total Bedrms</b> 00	<b>Baths/Plumbing</b> AVERAGE	<b>Ceiling/Wall</b> CEIL & WALLS
<b>Frame Type</b> WOOD FRAME	<b>Wall Height</b> 8	
<b>Rooms/Prtns</b> AVERAGE		

**Building Valuation**

<b>Living Area:</b> 2,160 square feet	<b>Year Built:</b> 1880	<b>Depreciation:</b> 30%
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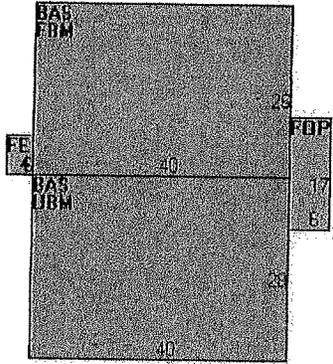
**Extra Features**

Code	Description	Units
No Extra Building Features		

**Outbuildings**

Code	Description	Units
No Outbuildings		

**Building Sketch**



**Subarea Summary**

Code	Description	Gross Area	Living Area
BAS	First Floor	2160	2160
FBM	Basement, Finished	1040	0
FEP	Porch, Enclosed, Finished	24	0
FOP	Porch, Open, Finished	102	0
UBM	Basement, Unfinished	1120	0

# Know all men by these presents:

That I, Edward O. Gaffney of Gloucester, in the County of Essex and Commonwealth of Massachusetts, in consideration of the sum of One Thousand Dollars to me paid by the City of Gloucester, a municipal corporation within said County and Commonwealth, the receipt whereof is hereby acknowledged, do hereby give, grant, bargain, sell and convey unto the said City of Gloucester, its successors and assigns, a certain parcel of land situate on the westerly side of Magnolia Avenue, in said Gloucester, bounded as follows, namely:-

Beginning at a stake at the southwesterly corner of the granted premises on said Magnolia Avenue, and running thence north eighty-eight degrees twenty minutes west by land of the heirs of Priscilla B. Butler, one hundred twenty-five feet to a drill hole in the wall; thence north eleven degrees forty minutes east, by land of the grantor, one hundred feet to a stake; thence south eighty-eight degrees twenty minutes east, by land of the grantor, one hundred twenty-five feet to a drill hole in the wall and Magnolia Avenue aforesaid; thence south eleven degrees forty minutes west, by said Magnolia Avenue, one hundred feet to the place of beginning, containing 12,250 square feet.

To have and to hold the granted premises, with all the privileges and appurtenances thereto belonging, to the said City of Gloucester, its successors and assigns and heirs and assigns, to their own use and behoof forever.

And I hereby, for myself and my heirs, executors, and administrators, covenant with the grantee and its successors heirs and assigns that I am lawfully seized in fee-simple of the granted premises, that they are free from all incumbrances,

that I have good right to sell and convey the same as aforesaid; and that I will and my heirs, executors, and administrators shall warrant and defend the same to the grantee and its successors heirs and assigns forever against the lawful claims and demands of all persons.

And for the consideration aforesaid

hereby release unto the grantee and heirs and assigns all right of or to both dower and homestead in the granted premises.

In witness whereof I the said Edward D. Garfney, singleman,

ARCHIVES

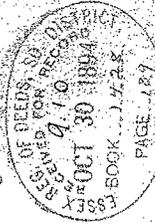
Page 587,

Deed of

Edward C. Coffey,

to

City of Gloucester.



**Warranted Deed.**

In Board of Aldermen

Dec 7, 1894

Read Substantive

be given by  
John J. Somes, Clerk

In Common Council, 1894,  
Decem ber 16, 1894,

HIGH OFFICE OF

Read. Sumner D. York,

ATTORNEY AT LAW,

A. F. Sweeney, Clerk.

### 2.3.2 COMMUNITY SERVICE USES

former designations:

R-RB	R-RA	R-1	R-2A	R-2	R-3	R-4
------	------	-----	------	-----	-----	-----

	R-80	R-40	RC-40	R-30	R-20	R-10	R-5	CCD	CB	VB	NB	EB	MI	GI	BP
1 Public, religious, or other non-profit school, building or use	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
2 Municipal use not elsewhere more specifically covered	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
3 Personal wireless service facility (see Section 5.13)	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS	CCS
4 Public utility facility exclusively servicing the immediate neighborhood (5 square miles or less)	Y	Y	Y	Y	Y	Y	Y	N	Y	N	N	Y	CCS	Y	Y
5 Public utility facility exclusively servicing a broader area	N	N	N	N	N	N	N	N	SPS	N	N	Y	Y	Y	Y
6 Nursing home, convalescence or rest home, hospital	N	N	N	CCS	CCS	CCS	CCS	N	N	N	CCS	N	N	N	N
7 Cemetery	CC	CC	CC	CC	CC	CC	CC	N	CC	CC	CC	CC	N	N	N
8 Club or lodge, registered as a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code	CCS	CCS	N	CCS	CCS	CCS	CCS	CCS	CC	CC	CC	CC	CC	N	N
9 Animal hospital, animal shelter	3	CC	CC	N	CC	CC	N	N	N	N	N	CC	N	CC	CC
10 Nursery school, day care center	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
11 Trade school, industrial training center	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	Y
12 Business or commercial school, other than Use Nos. 2.3.2 (1), 2.3.2 (10), 2.3.2(11) and 2.3.3(5)	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	N	N
13 Philanthropic institution	CCS	CCS	N	CCS	CCS	CCS	CCS	Y	Y	CCS	CCS	Y	CCS	N	CCS
14 Airport, heliport	N	N	N	N	N	N	N	N	N	N	N	CCS	CCS	CCS	CCS

### FOOTNOTES TO SECTION 2.3.2, COMMUNITY SERVICE USES

- (1) In the MI District, no use of the water's edge, or of an area at ground level 20 feet back from the water's edge, shall be permitted unless such use requires access to water-borne vessels.
- (2) See Section 5.12
- (3) Provided that any outdoor structure or pen shall be located no closer than 100 feet from a lot line and 200 feet from a dwelling on another lot.

(e) If the Zoning Map indicates that the zoning district boundary line is not a center line of a street, way, etc., and is not a line perpendicular to such street, way, etc., and is not a line parallel to such street, way, etc., and is not a line following a lot line or lot lines, it may be a line dividing

a lot or lots at such approximate location as shown on the Zoning Map. In such cases, the following rules of interpretation apply:

(1) Where a lot is divided in such manner that the frontage thereof lies entirely within one zoning district and said frontage is in the district with the smaller required minimum lot area, the provisions of this ordinance pertaining to the frontage district shall apply both to that portion of the lot lying in said district and to an area extending twenty-five (25) feet into the other district. From that point to the rear of the lot the provisions of this ordinance pertaining to the other district shall apply.

(2) Where a lot is divided in such manner that the frontage thereof is entirely within one zoning district and said frontage is in the district with the larger required minimum lot area, the provisions of this ordinance pertaining to the frontage district shall apply to the entire lot.

(3) Where the frontage of a lot lies in two zoning districts, the provisions of this ordinance pertaining to district with the larger required minimum lot area shall apply to the entire lot.

(f) Where none of the above-described rules of interpretation apply, or where other ambiguities exist, the zoning district boundary line shall be determined by the Inspector of Buildings.

## 2.2 USE REGULATIONS

### 2.2.1 Allowed, Prohibited and Conditional Uses

No building or structure shall be erected, used or changed in use, and no land shall be used or changed in use, except as set forth in Section 2.3, Use Tables, or as exempted by statute or Section

2.4. The symbols employed in the Use Tables have the following meanings:

- Y - A permitted use
- N - An excluded or prohibited use
- CC - A use which may be authorized by Special Permit issued by the City Council pursuant to Section 1.8 of this ordinance, the application for which shall comply with the filing requirements of Section 1.5.3(b).
- CCS - A use which may be authorized by Special Permit issued by the City Council pursuant to Section 1.8 of this ordinance, the application for which shall comply with the filing requirements of Section 1.5.3(c); if the proposed use is a Major Project (see Section 5.7.1), the application shall comply with the filing requirements of 1.5.3(d).
- SP - A use which may be authorized by Special Permit issued by the Zoning Board of Appeals pursuant to Section 1.8 of this ordinance, the application for which shall comply with the filing requirements of Section 1.5.4(c).

Public Works  
28 Poplar Street  
Gloucester, MA 01930



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

## CITY OF GLOUCESTER

DEPARTMENT OF PUBLIC WORKS

### MEMORANDUM

RECEIVED  
FEB 27 2012  
Mayor's Office

TO: Jim Duggan, Chief Administrative Officer

FROM: Michael Hale, Director of Public Works *MH*

DATE: 27 February 2012

SUBJECT: Request for Certified Sewer Free Cash – Lower Essex Avenue Engineering Investigation

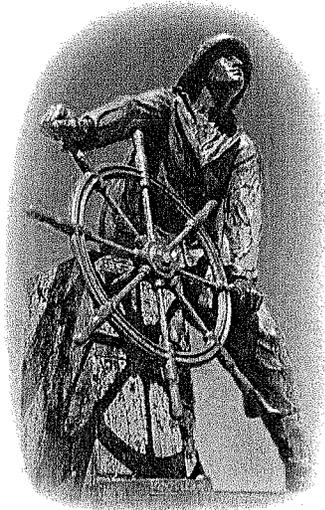
The Department of Public Works is requesting \$350,000 from the available certified Sewer Enterprise free cash to fund an engineering investigation of the lower Essex Avenue area sewer, as well as the contributing factors from the West Gloucester sewer collection system. The investigation will include: flow monitoring, pipeline television inspections, manhole inspections, wastewater pump station inspections, sewer capacity assessment, analysis of historic flow monitoring data and estimate of future flows, expansion of collection system model, identification of hydraulic capacity limitations, and evaluation of options to restore/increase capacity. The data collected will be compiled into a report and once accepted, be the basis of an engineering design to mitigate the issues identified in the investigation.

Public Works anticipates the initial investigation to begin spring 2012 and wrap up by January 2013. Engineering design and construction related services is predicated on what the investigation determines.

*de c*

**THE GLOUCESTER PUBLIC SCHOOLS**  
**OFFICE OF BUDGET & FINANCE**

*Our mission is for all students in the Gloucester Public Schools to be  
successful, engaged, lifelong learners.*



**FISCAL YEAR 2013**  
**SCHOOL DISTRICT BUDGET**  
**&**  
**SUPPORTING DOCUMENTS**  
**AND SPECIAL REPORTS**

**INITIAL RECOMMENDATION TO THE SCHOOL COMMITTEE**  
**- FEBRUARY 15, 2012 -**

**DR. RICHARD SAFIER**  
**SUPERINTENDENT OF SCHOOLS**

**THOMAS MARKHAM**  
**CHIEF FINANCE OFFICER**

# The Gloucester Public Schools Fy2013 Budget Recommendation

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**The Gloucester Public Schools  
Fy2013 Budget Recommendation**

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*Complete document on file in  
City Clerk's office*

City Hall  
Nine Dale Ave  
Gloucester, MA 01930



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

CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

## *Memorandum*

To: City Council President Hardy and Members of the Gloucester City Council

From: Jim Duggan, Chief Administrative Officer 

Cc: Steve Aiello, Fire Chief

Date: March 12, 2012

**Re: Fire Department Overtime**

12 MAR 12 PM 1:22  
CITY CLERK  
GLOUCESTER, MA

Another attempt at mediation is being made, rather than proceed to binding arbitration. The Mayor and the Administration's Team and the Fire Department's Union Bargaining Unit are scheduled to meet this week to continue contract negotiations to try and settle the contract.

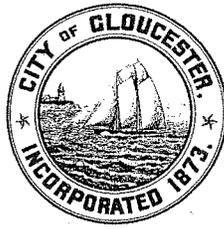
According to Chief Aiello (memo attached), the supplemental appropriation of \$30,000 previously invested for overtime to cover emergencies and manning to 14 is near depletion. The Administration would like to make a second interim request for a supplemental appropriation to cover emergencies and manning to 14 between April 1, 2012 and May 15, 2012.

Therefore, I respectfully request the appropriation of \$20,000 from the General Funds Unreserved Fund Balance ("Free Cash") for Personnel Expenses to pay for Fire Department Salary/Wages-Overtime. According to Chief Aiello, there is no historical data available to support this request; rather the Chief is making his assumption based on the upcoming school vacation in April, firefighters at the Massachusetts Fire Academy and firefighters that have been out due to injury.

Please refer this matter to Budget & Finance for their review.

Thank you

Stephen Aiello  
Chief of the Department  
Eight School Street  
Gloucester, MA 01930



TEL:978-281-9780  
FAX: 978-281-9822  
email: saiello@gloucester-  
ma.gov

## CITY OF GLOUCESTER

FIRE DEPARTMENT

RECEIVED

MAR 5 2012

Mayor's Office

TO: Mayor Carolyn Kirk  
CC: Jim Duggan, C.A.O.  
SUBJECT: Fire Department Overtime

Mayor Kirk,

I am writing to advise you that overtime to maintain a minimum complement of 14 personnel on duty in accordance with the Collective Bargaining Agreement (CBA) is near depletion. After the payroll of March 9<sup>th</sup> there is a balance of \$9,830.55 in the staffing overtime budget.

Overtime for the month of February increased due to a number of factors, including the following;

- 4 firefighters were out with long term injuries (more than 4 weeks)
- 3 additional firefighters have been out long term since last Fall
- 2 firefighters have been at the Mass Fire Academy since January
- 1 firefighter was at the National Fire Academy for 2 weeks in February
- February School vacation

I have inquired with the firefighters that have been out long term and 3 of them report that they will be back to work within a week. I am also asking the other 4 firefighters that have been out long term to return to duty on light duty as soon as possible or present evidence as to why they can not.

At this time I am seeking a supplemental appropriation for staffing overtime to maintain the minimum amount of personnel (14) on duty per the CBA.

Thank you.

Sincerely,

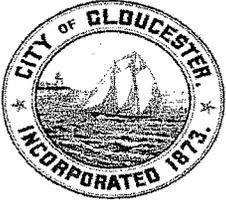
Stephen Aiello, Acting Fire Chief

PAYDATE: 03/09/2012

PAY PERIOD: #19

Account:	51100	C 122030	C 122017	C 122016
Members	Reg Hrs. Code 5110	OT Hrs 51300	Callbacks & Holdovers	Continuing Education CEU'S
<b>TOTALS</b>		<b>\$15,717.29</b>	<b>\$1,795.02</b>	<b>\$1,087.84</b>
<b>BEGINNING BALANCE:</b>		<b>\$25,547.84</b>	<b>\$7,856.33</b>	<b>\$24,681.36</b>
<b>AFTER PAYROLL IS POSTED:</b>		<b>\$9,830.55</b>	<b>\$6,061.31</b>	<b>\$23,593.52</b>

\$20,000



**CITY OF GLOUCESTER 2012  
CITY COUNCIL ORDER**

**ORDER:** #CC2012-016  
**COUNCILLORS:** Greg Verga & Bob Whynott

**DATE RECEIVED BY COUNCIL:** 02/28/12  
**REFERRED TO:** Mayor and B&F  
**FOR COUNCIL VOTE:**

**ORDERED** that the Administration through the office of the Collector prepare a report for presentation to the Council compiling all parking meter revenues from 2009 through the most recent date, broken down by month and area of said meters; and further project revenues for the current and next fiscal year.

And further

**ORDERED** that this matter thereafter be referred to the Budget & Finance Committee for review and recommendation.

Greg Verga  
Ward 5 Councillor

Bob Whynott  
Councillor at Large