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GLOUCESTER CITY COUNCIL MEETING

Tuesday, February 12, 2013 – 7:00 p.m. Kyrouz Auditorium – City Hall -MINUTES-

Present: Chair, Councilor Jacqueline Hardy; Vice Chair, Councilor Sefatia Theken; Councilor Joseph Ciolino; Councilor Melissa Cox; Councilor Steve LeBlanc, Jr.; Councilor Paul McGeary; Councilor Bruce Tobey; Councilor Greg Verga; Councilor Robert Whynott

Absent: None

Also Present: Linda T. Lowe; Jim Duggan; Kenny Costa; Jeff Towne; Dr. Safier; Jonathan Pope; Police Chief Leonard Campanello; Nancy Papows; Donna Compton; Patti Page; Paul Keane; Sally Polzin; Fire Chief Eric Smith; Mike Hale; Bill Sanborn; Suzanne Egan; Gary Johnstone; Jonathan Pope; Hans Baumhauer; Richard Barbato; Noreen Burke

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

Flag Salute & Moment of Silence.

Councilor Whynott dedicated the moment of silence to Former City Councilor, Alphonse Swekla, "A legacy lost to Gloucester."

Oral Communications: None.

Presentations/Commendations: None.

New Appointments:

John Feener Conservation Commission Representative to Community Preservation Committee TTE 02/14/15

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint John Feener to the Community Preservation Committee as the Conservation Commission Representative, TTE 02/14/15.

DISCUSSION:

Mr. Feener said he was pleased to be back to serve on the Conservation Commission and as the Conservation Commission's representative to the Community Preservation Committee.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to appoint John Feener to the Community Preservation Committee as the Conservation Commission Representative, TTE 02/14/15.

Consent Agenda:

• MANAGEMENT REAPPOINTMENTS:							
Purchasing Agent	Donna Compton	TTE 02/14/14					
Chief Administrative Officer	James Duggan	TTE 02/14/14					
General Counsel	Suzanne Egan	TTE 02/14/14					
City Engineer	Paul Keane	TTE 02/14/14					
Personnel Director	Sally Polzin	TTE 02/14/14					
Building Inspector	William Sanborn	TTE 02/14/14					
Chief Financial Officer	Jeffrey Towne	TTE 02/14/14					
Principal Assessor	Nancy Papows	TTE 02/14/16					

•	MAYOR'S	REPORT
•	MAIONS	NEI ONI

1. Memorandum & Supplemental Appropriation-Budgetary Request (#2013-SA-35) from Harbormaster	(Refer B&F)
2. Memorandum & Supplemental Appropriation-Budgetary Request (#2013-SA-36) from Harbormaster	(Refer B&F)
3. Memorandum from DPW Director re: acceptance of a donation of flood lights from Design Communications LTD	(Refer B&F)
4. Memorandum from Police Chief re: approval of an amendment to the FY13 State E911 EMD Training Grant	(Refer B&F)

(Refer B&F)

5. Memorandum & letter from Administration commending the Gloucester Fire Dept. & Letter from Fire Chief re: emergency Response at a GHS varsity hockey Game

6. New Appointment:

Capital Improvement Advisory Board TTE 02/14/16 June Landergren Steel

7. Reappointments:

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Ruth Pino, Michael Luster

TTE 02/14/15

	Board of Health	TTE 02/14/16	Joseph Rosa			
	Board of Registrars	TTE 02/14/16	Judith Peterson			
	Capital Improvement Advisory Board	TTE 02/14/16	Janet Rice, Josh Arnold, Donald Fryklund, Kersten Lanes			
	City Hall Restoration Commission	TTE 02/14/16	Margaret Rosa, Stephen Dexter, David C. (J.J.) Bell, William			
			Sanborn, Stephen Pardee, Janis Bell, Mary Rhinelande	er-McCarl		
		James Hafey				
	Clean Energy Commission	TTE 02/14/15	Linda Brayton, Thomas Balf, John Moskal, Samuel Cleaves			
	Committee for the Arts	TTE 02/14/17	Judith Hoglander, Roger Armstrong			
	Community Preservation Committee	TTE 02/14/16	Stacy Rand3ell			
	Conservation Commission	TTE 02/14/16	Ann Jo Jackson			
	Council on Aging	TTE 02/14/16	Irving (Hank) Camille			
	Cultural Council	TTE 02/14/16	Martin Ray, Thomas Hauck, Hans Pundt			
	Downtown Development Commission	TTE 02/14/16	Kathie Gilson, Robert K. Whitmarsh			
	Historical Commission	TTE 02/14/16	Stephen Pardee			
	Historic District Commission	TTE 02/14/16	Paul Shea			
	Open Space & Recreation Committee	TTE 02/14/16	John McElhenny			
	Shellfish Advisory Commission	TTE 02/14/16	Dan Molloy, Russell Jacobs, Ann Jo Jackson as			
			Conservation Commission Representative			
	Traffic Commission	TTE 02/14/16	Robert Ryan, Anthony Bertolino, Michael Mulcahey			
	Waterways Board	TTE 02/14/16	Patti Page, Vito Calamo	(Refer O&A)		
	• COMMUNICATIONS/INVITATIONS					
	 APPLICATIONS/PETITIONS 					
1.	Communication from Attorney Mark Nestor re: "G	Operation Commitme	nt To Our Troops" event on April 13, 2013	(Info Only)		
	• APPLICATIONS/PETITIONS					
1.	PP2013-001: Petition of National Grid for installa	tion of a line of under	ground electric conduits re: 18 Sargent Street	(Refer P&D)		
2.	PP2013-002: Petition of National Grid for installation of a line of underground electric new pole (P2389-1) re: 18 Sargent Street (Refer P&D)					
3.	3. SCP2013-002: Pleasant Street #7-11 & Main Street #184-186, Map 8, Lot 70, GZO Sec. 2.3.2 & Sec. 5.13 (PWSF-Sec. 5.13.2.6					
	Co-Location)	_		(Refer P&D)		
4.	SCP2013-003: 1114 East Main Street, Map 59, Lo	ot 54, GZO Sec. 2.3.1	(7) Conversion to or new multi-family or apartment, four			
	To six dwelling units			(Refer P&D)		
5.	Petition pursuant to City Charter Sec. 9-1(a) "Free	Petition" re: Individu	ual Concerning Enactment of "Protect our Children (Refer	School Comm.)		
	• COUNCILORS ORDERS					
1.	CC2013-006 (Cox/Tobey) Request for the flower	garden at the Spanish	American War Memorial located at the intersection of			
			Memorial Flower Garden in honor of the late Austin Conn	ors (Refer P&D)		
2.	2. CC2013-007: (LeBlanc) Amend GCO Sec. 22-287 "Disabled veteran, handicapped parking" by deleting one space in front of					
	Granite Street #9		(No i	referral required)		

3. CC2013-008 (Whynott/Hardy) Resolution re: Opposition to the elimination and consolidation of the local Gloucester Housing

(FCV 02/26/13)

4. CC20113-009 (Cox) Amend GCO Sec. 22-287 "Disabled veteran, handicapped parking" by adding one space in front of Warner Street #56

(Refer O&A & TC)

5. CC2013-010 (Theken/LeBlanc) Amend GCO Chapter 22, Traffic, Sec. 22-270.1 "Resident Sticker Parking" re: Beach Court, Fort Square and Commercial Street

(Refer O&A & TC)

APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS

1. City Council Meeting: 01/22/13

(Approve/File) (Approve/File)

2. Special City Council Meeting: 02/04/13

Affordable Housing Trust

3. Standing Committee Meetings: B&F 02/07/13 (under separate cover), O&A 02/04/13, Joint Meeting P&D & PB 01/31/13, P&D 02/06/13 (under separate cover)

(Approve/File)

Items to be added/deleted from the Consent Agenda [and Unanimous Consent Calendar]:

Councilor McGeary asked to remove the City Council dated 01/22/13.

Councilor Theken asked to remove the Management Reappointees from the Consent Agenda.

Councilor McGeary stated in the January 22nd City Council minutes there is a need to amend a motion for Supplemental Appropriation-Budgetary Transfer on page 4 of 11, #2013-SA-28 needs to be amended by deleting the words "Waterways Enterprise, Public Landing Improvements" and the account number that follows it to be replaced with the following: "Capital Projects, Waterways-Solomon Jacobs Park Float System" Account #710001.10.492.58760.0000.00.000.00.058."°

MOTION: On motion by Councilor McGeary, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed to amend the motion on page 4 of 11 in the January 22, 2013 City Council minutes re: 2013-SA-28 by deleting the words "Waterways Enterprise, Public Landing Improvements" and the account number that follows it to be replaced with the words "Capital Projects, Waterways-Solomon Jacobs Park Float System" Account #710001.10.492.58760.0000.00.000.0058."

Councilor Tobey asked that Capital Improvements Advisory Board (CIAB) reappointments be pulled under the Mayor's Report Item #7, Reappointments. He noted the Mayor has recommended the reappointment of many of the current members of the Board, and in what he said he hoped was an oversight, the name of Joel Favazza, was not included in this list. He said that Mr. Favazza has been outspoken in his concerns regarding the Fuller School adding that he believed his concerns were appropriate, and suggested that should not be a reason for his not being reappointed, further adding his expressed hope to see Mr. Favazza's name come forward for reappointment. Councilor Tobey asked that an inquiry made to the Administration as to why Mr. Favazza's name was not included in this current list of reappointees for the CIAB. Council President Hardy instructed the Clerk of Committees to make the inquiry regarding Mr. Favazza the following day to the Mayor's office.

Councilor Theken asked that each management reappointment be voted individually by the Council. She said that the slate of management reappointees is a "wonderful slate" before the Council. Each management reappointee came before the O&A Committee. She expressed her hope that in the future she could put in a request to extend their term of reappointment to two years. She recommended all the management reappointees to the Council.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Donna Compton, Purchasing Agent, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint Donna Compton, Purchasing Agent, TTE 02/14/14.

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint James Duggan, Chief Administrative Officer. TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Whynott, the City Council voted 9 in favor, 0 opposed to reappoint James Duggan, Chief Administrative Officer, TTE 02/14/14.

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Suzanne Egan, General Counsel TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint Suzanne Egan, General Counsel TTE 02/14/14.

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Paul Keane, City Engineer, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint Paul Keane, City Engineer, TTE 02/14/14.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Sally Polzin, Personnel Director, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint Sally Polzin, Personnel Director, TTE 02/14/14.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint William Sanborn, Building Inspector, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint William Sanborn, Building Inspector, TTE 02/14/14.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Jeffrey Towne, Chief Financial Officer, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint Jeffrey Towne, Chief Financial Officer, TTE 02/14/14.

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to reappoint Nancy Papows, Principal Assessor, TTE 02/14/16.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to reappoint Nancy Papows, Principal Assessor, TTE 02/14/16.

Council President Hardy offered her congratulations to the management reappointees on behalf of the Council, and the Council gave the management reappointees a round of applause. The Council President also offered to the department heads that they in turn have wonderful staff that support them in their efforts on behalf of the City and asked the managers thank their staff also.

Council President Hardy explained that in a memo to the City Council dated 2/12/13, the CAO, Jim Duggan informed the Council that Kathie Gilson has submitted a letter of resignation from the Downtown Development Commission. It is requested that Ms. Gilson's name be deleted from the list of reappointees submitted by the Mayor's office, which by unanimous consent of the Council Ms. Gilson's name was removed from the Consent Agenda.

By unanimous consent of the City Council the Consent Agenda was accepted as amended.

Scheduled Public Hearings:

1. PH2013-011: SCP2012-015: 107 Atlantic Road, Replacement of existing pool pursuant to GZO Sec. 5.26.7

This public hearing is opened.

Those speaking in favor:

Attorney Joel Favazza, 111 Main Street representing the Bass Rocks Ocean Inn, Inc. ("hotel") at 107 Atlantic Road explained that the hotel, under the new 107 & 125 Atlantic Road Hotel Overlay District (ARHOD) is seeking a Special Permit pursuant to GZO Sec. 5.26.4.1 which allows for the construction of structures within the setbacks established by this section of the ARHOD, in order to replace the existing pool there which also requires dimensional relief from the Council. **Mr. Favazza** said that the hotel is looking to modernize the facility in order to

remain competitive. In addition to the economic drivers, there were new American with Disabilities Act (ADA) standards issued in 2010 that requires hotel facilities to upgrade existing pool facilities. The pool on the property now is the same one that has been in place since 1965. With ADA standards, even if a facility has an old pool that wasn't going to be upgraded, a facility is required to have an upgrade. The standard is, "as much as readily achievable." **Mr. Favazza** said the hotel is a very successful business and closes in the off season; and this gives the hotel the financial means and time to do the pool upgrade; and the law requires the hotel must upgrade its pool.

Mr. Favazza described the hotel's two options. One is a design as submitted in the application which is a long pool allowing for an ADA compliant ramp about 35 feet long to meet ADA standards. He noted the "unpleasant" alternative is to add a lift system to the hotel's existing pool. He noted a plan on file which he gave to the Council for their ease of following the discussion and pointed out an orange outline of the existing footprint and the proposed pool footprint. He said the standard for granting a Special Council Permit for this application says that the pool, "must be in harmony with the general purpose and intent of the zoning ordinance and will not adversely affect the neighborhood or the zoning district, City...to such an extent the benefits outweigh the beneficial effects. He said there are no negative effects, and that it would be a beautiful pool upon completion. The pool, he said, would enhance this property and neighboring properties and the City.

Those speaking in opposition: None.

Communications: None. Councilor Questions:

Councilor Ciolino asked with the expansion of the pool deck area would it only be for the use of people staying at the hotel, and open to the public the use of the pool or restaurant. **Mr. Favazza** assured the Council this would be only for hotel guests with no expansion of services other than the upgrade of the pool. There will be, he said, no restaurant feature. There will be no effect on parking, he added. The pool is solely in the front yard of the property; nothing will be changed including that of the façade of the hotel. He did note there will be patio adjustments; some of the patios closer to the building will be renovated. The hotel structure is being left as is.

Council President Hardy asked if the setback of the pool was 21.3 feet or was it actually 21 feet 4 inches. Mr. Favazza said that it is 21.3 feet. It is, he said approximately 21 feet 3 inches. The hotel is asking for 9 foot dimensional relief to give them a "little bit" of leeway to allow them to come up to 21 feet even from the property line. **Council President Hardy** restated the applicant was seeking 21 feet 4 inches because, she said, .3 is 4 inches. Mr. Favazza reiterated the hotel is looking for 21feet even in relief. The plans, he noted, should not show the pool coming more than 21 feet 4 inches, but the hotel is looking for a little bit of buffering in case the edge is closer than planned.

This public hearing is closed.

MOTION: On motion by Councilor Hardy, seconded by Councilor Ciolino, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Bass Rocks Ocean Inn, Inc. a Special Council Permit (SCP2012-015) for the property located at 107 Atlantic Avenue, Assessors Map 72, Lot 1, zoned R-20 pursuant to Sections 1.8.3 and 5.26.7 of the Gloucester Zoning Ordinance to replace an existing swimming pool 21.3 feet away from the front property line and as shown on Plans dated 11/2/12 as drawn by Robert H. Griffin, PE, Griffin Engineering Group, LLC entitled "Site Plan to Accompany NO1," as approved and with the following conditions:

1. That no less than two weeks prior to any blasting that may take place, that a neighborhood meeting which includes the abutters and the abutters to the abutters be called to inform them of the impending blasting work by notification via first class U.S. Mail.

DISCUSSION:

Councilor Verga commented that the presentation was clear. This gives the hotel a bit of a competitive edge to an existing business that does a good job. He said it is a fair request and would support it.

Councilor Ciolino commented this is a first-class property and appreciated the hotel owner's reinvestment in this property making their pool ADA compliant. He said he would support the Special Council Permit.

Councilor McGeary stated as Ward Councilor, he supports the proposal. He said this is a good business and good neighbor. This, he said, will help the owner and can only help the City.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 9 in favor, 0 opposed to grant Bass Rocks Ocean Inn, Inc. a Special Council Permit (SCP2012-015) for the property located at 107 Atlantic Avenue, Assessors Map 72, Lot 1, zoned R-20 pursuant to Sections 1.8.3

and 5.26.7 of the Gloucester Zoning Ordinance to replace an existing swimming pool 21.3 feet away from the front property line and as shown on Plans dated 11/2/12 as drawn by Robert H. Griffin, PE, Griffin Engineering Group, LLC entitled "Site Plan to Accompany NO1," as approved and with the following conditions:

- 1. That no less than two weeks prior to any blasting that may take place, that a neighborhood meeting which includes the abutters and the abutters to the abutters be called to inform them of the impending blasting work by notification via first class U.S. Mail.
- 2. PH2013-038: Modification to Special Council Permit granted to Cape Ann Brewing Company on December 7, 2010 re: Rogers Street #9-ll (Cont'd from 01/08/13)

This public hearing is opened.

Those speaking in favor:

Catherine A. Schlichte, representing the applicant, Cape Ann Brewing Company (CABC) said that this is a modification request to the Special Council Permit first granted in January of 2010 allowing CABC to operate a restaurant in the Marine/Industrial (M/I) district. This modification is for a 17 foot x 33 foot awning and an 8 foot x 10 foot awning over the outside eating area and a bar structure in a corner of the outside eating area. She said this property has complex zoning issues: The brew pub is regulated by the ABCC; the on-premises consumption of alcohol is regulated by the local Licensing Board; the brewery and restaurant is in the Designated Port Area and so there is a Chapter 91 license issued by the Department of Environmental Protection (DEP); and the use itself is regulated by the Council for the M/I district. The Building Inspector deemed the outside awnings and bar are a significant change requiring modification of the Special Council Permit.

Ms. Schlichte noted there have been several hearings on this matter. One of the issues was that the application "got caught up" with the applicant's request to the DEP for modification of the CABC's Chapter 91 license. The DEP has heard that matter, and granted a modification to the Chapter 91 license. The modification required from the DEP was because when the Harborwalk was constructed the CABC put a garden in an area that had previously been designated for water-dependent lobster trap storage use. The DEP gave permission for the landscaping and also the silo that had previously been permitted by the Council but had not been modified on the DEP license. She said the DEP license is now up to date; the appeal period passed the previous Friday with no comments.

Ms. Schlichte, in response to an inquiry by Council President Hardy at the P&D Committee meeting of February 6th, informed the Council that all annual mitigation payments have been made to the City. T he third payment was made for 2013 the previous week.

She noted the standard for modifying this Special Council Permit is found in Sec. 1.8.5 which says a modification may be granted if the interest of the City and the neighborhood are not impaired. **Ms. Schlichte** noted the CABC is not changing the operations at the restaurant – it will still be a brew pub and a restaurant; the seating capacity is not changed by the addition of the awnings or the outdoor service bar. The awnings, she added, are to shield patrons from the sun, and to extend the deck's season with drop-down sides.

Those speaking in opposition:

Patti Page, 3 Tidal Way stated her objection to the outside deck bar saying it was not just a service bar, that it has seating. She said she had no objection to the food or liquor service. That does not impede their service or business practice to serve on the deck but the actual physical atmosphere the bar brings to the Harborwalk.

Sunny Robinson, 20 Harvard Street agreed with Ms. Page's assertions. She said she did not object to food being served on the deck, nor the addition of the awnings. The awning, she said, may help screen the seating from the cultural district in which this facility is built. She said she remained in objection to the outdoor bar. She pointed out the Building Inspector's letter (on file) which notes this modification is a substantial change. The DEP not addressing the bar does not change Mr. Sanborn's objection, she said. The seating on the deck is there; food may be brought there; and drinks may be brought out from the inside; but the bar, she said, serves no possible use. It is, rather, she said, a negative. This facility is at the start of the Harborwalk and can be the first thing people see; she pointed out and asked if a bar is the first thing the City wants visitors to see.

She asked the Council to approve the awnings but not the outdoor bar, as she said the outdoor bar does not change the success or functioning of the restaurant itself. She also asked what the mitigation fund has been used for in the City and expressed appreciation for the Council's tracking the mitigation fund. She asked the Council to continue to monitor this business to see that all requirements are maintained and that it continues to be used in some way to facilitate water-dependent uses.

Communications:

Mac Bell, 44 Commercial Street in favor of the modification; **Sunny Robinson** submitted a letter in July stating opposition to the outside bar, as well another letter dated February 6, 2013 from Ms. Robinson responding to the recent DEP decision remaining in opposition.

Rebuttal:

Ms. Schlichte said that this is a busy restaurant and brewery that employs 30 people year round and 40 people in the summer. The outside bar was installed because it is a very busy restaurant. The bar was crafted by a sculptor in the shape of a boat hull in an attempt to make it visually pleasing to tie it into the Harbor Walk. The configuration of the outside deck, she said, is not different than other restaurants in the waterfront area, such as the Gloucester House and Latitude 43, and the Harbor Walk passes by both of these restaurants also. She asserted the outside bar does not impair the City of Gloucester, she said.

Councilor Ouestions:

Councilor Whynott asked about the service bar if it had seating around it. **Ms. Schlichte** said there are four to six seats in front of it. It is not expanding the seating, she said, of the restaurant in any way.

Councilor Verga noted at the last P&D meeting a question was asked if there was a possibility of moving the outdoor bar to the opposite side of the deck is not the first thing seen on the Harbor Walk. **Ms. Schlichte** said the applicant would be willing to relocate the bar if it was more agreeable to the Council.

Councilor Ciolino reconfirmed the bar would be moved with Ms. Schlichte. He asked City Auditor Kenny Costa where the mitigation money from the CABC goes. Mr. Costa said the mitigation money from the CABC is in a stabilization fund entitled The Port Mitigation Stabilization Fund as part of the Harbor Plan created by the B&F Committee two fiscal years ago and approved by the City Council. There is \$4,000 in the account now. The funds have to be appropriated before being spent. The funds must be spent on DPA related matters. The CABC is the only entity paying into this fund.

Councilor Theken said that it is a moveable bar which Ms. Schlichte confirmed also and that this bar came from the former location of the CABC. Councilor Theken asked how many years are left on the DEP license for compliance by the CABC. Ms. Schlichte said it was originally five years to put together a management and marketing plan to be submitted to the DEP. Now the modification of the license has a requirement for the plans being submitted within 60 days of the DEP modification approval. She said she and the owner of the CABC have just completed the first draft of those plans for submittal. For he area marked temporary use, the marketing plan is to market to other water-dependent businesses. She said it is a difficult property to use; CABC will actively market the property, however. She noted the Chapter 91 license is a ten year license which is into its third year. Councilor Theken asked about the replanted area which the DEP allowed. She asked about the storage was affected and were any lobstermen's trap storage displaced. Ms. Schlichte said the left side of the property is more difficult to access because of physical obstacles. The right-hand of the property is more easily accessed from the City piers. There are three lobster trap units stored there. The owner erected a platform to make trap storage easier. Even taking out the area that was replanted, she said, this is still not at 50 percent water-dependent use which the DEP may have been more accepting of that change.

Councilor LeBlanc suggested that the taps be moved somewhere else. **Ms. Schlichte** stated it is more agreeable to move the bar and keep the whole operation together on the outside deck. It is the same functionality, she pointed out whether the outdoor bar is on one side of the deck or the other.

Council President Hardy asked for a definition of a service bar. Ms. Schlichte said it can be called a service bar; however, there are six seats in front of it. Its main purpose is to assist the wait staff so they didn't have to go all the way back through into the restaurant to get the beer to serve patrons on the deck. The outside bar helps to give better and quicker service. She said she would call this bar an outdoor bar area which she pointed out the Licensing Commission amended the license to allow for the outdoor bar area with kegs and taps in it. She confirmed that the only alcohol beverages served is the beer produced on the premises.

This public hearing is closed.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to GRANT a modification of the Cape Ann Brewing Company Special Council Permit 2010-004 for 9-11 Rogers Street, Gloucester MA to operate a restaurant in a Marine/Industrial Zone to permit the applicant to install an outdoor bar on the premises outdoor harbor side deck with an awning and framework for the purpose of covering the middle section of said deck in accordance with the plans provided by the applicant to the Planning & Development Committee on July 18, 2012 and as signed by the applicant.

DISCUSSION:

Council President Hardy asked to amend the main motion to eliminate the language, "an outdoor bar" but to permit the applicant to install an awning and framework for the purpose of covering the middle portion of the outside deck. She asked the reference to the bar be eliminated. Councilor Theken seconded the amendment to the motion.

Council President Hardy said the addition of the bar creates an intensity of the use. She said she had commented at P&D if the outdoor bar could be moved to the other side of the deck and then went to see it and decided it would "hit you in the face." It was why she said she wished to remove the language of a bar on the deck.

Councilor Whynott would not support the amendment. He noted Gloucester has a long tradition of having bars on the waterfront; and that years ago there were multiple bars all down Rogers Street. He said he did not think this hurts Gloucester's image.

Councilor Tobey stated his opposition to the amendment. He said if anyone walks by a brew pub and is surprised to see a bar there, there is a disconnect. The Council, he said, is "romanticizing" the Harbor Walk as a preserve. This, he said, is not an unreasonable placement; it is an allowed use. It has gone through a regulatory process, and this, he said, was going too far.

Councilor Ciolino stated his support of the amendment because there is a setting of a precedent. How, he said, does the Council say yes to one restaurant but no to another. He said there was not a reason why the wait staff would not be able to utilize the bar in the restaurant.

Councilor Cox said she would also not support the amendment. She pointed out the Harborwalk actually begins on the street at Rogers Street. If one stands, she said, at the beginning of the Harbor Walk and turned full circle, the view would be of a lot more bars.

Councilor McGeary said he, too, would not support the amendment. This is a bar. If the applicant's business plan requires that he needs the additional service capacity to maximize his return, the Council gave him permission to make a bar, saying he presumed the Council would like him to make a profit.

BY ROLL CALL VOTE: 3 (Theken, Ciolino, Hardy) in favor, 6 opposed to amend the main motion by omitting words "the outdoor bar."

MOTION TO AMEND THE MAIN MOTION FAILS.

Councilor Verga offered that a condition be added that the outside bar be moved from it current location on the deck to the opposite side on the deck furthest away from St. Peter's Park and the plan be amended to reflect that. The motion was seconded by Councilor Whynott.

Councilor Verga said that this moving of the outdoor bar would be an appropriate accommodation.

Councilor McGeary said that the motion refers a plan and asked if the location of the bar was shown on the plan as submitted with the original application.

Councilor LeBlanc said he believed the bar is in the southeasterly side of the deck now.

Councilor Ciolino would support the amendment. He said he hoped the owner doesn't come before the Council again saying while he had supported this business from the beginning, this has been a "problem child through its growth period." He hoped the owner prospered and that the City is proud of what he is doing there.

Councilor Tobey said he wished to highlight what Councilor Ciolino had said. At the site visit last year on this smatter by the Committee, he made clear to Mr. Goldberg that he needs to stay away from the Council for a while to consolidate what he has now and stop the reconfigurations and modifications. He said if the CABC came back again to the Council and he were still a part of that body, he would vote no to any further modification and added the owner must get what he has there under control.

Councilor Theken would support the amendment. She did not like the project, she said, originally when it was on Beach Court and didn't like the fact there was no definition of a kitchen; and then recounted to the Council some of the brewery's history. While the owner has been modestly compliant with the permits and licenses, she said he needs to clean up the area he is located in. The bar is not objectionable, she said, but she would like to see the bar on the opposite side. However, she pointed out the bar area at the Gloucester House is enclosed, and the Latitude 43 outdoor bar area is a service bar only.

Councilor Cox expressed support of the amendment and motion saying that the Brewery supports the community with fundraising events and other local charitable and non-profit organizations in the City. While she said she was not a beer drinker but that the restaurant has good food and is a fun atmosphere. She said if the bar makes the business stronger and more viable, she supports it.

BY VOICE VOTE, the City Council voted 9 in favor, 0 opposed the Council passed the amendment to place a condition in the main motion to move the outdoor bar from the southeasterly side of the deck to the opposite side on the deck furthest away from St. Peter's Park as shown on an amended plan.

MOTION TO AMEND THE MAIN MOTION PASSES.

MOTION: On motion by Councilor Verga seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 8 in favor, 1 (Hardy) opposed to GRANT a modification of the Cape Ann Brewing Company Special Council Permit 2010-004 for 9-11 Rogers Street, Gloucester MA to operate a restaurant in a Marine/Industrial Zone to permit the applicant to install an outdoor bar on the premises outdoor harbor side deck with an awning and framework for the purpose of covering the middle section of said deck in accordance with the plans provided by the applicant to the Planning & Development Committee on July 18, 2012 and as signed by the applicant (with the following conditions:

- 1. That the outdoor bar in place on the southeasterly side of the deck be moved from its current location to a location on the deck farthest from St. Peter's Park and as shown on a plan as submitted.
- 3. PH2013-012: Amend GCO Chapter 2 "Administration", Article II "City Council" by adding new Sec. 2-29 entitled "City Council Salary"

This public hearing is opened. Those speaking in favor: None. Those speaking in opposition: None. Communications: None. Councilor Questions: None.

This public hearing is closed.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council pursuant to City Charter Sec. 2-3 to increase City Councilor Salary to \$11,500.00 per year beginning January 1, 2014.

DISCUSSION:

Councilor Theken said that this increase would not be enacted for this Council but would take effect with the next City Council to take office. This is not a big increase, she said, but a fair increase.

Councilor Tobey said the Council should not vote for this raise, although he pointed out it is for the next Council. For those planning to run again for Council, they plan to win, so they would benefit from the pay increase. He said he is not running and he would not support it. Compensation systems, he said, are to accurately pay people when they trade their labor which is not what is done on the Council. No one runs for City Council to make their living, he said. However, under the Charter, someone who does run for Mayor is locked into making their living as Mayor because that is illegal and, he said, a living wage makes sense. Being a Councilor is a part-time job, he pointed out. It is to not to make money but one becomes a Councilor because they care and invest in the City not for it to invest in the Councilor, he said. This is a stipend, not an hourly wage situation and shouldn't be used as an incentive to encourage people to run for office. The compensation of health insurance to Councilors are under the law are entitled which he said is a hidden cost. If a member of Council gets an individual monthly health insurance plan, it is a cost of \$7,600 annually of which the City picks up three-fourths, which is \$5,700 a year towards compensation. A family medical health plan is \$20,294.40 and City picks up \$15,220.80. Now, he said \$10,000 now becomes \$25,000. That compensation now becomes more than enough if doing it for the right reasons he pointed out.

Councilor Tobey concluded his remarks by saying there are votes this evening that speak to community and relate fundamentally to the Fire Department with Bay View Fire Station closed more than it should be and Magnolia Station closed all the time and now they will "cough up" \$10,000 more for Council pay. At a time when the Administration sitting on a large nest egg, a down payment on next year's free cash which should be spent, he said, as previous Administrations spent wisely as his did. He urged the money is better spent for reopening fire stations and not on Council salaries.

Councilor Verga said it is never easy to vote for one's own pay increase. If this increase passes, when the increase takes effect it will be 13 years since the last Council increase. At certain points, Councilors have felt there

was a valid reason to raise the stipend. He said he has supported larger pay increases for one person than that was suggested for nine people whose remuneration potentially may stay stagnant for a long time. He said he didn't feel guilty about the raise due to the time he has to spend away from his business life.

Councilor Whynott said that when the City Charter began in 1976 the stipend was \$1,500 a year plus medical insurance. When he got on the Council before it was \$1,800. The last time there was a raise, it went from \$6,000 to \$10,000. This, he said, is a modest increase and it does help, and is not exorbitant.

Councilor Ciolino said is not a huge sum of money, and he would support the increase.

Councilor LeBlanc agreed with Councilor Tobey that one runs for the City because you love it. The time is put in and you work for the residents. He would not support the increase. It is \$13,000 about. The Animal Control Officer needs help; the City Engineer needs help, the DPW needs help, the School Department too. He would not support this raise and would rather the money be reinvested into other departments in the City.

Councilor Cox said she does not take the City insurance. She is asked as a Councilor to attend events that she has to pay for. She said she doesn't feel she is voting her own raise as she may not be re-elected. If she is reelected, this difference in pay will help her attend more events. She donates her time and effort on behalf of the City as well.

Councilor McGeary said Councilor Tobey referred to this as a stipend which it is – a modest remuneration for recognition of the work done, not pay adding that the money is modest even with the health care. With the modest raise, it is still a modest amount of money, he said.

Councilor Theken said she would support it. When she first ran for the Council she didn't even know there was a stipend or medical insurance. She said she is a hands-on Councilor. As a Councilor-At-Large it means traversing the City, and it costs money, she said. A good Councilor has to go to many events, and Councilors have to be accessible. She donates time, she said, and gives back too. Councilors work hard, and it is not just a part-time job she pointed out. To be a Ward Councilor and hold a full-time job is very difficult. She said she loves the City very much and this is for the next City Council. It is a small stipend compared to other Cities and she said she would support this.

Council President Hardy said that she would support this. She filed the order to raise the Mayor's pay as she did for the Council. The Councilors would not be here if they did not love the City. It is not the matter whether they love the City or not. It has been 12 years since the Council has had a raise. Everyone else get raises, she said. The money, she said, hardly supports the time the Council puts in annually, adding it is well deserved. She, too, noted this raise takes effect with the next Council. She said pays as much for bread and gas as everyone else.

Councilor Tobey said that he hoped people will reflect on a remark made if being a City Councilor has become a full-time job they should measure that reality against the expectations of the Charter as to the role of a City Councilor meant to be and get back to the reality of what it was meant to be. Councilors choose to go to events to be seen, he said; and to make like it is a full-time job is exclusionary. If folks properly measure the job against the charter, this is a part-time job. He said "Gavmo." in English.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted BY ROLL CALL 7 in favor, 2 (Tobey, LeBlanc) opposed pursuant to City Charter Sec. 2-3 to increase City Councilor Salary to \$11,500.00 per year beginning January 1, 2014.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the Gloucester Code of Ordinances by ADDING a new Section 2-29 entitled "Council Salary" to read as follows: "City Councilor salaries shall be \$11,500 per year beginning January 1, 2014."

DISCUSSION:

Councilor Theken said that this motion amends the Code of Ordinances to finally place Councilor salaries in their own section of it.

MOTION: On motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted BY ROLL CALL 7 in favor, 2 (Tobey, LeBlanc) opposed to AMEND the Gloucester Code of Ordinances by ADDING a new Section 2-29 entitled "Council Salary" to read as follows: "City Councilor salaries shall be \$11,500 per year beginning January 1, 2014."

Committee Reports:

Budget & Finance: February 7, 2013

BUDGET & FINANCE COMMITTEE REPORT FEB. 12, 2013 - CONSENT AGENDA NO. 1

Councilor Ciolino asked to pull the motion to approve the \$7,500 Emergency Management Performance Grant from the B&F Consent Agenda No. 1.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to accept the unanimous recommendations of the Budget & Finance Committee dated 02/07/13 as follows:

 Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by in 9 favor, 0 opposed to permit the Health Department to apply for a Massachusetts Opiod Abuse Prevention Collaborative Request for Response which is passed through the federal agency, Substance Abuse Mental Health Administration (SAMHSA) for a grant award of up to \$100,000.

Councilor Ciolino asked how this money would be spent and that it would be portable HVAC units and is for the Emergency Operation Center (EOC). There is wiring to install a panel for the installation of the HVAC. He asked where the Emergency Operations Center is. **Fire Chief Eric Smith** said that the generator system is not connected yet at the Fuller School and was at the AGH during this last snow storm. They are connecting the generator to the area that houses the EOC and it is all portable and should suffice their needs. Councilor Ciolino said the next incident that requires the EOC dependent on the timing of the installation of the equipment.

Fire Chief Smith said the emergency generator now at Fuller only provides power to the emergency lighting and not to the outlets. These additions will power the area. He clarified this is for the EOC and not for an emergency shelter, on inquiry by Councilor Verga. **Councilor Verga** commented the future of Fuller School is in doubt, but it is OK to spend grant money on a place that no one maintains, but he would support it. **Chief Smith** reiterated the majority of the money is to purchase portable units.

Councilor Theken said that it is mobile HVAC units to be purchased with grant money; was there a match. The match is already met by the stipend for the Emergency Management Director, Chief Smith said. Councilor Theken asked about opening the EOC. Chief Smith said it is a joint decision between himself and the Administration, especially with emergency management being new to him as the last system he worked with was county based. Sheltering is different and takes a lot to have an official shelter recognized by the Red Cross. Councilor Theken asked where homeless people would do under emergency conditions such as the recent snow event. Chief Smith said the City would have looked at warming centers. The back up plan if something catastrophic happened the high school would have been used under an emergency shelter basis. The Administration is working with the Red Cross now to establish a shelter moving forward.

Councilor Tobey said this is to give the EOC team to stay warm and cooled. This has nothing to do with restoring Fuller as a shelter in time of emergencies. Chief Smith said it was not intended for that. Councilor Tobey asked what it would take to get Red Cross certification to be a shelter. Jim Duggan, CAO said that as it stands now, from discussions with General Counsel, the Building Inspector, and the Public health Director it would take significant funding to make Fuller a Red Cross shelter. The Chief, he said, is trying to find an alternative site as a shelter. Councilor Tobey said, this is "shameful," to take a good building and allow it to rot.

Councilor LeBlanc asked about plans to get people from outer parts of the City to a centralized shelter versus ward located shelters. **Chief Smith** said if the City is looking to do a shelter it would be at one location with CATA doing the transportation. Spreading places out is too difficult. The process is in depth to accommodate people in a shelter. There are many accommodations that have to be made before a shelter can be opened. There will be a solution eventually.

Councilor LeBlanc said this needs to be on the "front burner". He said there should be something in place and be ready to go. **Chief Smith** said they will not have vehicles other than the CATA buses to move people to an appropriate shelter wherever it may be.

Councilor Cox said with as much uproar over the hospital the same level of thinking should be put into a shelter, she said. There is no place to shelter anyone is wrong, she added. She said this should be of the highest priority. She understood, she said, the hoops the Red Cross makes a community go through to get certification for a shelter. **Chief Smith** said the City is developing a contingency plan.

Councilor Whynott said he hoped that the folks in a senior housing project would go into a school and not need the Red Cross permission to do so. **Chief Smith** said in a pinch the City would sort it out. The Administration is looking to do it right.

Council President Hardy invited the Administration to make a presentation before the Council to advise them as to what their plans are to establish a certified shelter in the City. Councilor Tobey said that the Council also should also have a presentation on what is going on with the Fuller School. The School Committee, he said, has taken some votes on it with some "bizarre" caveats on the votes, and no one knows what is going on. The Council and the community have the right to know what is going on with an eight figure asset rotting, he said. Council President Hardy said she would work with the Administration to also get that presentation scheduled.

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to accept under MGL Chapter 44, §53A to accept a \$7,500 Emergency Management Performance Grant from the Federal Emergency Management Agency passed through Massachusetts Emergency Management Agency to fund the City's Emergency Operations Center (EOC) for the following items: connection of an emergency panel for the EOC generator, portable air conditioning/heating units (5), portable air conditioning/heating window venting units (5) and shipping costs.

BUDGET & FINANCE CONSENT COMMITTEE REPORT- FEBRUARY 12, 2013 – CONSENT AGENDA NO. 2 - SUPPLEMENTAL APPROPRIATIONS

Councilor McGeary explained that the second consent agenda is a series of Supplemental Appropriations for the use of "free cash" by various City departments and also two Supplemental Appropriations for the use of Retained Earnings by the Waterways Board. Seventy-six motions dealing with the General Fund free cash were all unanimously recommended by the B&F Committee at its February 7th meeting.

He noted the total amount of free cash in these motions is \$2,890,000 and an additional \$422,500 has already been appropriated from free cash for a grand total \$3,281,000 leaving a reserve of free cash in the General Fund of \$1,600,000. He also pointed out that one of the Administration's recommendation, Supplemental Appropriation 2013-SA-108 for \$75,000 which had to do with reducing athletic user fees was not passed by B&F on a technical issue which will come back before the Committee at the February 21st meeting.

Councilor McGeary said that these appropriations do not include any putative return of State aid because of the closing of the Charter School. That money stays parked for the moment. The City will have a conference call with the Department of Revenue on February 14th in light of the closing of the Charter School. That money is "morally" laid aside for any costs the schools may encounter as a result of having to absorb the Charter School students.

Councilor Tobey asked that all Fire Department Supplemental Appropriations be removed from the B&F Consent Agenda No. 2: 2013-SA-94, -95, -96, -97 and -98.

Councilor Cox asked that Supplemental Appropriation 2013-SA-39 also be removed from Consent Agenda No. 2.

Waterways Board:

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed to accept the unanimous recommendations of the Budget & Finance Committee dated 02/07/13 as follows:

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-30 in the amount of \$ 8,072.00 (Eight Thousand, Seventy-Two Dollars) from the Waterways Enterprise, Retained Earnings ("Free Cash"), Account #700000.10.000.35900.0000.00.000.000.000 to Waterways Enterprise, Contractual Services, Account #700000.10.492.52000.0000.00.000.00.052 to fund spring lawn services at Dun Fudgin Public Boat Ramp; Solomon Jacobs Park; Porta-Potti services at Dun Fudgin; installation of "No Wake" And "No Anchoring" buoys, and inspectional diving services for mooring chains.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9
 in favor, 0 opposed the appropriation 2013-SA-31 in the amount of \$2,834.00 (Dollars) from the

Waterways Enterprise, Retained Earnings ("Free Cash"), Account #7000000.10.000.35900.0000.00.000.00.000 to Waterways Enterprise, Boat & Marine Services, Account #700000.10.492.52520.0000.00.000.0052 to fund inspection and repairs to boat engines for spring launching.

Stabilization fund (\$616,075)

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-37 in the amount of \$616,075.00 (Six Hundred, Sixteen Thousand, Seventy-Five Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Stabilization Fund-Transfer In-General Fund, Account #840000.10.991.49700.0000.00.000.0040. The purpose of this transfer is to increase the Stabilization Fund and to offset funds used to balance the FY13 budget.

OPEB Liability (\$80,000)

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-38 in the amount of \$80,000.00 (Eighty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to OPEB Trust Fund-Transfer In-General Fund, Account #830000.10.991.49700.0000.00.000.000.040 for the purpose of increasing the OPEB Trust Fund to decrease the City's OPEB liability.

School Department (\$614,118)

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-40 in the amount of \$614,118.00 (Six Hundred Fourteen Thousand, One Hundred-Eighteen Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account # 1010000.10.000.35900.0000.00.000.000.000 to School Department, MO ContingencyAccount #101000.21.370.53800.2305.00.270.00.052 to fund unanticipated education expenses and tutoring; cafeteria tables and benches; computer lab for East Gloucester Elementary School; O'Maley School lockers; computer tablets; technology equipment; library books and assessments.

Solid Waste (\$10,000)

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-41 in the amount of \$10,000.00 (Ten Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.00 to Solid Waste Disposal Supplies, Account #101000.10.403.54000.0000.000.000.0054 to purchase additional supplies for purple City trash bags.

DPW (\$316,407)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-42 in the amount of \$50,000.00 (Fifty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.00 to Public Property Maintenance-Salary/Wage-Temporary Positions, Account #101000.10.470.51200.0000.00.000.00.001 to increase fund for seasonal employment positions.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-43 in the amount of \$95,000.00 (Ninety-Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000 to Public Property Maintenance-Contractual Services,

Account #101000.10.470.52000.0000.000.000.000.052 to repair two City-owned retaining walls (Lyndale Street and Washington Street by Bay View Fire Station) and for expansion of the East Gloucester Elementary School parking lot.

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-44 in the amount of \$19,607.00 (Nineteen Thousand, Six Hundred, Seven Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000 Public Property Maintenance Supplies, Account #101000.10.470.54000.0000.000.000.0054 to purchase three AED units and supplies for the DPW and to replace playground equipment.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-45 in the amount of \$25,000.00 (Twenty-Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000 to Public Property Maintenance-Site Improvements, Account #101000.10.470.58410.0000.00.000.0058 for improvements to beach operations.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-46 in the amount of \$57,300.00 (Fifty-Seven Thousand, Three Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to DPW-Facilities-Contracted Services, Account #101000.10.472.52000.0000.000.000.0052 for removal of contaminated soil at Newell Stadium and for various building improvements at the Rose Baker Senior Center (floor repairs, lighting upgrades, carpet replacement and HVAC repairs).
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-47 in the amount of \$9,500.00 (Nine Thousand, Five Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to DPW Facilities-Supplies, Account #101000.10.472.54000.0000.000.000.0054 to purchase supplies to paint and make wall repairs and to purchase bathroom partitions for the Rose Baker Senior Center.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-48 in the amount of \$20,000.00 (Twenty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to DPW Facilities-Janitorial Supplies, Account #101000.10.472.54510.0000.00.000.00.054 to purchase cleaning supplies.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, opposed the appropriation 2013-SA-49 in the amount of \$30,000.00 (Thirty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to DPW-Other-Gasoline, Account #101000.10.499.54110.0000.00.000.0054 to purchase gasoline for City vehicles.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the 2013-SA-50 in the amount of \$10,000.00 (Ten Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000 to DPW-Other-Parts & Maintenance, Account #101000.10.499.545850.0000.00.000.0054 to purchase additional parts and supplies which were cut due to budgetary restrictions.

City Council (\$30,000)

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-51 in the amount of \$30,000.00 (Thirty Thousand

Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Capital Project Stabilization Fund-Transfer-General Fund, Account #850000.10.991.49700.0000.00.000.000.040 to provide the City Council with funds to purchase office equipment and furnishings.

Mayor's Office (\$30,000)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-52 in the amount of \$25,000.00 (Twenty-Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Mayor-Contractual Services, Account #101000.10.121.52000.0000.000.000.0052 to support continued promotion for economic development in the marine science and technology sector.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-53 in the amount of \$5,000.00 (Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Mayor-Contingency/Emergency, Account #101000.10.121.57800.0000.000.000.0057 to provide additional funds to the Mayor's office in case of emergency.

Licensing Board (\$2,200)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-54 in the amount of \$1,103.00 (One Thousand, One Hundred, Three Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Licensing Board, Salary/Wage-Part time Position, Account #101000.10.165.51250.0000.000.000.001 to eliminate projected deficit in this line item.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-55 in the amount of \$1,097.00 (One Thousand, Ninety-Seven Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Licensing Board-Contract Services, Account #101000.10.165.52000.0000.000.000.0052 to provide funds for contract services to support the Licensing Board.

Assessors (\$55,000)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-56 in the amount of \$40,000.00 (Forty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.00 to Assessors-Revaluation Program, Account #101000.10.141.57840.0000.00.000.0057 to fund the Triennial Certification.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-57 in the amount of \$15,000.00 (Fifteen Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Assessors-Salary/Wage-Temporary Positions, Account #101000.10.141.51200.0000.00.000.000.051 to hire temporary help for cyclical inspections.

Health Department (\$26,376)

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-58 in the amount of \$2,478.00 (Two Thousand, Four Hundred, Seventy-Eight Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"),

Account #1010000.10.000.35900.0000.000.000.000.000 to Public Health-Salary/Wage-Permanent Positions, Account #101000.10.510.51100.0000.00.000.0051 to fund an employee's pay that was increased after the budget was already submitted last spring; to eliminate the projected deficit in this line item.

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-59 in the amount of \$23,898.00 (Twenty-Three Thousand, Eight Hundred, Ninety-Eight Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Public Health-Medical/Surgical Supplies, Account #101000.10.510.55000.0000.00.000.00.054 to purchase Shingles vaccine for Gloucester residents.

Inspectional Services (\$5,446)

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-60 in the amount of \$5,446.00 (Five Thousand, Four Hundred, Forty-Six Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000 to Inspectional Services-Furniture and Fixtures, Account #101000.10.241.58504.0000.00.000.0058 to purchase replacement weights and cases; also to purchase office chairs for the department.

City Clerk (\$10,450)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-61 in the amount of \$1,200.00 (One Thousand, Two Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000 to City Clerk-Salary/Wage-Permanent Positions, Account #101000.10.161.51100.0000.00.000.001.01 to eliminate a projected deficit.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-62 in the amount of \$7,429.00 (Seven Thousand, Four Hundred, Twenty-Nine Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000.000 to City Clerk-Additional Equipment, Account #101000.10.161.58500.0000.000.000.0058 to purchase file cabinets, stools, shredder and a chair.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-63 in the amount of \$1,821.00 (One Thousand, Eight Hundred, Twenty-One Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000 to City Clerk-Out of State Travel, Account #101000.10.161.57200.0000.00.000.0057 to provide funds to attend the May 2013 Annual Conference of the International Institute of Municipal Clerks for two employees.

Council on Aging (\$15,750)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-64 in the amount of \$1,700.00 (One Thousand, Seven Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Council On Aging-Salary/Wage-Part Time Positions, Account #101000.10.541.51250.0000.00.000.00.001 to fund a projected deficit due to reduced grant funding.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-65 in the amount of \$14,050.00 (Fourteen Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Council On Aging-Capital Outlay, Account

#101000.10.541.58425.0000.00.000.000.0058 to purchase and install storage shelving and counter space; to purchase three L-shaped desks and a shredder.

Community Development (\$18,000)

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-66 in the amount of \$18,000.00 (Eighteen Thousand Dollars) from General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Community Development-CDBG-Personal Services, Account #260000.10.181.51000.0000.000.000.001 to fund projected deficit due to reduced funding.

Management Information Services (\$58,000)

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-67 in the amount of \$58,000.00 (Fifty-Eight Thousand Dollars) from General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000 to MIS-Replace Equipment, Account #101000.10.155.58700.0000.000.000.058 to replace approximately 20 percent of the workstations and mobile workstations in the City, and also to replace UPS back up battery power units.

Legal (\$53,424)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-68 in the amount of \$14,050.00 (Fourteen Thousand, Fifty Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Legal Department-Settlement Out of Court, Account #101000.10.151.57620.0000.000.000.0057 to provide funds for a settlement in a claim against the City.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-69 in the amount of \$33,210.00 (Thirty-three Thousand Two Hundred and Ten Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Legal Department-Legal Consultations, Account #101000.10.151.53140.0000.000.000.0052 to pay for funds used for legal fees associated with demolition of building in the City and also to fund amount transferred to hire part-time attorney.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-70 in the amount of \$364.00 (Three Hundred, Sixty-Four Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Legal Department-Office Supplies, Account #101000.10.151.54290.0000.00.000.0054 to purchase Adobe software.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-71 in the amount of \$5,000.00 (Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Legal Department-Capital Outlay, Account #101000.10.151.58500.0000.00.000.0058 to purchase desk and chairs for offices.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-72 in the amount of \$800.00 (Eight Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Legal Department-Out of State Travel, Account #101000.10.151.57200.0000.000.000.0057 to add to existing budget funds to pay for IMLA Conference in Washington, DC.

Personnel (\$86,404)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-73 in the amount of \$10,000.00 (Ten Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000 to Personnel-Contractual Services, Account #101000.10.152.52000.0000.000.000.052 for the purpose of replacing funds transferred from this account to pay for contractual expenses related to an employment contract. Funds are necessary to pay for contractual services for the remainder of FY13.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-74 in the amount of \$28,000.00 (Twenty-Eight Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Personnel-Contractual Buybacks, Account #101000.10.152.51970.0000.000.000.0051 to provide additional funding for employment separation buyback expenses.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-75 in the amount of \$10,170.00 (Ten Thousand, One Hundred, Seventy Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Personnel-AFSME Sick Incentives, Account #101000.10.152.51940.0000.000.000.0051 to provide funds for contractual obligations for incentives.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-76 in the amount of \$12,234.00 (Twelve Thousand, Two Hundred, Thirty-Four Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Personnel-GMAA Sick Incentive, Account #101000.10.152.51941.0000.00.000.001.001 to provide funds for contractual sick incentive payments.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-77 in the amount of \$20,000.00 (Twenty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Personnel-Medical Service, Account #101000.10.152.51780.0000.00.000.00.51 to provide funds for medical/mental health evaluations.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-78 in the amount of \$6,000.00 (Six Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Personnel-Tuition Training Management, Account #101000.10.152.51900.0000.000.000.001.051 to provide funding for additional training.

Police (\$125,641)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-79 in the amount of \$18,102.00 (Eighteen Thousand, One Hundred, Two Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police-Uniform-Salary/Wage-Permanent Positions, Account #101000.10.211.51100.0000.00.000.0051 for funds needed to pay for contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-80 in the amount of \$12,147.00 (Twelve Thousand, One Hundred, Forty-Seven Dollars) from the General Fund, Unreserved Fund Balance ("Free

Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police Uniform-Career Incentive Pay, Account #101000.10.211.51950.0000.000.000.0051 for funds needed to pay for bumping up during vacancies.

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-81 in the amount of \$29,061.00 (Twenty-Nine Thousand, Sixty-One Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000 to Police Uniform-Night Differential, Account #101000.10.211.51430.0000.00.000.001.01 to pay for contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-82 in the amount of \$4,790.00 (Four Thousand, Seven Hundred and Ninety Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police Uniform-Holiday Pay, Account #101000.10.211.51450.0000.000.000.0051 to pay for contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-83 in the amount of \$14,143.00 (Fourteen Thousand, One Hundred and Forty Three Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police Uniform-Overtime E911, Account #101000.10.211.51320.0000.00.000.0051 to pay for contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-84 in the amount of \$1,183.00 (One Thousand, One Hundred, Eighty-Three Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police Investigation-Salary/Wage-Permanent Positions, Account #101000.10.212.51100.0000.00.000.000.051 to pay contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-85 in the amount of \$1,124.00 (One Thousand, One Hundred, Twenty-Four Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police Investigation-Career Incentive Pay, Account #101000.10.212.51950.0000.000.000.0051 to pay for contract reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-86 in the amount of \$2,301.00 (Two Thousand, Three Hundred, One Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Police Uniform-Night Differential, Account #101000.10.211.51430.0000.000.000.001.051 to pay for contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-87 in the amount of \$414.00 (Four Hundred, Fourteen Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.00 to Police Investigation-Holiday Pay, Account #101000.10.212.51450.0000.00.000.00.051 to pay for contract wage reopener grievance settlement.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-88 in the amount of \$11,899.00 (Eleven Thousand, Eight Hundred, Ninety-Nine Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Police Uniform-Salary/Wage Permanent Positions, Account #101000.10.211.51100.0000.000.000.00.51 to pay for bumping up superiors during vacancy.

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-89 in the amount of \$2,619.00 (Two Thousand, Six Hundred, Nineteen Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.000.000.000 to Police Uniform-Career Incentive Pay, Account #101000.10.211.51950.0000.00.000.001.001 to pay for bumping up during vacancies.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-90 in the amount of \$833.00 (Eight Hundred, Thirty-Three Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Police Uniform-Night Differential, Account #101000.10.211.51430.0000.00.000.001.051 to pay for bumping up during vacancies.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-91 in the amount of \$10,000.00 (Ten Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.00 to Police Uniform-Capital Expense, Account #101000.10.211.58720.0000.00.000.00.058 to replace the Police Department handguns.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-92 in the amount of \$15,000.00 (Fifteen Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Police Uniform-Vehicle Maintenance, Account #101000.10.211.52470.0000.00.000.0052 to update cruiser equipment such as prisoner caging and lighting.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-93 in the amount of \$2,025.00 (Two Thousand, Twenty-Five Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Police Uniform-Miscellaneous Special Office Supplies, Account #101000.10.211.54290.0000.00.000.00.054 to purchase computer equipment for the Police Department.

Purchasing (\$8,100)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-99 in the amount of \$200.00 (Two Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Purchasing-Salary/Wage-Longevity, Account #101000.10.138.51400.0000.000.000.0051 to eliminate deficit balance in account.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-100 in the amount of \$5,000.00 (Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Purchasing-Advertising, Account #101000.10.138.53480.0000.000.000.0052 to provide funds for additional advertising through FY13.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-101 in the amount of \$2,900.00 (Two Thousand, Nine Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Purchasing-Office Supplies, Account #101000.10.138.54210.0000.00.000.0054 to purchase new desk and window shades for offices.

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-102 in the amount of \$5,000.00 (Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Treasurer/Collector-Contractual Services, Account #101000.10.145.52000.0000.000.000.0052 for additional contractual services to cover expenditures through the remainder of FY13.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-103 in the amount of \$6,500.00 (Six Thousand, Five Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Treasurer/Collector-Capital Equipment, Account #101000.10.145.58710.0000.000.000.0058 to purchase a new copier for the Treasurer/Collector's office.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-104 in the amount of \$3,900.00 (Three Thousand, Nine Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Treasurer/Collector-Miscellaneous Office Supplies, Account #101000.10.145.54290.0000.000.000.0054 to restore funds needed in this line item for office supplies.

Tourism Commission (\$26,275)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-105 in the amount of \$1,275.00 (One Thousand, Two Hundred, Seventy-Five Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.00 to Tourism Commission-Salary/Wage Temporary Positions, Account #101000.10.563.51200.0000.00.000.00.051 to eliminate deficit in budget.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-106 in the amount of \$25,000.00 (Twenty-Five Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.00 to Tourism Commission-Purchased Services, Account #101000.10.563.53500.0000.000.000.0052 to support tourism initiatives in FY13.

Veterans Services (\$40,000)

• Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-107 in the amount of \$40,000.00 (Forty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Veterans Services-Medical, Account #101000.10.543.57720.0000.000.000.0057 to provide additional funding for the Veteran Services Department for the support of all line items in budget that are paid out on behalf of Gloucester Veterans. Seventy-Five Percent is returned in the following year from the State of Massachusetts..

Committee for the Arts (\$2,000)

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-109 in the amount of \$2,000.00 (Two Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Tourism-Purchase Services, Account #101000.10.563.53500.0000.000.000.0052 to provide an additional \$2,000 for the Committee for the Arts to restore murals in City Hall.

Library (\$50,371)

- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-110 in the amount of \$2,200.00 (Two Thousand, Two Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Library-Salary/Wages Part Time Positions, Account #101000.10.610.51250.0000.00.000.00.0051 to allow for the Library to open the Children's Room on Tuesday in the evenings.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-111 in the amount of \$16,800.00 (Sixteen Thousand, Eight Hundred Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Library-DP Supplies-Computer, Account #101000.10.610.54240.0000.000.0054 to purchase computers, printer, Microsoft Licensing, access points and Photoshop elements.
- Motion: On motion by Councilor McGeary, seconded by Councilor, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-112 in the amount of \$7,000.00 (Seven Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Library-Contractual Services, Account #101000.10.610.52000.0000.000.000.0052 to pay for a web consultant, technical support and staff training.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-113 in the amount of \$2,000.00 (Two Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.000.000 to Library-Furniture and Fixtures, Account #101000.10.610.58504.0000.00.000.0058 to purchase rug, bulletin boards, magazine rack.
- Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-114 in the amount of \$22,371.00 (Twenty-Two Thousand, Three Hundred, Seventy-One Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.00.000.000.000 to Library-Books and Materials, Account #101000.10.610.57320.0000.000.000.0057 to purchase additional books.

MOTIONS REMOVED FROM B&F CONSENT AGENDA FOR DISCUSSION AND VOTE:

Fire (\$132,000)

MOTION: **Councilor McGeary** motioned and Councilor **Ciolino** seconded for the appropriation 2013-SA-94 in the amount of \$30,000.00 (Thirty Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000.000 to Fire Department-Overtime Training Expense, Account #101000.10.220.51315.0000.000.000.000.051 to provide additional funds for training.

DISCUSSION:

Councilor McGeary explained the Fire Chief has indicated this appropriation is for a need for further training in the department. There are a number of new firefighters coming on, and the department is somewhat behind with training.

Councilor Tobey said given the staffing levels that the Fire Department will be authorized based on votes taken by Council to now and assuming these appropriations pass, how often for the balance of this fiscal year will Bay View Fire Station be open. Fire Chief Eric Smith said that on average the station has been opened 10 to 12 days per two-week pay period. This is the off season for vacations so he said he expected that would decline in summer. There are some additional demands with fires and snow incidents this winter to be balanced out in that equation. Councilor Tobey said under the resources available for the rest of the year how often Magnolia Fire Station will be opened. Chief Smith said it would not be opened. Councilor Tobey asked how much it would cost to supplement

so that Bay View and Magnolia Fire Stations were always opened for the balance of the fiscal year which Chief Smith informed him it would be over \$600,000. Councilor Tobey asked the Chief to indicate what it would be annualized for FY14. The Chief indicated that to open the stations strictly with traditional overtime annualized for FY14 it would be about \$2,000,000 (not including the purchase of a truck). If they went with full time employees, Chief Smith said it would be about the same money for the first year because of additional expenditures to equip the new employees, and if the department pushes their numbers per shift to 24 firefighters from 18 firefighters per shift. He said the cost would go down slightly in the second and third years; however, costs rise as there are pay increases. **Councilor Tobey** said but the stations were opened, and the community would be receiving the level of service it is expected to have in times when "coffers are full." Chief Smith said his opinion was that he would like to see that happen but comes with about a \$2,000,000 price tag as well as the major capital equipment expense which would require another engine. Councilor Tobey asked from the Chief for "some hope." Chief Smith said to get to the staffing levels needed; the department is looking at the next negotiations for which there is a plan to split the difference between the overtime and personnel. He pointed out the City has given his department additional monies to at least get all four shifts balanced to 18 per shift. There are numerous injuries the department expects to come back soon. Councilor Tobey said for the last six years the residents of Wards 4 and 5, Magnolia and parts of West Gloucester are "held hostage" to a process that's given any real relief. Chief Smith said it is a longer response time when the stations are closed. Councilor Tobey concluded his remarks by saving the Council do not have a lot of opportunities to weigh in and say they can make some change. \$1,600,000, he said, sits in a "pot" so that in November the City can say it has that amount of free cash. He said fire stations should be reopened in good times and the Administration owes it to the community to open the stations now and pay the bills.

Councilor McGeary said at one point the Administration put forward a proposal for a Firefighter Overtime Stabilization fund that was withdrawn. Mr. Duggan said it was put forward for a \$246,000 request for overtime which was not well received by the Council and so it was withdrawn. There was a request by the B&F Committee that before anything further than \$246,000 adopted, the Committee wanted a comprehensive free cash plan; that \$300,000 was absorbed into that comprehensive free cash plan which is now before the Council. Councilor McGeary asked what it would cost to get Magnolia Fire Station in shape to serve as a fire station. Mr. Duggan said there was a problem with "habitability"- the station could not be used because of a sewerage issue which was fixed by the DPW. There is also a need to get bids and start the repair of its roof. Commenting the City still needs to maintain its assets, Mr. Duggan said in order to get that station to a level of habitability and to be opened, it is a \$50,000 investment in the physical plant. Councilor McGeary said Mr. Duggan was correct; that when he presented the Fire Department Overtime Stabilization Fund the B&F Committee wanted to see this in the context of a full proposal for free cash. Councilor McGeary pointed out it didn't mean the Committee was opposed to it; rather it was in order for the Committee to see it as a part of the big picture which he said was his intent and that of the Committee.

Councilor Verga said of these five Fire Department appropriations, could the department anticipate in the FY14 proposed budget there will be a plan for opening all the fire stations. Mr. Duggan reiterated it is the goal to open the station. There is not a plan to "mothball" Magnolia. The plan is to phase it back into service. The Administration is investing in the roof; the sewerage issue is fixed. He said the Administration would not be taking these steps unless the station was going to be put back into service. It is a timing issue in bringing the Magnolia Fire Station back on line in a phased approach. A discussion will be held with the Facilities Manager, Jim Hafey to understand better what it will take to fully open the fire station to house the Fire Department in an active roll; but he cautioned it would take a bit of time noting there had been progress. Councilor Verga said based on the free cash of \$4,800,000 for FY12, and assuming by July 1st the building is habitable, is it six months, six years when is the Magnolia Fire Station going to open. Mr. Duggan said he would not offer a definite time period for the station's opening, but he said the goal for its full use is towards the beginning of the next fiscal year. Councilor Verga said he did not want to see the end of the next calendar year and find about \$5 million coming forward again in free cash and seeing fire stations still closed and said he wanted to see the all the fire stations opened 24/7 and that the firefighters never leave the station. But if they do, he said, it will be good to know the Fire Department would make it to a fire in time when needed. Mr. Duggan said the goal is to open the station and a top consideration to make sure that it happens.

Addressing his remarks to the entire Council, **Mr. Duggan** reminded the Councilors that it costs per firefighter \$93,000 for a new hire. The workforce, he said, has been built slowly, and it is a matter of sustainability. Hiring 24 firefighters is \$2 million investment, and **Mr. Duggan** pointed out Prop 2-1/2 only yields \$2 million. The investment is on-going and not a one-time expense, he said. The Administration is doing the best they can, and he added he understood the statement by Councilors of what is appropriate for free cash. **Mr. Duggan** said the Council

has been a great partner with the free cash. He reiterated the Administration is investing in the Fire Department and will continue to do so.

Councilor Ciolino said as to the training expense, with the level of 18 firefighters a shift, this money is going to be used for new hires. **Chief Smith** responded that is in part of new hires and other longer-term firefighters. It is all encompassing training. **Councilor Ciolino** said the department is bringing the fourth shift to 18. **Chief Smith** said the Civil Service list takes a bit of time to go through hiring, but the department is getting there however.

Council President Hardy said the Council had previously approved a \$46,000 loan order for the repair of the Magnolia Fire Station roof, and noting that Mr. Duggan said the City is maintaining this asset she asked what about the asset of the Fuller School and why the Administration was not focusing on maintaining that asset. Mr. Duggan commented there is a difference of opinion on the direction on the Fuller School between the Mayor and the Council. He pointed out that at this time Fuller is not an active school. It costs \$300,000 annually to fully heat and light it annually. Council President Hardy said it is a piece of City property, with a City-owned building on it; a City asset that should be maintained; that it is worth something. It is being let to "go to seed," she said. In maintaining the City's assets she asked those assets be maintained evenly.

Councilor Tobey said he appreciated Mr. Duggan's comments making budgetary commitments to the physical plant of the Magnolia Fire Station but said he hadn't heard anything about why the Administration won't honor the existing contract given the better financial times and bring on the staff so the City can reopen the station. This, he said, is a "number of firefighter's problem." Mr. Duggan said it is a question of where does the Administration fund it from. Council Tobey said in 1995 his CFO when he was Mayor said an audit of the third-party administrator expenses for health insurance coverage for the City which revealed a seven figure recurring savings; and it was suggested those savings be used to open the stations because the City then was in the same situation the City is in now for the same reasons. He pointed out both he and the current Mayor came into office during declining economic times. That free cash represents savings or increased revenues "squeezed" out of the system that should be viewed as recurring against a broader background of an FY14 State budget he said. There will be a \$31,000,000 new unrestricted aid funds available becoming available at the State level he noted and the Charter School and the "hit" to Chapter 70 is gone. And he further pointed out that there would, therefore, be recurring revenues. He asked why the Administration won't commit now as the money is there. Mr. Duggan said it is a balanced approach of how the money is going to be invested to deliver City services; and to deliver these services, investments will be made back across all City areas not just itemizing one particular area of it. He reminded the Councilor that contractual services increase. The Administration, he said, has made consistent investments in Fire Department manning. Councilor Tobey pointed out that FY12 free cash was \$4,800,000, and the Fire Department is getting \$132,000 in appropriations of free cash now and asked if that was the best the Administration could do because he said he did not see that as a balanced approach. Mr. Duggan said more is coming forward for the Fire Department for Capital Investments. Mr. Duggan said the investment won't get spent by June 30th and is why the investment is \$132,000 at this time. Councilor Tobey said the Fire Department, like a Police Department, is largely personnel. He noted about 90 percent of the departments budgets for personal is in excess of 90 percent, a figure of which Mr. **Duggan** agreed. Councilor Tobey said that is where the solution is to the problem; the willingness, now that times are better, to invest in the people. He said this should be, "celebrated as a victory." The money is there to put it back together again, he said. He further stated the Council can answer this by saying this isn't good enough and not vote for these appropriations.

Councilor Cox said even if the Council gave the Fire Department more money, the department wouldn't be able to spend it all by June 30th as that is a rule of free cash it has to be spent by June 30th (the close of the fiscal year). Personnel can't be put in place fast enough in that timeframe to spend that funding. Mr. Duggan said the Councilor was correct as it has been the City's recent experience with Civil Service; it is very difficult to get lists for hiring from that entity and so it takes much longer to hire firefighters through that process to which Chief Smith concurred. Councilor Cox said even if money was put into the building would be spent by June 30th. However, she agreed more money should be put into the Fire Department. But the rules of free cash say it must be spent by the close of the fiscal year which was brought up at the B&F Committee discussion on this matter. Councilor Tobey said if the money is appropriated and not spent, it falls to the bottom line and to free cash. If the Council doesn't give the money to the department then they never have the opportunity to spend it. He said it was the willingness to push Civil Service in an aggressive manner for the rebuilding of a fire department.

Councilor Theken said she recalled a situation with a fiscal year budget during the Bell administration where the Council was going to take some specific action when that mayor was not putting enough funding into the Fire Department. **Councilor Tobey** said the Council had relied on a previous interpretation of State law where the Council had the ability to on its own appropriation if the mayor failed to make one. There was, he said, a "change of law" with the newly confirmed General Counsel having a different point of view of what that meant. Because the

mayor recommended some sum for firefighters that statutory duty had been fulfilled and so the Council couldn't come in and say it wasn't enough. **Councilor Theken** commented then the Council is "stuck." **Councilor Tobey** confirmed that saying under the point of view of the current General Counsel that is the case.

Councilor McGeary said if the Administration were to come forward with additional money for firefighter overtime that money could be spent by July 30th as it doesn't wait on Civil Service. If there were a need the Fire Chief could fill it which **Chief Smith** confirmed. **Councilor McGeary** added it is not currently the recommendation, however.

Council President Hardy said that under MGL Chapter 268A to avoid impropriety or any appearance thereof, as 2013-SA-94 relates to training of firefighters, she has a brother who is a proud Gloucester firefighter and will abstain from voting on SA-94 but that the other supplemental appropriations for the Fire Department relate to equipment and so she would be able to vote on those appropriations.

Councilor Tobey invoked City Charter Sec. 2-11C regarding 2013-SA-94, -95, -96, -97 and -98.

The matter of 2013-SA-94, -95, -96, -97, and -98 are therefore continued to the February 26, 2013 City Council meeting.

Capital project stabilization fund (\$432,000)

Councilor McGeary said 2013-SA-39 is for the Police and Fire Department records management system and for the initial steps in replacing the City's Unifund accounting system.

Councilor Cox noted there was an officer to be assigned as an IT liaison and asked if this would be pulling an officer off the street for what the City's IT Department could do. Police Chief Campanello said that this was an officer who was placed in this position by the previous Police Chief who decided to make it a full-time position. He said this is a needed role within his department to maintain what is in place now and going forward to have an inhouse department specialist to maintain the records management system that will be put in place by this appropriation. Councilor Cox asked if the department could hire an IT person who is not an officer who has specialized training. Chief Campanello said it is possible, but not feasible because of the security of the information held by the department requires a salary the same as a police officer. He added he would feel comfortable with the need for this particular officer to be assigned to IT rather than an officer who is assigned to a watch. A civilian hire would not save any money and would be a breach of security, he said. Councilor Cox reiterated her concern that the department was pulling an officer off the street to handle an IT function and pointed out that the City does have an IT department already. Chief Campanello said the IT Department handles the whole City. This, he said, is about redoing the entire network of the Police and Fire Departments. Additionally, the two departments have over 60 computers with servers and licensing agreements; different software companies and a myriad of hardware issues. If the departments' computer system goes down, these two departments cannot rely on the one IT Director for the City to respond immediately at 3 a.m. He said it was not feasible "to go outside" and not reasonable to expect the one IT person in the City to respond immediately to their needs before any other department. Councilor Cox asked if this officer would be the IT liaison for the Fire Department as it is shared software. Chief Campanello said for the purposes of the records management software this officer would manage both departments. He added that this is a trained officer; if this officer's usefulness as an IT liaison is outweighed by the need for having one more police officer on the street, he can put him there because he is still certified and that this is the best fit for his department. That, he said, can't be done with a civilian. On further inquiry by Councilor Cox, Chief Smith said the Fire Department would rely on the Police IT officer for their IT needs with regards to the new record management system which works fine for his department. It, too, is a good fit, he said.

Councilor Ciolino commented this money is well spent and long overdue. The Police Department still uses a ledger to track who is working a shift, and who is on sick or vacation time. These departments are two of the last departments to be fully computerized. Pointing out several advantages of the system for the City's emergency services department, **Councilor Ciolino** added his support.

Motion: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed the appropriation 2013-SA-39 in the amount of \$432,000.00 (Four Hundred and Thirty-Two Thousand Dollars) from the General Fund, Unreserved Fund Balance ("Free Cash"), Account #1010000.10.000.35900.0000.000.000.000 to Capital Project Stabilization Fund-Transfer In GF, Account #850000.10.991.49700.0000.00.000.000.040 to increase the balance of the Capital Project

Stabilization Fund. This funding purpose is for Financial and Records Management software conversion/purchase.

COMMITTEE REPORT:

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed under MGL Chapter 44, §53A to accept the donation of \$100,000 from the Telemachus & Irene Demoulas Family Foundation for the purpose of increasing the Newell Stadium Renewal Project Budget from \$3,500,000 to a new total Project Budget of \$3,600,000.

DISCUSSION:

Councilor McGeary explained that this contribution, from the Telemachus & Irene DeMoulas Family Foundation, the family that owns Market Basket is intended for the enhancement of the Newell Stadium renovation project. The money would go towards increasing the project budget which is set at \$3,500,000 and since the GFAA have now in hand, this allows them to add red bleacher risers, and to upgrade the stadium scoreboard. Anything taken in has to retire the debt. This specifying the money raises the budget does not impinge on the indebtedness. He thanked the DeMoulas family for their generous donation.

Councilor Tobey said Mr. Duggan had a big role in this matter and thanked him for his effort as well.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed under MGL Chapter 44, §53A to accept the donation of \$100,000 from the Telemachus & Irene Demoulas Family Foundation for the purpose of increasing the Newell Stadium Renewal Project Budget from \$3,500,000 to a new total Project Budget of \$3,600,000.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL Chapter 44, §53A to accept the donation of \$125,000 from the Gloucester Fisherman's Athletic Association (GFAA) for the purpose of increasing the Newell Stadium Renewal Project Budget from \$3,600,000 to a new total Project Budget of \$3,725,000.

DISCUSSION:

Councilor McGeary explained any donations, instead of retiring indebtedness, could be used for unforeseen expenses or enhancements for the Newell Stadium renovation project. This will allow the donations to be spent for that purpose.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed under MGL Chapter 44, §53A to accept the donation of \$125,000 from the Gloucester Fisherman's Athletic Association (GFAA) for the purpose of increasing the Newell Stadium Renewal Project Budget from \$3,600,000 to a new total Project Budget of \$3,725,000.

The motion to take up the matter of a new DPW fee from the 02/07/13 B&F Committee meeting was continued by unanimous consent of the Council to the next City Council meeting.

Ordinances & Administration: February 4, 2013

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to adopt the Mutual Aid Agreement among Cities & Towns in Emergency Preparedness Region 3D pursuant to MGL Chapter 40, §4A.

DISCUSSION:

Councilor Theken explained that this Mutual Aid Agreement for Public Health Agencies has not been put in place before. This agreement is like mutual aid agreements between police and fire departments from other towns that assist one another in times of emergencies. Should there be a public health emergency that overwhelms the

City, such as the Boil Water Order the City experienced several years ago, or a health epidemic, other communities would be available to assist Gloucester by this formal agreement. **Councilor Whynott** voiced his support.

MOTION: On motion by Councilor Theken, seconded by Councilor Whynott, the City Council voted 9 in favor, 0 opposed to adopt the Mutual Aid Agreement among Cities & Towns in Emergency Preparedness Region 3D pursuant to MGL Chapter 40, §4A.

Planning & Development: February 7, 2013

No matters for Council action from this meeting.

<u>For Council Vote</u>: None. Unfinished Business: None.

<u>Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:</u> None. Councilors' Requests to the Mayor:

Councilor Whynott said there was a situation with a Matheson Gas alarm that sounded for eight hours and that a key should be given to the Fire Department or a lock box established, and said that Fire Chief Smith is pursuing that

Councilor Verga alluding to Councilor Tobey's rhetorical question about when the Council will get a full report on the Fuller School. During that discussion, Mr. Duggan, he noted, pointed out the difference of opinion between the Mayor and the Council on the direction to be taken. He reminded the Council they had voted unanimously to put a question about the disposition of the Fuller School on the municipal ballot in November. He said the Administration is moving forward with a plan ahead of having a vote from the public about what to do with the school. He added it is only fair the Council and the public know where they stand with this matter. He asked how they officially make a presentation happen. Council President Hardy said she will work with the Administration to arrange a presentation that would fit with the Council's and the Mayor's schedule. She also noted the School Committee has requested a joint meeting with the Council, and that there would be dates put forward for that as well.

Councilor McGeary thanked the DPW, Police and Fire Departments in the latest snow event, and said these departments did excellent work and deserve kudos for it.

Councilor Ciolino also praised the DPW and thanked them for their responsiveness during the storm event as did the City's emergency services.

Councilor Theken thanked the people of Gloucester for their patience during the storm event. She noted the Police and Fire Chiefs kept in touch in the Council and Mr. Duggan helped coordinate the effort. There was a chain of command which helped communications also. She urged folks to clear walkways saying everyone has to pitch in. She thanked Mr. Duggan and the Chiefs for their efforts.

Council President Hardy thanked Grant Harris, School Department IT Director and John Blanchard, City IT Director, who were at City Hall until 4:00 a.m. during the storm to make sure City Hall's computer system stayed up and running.

Mr. Duggan thanked the Council for their patience through the recent storm. He extended on behalf of the Mayor her appreciation for the recognition of the management team by the Council's applause after all of them were reappointed. He agreed that the management team does a great job.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:36 p.m.

Respectfully submitted,

Dana C. Jorgensson Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.