



City of Gloucester City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930
Telephone 978-281-9722 Fax 978- 282-3051

CITY COUNCIL
AND
CITY COUNCIL STANDING COMMITTEE
Budget and Finance
Thursday, March 5, 2009 – 7:00 p.m.
Council Conference Room – City Hall

1. Memo CDD re: Acceptance of Priority Development Grant.
2. Memo CDD re: Acceptance of Seaport Bond Grant for Economic Dev.
3. Memo CDD re: Coastal and Estuarine Land Conservation Program.
4. Memo Pln.Dir. re: Little River Stream Naturalization & Restoration Project.
5. Special budgetary request from Mayor's office.
6. Memo from Building Inspector re: proposed fee adjustments.
7. Order 09-009 (Hardy) Create Enterprise Acct for Solid Waste & Recycling.
8. Communication from Richard C. Hingston, CPA.
9. Report from City Auditor re: accounts with expenditures exceeding their appropriations.

COMMITTEE
Councilor Jason Grow, Chair
Councilor Joe Ciolino, Vice Chair
Councilor Steve Curcuru

Committee members – Please bring relevant documentation

CC: Mayor
Jim Duggan
Marcia McInnis
Jeffrey Towne
Sarah Buck
Gregg Cademartori
Bill Sanborn
Mike Hale



CITY OF GLOUCESTER
COMMUNITY DEVELOPMENT

3 POND ROAD • GLOUCESTER, MA 01930

TEL 978-281-9781
FAX 978-281-9779

RECEIVED

FEB 12 2009

MEMORANDUM

Mayor's Office

To: Mayor Carolyn Kirk
From: Sarah Buck, Community Development Director *SB*
Date: February 11, 2009
Subject: Award of Priority Development Grant (Chapter 43D)

The Community Development Department has been awarded a grant in the amount of \$60,000 from the state's Interagency Permitting Board under the Chapter 43D program, streamlined permitting.

As required by the grant application process, the City Council voted on November 18th to accept the provisions of MGL Chapter 43D and in accordance with those provisions to designate 32 Horton Street as a Priority Development Site.

The Grant will fund assistance for the city in two areas: improved technology for delivery of permitting services, and legal assistance to design Site Plan Review. We have 120 days to implement the changes funded by the grant, and then the city has committed to perform the permitting for the 32 Horton Street site within an overall timeframe of 180 days from their submission of a complete application.

I will be available to answer any questions from the Council. Thank you.

Cc: Jim Duggan, Chief Administrative Officer
Gregg Cademartori, Planning Director
Jen Fahey, Planning Board Chair

INTERAGENCY PERMITTING BOARD
CHAPTER 43D APPLICATION

PART I: MUNICIPAL APPLICANT

Municipality: City of Gloucester

Date: 11/26/08

Name of Individual who prepared this application: Sarah Buck

Chapter 43D requires that a single person be designated to serve as the municipal point of contact on Priority Development Sites. The individual must be a municipal employee or an employee of a quasi-municipal agency who will be charged with responding to inquiries the site, providing and accepting permit applications, communicating decisions to applicants, etc. It is recommended that the designated Point of Contact be a staff member and not an elected official.

Point of Contact, as designated by the governing body:

Name: Sarah Buck

Title: Community Development Director

Address: 3 Pond Road, Gloucester, MA 01930

Telephone: 978-281-9781 Fax: 978-281-9779

Email: sbuck@ci.gloucester.ma.us

Please check the box corresponding to the Technical Resource Providers that assisted you with this program:

- | | |
|--|---|
| <input type="checkbox"/> Regional Planning Agency | <input type="checkbox"/> MassDevelopment |
| <input type="checkbox"/> Mass Office of Business Development | <input type="checkbox"/> Mass Alliance for Economic Development |
| <input checked="" type="checkbox"/> Permit Regulatory Office (BOHED) | |

Chapter 43D requires a majority vote of the local governing body for each Priority Development Site being submitted by the municipality. Applications must be accompanied by a true attest certified copy of the municipal vote.

Please identify the body that approved the submission of this application:

- | | |
|--|---------------------------------------|
| <input checked="" type="checkbox"/> City Council | <input type="checkbox"/> Town Meeting |
| <input type="checkbox"/> Town Council | <input type="checkbox"/> Other: |

I hereby certify under the pains and penalties of perjury that the answers submitted in this application and the documentation submitted in support are accurate and complete.

Name: Sarah Buck

Date: November 24, 2008

Signature: _____

Title: Community Development Director

Signature of Clerk: _____ Date: _____

For Internal Use Only

Received by: _____ Date: _____

- | | | |
|--|---|--|
| <input type="checkbox"/> Municipal Contact Information | <input type="checkbox"/> Certified Vote | <input type="checkbox"/> Land Owner Signatures |
| <input type="checkbox"/> Grant Application | <input type="checkbox"/> Electronic Copy Received | IPB Meeting: |

PART II: PRIORITY DEVELOPMENT SITE (PDS)

Submit a separate page for each Priority Development Site.

Site Location (including street address and map and parcel numbers):

The former Tarr & Wonson Paint Factory

32 Horton Street, Assessors Map 129, Lot 4

Please list any abutting communities to PDS: none.

Have these communities been notified of your proposal? Yes No

Number of parcels in your proposed site: 1 Total Acreage of PDS: 1 acre

Ownership: Private Public

Is the site eligible under current zoning for the construction or redevelopment of at least 50,000 sq feet of commercial or industrial space? Yes No

Chapter 43D requires a PDS to be zoned for commercial, industrial or mixed-use development. If PDS represents a combination of zoning, please explain. Please check all of the following boxes that apply to the PDS, including the means by which a proponent may permit on this site (i.e. special permit?).

PDS Zoning: marine industrial (MI) zone

- By-right Special Permit Site Plan Review
- Commercial Industrial Mixed Use

To answer the next three questions, please review definitions set forth in 400 CMR 2.00:

1. Is the site located adjacent to areas of existing development? Yes No
2. Does the site include underutilized buildings or facilities? Yes No
3. Is the site located close to appropriate transit services? Yes No

Total Potential Build-Out of PDS:

Existing Infrastructure: Water Sewer Utilities Access Roads

Has the Municipality applied for or received other state grants for this site? Yes No

If yes, please identify the program(s):

Is there a project proposal before the town for this site? Yes No

If yes, briefly describe the project below:

November 26, 2008

Project Narrative

Invigoration of the working waterfront is of the highest priority for the City of Gloucester. The Mayor, the City Council, and the Planning Board have all been holding hearings and discussion about how to bring economic investment to the harbor. In June, 2008, the Mayor and Community Development Department embarked on a city-wide visioning process to highlight and focus the energy of the community for harbor waterfront development. In a series of five meetings, over 600 people gathered to speak about the direction for harbor development. Using the community values established during the public discussion, the city nears completion of a 2008 Harbor Plan for the state Designated Port Area, has embarked on rezoning of one section of the waterfront, and is on the verge of issuing a Request for Proposals for Economic Development on the waterfront.

The former Tarr and Wonson Paint Factory (the Paint Factory), the proposed designated priority development site, has the potential to be a lynchpin for the kind of marine redevelopment and investment that can grow the local marine economy. Having relied on the fishing industry for most of its history, the City sees a synergy between this sector and the marine research and laboratory industries. The Commonwealth has seen great success in the expansion of this sector on the south shore, and Gloucester sees its location as particularly suitable to grow this sector on the north shore as well.

Since the closing of the manufactory in 1986, the property has struggled to find a reuse. The building is contaminated from its earlier use. Like many properties on the harbor, the access to the site has traditionally been best from the water, and the previous occupant advertised its product on the wall of the building to its customers who were coming in and out of the harbor on commercial vessels. The site is in an area in which the industrial, commercial and residential uses exist at the close proximity that is typical of the waterfront.

The Paint Factory is located prominently at the entrance of the Inner Harbor, and has provided an identity for the site – and for Gloucester harbor - since its construction in 1877. In 1992, as part of a statewide feasibility study for endangered historic properties, the Congress Group produced a 120 page Adaptive Reuse study that found three potential economically feasible scenarios: live/work space, upper end condominiums, and a visitor center. In the late 1990s, a private investor proposed condominiums and eventually a single family estate. The community rallied around preserving its historic façade, and many saw the proposed residential reuse as the failure of the once thriving port industry.

Ocean Alliance, a nonprofit organization, purchased the Tarr & Wonson Paint Factory site in the summer of 2008, seeing its iconic identity as particularly suited to their mission: the conservation of whales and their ocean environment through research and education. The organization operates the Odyssey, a 93 foot vessel that has circumnavigated the oceans in pursuit of the samples and data that informs their research. They are working on establishing a baseline for ocean toxicology that may someday inform research on the sustainability of the fisheries.

It is critical for Ocean Alliance that their permitting go smoothly. They are managing many challenges with the adaptive re-use of the site: brownfields cleanup, historic preservation, and an economically viable mix of re-uses and partnerships for the buildings. There are four substantial buildings on the site that will anchor this mix of uses. The organization relies on foundations and donors from whom pledges for support evaporate if a project becomes mired in permitting.

Regulatory Requirements

The Paint Factory site may require multiple permits from several boards/committees/commissions/departments including, but not limited to:

Permit	Authority (and reviewing agencies)
Building Permit	Building Department/Planning Department
Drainage Plan Approval	Engineering Department
Order of Conditions	Conservation Commission with review by Conservation Agent, Harbormaster and Shellfish Constable
Lowlands Special Permit	City Council (reliant on Order of Conditions)
Dimensional Relief	Zoning Board of Appeals
Height Exception	City Council
Chapter 91	Planning Board, Conservation, Shellfish, Harbormaster

In the pursuit of the outlined permits input may be required from the following departments:

Building Department
Engineering Department
Department of Public Works
Planning Department
Conservation Department
Shellfish Department
Health Department
Fire Department
Legal Department

Streamlined permitting

City Managers discussed the 180 day timeline at a Technical Assistance Group meeting convened for the purposes of this application. Managers have committed to early timeline structuring and working with the intended permitting tools to meet the 180 day timeline of the 43D commitment.

The City foresees that the actions taken to support the permitting of the Paint Factory site will ease the permitting burden across the working harbor. Waterfront property owners have consistently identified the complex permitting environment as a stranglehold on economic investment on the harbor. The city's actions to streamline its local permitting include making the

state permitting process for the waterfront more transparent. The City is committed to promoting and enabling economic investment on the waterfront.

The City proposes three strategies to align the regulatory environment with successful economic redevelopment.

- Integrate permitting between departments
- Create a more predictable regulatory process
- Provide more proactive customer service for permitting

The funding from the Chapter 43D program facilitates the City's ability to implement the actions that support these strategies.

Strategy 1: Strengthen interdepartmental permitting

- Share information between permitting departments in a centralized database
- Create an integrated timeline for the permits to meet a 180 day commitment.
- Establish initial regulatory meetings of all relevant departments to customize the timeline for the project and to discuss when shared public hearings would be productive.

Strategy 2: Create a more predictable regulatory process

- Amend zoning in the marine industrial district for Site Plan Review. Consider suitability of Site Plan Review in place of some special permits. The structure envisioned for Site Plan Review will be drafted in the 2008 Harbor Plan (to be finalized by the end of 2008). Site Plan Review is a permit that conditions development to ensure community goals are met, but does not have the ability to deny development.
- Include reference to specific state DPA criteria in the Site Plan Review so that local permits will be consistent with state permits.
- Amend applications for properties in the Designated Port Area to include additional information cross referencing for other available resources and regulations.

Strategy 3: Provide proactive customer service for permitting

- Create access at each permitting office to centralized data and a customized desktop for the clerks so that required supporting documents that are in the city's database (such as site plans, abutters lists, aerial photos) may be printed out for the applicant at the time of application.
- Amend applications for properties in the Designated Port Area to refer to the need for the state permit, the state contact person, and the applicant's ability to get personal technical assistance for his/her development plans from state personnel.

Scope of Services for Grant Funding

Software and Training

\$32,750

The City of Gloucester has already invested \$300,000 in a RevenueSense database to integrate city departments. Information from the Assessors office and from the Treasurers office is available to all city departments and our Information Technology Director has performed city-wide trainings in the budget and revenue modules. The City is receiving the last of the work on the initial contract that sets up the initial permitting modules in the Building and Planning and Conservation Department.

The conversion of the city to an electronic system has been a mammoth three year undertaking that has only in the last year become widely functional on the revenue side. Our concern in the permitting departments is for sufficient training of staff and customization of the software modules so that the permitting process is actually eased by the new technology. Having the mapping systems integrated with the permitting allows departments like the Conservation Office to waive more formal requirements and ease the process in many cases where the wetlands would otherwise be in question.

The Chapter 43D funding for customization and training with the focus of a 180 day permitting timeframe is the catalyst that can make the new system functional for the city's regulatory agencies. This funding will add the following essential pieces.

- Module for e-permitting & tracking \$12,000
- Module to integrate mapping with permitting \$ 9,000
- Training for in-house customization of workflows \$ 5,425
- Onsite testing & training \$ 5,425
- Consultant tolls & travel \$ 900

Improvement of Ordinances and Zoning

\$ 27,250

Across the Gloucester waterfront, the web of regulations contributes to a stifling permitting atmosphere. The City plans to continue active work on state regulatory reform with the Executive Office of Energy and Environmental Affairs. Establishing a local Site Plan Review process that incorporates simplified forms of state standards will contribute to bringing clarity and objectivity to permitting even while protecting the Designated Port. Ancillary to this effort is the electronic updating of the city codes.

- Legal Assistance to write Site Plan Review for harbor – including integration with DPA requirements \$20,000
- Electronic reformatting of Zoning Code \$ 2,250
- Electronic reformatting of Code of Ordinances \$ 5,000

Total Grant Request:

\$60,000

Initial 120 day implementation timeline

Timeline	2008			
	Days 1-30	Days 31-60	Days 61-90	Days 91-120
Strategy 1: Strengthen interdepartmental permitting Additional software modules and front ends Develop integrated permit timeline	contract Inter-dept meeting	development Create timeline	installation Review by Boards	training Finalize timeline
Strategy 2: Create a more predictable regulatory process Zoning amendments Code update & reformat	contract contract	develop develop	initiate amendments deliverable	approvals
Strategy 3: Provide proactive customer service for permitting Provide supporting documents Amend applications				

Cost Estimates:

Permitting Software

E-Services software, support, training, travel- see Unifund quote \$23,750
 GIS and Pictometry module and integration \$ 9,000

Scope for Site Plan Review, zoning amendment \$25,000

The concept for Site Plan Review for the harbor is contained in the 2008 Harbor Plan. The consultant will propose criteria for Site Plan Review consistent with this concept and consistent with the 2008 Community Values that have been developed to guide harbor development. The consultant will also work closely with city and state staff to develop criteria consistent and integrated with the requirements of the Designated Port Area.

Electronic reformat/update of Zoning Code \$ 2,250

The Zoning Code requires reentry to allow for the automatic formatting and numbering to work. Having been cobbled together through many technology changes, these basics no longer work, requiring hard-wired solutions each time a zoning amendment is passed. The Code of Ordinances requires a similar solution. Currently city regulations are difficult to find as old technology creates a barrier to updates of amendments to the Code.

Electronic reformat/update of Code of Ordinances \$ 5,000

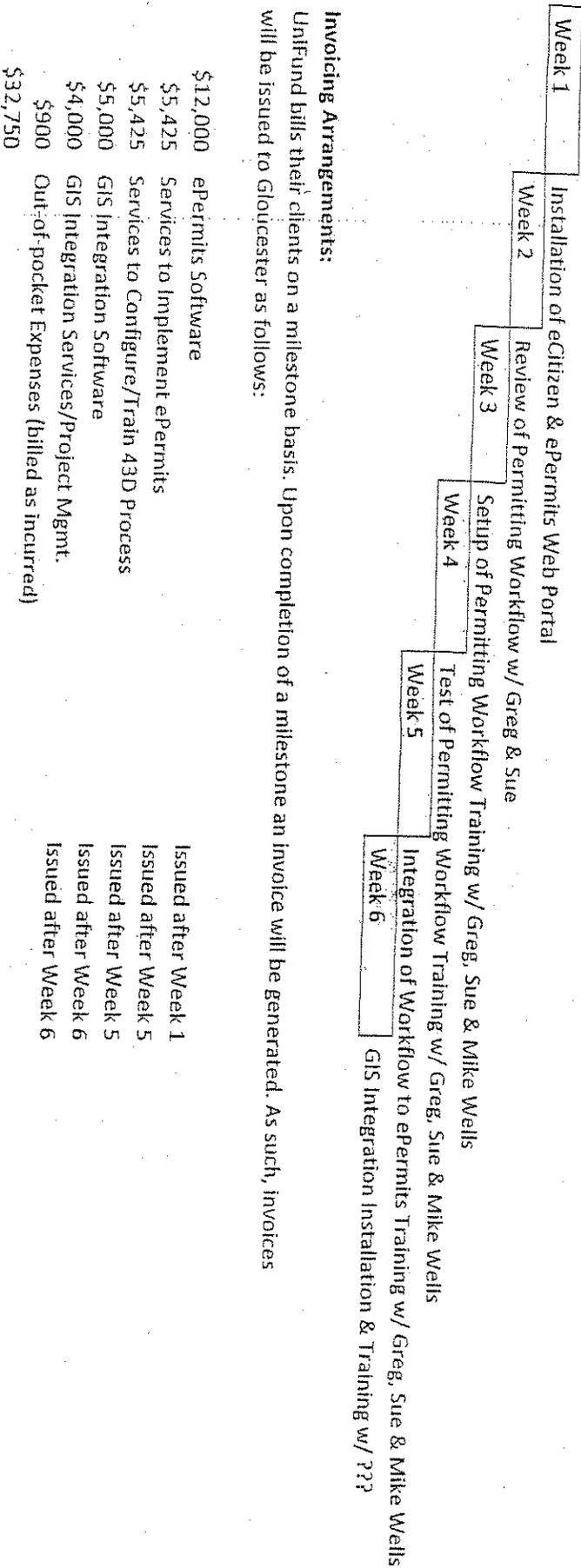
The Code of Ordinances includes requirements for industrial development such as the Lighting and Noise Ordinances. Lack of access to these codes impedes development. We have requested \$5,000 from the grant, with the remainder of the required funds to be provided by the City.



Unifund, LLC
13 Technology Way
Nashua, NH 03060
603.595.5500

City of Gloucester - eCitizen/ePermitting and 43D Permitting Process General Project Plan
Dates of "Week 1" will be planned and scheduled based on available resources of both the city of Gloucester and Unifund upon the execution of a signed contract.

Plan:



DALEY AND WITTEN, LLC
ATTORNEYS AT LAW

PATRICIA DALEY
JONATHAN WITTEN

P.O. Box 1885
COTUIT, MASSACHUSETTS 02635
(508) 420-4511
(508) 420-7223 (FACSIMILE)
EMAIL: patty@daleyandwitten.com

156 DUCK HILL ROAD
DUXBURY, MASSACHUSETTS 02332
(781) 934-0084
(781) 934-2666 (FACSIMILE)
EMAIL: jon@daleyandwitten.com

PROPOSAL FOR SPECIAL MUNICIPAL COUNSEL SERVICES

G.L. c.43D Priority Development Site Project

City of Gloucester, Massachusetts

Task I. Chapter 43D Reviews

Part One: As an overall goal of the Project is to develop a Priority Development Site(s) process in particular and for future application, and revise portions of the City's Zoning Ordinance and other regulatory controls to accommodate the same, Task I involves the detailed review of the Ordinance to identify existing regulatory requirements that would be triggered by the filing of a Priority Development proposal, the authorities (including regulatory authority outside of the City) that have jurisdiction over the review and permitting of a Priority Development proposal and any obstacles to satisfying the statutory deadline imposed by G.L. c.43D, s.5 (180 days) for the issuance of a final permitting decision for the Priority Development Site.

Deliverables: Part One includes one meeting with the City's Technical Assistance Group identified in the Project Narrative and one meeting with representatives of the City boards, departments and commissions responsible for the issuance of relevant permits and approvals identified above, including but not limited to, the City Council, Planning Board, Board of Appeals and the Building Department.

Part Two: While Part One is designed to identify the Zoning Ordinances affecting a Priority Development Site project, Part Two is designed to identify the non zoning regulations that are implicated by a development project filing. These include, but are not limited to, regulations adopted and enforced by the Board of Health, Conservation Commission, Planning Board, Department of Public Works and other City agencies and departments with regulatory jurisdiction over land development projects.

Deliverables: Part Two includes one meeting with representatives of the City boards, departments and commissions responsible for the issuance of relevant permits and approvals identified above, including but not limited to, the Department of Public Works, Planning Board, Fire Department and the Building Department.

Part Three: A product of the work completed in Parts One and Two above will include the identification of those zoning and non zoning requirements currently existing in Gloucester that

could be inconsistent with (due to either a procedural or substantive requirement, or both) G.L. c.43D in general or the statute's deadline for the issuance of permits for designated Priority Development Sites.

Deliverables: Narrative report as identified above.

Total hours, not to exceed25
Hourly Rate\$200.00/ hour
Budget, Part I.....\$5,000.00

Task II. Propose Revisions to the City's Code of Ordinances, Including the Zoning Ordinance and Other Relevant Rules and Regulations

Part One: Prepare a time line and time frame for obtaining regulatory permits (including zoning and non zoning approvals) that are or may be required for the development of the Priority Development site. This time line and time frame will include reference to the appropriate Code/Ordinance/Regulation section, due process elements (notice, public hearing and decision delay requirements) and identification of whether these permitting requirements comport with G.L. c.43D's permit issuance deadline.

Deliverables: Time line and time frame report as identified above.

Part Two: Recommend revisions to the Zoning Ordinance, the Code and all relevant regulations and regulatory authority where conflicts between the existing regulations and the G.L. c.43D deadlines are found. These revisions will be provided as "camera-ready" text for adoption by the relevant regulatory agencies.

Deliverables: The results of Parts One and Two above will be presented and discussed during up to three (3) meetings with the Technical Assistance Group and representatives of the relevant boards, commissions and departments responsible for the issuance or oversight of the regulatory approvals identified. The meetings will be structured to identify the relevant conflicts between existing regulations and G.L. c.43D time frames, provide specific "camera-ready" revisions in response, discuss Group member comments and revise the draft revisions, accordingly.

Part Three: Attend two (2) meetings of the City Council during which the amendments prepared in Parts One and Two, as revised, will be discussed and presented for Council revision and if acceptable, adoption.

Deliverables: Meetings as identified above.

Total hours, not to exceed25
Hourly Rate\$200.00/ hour
Budget, Part II.....\$5,000.00

Task III. Rework Site Plan Review

Part One: Review the City's "2008 Harbor Plan," to be finalized in February 2009, "Open Space Plan" and "Comprehensive Plan" for continuity and consistency regarding water front uses and

structures, port area development goals and long term preservation of the marine and related industries, consistent with the City's historic use and development patterns. It is anticipated that the "2008 Harbor Plan" will include the recommendation for site plan review in the "MI" Marine Industrial zoning district, which includes the Priority Development site.

Part Two: Together with representatives from the Planning Board, the City Council, and property owner designated representatives, determine the most appropriate way to implement site plan review and/or a site plan review process for uses, structures and properties in the Marine Industrial zoning district.

The goals of this effort will include, but not be limited to the following:

- Maintain development flexibility and simplicity.
- Promote the Designated Port Area (DPA) in the ways recommended by the site plan review requirements included in the 2008 Harbor Plan.
- Add clarity at the local level for the state Chapter 91 DPA permitting. This may include: (1) An application that requires the information that will be required for the Chapter 91 permit from the DPA; (2) References to the state requirements in ways that clarify the requirements and intend to keep site plan review consistent with eventual state approval and (3) Promoting lateral public access on and along the waterfront.

Deliverables: Options for implementing a site plan review process and accomplishing the above noted goals will be reviewed, researched and discussed during no fewer than three (3) meetings with representatives of said boards, commissions and/or departments.

These options will include, but not necessarily be limited to: (1) drafting of a site plan review ordinance that is "administrative" in nature and without the requirement of a special permit pursuant to G.L. c.40A, s.9; (2) drafting of a site plan review ordinance that requires obtaining special permit approval, albeit with a lower adjudicative threshold than traditionally applied to special permit applications and/or (3) drafting a site plan review ordinance that applies solely to uses and structures not otherwise requiring a special permit pursuant to Section 2.3 (Use Table) of the Gloucester Zoning Ordinance. The distinction between options (1) and (2) is the level of discretion afforded the review authority (e.g. the Planning Board). In option (1), the Planning Board's discretion would be limited to ensuring compliance with the Zoning Ordinance and the "functionality" of the proposed project (e.g. does the proposed stormwater system meet generally accepted engineering and Commonwealth standards). In option (1), the Planning Board's ability to deny a site plan would be curtailed both by the language of the Ordinance and also by the clear labeling of the Ordinance as "administrative". An appeal of such a denial would be to the Board of Appeals pursuant to G.L. c. 40A ss. 8 and 15 as the Planning Board's denial would preclude the Building Commissioner from issuing a building permit, thus triggering an appeal of the failure to issue a building permit to the Board of Appeals pursuant to G.L. c.40A, ss. 8 and 15.

In the second option, the Planning Board would retain its adjudicative authority pursuant to G. L. c.40A, s.9 to approve, deny or approve with conditions a special permit for the submitted site plan. Traditional adjudicative powers would be available, including the power to require as a condition of approval, "exactions" commensurate with the impacts generated by the proposed

project. An appeal of the Planning Board's decision would be brought to a trial court pursuant to G.L. c.40A, s.17. This option could reduce, without removing, the Planning Board's ability to adjudicate such that a special permit would still be required, but the Board's "exactions" powers could be limited and the presumptions of approval in favor of the applicant. This reduction of adjudicative powers is best thought of as a continuum of authority. In the traditional sense, the special permit granting authority has broad powers to approve with conditions a project, pursuant to G.L. c.40A, s.9. There is no prohibition, however, on the City Council's imposition of limitations on those broad powers, including requiring—mandating—that the special permit be approved if the project otherwise complies with all the conditions of the underlying zoning requirements.

Deliverables: Prepare drafts of the site plan review ordinance(s) consistent with the direction received and comments solicited. It is anticipated that two to three (2-3) drafts of the ordinance(s) will be prepared prior to submission to the City Council for adoption.

Part Three: Attend up to two (2) meetings of the City Council, at which the recommended revisions to the Zoning Ordinance and the Code will be presented for adoption. These meetings could be combined with the proposed meetings before the City Council found in Task Two, Part Three, above.

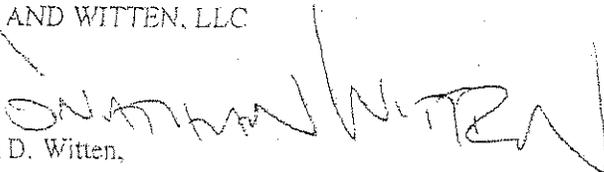
Deliverables: Meetings as identified above.

Total hours, not to exceed.....50
Hourly Rate\$200.00/hour
Budget, Part III.....\$10,000.00

Total Not To Exceed Project Cost: \$20,000.00

Respectfully submitted,

DALEY AND WITTEN, LLC



Jonathan D. Witten,
Member

City Hall Annex
Three Pond Road
Gloucester, MA
01930



TEL 978-281-9781
FAX 978-281-9779
sbuck@ci.gloucester.ma.us

CITY OF GLOUCESTER
COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: Mayor Carolyn Kirk
FROM: Sarah B. Buck, Community Development Director
RE: City Council Acceptance of Seaport Bond
Funds for Economic Development
DATE: February 17, 2009

Sarah B. Buck

As we move forward with economic development for our port and downtown areas, we are fortunate to have been awarded a \$400,000 grant from the Seaport Advisory Council for an Economic Development Plan.

With this funding, we look to encourage investment on many different levels. On the individual parcel level, we will expand our database of underutilized and vacant sites and identify the barriers to development and solutions or programs that can remove these barriers. We will also create a self-sustaining website for business development in the City. For the port as a whole, we will identify ways to expand our hub port status in the fishing industry, to attract new compatible commerce and industry, and to support the visitor-based economy. Finally we expect to identify public projects and funding that will encourage and enable private investment. By including the central business district with the harbor, we look to strengthen the link between downtown and harbor commerce to the benefit of both.

With your approval, I am requesting that this information be forwarded to the City Council for their review and acceptance of the \$400,000 economic development grant from the Seaport Advisory Council. Thank you.

City Hall Annex
Three Pond Road
Gloucester, MA
01930



TO BTF
TEL 978-281-9781
FAX 978-281-9779
sbuck@ci.gloucester.ma.us

CITY OF GLOUCESTER
COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

TO: City Council
FROM: Sarah Buck, Community Development Director
RE: Coastal and Estuarine Land Conservation Program (CELCP)
DATE: February 24, 2009

We have been approached by several conservation organizations – The Trust for Public Lands, the Trustees of Reservations and the Essex County Greenbelt Association – regarding the possibility of a joint city/nonprofit conservation project in West Gloucester. These organizations would like to partner with the city in applying for a federal grant. The initial application is submitted by the city to the state and from there is ranked and then sent on to the federal level. It is a 12 to 18 month process.

The initial application will be due in early March. We ask that you refer this matter to subcommittee for review and your eventual approval to apply for the grant.

Cc: Mayor Carolyn Kirk



CITY OF GLOUCESTER

PLANNING DIVISION

3 Pond Road, Gloucester, MA 01930

Tel 978-281-9781

Fax 978-281-9779

RECEIVED

FEB 17 2008

Mayor's Office

MEMORANDUM

Date: February 13, 2008
To: Mayor Kirk
From: Gregg Cademartori, Planning Director *GMC*
Re: Little River Stream Naturalization and Restoration Project

The administration has been briefed on the *Little River Stream Naturalization and Restoration Project* that has been in development for several years. The project consists of the restoration of approximately 600 feet of stream currently encased in a concrete fish ladder adjacent to the West Gloucester Water Treatment Plant at the intersection of Essex and Magnolia Avenues. The project would result in a naturalized channel connection between tidal sections of the Little River and the Lily Pond headwaters, and would restore degraded wetland habitats, restore habitat function, enhance fish passage and reduce localized flooding.

This project has already received several grant awards for an alternatives analysis and design, both of which are completed. The project will enter into the environmental permitting process this winter. Project proponents include: the City of Gloucester, Massachusetts Audubon Society (MassAudubon), National Oceanic and Atmospheric Administration (NOAA) and the Massachusetts Riverways Program (Riverways) and Mass Division of Marine Fisheries (DMF). The project has also gained the support of the abutting Wellspring House. These organizations have been instrumental in the critique and development of the design, and it is therefore anticipated that the project will be successfully permitted for construction in 2009.

Given the wide variety of environmental benefits associated with this project, it is eligible for many environmental grant programs for construction funding. Several grant programs have been identified, with some solicitations recently announced. The project proponents would like the opportunity to present background information on the project to the City Council in order to facilitate future grant applications and approval. Due to grant deadlines and the City Council's meeting schedule, a Letter of Intent will be sent for one grant opportunity prior to City Council review; however the formal grant application deadline is not until May 1st. Attached is a project summary and the Request for Proposals from the Habitat Restoration Program from the Gulf of Maine Council. Please forward this information to the City Council for review and recommendation. Staff from the Shellfish Department, Planning Department, and Department of Public Works, along with NOAA, MassAudubon and State Riverways Program will be available to answer questions of the City Council.

Cc: Sarah Buck, Community Development Director

City of Gloucester
Grant Application and Check List

Granting Authority: State _____ Federal Other

Name of Grant GULF OF MAINE COUNCIL - HABITAT RESTORATION PROGRAM

Department Applying for Grant: COMMUNITY DEVELOPMENT

Agency- Federal or State application is requested from: GULF OF MAINE / NOAA

Object of the application: HABITAT RESTORATION PROJECT

Any match requirements: NOT REQUIRED

Mayor's approval to proceed: [Signature] 2/20/09
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

Grant Budget by line item account:

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

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

I. PROJECT PURPOSE AND BACKGROUND

The purpose of this phase of work is to produce a final design for the restoration of a highly degraded stream course. Little River is located in West Gloucester. Headwaters of the river begin at Lily Pond, a 25-acre pond bounded by the MBTA rail line and undeveloped city-owned watershed land. The river is approximately one mile in length and drains to the Annisquam River.

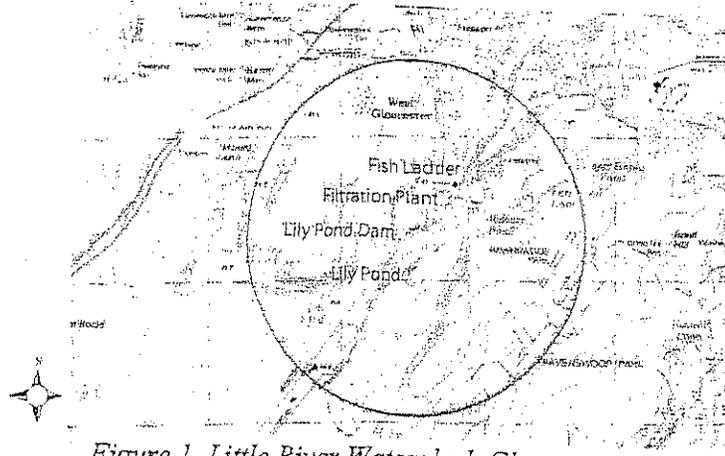


Figure 1. Little River Watershed, Gloucester

Mass Audubon and the City of Gloucester are the main project proponents in partnership with Mass Riverways Program, National Oceanic and Atmospheric Administration, and Mass Division of Marine Fisheries. Riverways designated the restoration of the river as a Priority Project in 2005. The project area is adjacent to the city-owned water filtration plant and its associated sludge lagoon. The lagoon has been a source of water quality degradation and habitat alteration. A fish ladder was installed inside the lagoon to accommodate the infrastructure for the City of Gloucester water filtration plant. The ladder was constructed in the late 1960s and is in disrepair. Recent modifications and improvements to the plant have obviated the need for a sedimentation basin or sludge lagoon alongside the river.

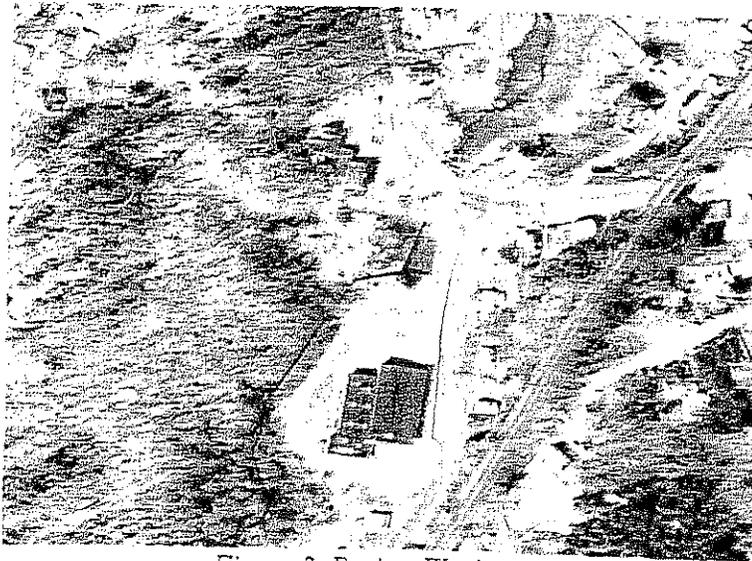


Figure 2. Project Work Area

The project consists of the restoration of the stream to promote connectivity for a full range of native aquatic species, riparian buffer expansion, reduction of thermal pollution and enhancement of flow and habitat. Actions to achieve these functions include the potential removal of approximately 400 feet of concrete fish ladder, daylighting a portion of covered stream and re-creation of a stream channel in order to enhance instream and river corridor habitat.

An alternatives analysis and feasibility study were completed in 2007. With funding from Riverways, Milone and MacBroom has completed 100% design drawings and the project is near ready to enter the environmental permitting process. The total construction cost is estimated at \$250,000.

The primary benefit of the restoration will be to restore the stream and habitat for species including diadromous fish species. Alewives have been monitored in the Little River by hundreds of volunteers since 2000. Proposed on site improvements, including the potential removal and replacement of the fish ladder, should seek to improve fish passage and improve habitat for a diversity of freshwater species.

Restoration of the Little River stream channel has the opportunity to

- Increase the spawning habitat and thus the population of rainbow smelt, which according to historical records were abundant in the river. A pier was erected along the Little River to accommodate smelt fishing. Presently Mass Division of Marine Fisheries monitors the river for evidence of smelt spawning and finds limited eggs. Because of the placement of the sludge lagoon, it is felt that few smelt are able to reach suitable spawning habitat or are impaired by inadvertent discharges.
- Create blueback herring spawning habitat (if feasible) and enhance passage for American eels.
- Expand the natural riparian buffer and stream side vegetative cover that would provide a canopy for water quality and habitat improvement.
- Improve aesthetic quality of the river by removing the concrete lining in the river channel/fishway and daylighting sections of the covered river.
- Improve habitat for other native river species including aquatic invertebrates and freshwater fish.
- Create a natural floodplain and improve floodplain connectivity to reduce flooding and erosion.
- Provide an opportunity for education and outreach due to the high visibility of the site and proximity to an urban setting.



Gulf of Maine
Council on the
Marine Environment

Gulf of Maine Council on the Marine Environment/ NOAA Habitat Restoration Partnership Request for Proposals

Habitat Restoration Grants Program • 2009-2010

The optional Letter of Intent must be submitted no later than 27 February 2009, 5:00 PM EST
The mandatory Full Proposal must be submitted no later than 1 May 2009, 5:00 PM EST

Introduction

This request for proposals is made under the auspices of a partnership between the US Association of Delegates to the Gulf of Maine Council on the Marine Environment (the Council) and the NOAA National Marine Fisheries Service's (NMFS) Community-based Restoration Program. The purpose of this Partnership is to further the Council's goal of habitat restoration and to support a strategic approach to marine, coastal and riverine habitat restoration within the Gulf of Maine. The Partnership is inviting eligible organizations to compete for Habitat Restoration Grants made available through this solicitation. This funding program is managed by the US Gulf of Maine Association on behalf of the Council.

Who is eligible to apply?

Non-governmental organizations (e.g., community associations, cooperatives, civic groups), municipalities, schools and tribal and state governments are eligible to apply. Funded projects are generally located in an area that includes the Gulf of Maine watershed and extends to nearshore ecosystems in the Gulf. The coastal region within this area extends from the tip of Provincetown, Mass to Cape Sable, Nova Scotia, but proposals outside of this geographic range may be considered if they are likely to provide direct benefits to the GOM ecosystem.

What types of projects are eligible?

In general, the Council and NMFS are interested in funding projects resulting in restoration of habitat that benefits living marine resources, including diadromous fish species. Where marine, estuarine and associated freshwater habitats/communities have been significantly altered, restoration activities contribute to the recovery of ecosystem functioning that more closely reflects a pre-altered condition. Successful restoration often requires a comprehensive approach including feasibility assessments and planning, design, implementation and pre/post restoration monitoring phases. The Council requests projects proposals addressing habitat restoration focus areas that include, but are not limited to the following:

- Diadromous fish restoration and stewardship – Projects targeting improved fish passage are priorities for this type of restoration. Project design and planning may involve characterization of impounded sediments, dam safety evaluation, surveying, hydrologic evaluations, engineering design and pre- and post-restoration monitoring of biological and physical parameters.
- Coastal wetland restoration and stewardship – Removing or mediating effects of tidal restrictions, restoring altered hydrology and drainage, mediation or abatement of excessive runoff to coastal wetlands, fill removal and invasive plant species control. Project design and planning may involve hydrologic evaluations, surveying, botanical analyses, engineering design and pre- and post-restoration monitoring of biological and physical parameters.
- Riverine restoration and stewardship – Restoration of historical riverine diadromous fish habitat where altered hydrology, riparian corridors, or other factors have degraded bank stability and aquatic habitat. Project design and planning may include physical habitat and/or stream stability assessments, sediment transport analyses, natural channel design and bioengineered alternatives to riverbank armoring.
- Restoration of other habitat types including submerged aquatic vegetation, shellfish beds, and other subtidal and intertidal habitats are also eligible for funding. This includes pre- and post-restoration monitoring of biological and physical parameters for GOMC/NOAA Partnership funded projects.

Letter of Intent

Submitting a letter of intent (LOI) is optional, but affords applicants the opportunity for advice on their restoration concept before having to develop a full proposal. In turn, grant program reviewers use these LOIs to identify project proposals that should be encouraged toward the full application process. Applicants should review the criteria used in assessing full proposals before developing their LOIs. LOIs are a maximum of three typed pages and should include any of the following information that is available:

- applicant's complete contact information (phone, email, mailing address)
- project location description
- a brief statement describing conditions warranting restoration
- analyses or other project work accomplished to date
- project goals
- proposed restorative actions
- existing or likely project partners and community support for the proposal
- opportunities or challenges potentially influencing project success
- other existing or potential funding sources
- estimated total project cost and amount of funds sought from the Habitat Restoration Grants Program

LOIs must be submitted via email by 5:00 PM EST on 27 February 2009 to Slade Moore at slade.moore@maine.gov. Applicants will be notified during the week of 30 March 2009 if their proposals are among those encouraged toward full application development.

Proposal Review and Selection Criteria

A proposal review team composed of members representing Maine, Massachusetts, New Hampshire, NMFS and the Council will evaluate full proposals using the criteria provided below. In applying these criteria to project proposals, the review team will consider the amount of information reasonably available for a project in the planning/design phase (including inventory) versus the implementation/monitoring phase.

30% Potential for the project to restore degraded habitat to a self-sustaining, pre-degraded condition;

- To what extent will the project restore degraded habitat function(s) and benefit living resources?
- How will restorative actions promote the habitat needs of species having regional significance.
- Once restored, is the area likely to be protected from future degradation?
- Does the project build upon previously undertaken restoration work?
- Is the project part of a larger restoration plan?
- Does the project involve structures that require ongoing maintenance and/or management? If so, who will be responsible and how will associated costs, if any, be paid?

25 % Technical merit and project feasibility;

- Is the project feasible from biological and engineering perspectives?
- Are the restoration efforts likely to deliver ecological benefits and results that can be observed and measured?
- Does the pre- and post-monitoring plan measure parameters appropriate for a long-term analysis?
- Do the applicant and their partners have the ability to undertake and successfully complete this project?
- Are there any potential adverse impacts (such as flooding or habitat loss) associated with the project? If so, how will they be addressed?

20 % Partnership/cooperation from community groups and other organizations;

- Does the project reflect strong community support and involvement?
- Is the project supported by other relevant agencies and organizations?
- What are the roles of partnering organizations and groups (please provide documentation)?

25 % Cost effectiveness and budget detail and consideration.

- Is there sufficient detail in the budget?
- Is a non-federal match, targeted at least at a 1:1 level, identified?
- Does the project appear to be cost effective?

Pre- and Post-Monitoring

Proposals are expected to have a written monitoring plan in order to characterize pre- and post-restoration habitat conditions. The monitoring plan should include a detailed description of the physical and biological parameters used to assess restoration success. Guidance for salt marsh restoration monitoring in the Gulf of Maine is available in the document titled *Regional Standards to Identify and Evaluate Tidal Wetland Restoration in the Gulf of Maine*. This document is available online at www.gulfofmaine.org/habitatrestoration. For additional guidance with project monitoring, check with your state / provincial contact. Multi-year monitoring plans are encouraged to ensure sufficient data for measuring success. Barrier removal monitoring protocols for dam removals and culvert enhancements in the Gulf of Maine are also available at the website mentioned above.

Ineligible costs

Funds may not be used to support permanent staffing costs (however, a reasonable level of overhead during the grant period is acceptable), scholarships to individuals, deficit reduction activities, projects that have already been completed, or activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by state, provincial or federal law. Indirect or overhead costs are acceptable provided they do not exceed 25% of the total grant request. Indirect or overhead costs include, but are not limited to administrative salaries, general software, office supplies, and postage that are not directly related to the grant.

How much is available, match requirements, project duration?

- **Funds Available:** Approximately \$350,000 will be available for the 2009- 2010 grant round. Awards will typically range between \$ 40,000 to \$70,000, with a cap of \$100,000. Funding may support feasibility, planning, engineering and design, implementation, monitoring, or any combination of these activities.
- **Matching Requirements:** All grants should target at least a 1:1 non-federal match. Match may be in cash, time, goods, or services.
- **Project Duration:** Work conducted for the project is to be complete within 18-24 months of contract approval, unless a longer contract period is negotiated. Eligible costs will be paid for work done no earlier than contract approval.
- Payment will be made on a reimbursement basis with 15% of the grant award allowed up-front. The first up-front payment requires an invoice to the Council and the completion of the NOAA Data Form, which is available at <http://restoration.gulfofmaine.org>.
- The final payment of 10% requires completion of a project fact sheet using the template found at <http://restoration.gulfofmaine.org> as well as the final report (see instructions below).

Submission Deadline/Completed Application

Applications must be submitted online via the web-based grant proposal forms at the Gulf of Maine Habitat Restoration Portal (<http://restoration.gulfofmaine.org>). No hard-copy submissions will be accepted. To access the grant proposal forms, go to <http://restoration.gulfofmaine.org> and follow the links for GOMC-NOAA Habitat Restoration Grant Program proposal submission. The website will begin accepting online application submissions on 1 April 2007.

To be considered in this funding round, applications must be submitted by 5:00PM EST on 1 May 2009. All attachments must be submitted via the website. Appendices A and B combined should not exceed a total of five pages in length. A completed application must include the items listed below.

- Cover letter outlining the applicant's experience and general approach as to how the project will be completed

- Project Scope (Appendix A)
- Budget (Appendix B)
- Map and photos of the proposed project site (Appendix C)

To avoid excess administration, the maximum number of payments should be limited to three. These will include the up-front payment of 15% (NOAA Data Form required); a second payment of 75%; and a final payment of 10% (project fact sheet required) of the grant award which will be paid upon successful completion of the project and fulfillment of reporting requirements. Applicants should propose a modified schedule of payments if the suggested schedule is problematic. After the initial up-front payment, additional payments will be made as corresponding match is demonstrated and invoices are sent. All invoices **must** be submitted electronically by the applicant to their state / provincial contact.

State / Provincial Contacts

We strongly urge applicants to confer with federal and state /provincial agency personnel during the development of their proposals. Initial contacts should be made through the following:

Maine and Canada	Slade Moore	207.287.8935	slade.moore@maine.gov
Massachusetts	Hunt Durey	617.626.1245	hunt.durey@state.ma.us
New Hampshire	Ted Diers	603.559.0027	ted.diers@des.nh.us

Contracts, Reports and Data Forms

Grant awards will be available in June 2009. Successful applicants will enter into contracts with the US Gulf of Maine Association that specify work tasks, work products, and reporting requirements. Work conducted for the project is to be complete within 18-24 months of contract approval. Eligible costs will be paid for work done no earlier than contract approval.

Progress reports **must** be submitted online at <http://restoration.gulfofmaine.org> every six months. Acceptance of online progress report submissions will begin on 1 December 2009. Reports should not exceed 2-3 pages and will describe progress to date including photos of the site. A final report including both documentation of the completed project and a financial report will be submitted online within 30 days of project completion or the end of the grant period, whichever comes first.

NOAA Data Forms are designed to be completed at the onset of the project and updated, as needed, in conjunction with the 6 month progress report. It is expected that the majority of time required for completion of the form will be the initial submission with minor updates as the project progresses. The data forms will be used to supply information to a national database that is tracking monitoring efforts. These documents will also require submission at the <http://restoration.gulfofmaine.org> website. Data forms **must** be submitted via email in PDF format.

City of Gloucester
Special Budgetary Transfer Request
Fiscal Year 2009

RECEIVED

FEB 9 2009

*****INTER-DEPARTMENTAL REQUIRING CITY COUNCIL APPROVAL***** Requires 6 Votes

Mayor's Office

DEPARTMENT REQUESTING TRANSFER:

MAYOR

TRANSFER # 09

18

DATE: 2/9/2009

BALANCE IN ACCOUNT

\$4,972.96

(FROM) PERSONAL SERVICES ACCOUNT#:

Unifund Acct #

(FROM) ORDINARY EXPENSE ACCOUNT#:

Unifund Acct #

101000.121.57800.0000.00.000.00.057

Mayor, Contingency/Emergency

Account Description

EXPLANATION OF SURPLUS:

Funds available for transfer

(TO) PERSONAL SERVICES ACCOUNT#:

Unifund Acct #

101000.10.121.51100.0000.00.000.00.051

(TO) ORDINARY EXPENSE ACCOUNT#:

Unifund Acct #

Mayor, Sal/Wage-Perm. Pos.

Account Description

ANALYSIS OF NEED(S):

Step increase for Confidential Secretary underbudgeted

TOTAL TRANSFER AMOUNT \$196.11

NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT:

\$4,776.85

TO ACCOUNT:

\$0.00

APPROVALS:

DEPT. HEAD:

ADMINISTRATION:

BUDGET & FINANCE:

CITY COUNCIL:

DATE:

DATE:

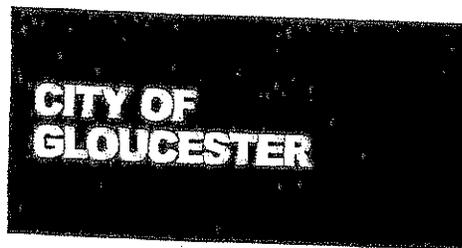
DATE:

DATE:

Inspectional Services

3 Pond Road
Gloucester, MA 01930

Ph# 978-281-9774
Fax# 978-282-3036



Memo

RECEIVED

FEB 16 2009

Mayor's Office

To: Jim Duggan, CAO
From: Bill Sanborn, Inspector of Buildings 
Date: January 28, 2009
Re: Proposed Fee Adjustments

I have recently completed a survey of building, electrical and plumbing permit fees that are charged by several surrounding communities that are comparable to the City.

As a result of this survey, I have found that the City's electrical permit fees are in line with what the other communities are charging. However, I also found that both our plumbing permit and building permit fees average lower than those communities.

Therefore, I respectfully request that the following fee adjustments be included in the next Mayor's Report to City Council so the Council may address this issue at their earliest convenience.

Increase building permit fees from \$7.00 per thousand dollars of total construction cost to \$10.00 per thousand of total construction cost plus a \$50.00 application fee; and plumbing fees to be increased to \$3.00 per thousand dollars as stated on the building permit (when a building permit is issued for that particular location).

When no building permit is required the Plumbing fees would be as follows:

Residential Fees : \$50.00 permit fee, plus
\$20.00 per fixture

Commercial Fees: \$100.00 permit fee plus
\$ 50.00 per fixture

Any plumbing work other than to a 1 or 2 family dwelling (or accessory use there to) shall be classified as commercial use.

Installation of a boiler \$100.00

Installation of a residential hot water tank \$100.00

Gas permit fees:

Residential: \$50.00 permit fee plus
\$20.00 per fixture

Commercial: \$100.00 permit fee plus

\$ 40.00 per fixture

Installation of gas boiler (only) No Charge with plumbing permit

Installation of gas hot water heater (only) No Charge with plumbing permit

I have included with this memo copies of both the present Code of Ordinances (section 5-15) and the proposed section with changes.

Cc: Mayor Kirk

Legal Department

EXISTING PERMIT FEES

	GLOUCESTER	ROCKPORT	BEVERLY	DANVERS	SALEM	NEWBURYPORT
Building permit fees						
application fee	\$40.00	\$35.00	\$60.00	\$25.00	\$25.00	\$50.00
remodeling				5 x \$1,000		
commercial	7 x \$1,000.00	7 x \$1,000.00	15 x \$1,000	11 x \$1,000	11 x \$1,000	10 x \$1,000
residential	7 x \$1,000.00	7 x \$1,000.00	10 x \$1,000	7 x \$1,000	7 x \$1,000	10 x \$1,000
re-inspection fee	\$50.00	\$25.00	\$60.00	\$30.00		
Plumbing permit fees						
1&2 family	\$25 + \$10 per fix	\$20 + \$10 per fix	\$50 + \$5 per fix	\$50 + \$5 per fix	\$50/5 + \$5 per fix	\$10 + \$2.00
3 or more families	\$50 + \$10 per fix	\$40 + \$10 per fix	\$100 + \$50 per fix	\$100 + \$5 per fix	\$60 + \$20 per fix	\$10 + \$2.00
commercial	\$50 + \$10 per fix	\$40 + \$10 per fix	\$100 + \$50 per fix	\$150 + \$10 per fix	\$80 + \$20 per fix	\$10 + \$2.00
re-inspection fee	\$50.00	\$25.00	\$50.00	\$30.00	\$50.00	\$25.00
working w/o permit	3x permit fee	2 x permit fee	2 x permit fee	2 x permit fee	2 x permit fee	

UPDATED REVENUE PROJECTION

2/03/09

CONSTRUCTION COST FROM JANUARY TO JUNE 30TH
PROJECTION BASED ON LAST YEAR
\$14,150,000.00

INCREASE BUILDING PERMIT FEES BY: \$3.00 PER THOUSAND
INCREASE PLUMBING PERMIT FEES BY: \$3.00 PER THOUSAND

BUILDING PERMITS: 3 X 14,150 = \$42,450.00
PLUMBING PERMITS: 3 X 14,150 = \$42,450.00

TOTAL PROJECTED FEE INCREASES: \$84,900.00

PROJECTED FEES WITHOUT
FEE INCREASES \$527,001.00

FEES TO DATE: \$317,405.00

TOTAL PROJECTED REVENUE FY09: \$929,306.00

Proposed changes to CODE OF ORDINANCES (Sec. 5-15 a-e)

ARTICLE II. BUILDING REGULATIONS

DIVISION 1. GENERALLY

Sec. 5-15. Building permit fees.

(a) No permit required by the state building code shall be issued by the Inspector of Buildings unless and until the fee therefor as specified in this section is first paid to such inspector for the use of the city. All fees collected hereunder shall be deposited with the city treasurer accompanied by an itemized list of all permits issued hereunder. Unless otherwise specified, all fees herein established upon increments of one thousand dollars (\$1,000.00) of "cost of construction" as defined in this section. The following schedule of fees for the issuance of building permits is hereby established.

TYPE	FEES
Building permits	\$50.00 minimum; \$10.00 per \$1,000, total cost of construction
Demolition of Buildings (Ord. #02-24 6/25/2002)	\$100.00 per story (Ord. #02-24 6/25/2002)
Release Stop Work Order	\$100.00

(b) Provides that the cost of construction shall generally be determined by the Inspector of Buildings to be an amount equal to the product of the square footage area of the construction multiplied by one hundred and fifty dollars (\$150.00) per square footage. In cases where it is impossible or impractical to determine the cost of construction by the method prescribed by this subsection then such cost of construction shall be as the Inspector of Buildings shall, in his/her discretion, determine). (Ord. #06-13 6/13/2006)

(c) Building permit fees shall not be required, and are hereby waived, for work done to buildings, structures, or parts thereof owned by the City of Gloucester and used for a public purpose by the city.

(d) Fees cited in Table 106 of the Commonwealth of Massachusetts State Building Code (780 CMR) are modified as follows:

Places of assembly	\$100.00 per certification period Ord. 02-20, 6/11/2002
Day care centers	\$100.00 per certification period Ord. 02-20, 6/11/2002
Institutional	\$200.00 (plus sub note "d" of 780 CMR, Mass. Building Code) Ord. 02-20, 6/11/2002
Residential (R-1)	\$100.00 (plus sub note "e" of 780 CMR, Mass. Building Code) Ord. 02-20, 6/11/2002

(e) Plumbing and gas-fitting permit fees shall be as follows:

Plumbing permit: \$3.00 per thousand of construction cost as stated on building permit. If no building permit required then:

\$50.00 plus \$20.00 per fixture single and two family residence.

\$100.00 plus \$50.00 per fixture three and more family residence including all commercial work.

Residential gas-fitting permit:

\$50.00 plus \$20.00 per fixture single and two family residence.

\$100.00 plus \$40.00 per fixture three and more family residence, including all commercial work.

(f) Re-inspection fee for building, plumbing and gas work: fifty dollars (\$50.00) collected prior to re-inspection.

(g) Building, plumbing, gas and mechanical work done without permits is subject to triple the permit fees.

(h) Building, plumbing, gas and mechanical permit fees are non-refundable.

(i) Plan Reviews - For buildings over 35,000 cubic feet, at the Building Inspector's discretion, he may require that plans for any construction or alteration of such buildings be reviewed by a certified plan reviewer, and such expense shall be paid by the applicant.

(Code 1970, § 4-37; Ord. of 9-6-88, § I; Ord. of 9-14-89, § I, Ord. No. 14-1990, § I, 6-26-90; Ord. No. 60-1977, § I, 8-19-97)



**CITY OF GLOUCESTER 2009
CITY COUNCIL ORDER**

ORDER: #CC2009-09
COUNCILLOR: Jackie Hardy

DATE RECEIVED BY COUNCIL: 02/24/09
REFERRED TO: B&F
FOR COUNCIL VOTE:

Ordered that the Budget and Finance standing committee of the City Council research the possibility of creating an enterprise account for solid waste and recycling, and further

Ordered that the Auditor inform the Council when the solid waste enterprise account revenues become greater than the account expenditures so that the Council can decrease trash fees to the public.

Councilor Jackie Hardy

Giusti, Hingston and Company

Certified Public Accountants

36 Jackman Street, Unit One

Georgetown, MA 01833

Tel: 978-352-7470 Fax: 978-352-8812

Email: GiustiHingstonCo@aol.com

RECEIVED

FEB 17 2009

Mayor's Office

February 6, 2009

To the Honorable Mayor Carolyn Kirk
and the Members of the City Council
City Hall
Dale Avenue
Gloucester, MA 01930

Dear Honorable Mayor Carolyn Kirk and Members of the City Council:

New standards (Statement on Auditing Standards #114) require that we make certain communication with "those who govern". The attached letter is an effort to inform you and comply with that standard.

If you have any questions please feel free to call. Otherwise no further action is necessary.

Sincerely,

Richard C. Hingston, CPA

Richard C. Hingston, CPA
Certified Public Accountant

Giusti, Hingston and Company

Certified Public Accountants

36 Jackman Street, Unit One

Georgetown, MA 01833

Tel: 978-352-7470 Fax: 978-352-8812

Email: GiustiHingstonCo@aol.com

February 6, 2009

Honorable Mayor Carolyn Kirk
and Members of the City Council
City Hall
Dale Avenue
Gloucester, MA 01930

Dear Honorable Mayor Carolyn Kirk and Members of the City Council:

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Gloucester, Massachusetts for the year ended June 30, 2008, and have issued our report thereon dated December 19, 2008. Professional standards require that we provide you with the following information related to our audit.

Our Responsibility Under U.S. Generally Accepted Auditing Standards

As stated in our engagement letter dated August 22, 2005, our responsibility, as described by professional standards, is to express opinions about whether the financial statements prepared by management with your oversight are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles. Our audit of the financial statements does not relieve you or management of your responsibilities.

Significant Audit Findings

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Gloucester, Massachusetts are described in Note I to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during fiscal year 2008. We noted no transactions entered into by the governmental unit during the year for which there is a lack of authoritative guidance or consensus. There are no significant transactions that have been recognized in the financial statements in a different period than when the transaction occurred.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimate(s) affecting the financial statements were:

Management's estimate of the compensated absences as of June 30, 2008. We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

The disclosures in the financial statements are neutral, consistent, and clear. Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. Management has corrected most such misstatements. There are uncorrected variances between the accounts receivable detail list and the general ledger that aggregate to \$42,315. We do not believe that the uncorrected amount is material in relation to the financial statements taken as a whole.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated December 19, 2008.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the governmental unit's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the governmental unit's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

This information is intended solely for the use of Mayor, City Council and management of the City of Gloucester, Massachusetts, and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

Richard C. Hingston, CPA

Richard C. Hingston
Certified Public Accountant
Giusti, Hingston and Company

CITY OF GLOUCESTER
AUDITOR'S OFFICE

RECEIVED

FEB 12 2009

February 13, 2009

Mayor's Office

TO: CITY COUNCIL
FROM: CITY AUDITOR
RE: CODE OF ORDINANCE CHAPTER 2, ADMINISTRATION, ARTICLE III,
OFFICERS AND EMPLOYEES, DIVISION 6, CITY AUDITOR, S 2-104
p. 161, EFFECTIVE MARCH 1, 1986
cc: MAYOR CAROLYN KIRK

S 2-104 DUTY WHEN APPROPRIATIONS ARE EXHAUSTED
WHENEVER THE APPROPRIATIONS FOR ANY DEPARTMENT FOR ANY OBJECTS HAVE
BEEN EXHAUSTED, THE CITY AUDITOR SHALL COMMUNICATE THE FACT TO THE
MAYOR AND THE CITY COUNCIL, AND ALL EXPENDITURES THEREFORE SHALL CEASE
UNTIL A FURTHER APPLICATION IS DULY MADE.

AS OF THE WEEK ENDING FEBRUARY 13, 2009. THE FOLLOWING ACCOUNTS HAVE
EXPENDITURES THAT EXCEED THEIR APPROPRIATIONS: CITY DEPARTMENTS

<u>ACCOUNT #</u>	<u>ACCOUNT TITLE</u>	<u>AMOUNT OVER</u>
101000.10.121.51100.51	Mayor Sal/wage Perm Pos	(\$196.11)
101000.10.138.51100.51	Purchasing, Sal/Wage Perm	(\$8,927.85.)
101000.10.138.51400.51	Purchasing Sal/Wage Longevity	(\$901.10)
101000.10.152.51970.51	Retirement-Sick Buy Back	(\$16,868.19)
101000.10.241.51250.51	Inspectional Services sal/wage PT	(\$14.57)
101000.10.411.51400.51	Engineering sal/wage Longevity	(\$13.16)
101000.10.423.51310.51	DPW Snow/Ice Overtime	(\$63,894.88)
101000.10.423.52970.52	DPW Snow/Ice Contract	(\$442,937.13)
101000.10.423.53900.52	DPW Snow/Ice Snow Removal Contracts	(\$4,690.04)
101000.10.423.54900.54	DPW Snow/Ice Removal Food & Food Serv.	(\$2,150.00)
101000.10.423.55410.54	DPW Snow/Ice Salt/Sand Road	(\$288,609.29)
101000.10.543.57700.57	Veteran's Service Vets Direct Assess	(\$13,341.48)

CITY OF GLOUCESTER AUDITOR'S OFFICE

600000.10.440.51400.51	Sewer Enterprise Sal/Wage Longevity	(\$39.45)
600000.10.440.51570.51	Sewer Enterprise Workers' Comp Pay	(\$1,755.05)
610000.10.450.51400.51	Water Enterprise Sal/wage Longevity	(\$39.45)
610000.10.450.51570.51	Water Enterprise Workers' Comp	(299.99)

AGING OF OVERDRAWN ACCOUNTS		CITY OF GLOUCESTER						
ACCOUNT	DESCRIPTION	13-Feb-09	30-Jan-09	16-Jan-09	19-Dec-08	21-Nov-08		
101000.10.121.51100.0000.00.000.00.051	Mayor Sal/Wage Perm Pos	\$ (196.11)						
101000.10.138.51100.0000.00.000.00.051	Purchasing Sal/Wage Perm	\$ (8,927.85)	\$ (8,927.85)	\$ (8,927.85)	\$ (8,927.85)	\$ (4,733.10)		
101000.10.138.51400.0000.00.000.00.051	Purchasing Sal/Wage Longevity	\$ (901.10)	\$ (901.10)	\$ (901.10)	\$ (901.10)	\$ (901.10)		
101000.10.152.51970.0000.00.000.00.051	Retirement - Sick Buy Back	\$ (16,868.19)	\$ (16,868.19)	\$ (16,868.19)	\$ (16,868.19)	\$ (16,868.19)		
101000.10.176.51100.0000.00.000.00.051	Zoning Board, Sal/Wage Perm							
101000.10.220.51420.0000.00.000.00.051	Fire Med Diff EMT					\$ (220.00)		
101000.10.220.51400.0000.00.000.00.051	Fire Dept Sal/Wage Longevity		\$ (11,302.72)	\$ (11,302.72)	\$ (11,302.72)			
101000.10.220.51400.0000.00.000.00.051	Fire Dept Sal/Wage Longevity		\$ (2,494.80)	\$ (2,494.80)	\$ (2,494.80)			
101000.10.211.51570.0000.00.000.00.051	Police Uniform Workers' comp							
101000.10.241.51250.0000.00.000.00.051	Inspectional Services Sal/Wage PT	\$ (14.57)				\$ (1,394.80)		
101000.10.411.51400.0000.00.000.00.051	Engineering Sal/Wage Longevity	\$ (13.16)				\$ (946.54)		
101000.10.423.51310.0000.00.000.00.051	DPW Snow/ice Overline	\$ (63,894.88)						
101000.10.423.52970.0000.00.000.00.052	DPW Snow/ice Contract	\$ (442,937.13)						
101000.10.423.53900.0000.00.000.00.052	DPWSnow/ice Removal Contracts	\$ (4,690.04)						
101000.10.423.54900.0000.00.000.00.054	DPW Snow/ice Food & Food Serv.	\$ (2,150.00)						
101000.10.423.55410.0000.00.000.00.054	DPW Snow/ice Sal/Sand Road	\$ (288,609.29)						
101000.10.510.51100.0000.00.000.00.051	BOH Perm Sal/Wage							
101000.10.543.57700.0000.00.000.00.057	Veteran's Serv Vets Direct Assess	\$ (13,341.48)	\$ (4,391.14)	\$ (4,391.14)	\$ (702.28)			
101000.10.911.51870.0000.00.000.00.051	Pensions, Non Contrib Pensions							
600000.10.440.51400.0000.00.000.00.051	Sew Enterprise Longevity	\$ (39.45)						
600000.10.440.51570.0000.00.000.00.051	Sewer Enterprise Workers' Comp	\$ (1,755.65)						
610000.10.450.51400.0000.00.000.00.051	Water Enterprise Sal/Wage Longevity	\$ (39.45)						
610000.10.450.51570.0000.00.000.00.051	Water Enterprise Workers' Comp	\$ (299.99)						