

**GLOUCESTER SPECIAL CITY COUNCIL MEETING**  
**Tuesday, September 29, 2020 – 6:00 p.m.**  
**REMOTE MEETING**  
**-Minutes-**

**Present: Council President, Councilor Steve LeBlanc; Council Vice President, Councilor Val Gilman; Councilor Melissa Cox; Councilor Jen Holmgren; Councilor John McCarthy; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Barry Pett; Former Council President, Paul Lundberg; Former City Councilor, Jason Grow**

**Also Present: Mayor, Sefatia Romeo Theken; Acting CAO, Vanessa Krawczyk; City Clerk, Joanne M. Senos; CFO, John Dunn; Auditor, Kenny Costa; General Counsel, Chip Payson; Planning Director, Gregg Cademartori; Community Development Director, Jill Cahill; DPW Director, Mike Hale; Superintendent, Ben Lummis; Former Superintendent, Richard Safier; School Committee Chair, Jonathan Pope; East Gloucester Elementary School Principal, Amy Pasquarello; Veteran’s Memorial Elementary School Principal, Matt Fusco; School Committee Secretary, Laura Wiessen; School Committee Member, Joel Favazza; School Committee Member, Samantha Verga-Watson; School Committee Member Kathy Clancy**

**Absent: None**

*This meeting was conducted remotely through Zoom, All votes were **ROLL CALL** votes*

Meeting called to order at 6:00 p.m.

**Council President LeBlanc** announced, “This meeting is recorded by video and audio in accordance with state Open Meeting Law. Consistent with the Governor’s orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 25 people, this meeting will be conducted by remote participation. Additionally, all votes taken by the City Council during this and future remote meetings will be by roll call vote. If you are calling in on a phone you can press Star 9 (\*9) to request to speak. If you are watching on a computer or device there is a “raise hand” button that you can tap or press to request to speak. Please use either of these options during oral communications to be recognized to speak.”

**Summary of Discussion: Council President LeBlanc** stated that there were currently 19 panelists and 39 attendees.

**CONSENT AGENDA:**

1. CC2020-012 (Pett/Cox/LeBlanc): Ordered that the City Council request that the State Legislators file a Home Rule Petition; and based on said Petition, the General Court enact a Special Act re. seasonal alcoholic licenses
2. Memorandum from the City Clerk re. request acceptance of a grant from the Center for Tech and Civic Life in the amount of \$11,767.50

**ACTION**

**(FCV 10/13/20)**

**(Refer B&F)**

**Items to be added/removed from the Consent Agenda: None**

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by **ROLL CALL 9** in favor, **0** opposed, to accept the Consent Agenda.**

1. PH2020-028: City Council vote regarding the Gloucester Land Disposition Committee’s recommendation to transfer the care, custody, and control of land known and numbered as 11 Webster Street, which includes Mattos Field, Assessors’ Map 47, Lot 13 to the Gloucester School Committee for school purposes

**The public hearing opened at 6:05 p.m.**

**Summary of Discussion: Council President LeBlanc** explained that those in favor and opposition will each receive a total of 15 minutes to speak. There can either be a lead speaker, or time can be divided between speakers. He stated that he was going to be strict with the time since there were quite a few attendees who wanted to speak, however, if one side went a little beyond, additional time will be given to the other side as well. After that, any additional speakers in favor or opposition received three minutes each. At the end of the in favor and opposition, one rebuttal for each side will be offered so everybody received a chance to speak.

**Councilor Holmgren** expressed hope that the Council could read all the emails that have been received into the record. There was quite a volume of them, but she stated that she thought it was important to allow those to be heard who could not attend this meeting tonight, many of whom are parents. **Council President LeBlanc** suggested that in the interest of time for the public hearing, when the Council reaches the communications section of this evening's meeting, the **City Clerk** will recognize the total number of letters received, and whether they were in favor or opposition.

### **Speaking in Favor:**

#### **Summary of Discussion:**

**General Counsel Payson** explained that on January 22, 2020, he sent a memo to the Council that outlined the process for the use of certain land located at 11 Webster Street for a new combined school. The ultimate use of that land was contingent upon several steps. One significant step was to secure Article 97 relief from the Commonwealth through legislation. The City secured the necessary relief on July 31, 2020.

The next step required **DPW Director Mike Hale** to issue a memo that the land was no longer needed for its current purpose. That memo was submitted to the **Mayor's** office on September 1, 2020. The city's Land Disposition Committee then met on September 4<sup>th</sup>. The memo from that meeting recommended that the care, custody, and control of certain land at 11 Webster Street be transferred to the School Committee for municipal school purposes. The **Mayor** referred the matter to the City Council, and this final step in the process, which requires by statute the City Council by a 2/3 vote to transfer the care, custody, and control of the land to the School Committee for use for school purposes. He stated that is the vote before the Council tonight.

The Massachusetts School Building Authority (MSBA) approved a grant amount of over \$26 million dollars for the combined school project on August 26, 2020. The MSBA put a 120-day time restriction on that approval, during which time the City is required to take certain actions. According to MSBA regulations, the approval of the East Gloucester Elementary School Project is contingent upon the School Committee gaining full ownership, control, and exclusive use of the site. This means that the vote before the Council is time-sensitive and required. He mentioned that he knows there are concerns about the vote on November 3, 2020, and what would happen to this land transfer if that vote failed, such as what would happen to the \$4.2 million dollars that was recently approved. **Mr. Payson** clarified that like the loan order, this land transfer would be unwound in the case that the vote is unsuccessful in November, and the land at 11 Webster Street would be returned to the City's care, custody, and control. He offered that there were many members of the City administration available to answer any questions.

**Department of Public Works Director Mike Hale** reiterated that as **Counselor Payson** mentioned, the care and custody of this public property is held under the **Director of Public Works** by City Charter. As the School Site Selection Committee sought very carefully a site for the new combined elementary school, this site was considered as a possible contender, and the selection committee ruled that it was the best site. He read the deliberations, looked at the various sites that they chose, and **Mr. Hale** stated that he does believe that the best interest of this site is for a combined elementary school. He explained that his memo to the Land Disposition Committee indicated that, and that was the vote taken by the disposition committee, that it is

certainly best used for a combined elementary school. The Land Disposition Committee recognized that open space and ballfields in the city are at a premium, and they are looking to develop a new multi-field softball complex at another site in the City of Gloucester.

**City Interim Chief Administrative Officer Vanessa Krawczyk** stated that as **Mr. Payson** and **Mr. Hale** had mentioned, on August 26, 2020, the MSBA approved a total-facilities grant for the combined school project for as much as \$26,942,022. That vote triggered a 120-day countdown, where a number of procedural items must take place in order to enter into a project funding agreement with the MSBA, most notably the matter before the Council tonight since the MSBA board approval of the combined school project is contingent upon the school committee gaining full control of the site.

She emphasized that the City administration fully supports tonight's motion to transfer the care, custody, and control of the land at 11 Webster Street, which includes Mattos Field, to the School Committee for municipal school purposes. She said that it is an important next step in the process that reflected the City's commitment to this project to continue to work in earnest to build a new school. While the administration remains hopeful that Ballot Question Number Three will pass on November 3, 2020, if it does not, the City will move to have this action rescinded, including the \$4.2 million dollar ancillary cost loan order that was approved last week. She extended sincere thanks to **Senator Tarr** and **Representative Ferrante** who lead the Article 97 effort and for the careful thought, deliberation, consideration, and ultimate approval of the legislature on this important matter, and to the Land Disposition Committee for the deliberation, consideration, and recommendation to the **Mayor** for this matter to be moved forward for Council action. She asked the Council to please vote in favor tonight to clear the path to let Gloucester residents decide the outcome in the November election. She reiterated that there are a number of City and school representatives present tonight who would be glad to answer any questions.

**Superintendent Ben Lummis** thanked the Council, and shared that Gloucester Schools are off to a great start this year, so far they have been able to do what many school districts have not had the persistence, moxie, and determination to do. He reported that schools have opened for the majority of students for most of every day. He stated that now the City needs to turn that dedication and determination to the next most important task, continuing to build the future of Gloucester's public schools. More than 70 years ago, leaders had the vision and foresight to build new schools for the City's children: they built East Gloucester, West Parish, Veterans, Beeman, and Plum Cove; and set the course for the City to educate its children for decades. Now, 70 years later, the current generation of city leaders, many of whom are on this call, are in the midst of the same process. He explained that the long-range plan to rebuild schools is 1/3 of the way through completion. This long-term capital planning takes commitment and leadership. He explained that tonight, the City Council has in front of it the opportunity to take the next step forward in rebuilding Gloucester schools, so he urged them to help the School Committee prepare the city for new facilities that will serve the next generations of students.

Building a new school for the Veterans Memorial and East Gloucester school communities will be much more than a new school, it will be a brand new public facility in the heart of downtown Gloucester serving children with new playgrounds, providing much-needed performance and athletic space indoors, and the ability to host community and neighborhood meetings. This plan is even more than that, the whole city will benefit from creating an open space in East Gloucester, and a new recreational facility with multiple fields the entire city will enjoy using and watching their families and children compete on. Let there be no mistake, the time to build this great new school is now, it is being done at a time when borrowing is at a historic low, meaning the financial impact on citizens will never be less than it is if the City moves forward now. Acting now minimizes or eliminates much risk. If the project does not continue to move forward, taxpayers will have to pay more and get less. As he explained to the City Council two weeks ago, Gloucester would have to pay more than \$30 million dollars just to keep the East Gloucester and Veterans buildings up to code and standing over the next 10 years, paying nearly what it would cost for a brand new building, and still providing the children with less

and less. There is no more fix it up a little and we can get by, the DPW and City have been doing that for the last 10 years. If this project is delayed, new schools will need to be built at some point, but will be much more expensive.

He shared that he is new to the City, but deeply believed, and from what he has learned from so many people in the few months he has been Superintendent, that East Gloucester and Veterans Memorial children deserve a new school, a modern facility like West Parish for many more students with a gym, cafeteria, art and music rooms, and spaces for the most vulnerable learners to get the special education, language, guidance, and support they need to be successful, as well as play spaces, safe outdoor spaces, and a building that is accessible to everyone. The schools should have reliable heating, ventilation, and not just hope to get through one more winter with boilers that are breaking down, with their alarms going off. He expressed hope that the Council would support the future of the children in this next step by supporting the land swap and leading the way to November 3rd.

The **Mayor** thanked the Council and all meeting attendees. She explained that the city is at an important crossroads for the combined school project as people get ready to vote. Whether by early voting, mail-in ballots, or polls on November 3<sup>rd</sup>, there is a lot at stake. We have the opportunity to work with the MSBA and receive the facilities grant for up to almost \$27 million dollars. She mentioned that she worked on the past school project, and explained that is a considerable amount to be offered towards the total cost of the project, especially at the times we are in right now, we should not pass this up. We have been extremely fortunate to have the MSBA support multiple projects in a short window of time, other communities do not get this kind of support. This combined school project is critical, and a great choice for the City of Gloucester. A new school would be beneficial by providing a modern learning environment, memories for our children, and reduce long-term maintenance costs. It is a smart investment for our future. Gloucester's families and children deserve the 21st century facility. The future of the City's children depends on it. The decision is do we build the foundation for a school now, or are we going to build a foundation for something else later? She shared that when she became **Mayor**, she pledged to advocate for and make improvements on three S's: Safety, Schools, and her Seniors. It is no secret that she was not a fan of this location for the proposed combined school, but the location, what she wanted for Veterans school was the firefighter headquarters for safety reasons, but after looking at this, right now, this is the choice we have that we need to make. She stated that it is the right time, and she asked everyone to trust her on this decision, as she fully supports tonight's motion to transfer the care, custody and control of the land at 11 Webster Street, which includes Matto's Field, to the School Committee for municipal school purposes.

As **Vice-Chair of the School Building Committee, Dr. Richard Safier** spoke in favor of the approval of the transfer of land to build a new consolidated elementary school on the current Veterans Memorial School site. Given the conditions of the current schools, the need for a new facility for students is paramount. However, he clarified that he is not speaking on that issue tonight. Tonight's vote is a technical matter, consistent with what has now been a very technical process that has been carefully examined over time, crafted, and overseen each step of the way. A Statement of Interest was submitted to the Massachusetts School Building Authority in 2017. This project was 1 of 17 accepted out of 92 applications. The Statement of Interest required information about maintenance and capital planning, enrollment projections, and the formation of a School Building Committee and a Project Team. The MSBA accepted Gloucester into a feasibility study, a process which lasted the better part of a year. Potential directions for the project were narrowed down from 14 to 9, then to 2, and finally down to 1, the current proposal. After the feasibility study was approved by the MSBA, the project entered into the schematic design process. During this phase, the team worked closely with the MSBA, documented the educational program and its needs, generated an initial space summary, documented existing conditions, established design parameters, and through careful vetting, recommended a cost-effective and educationally appropriate solution to the MSBA Board of Directors for their consideration. Two major documents were submitted in this regard, a preliminary design program and a preferred schematic report. The project then moved into the schematic design phase. A detailed schematic was developed establishing the

scope, budget, and schedule of the proposed project. On August 26th, the MSBA Board of Directors approved the project. In so doing, they are now prepared to reimburse project costs in the amount of \$26.9 million dollars out of a \$66.7 million dollar project. That support will be consummated through a project, scope, and budget agreement with the City of Gloucester. So, as you can see, the process has been extensive to the point of being exhaustive, and highly technical in nature. Article 97 and the transfer of land constitutes an associative technical component that is required for the support that the MSBA is prepared to dedicate to that project, and for the project to move forward toward a vote on November 3rd. The City Council had previously voted to send an Article 97 request to the state legislature for their required review. Both the Senate and the House of Representatives (each requiring a 2/3 vote approving the proposal) voted overwhelmingly in favor. He asked the City Council in the strongest terms possible to approve the Gloucester Land Disposition Committee's recommendation to transfer the care, custody, and control of the land on 11 Webster Street to the Gloucester School Committee.

**Council President LeBlanc** notified the attendees that those speaking in favor had almost reached the 15-minute mark, and he asked if anybody else from the administration wanted to speak.

**Chairman Jonathan Pope** stated that he is not technically from the administration, but was speaking tonight as the **Chair of the Building Committee**. He reiterated some of the things that had already been touched on about the process which brought them before the Council this evening. He explained that back in 2002, the Gloucester School Committee engaged Mount Vernon Group for the purpose of evaluating the City's elementary schools, because at that point they knew they had to do something with them. He reminded those who remember that it was very difficult to do much of anything during that time. In 2004, the City Council requested a management audit of the schools. **Mr. Pope** read one of the findings of that audit:

*It is to review the location and condition of all school facilities and determine if measures can be implemented to conserve fiscal resources while maintaining an effective instructional program and affordable student transportation. Such review should consider school size effective best practices data.*

In 2008, a Statement of Interest was submitted for West Parish, and it was eventually accepted in 2012, and the school was completed in 2016. In 2014, the School Committee engaged in a plan to assess the condition of the remaining four elementary schools that were in place, and after a year of going around having open forums at every elementary school, a master elementary plan was developed in 2016, which reduced the elementary schools to three schools: West Parish, a combined East Gloucester and Veteran's Memorial, and a combined Beeman and Plum Cove. As **Dr. Safier** previously mentioned, a Statement of Interest was submitted at that point for both Beeman and East Gloucester because they were both worthy of needing to be replaced, but the MSBA told the City it could only have one Statement of Interest, so East Gloucester was selected while making it clear that the intention was to consolidate it with Veterans Memorial. Gloucester was accepted into feasibility in 2018 and since then, the Building Committee was formed and held over 60 public meetings. Every available publicly owned property that was in the catchment area of Veterans Memorial and East Gloucester was considered. The East Gloucester Elementary site, the potential of acquiring private land adjacent to it, Veterans Memorial, Swinson's Field, The Pines, Babson Watershed off of Eastern Avenue, Harrison Avenue, Green Street, and Essex Street were examined. A cursory look was also given to private property, but the committee was instructed to look primarily at city owned property. This was a well-vetted process, the committee had conducted over 60 public meetings, and provided due diligence, so he urged the Council to move this project forward by transferring the property.

**Council President LeBlanc** thanked **Chairman Pope**, and notified the attendees that those speaking in favor had reached 19 minutes, so he had written that down to make sure the opposition received the same amount of time to be fair. He verified with **Ms. Krawczyk** that this was the end of the administration's open presentation, and opened it up to the public after reminding the attendees of the process of raising their hand to speak, explaining that he was going to stick with having the in favors speak first, starting with the first

person, and then moving along. He asked those interested in speaking to provide their name and address for the record.

**Joel Favazza, 28 Middle Street**

He stated that he is a School Committee member, but was not speaking on the committee's behalf this evening. He spoke in favor of transferring Mattos Field to the School Committee. He acknowledged that while plenty of people, himself included, may be unhappy with the path taken to get to tonight's vote, the reality is the democratic and bureaucratic processes have played out. The site has been selected and approved at both a local and state level, and this new school is either coming to Webster Street, or it is not coming at all. There is no longer a third option to rebuild a new school somewhere else. He explained that with that reality before us, for him at least, that choice became very easy, and he respectfully urged the Council to please vote in favor of the transfer.

**Amy Pasquarello, 17 Porter Street Wenham, Principal at 8 Davis Street Extension**

**Summary of Discussion:** Superintendent Lummis asked Council President LeBlanc if he could allow Principal Fusco to join the meeting, since he and Principal Pasquarello planned to speak together if possible. Council President LeBlanc suggested that they speak separately since it would be hard for each of them to limit their time to a minute and a half each. Ms. Pasquarello explained that she did not believe they would go over 3 minutes combined.

**Matt Fusco, 4 Cottage Street South Hamilton, Principal at 11 Webster Street.**

Principal Pasquarello and Principal Fusco stated they were presenting a joint statement regarding their full support and approval of the combined East Gloucester/Veterans Memorial School Building Project. They explained that the needs of the buildings continuously pose a challenge. She thanked the DPW for their endless support in keeping the building running, whether it is the boiler alarms going off, fuses blowing out, or the heat fluctuating in the building from 47 degrees one day to 100 degrees the next. She shared that today, the line for the fax machine was being repaired, so the phone line was down as a result. As soon as that was fixed, the intercom, which should have no connection to the fax line, went down, which resulted in the school staff running throughout the hallways to dismiss students because they were unable to make any announcements. Not only was this a challenge for dismissal, but it caused a safety issue. The DPW quickly comes to repair whatever breaks, but the overall systems such as heating, electrical, internet, plumbing, etc., are old and outdated, and are in desperate need of upgrading that will be very costly to replace. All of these systems will trip code requirements that require those schools to address the various ADA requirements that are not in place at East Gloucester. One DPW employee told her that there were not enough Band-Aids to keep East Gloucester running without the building project. She shared that another challenge for EGS is the lack of space available in the building. This year, in particular, the faculty and students have attempted to maximize distancing and spreading out to the greatest extent possible, which has created the necessity to have enough space to properly educate. This new building will provide flexibility to move students into extended learning areas and blended classrooms when needed, along with the space required to provide interventions and services that best support the needs of students.

The combined school project represents well over two years of work, and if it comes to fruition, it is going to be a school building that everyone can be proud of. Principal Fusco stated that they believe that the design and space utilized for this building will make it the center of community activity and academic learning. As the principal of a school with close to 80% free and reduced lunch students, he expressed excitement to think of the possibility of Veteran's Memorial students being able to come and learn in a building that is beautiful, safe, welcoming, and technologically-advanced. He would like to see the students become part of a larger student body to offer an experience similar to the O'Maley Innovation Middle School, which would allow for

a better transition for the students. While Veteran's Memorial is a little bit younger than East Gloucester School, it is a building filled with old, modular classrooms and heating systems that are well past their life. It also lacks necessary infrastructure and technology.

**Principal Pasquarello** shared that she and **Principal Fusco** are enthusiastic about joining their two communities. They would be provided with the opportunity to collaborate and merge the two schools to create one that offers a world-class education in a building that supports learning and growth. The students of Gloucester deserve a building that supports the educational needs of a 21st century education. This new building will be great for Gloucester, and the time is now. If this opportunity is not utilized, we will be putting Band-Aids on the current schools for years to come.

#### **Former Council President Paul Lundberg, 5 Bridgewater Street**

Speaking as a private citizen and the Chairman of Vote Yes for Gloucester Kids (a citizen's initiative committee whose purpose is to advocate for the yes vote on the November ballot), **Mr. Lundberg** thanked everyone who has been involved in this project, and stated that he believes the merits of this case have been adequately covered by all of the administration speakers. He explained that while he was involved for a while on the City Council, the Council, School Committee, and Building Committee received public input by holding a lot of meetings, which allowed them to hear from Gloucester voters. He explained that the bottom line is that this is up to the voters of Gloucester who will have the freedom to decide whether it is affordable or not, and he thanked everyone who worked very hard to bring this project to that position. The vote is necessary for the land transfer, and he asked the City Council to vote unanimously for it this evening.

#### **School Committee Secretary Laura Wiessen, 18 Commonwealth Avenue**

She spoke as a citizen and a parent, and urged the City Council to think about just how important this school is for the families and the Gloucester community overall. She asked them to approve this land transfer, as she believes the City is so lucky to have been approved by MSBA, and to be at this part of the process in these uncertain times where we do not know when the next round of funding will even happen. We now have the state committed to \$26.9 million dollars to help build this school. She said this is the smartest way to go rather than continuing to put money into schools that do not meet the needs of all students.

#### **School Committee Member Samantha Verga-Watson, 24 Ocean Avenue**

She spoke tonight as a parent of two young children, and as a School Committee member, and stated that if we have learned anything from this pandemic, it is that public education is compromised, leaving behind a giant crater in our community. Public education has long been under-funded and under-appreciated, so it is up to us to show that Gloucester values the education of our students and the needs of our staff, many who dedicate 20+ years working in these buildings for our students and our community. She explained that tonight's vote in favor is a step in the right direction to show our City's commitment to public education. She shared that while many will say that Veterans Memorial is the only green space in the neighborhood, as a former Fuller student who grew up in central Gloucester, she is very familiar with learning in a larger school environment, and is also familiar with the Webster Street neighborhood. She grew up walking to Burnham's Field and Green Street, all safely within walking distance of Veterans Memorial. She explained that Mattos Field will be relocated, and the East Gloucester neighborhood stands to gain green space through this project. She urged the City Council to support this land transfer to pave the way, allowing Gloucester residents to show their commitment to our public schools on November 3rd.

**Summary of Discussion: Council President LeBlanc** explained that he was going to leave **Ms. Verga-Watson** on as a panelist since she for some reason was running an older version of Zoom, and if he disabled her ability to talk, it would bump her out of the meeting, which he did not want to do.

**Ruth Flaherty, 8 Davis Street Extension**

She is a Beverly resident who has worked as an East Gloucester Elementary School teacher for 20 years, and during the majority of her tenure, the school has been in need of repair, so as everyone can imagine, over the years, it has gotten much worse. She has spoken in favor of this over the years, and urged the Council to take this once-in-a-lifetime opportunity to give the students and staff a much-needed, clean, healthy, and spacious building so that the faculty can do the best job possible for the students of Gloucester.

**Kristin Parsons, 39 Harriet Road**

She reminded the Council that she stood before them last year representing 100% of the East Gloucester teaching staff, who are in full support of this project. She stressed the great needs of their beloved but tired building. She asked the Council to vote yes on the land transfer, since it is common knowledge that the building conditions are beyond repair. The ventilation can only be described as poor, there is constantly humid air courtesy of the river running beneath the school, and just last week, the floors were covered in moisture. She revealed that one classroom upon arrival to school had all desks and tabletop surfaces covered in condensation requiring a wipe-down for sanitation before the day could even start. The antiquated heating system is so old that repair parts are no longer available. Teachers and students often experience extremes in temperature. Other issues faced daily include limited classroom space, with small groups and services being provided in the hallways, one designated staff bathroom located in the staff lunchroom resulting in teachers usually needing to wait in line to use it, and limited parking that requires teachers to walk two blocks to work every day. She stated that a vote for the land transfer would be the necessary next step in providing a proper facility to offer the very best education possible, and asked the Council to please not let this opportunity be missed.

**Summary of Discussion: Council President LeBlanc** announced that there were currently 67 attendees and reminded them of the process to be allowed to speak if they would like to.

**Leslie Friday, 3 Gould Court**

She thanked **Council President LeBlanc** for the opportunity to speak, and the Council and School Committee for their thoughtful work in finding a compromise for this very difficult situation. She stated that she has really followed this project, and admired all of the steps that have been carefully taken. She expressed that she is happy that Mattos Field will find a new home, and mentioned that she thinks it is important to meet all constituents where they are at, especially in regards to honoring the life of the veteran Mr. Mattos. She appreciated and admired what the City has done to provide green space for both locations as well.

She shared that she is a parent of three, her oldest child is now in middle school at O'Maley, and her two younger children are now at EGS. She believes this project is great for the students and faculty, and reminded the audience of the teachers' testimony of the conditions that they contend with daily. She spoke personally on behalf of her children, who needed to wear winter jackets right before school was dismissed in March because the heating system broke down, and that her daughter consistently has colds and other issues because of the poor air quality and active stream running through the school. She testified that during school vacations, her colds mysteriously lift, so she knows it is a sign of the air quality everyone in the school is subjected to. She stated that she has seen the beautiful facility at West Parish, and knows that we can do better for the students at Veterans Memorial and East Gloucester, who deserve an equitable school. She expressed full support for this project, and is looking forward to her youngest child possibly attending maybe a year the new school, but even if that does not happen, she will be happy to know that kids in her neighborhood and around the city will be able to take advantage of a beautiful new school. She said it will cost less than one cup of coffee a day, so she thinks we can all afford that for the future of our kids.

**Robert Parsons, 39 Harriet Road**

He stated that he is in favor of the land transfer, since without it, there is no way for the school project and its years of planning to move forward. To vote no on this would mean the schools will continue to deteriorate. Patchwork measures will continue to simply get us by until we reach the point where building failure is imminent, and the taxpayers end up on our own to foot the bill for a new building with zero help from the state. There will not be another opportunity to have nearly \$27 million dollars handed to us from the MSBA, there will not be another chance to build a state-of-the-art school for 440 students that will cost about 60 cents on the dollar. He expressed hope that the Council recognized this opportunity to take a critical step in the right direction toward building this new school for the children of our city. He thanked them for their time and consideration.

**Former City Councilor Jason Grow, 12 Marble Road Gloucester.**

He said he is not going to repeat all of the eloquent statements that have already been made tonight since he thinks everyone knows the commitment he and his wife Sarah have to the Gloucester community and education. They fully support this land transfer, the override, and the project as a whole. He stated that having sat in the Council seat, he knows that there are sometimes very agonizing decisions that need to be made, but this is not one of them. He understands the importance of hearing the voices in opposition, and he stated that the Council has clearly done that through this process, and plans have been made to accommodate the concerns and the needs of people who object to the land transfer, but it is really important to move this forward. He shared that his family spent 7-8 years at East Gloucester Elementary, and while they love that school, it was never about the decaying building, but instead the sense of community. He mentioned to have something of this caliber coming, to join forces with Veterans Memorial, is going to be such an amazing improvement for the educational quality for kids into the next century, which is what the Council is supposed to be planning for. He expressed feeling that Gloucester politicians have “kicked the can down the road” far too often, much to our detriment. He believes the Veterans neighborhood especially needs and deserves the sense of enrichment and beauty that is going to come from this facility.

**Anne Sanfilippo, 4 Crestview Terrace**

As a lifelong Gloucester resident who has taught at East Gloucester Elementary for over 16 years, she voiced her support for the land transfer. She shared that her classroom is beautiful and spacious, but it is one of the oldest in the school, constructed 71 years ago. The antiquated heating system has always been one of the main reasons that she feels a new school is warranted. Some days, her classroom is so cold that students need to wear a jacket while learning, and other times the heat is continuously blasting, unable to be regulated. Our schools are just tired and worn, it is time to give our children a school that will be safe, clean, and reliable to meet their academic, social, and emotional needs. This priceless investment in our future is for the children.

**School Committee Member Kathy Clancy, 78 High Popples Road**

She spoke as a parent and member of the School Committee and Building Committee. She shared that she has been involved in our school system for many years, even before her son attended. She reiterated Jason Grow’s eloquent statement that it was not about the building itself, but about building a community. When she volunteered, she witnessed the litany of problems the building has experienced after 71 years of use. It is definitely in need of repair and replacement, so she expressed excitement for this opportunity that the MSBA has provided to partner with the City, and she reminded everyone that MSBA involvement guarantees a very efficient quality output and high educational requirements, which are consistent with every school building that is being built now. There is nothing luxurious in this plan, it is going to provide a terrific educational environment for two school communities, which is so important because at that point, we will have 60% of our school population in current, state-of-the-art educational program settings. She cannot think of anything

better for the students and faculty than to have the opportunity to work and to learn even more in a building like this. She expressed her complete support, thanked the Council for their time, and told them if they vote in favor of this land transfer, the voters of Gloucester will have a chance to hopefully get behind this project as well.

#### **Larry Oaks, 4 Clay Court**

He shared that he is the father of two Gloucester schoolchildren. One of his children is a Gloucester High School graduate. The other one currently attends GHS, and previously attended East Gloucester School. He spoke as a parent in favor of the proposed new elementary school at the current Veterans Memorial site. He asked the Council to support the transfer of land at that site to the care of the Gloucester School Committee. He also expressed support for building a new softball field at the Green Street playground as the City has agreed to do. He reiterated the underlying theme that has been mentioned by speakers, that tonight is important to the education of the City's next generation of children.

**Summary of Discussion: Council President LeBlanc** asked if there was anyone who would like to speak in favor, and reminded attendees of the process to be allowed to speak if they would like to.

#### **Neil Costa, 130 Eastern Avenue**

He stated that both of his children attended the East Gloucester School, one is now a freshmen at GHS, and the other one is in 6th grade at O'Maley. He loved the school, but the facility was always a challenge for the students and the teachers. He mentioned that as a parent, citizen, and business owner in town who employs Gloucester residents and Gloucester Public School graduates, he supports the land transfer. He expressed hope that the Council will do the same since the City needs to be in a position to launch our children into a very difficult, challenging, and competitive world, and a new school is the bare minimum platform for them. He thanked **Council President LeBlanc** for giving him the opportunity to speak.

**Summary of Discussion: School Committee Chairman Jonathan Pope** requested the Council's permission to read a brief letter he just received from a friend that he wanted to share:

*Please register my most enthusiastic support for the transfer of Matto's Playground land from the City of Gloucester to the School Committee. What a wonderful, well thought-out plan that allows all parties involved to be winners.*

*Cordially,  
Dick Wilson,  
12 Village Road  
Magnolia, MA*

**Summary of Discussion: Council President LeBlanc** expressed thanks and appreciation to **Chairman Pope**. **Council President LeBlanc** shared that Mr. Wilson just had hip replacement surgery, otherwise, he was sure he would have liked to have attended the call this evening.

**Council President LeBlanc** asked if there was anyone else that would like to speak, and reminded attendees of the process to be allowed to speak. Seeing none, he asked if anyone would like to speak in opposition. He shared that he had spoken to **Patti Amaral** earlier, and she requested to be the lead speaker for the opposition. He gave her the option of either speaking the entire time, or dividing the time among herself and other people. He informed her that the opposition had 19 minutes, since that the length of time that those in favor had received.

**Those Speaking in Opposition:**

**Patti Amaral, 14 Myrtle Square**

She thanked the Council for giving her the time to speak for Mattos Field. She informed them that by now, the Councilors should have all received an email letter from the Office of Thomas A. Kenefick III, Esquire, who is representing Friends of Mattos Field. She let them know that she wanted to review the letter's highlights, which included a notice pursuant to Massachusetts General Law 66, a violation of law immediately upon conclusion of all right and proper appeals, and told the Council that they intended to file with the Essex County Superior Court in a civil action with a claim for relief under Massachusetts General Law. She explained that she had submitted a public records request to the City of Gloucester in June 2020.

**Summary of Discussion: Council President LeBlanc** responded that a public records request is different from the land transfer currently before the Council. Ms. Amaral told him that the statements she just made were going to lead to the matter before them.

She stated that as of September 22, 2020, she and her legal team have not been given any documents indicating that the City's proposed Article 97 conversion and replacement land has been approved by the Executive Office of Energy and Environmental Affairs (EEA), and have not been notified by the City of Gloucester that such documents do not exist. A copy of the EEA approval documentation was also requested from the EEA, and their General Counsel responded that the only document they had been able to locate that had not already been given to Ms. Amaral contains the term Mattos Playground instead of Matto's Field. However, it does not appear to be a preliminary review or a final report.

Ms. Amaral and her legal team also expressed concern regarding what they believe to be the City's failure to submit an Environmental Notification (ENF) Form to the Massachusetts Environmental Policy Act Office (MEPA) as required by law for Matto's Field and the replacement field at East Gloucester. She explained that the MEPA Review allows the public a 30-day comment period, and enhanced measures to consult. It can guide the project, inform the people, and protect the environment and the rights of the environmental justice population within and close to the affected areas.

Ms. Amaral stated that appraisals help to inform the EEA and the general public as to whether or not the replacement site is as good as or better than the land located at Mattos Field, are used to properly evaluate the project's impact to the land being converted, and help determine the value of the replacement site. Properly done, appraisals help to prevent valuable recreational lands from being replaced with lands of less value and use to the citizens. She commented that accepting the word of the Gloucester School Committee that their recommendation of a replacement land was accompanied with the level of scrutiny provided through the MEPA Review is unacceptable.

She argued that while she understands the Article 97 Land Disposition is not law, the Article 97 legislation signed into law includes language that requires the City to replace Matto's Field. Selecting land of smaller size and less value than all of the Article 97 area proposed to be constructed on Webster Street, as the East Gloucester School site certainly may be, would not in their view satisfy the legislation's requirement to replace Mattos Field. In the recent past, Governor Baker and the EEA Secretary have mandated that the MEPA review be conducted prior to the municipal land transfers. Moreover, Ms. Amaral's legal team intends to use all appropriate, necessary processes and venues to ensure that the City of Gloucester, along with the EEA, have adhered to the laws and municipal requirements stated in the EEA Article 97 Land Disposition Policy, as well as the law governing municipal land transfers.

Ms. Amaral stated that a list of Park Commissioners has also been requested, and that according to the Gloucester City Charter, the City has an obligation to disclose that information. She thanked the audience for their consideration in advance, and mentioned that there are still more issues her legal team and the Friends of Mattos Field would like to pursue in addition to the ones already described.

**Denise Pascucci, 20 Birch Grove Heights**

**Summary of Discussion:** Council President LeBlanc informed Ms. Pascucci that there were 9-10 minutes left for the opposition to speak.

Ms. Pascucci reviewed the points that Ms. Amaral had made. She explained that no one wants their children in schools that are unsafe, that is not the reason for their opposition. However, the majority of people voting no would be doing so because they feel that the 6.25 acres of land is extremely small for 440 children. Saving Matto's Field and some green space for the city is also important. She asked the City Council to consider her concerns, and shared that the City of Gloucester is being put on notice for potential legal action relating to the City's withholding of approval it claims to have received from the highest governmental agency in the state.

She also expressed belief that the Article 97 legislation was "mysteriously altered" in its travels to the state legislature. The city had vowed to meet the no-net-loss of the Article 97 land provisions touted by the EEA, but she stated that somehow that language disappeared on Beacon Hill. She mentioned that she feels as though Gloucester is exempting itself from the protections owned by citizens, and that the EEA is looking the other way. She questioned if the City will not provide the approval documents, and commit to a fair and equal land swap, is there more being hidden that people do not know about?

Ms. Pascucci explained that taxpayers and private donors provided over \$280,000 to enhance Matto's Field. She was a member of the Light Up Mattos Committee, and recounted that it took a lot of time to raise the money and get the field together. She stated that she feels that they investors were "suckered again" by Community Preservation Act Funds that were provided to the field, because CPA funds come from an added assessment to property taxes for limited uses, including open space and historical preservation.

She commented that expenditures on privately held land require ironclad conservation restrictions be placed on them, but apparently the same is not true for land that is already park land. If \$10,000 of CPA money is used to enhance a privately-owned property to convert it into a little green space for the public to use, the property owner would be legally obliged to permanently keep the land for public use, but when taxpayers spend hundreds of thousands of dollars to rehabilitate a public playground, the City feels that they have the right to come in and tear it up.

**Summary of Discussion:** Council President LeBlanc informed the opposition that they had spoken for 13 minutes. He offered them the options of either allowing more people that they chose to speak for 6 more minutes as part of their lead opposition, or those in opposition can start being given 3 minutes each to speak. Ms. Amaral stated that she and Ms. Pascucci had completed their presentation.

**Olimpia Louise Palazzola, 57 Western Avenue**

She stated that she is against the land transfer at this point, and that she would like an answer as to whether the 120-day MSBA requirement begins after the election on November 3, 2020. She explained that she does not believe the location provides enough acreage. She questioned whether there is going to be a retention pond on school property since there is a brook running through the land, and if so, where it would be located. She contacted a company that creates them, and the woman she spoke to told her that small children should not be anywhere near a retention pond.

She also spoke on behalf of her in-laws who own property located at 16 and 25 Webster Street. They told her that they have never received notification regarding this proposed project. She noted that 16 Webster Street appears to be where the school entrance will be located, which she believes is a problem because 10 parking spaces used by residents, especially in the winter when they need to be off the street, will disappear if that is the case.

She mentioned that she has asked to see the project plans to determine where the school will sit on the property, and expressed feeling that there are many flaws in this project. She felt that the City rushed to judgement because they needed to get their vote in to the Massachusetts School Building Authority. She shared that she is 74-years-old, and does not believe she is going to live through the entire 25 years that it is going to take the City to pay back the MSBA. She questioned how long Beeman School will have to wait for a new building once this project begins since they experience mold problems. She suggested that it may be wiser for Gloucester to have one consolidated elementary school on the 20 acres that belong to the Beeman School property, so that all the City's children can attend elementary school on the same property, which is the case with Rockport Schools. She stated that she appreciated the work of the School Committee and the City Council, however, she believed they are wrong in this case, and wished they would rethink this proposal. She said that she believes the taxpayers of Gloucester cannot afford this right now, especially when property assessments are going up due to the people who can afford homes that cost \$1 million dollars or more. She shared that she believes that people are being priced out of Gloucester, and that is scary for her. She will be voting against this project.

**MaryAnn Albert Boucher, 93 Mount Pleasant Avenue**

She said we believe that saving neighborhood elementary schools and dedicated open space like Mattos Field is the best investment in the future for our kids, for education, and for our city. Those in favor claim the same, however, we disagree on the path of how to get there. She expressed belief that the promises of cost savings and education gains are overstated. We are looking to the MSBA and spending \$73-80 million dollars to receive \$25 twenty million, yet the new YMCA cost \$30+ plus million, and the new Cameron's building cost \$12 million. She stated that we are spending an astronomical amount of money for this 92,000 square foot piece of property on 6.25 acres of land.

She referred to a previous GoodMorning Gloucester video in which **School Committee Chairman Jonathan Pope** stated that approximately 10 acres of land would be needed to create a consolidated school. She mentioned that \$1 million dollars was spent conducting a feasibility study that chose Green Street, and suddenly the Veterans Memorial site came out as the proposed use of land.

She shared that she has visited every elementary school because she wanted to educate herself to see if there was something she could be missing, and suggested that everyone do the same. She mentioned that West Parish is promoted as having such high technology, yet the electricity remains on 24/7 since they are unable to shut off the lights. She told the audience that during a Sunday visit to the school, she encountered a woman from Chile who told her that the fire alarm had been going off for three hours. The woman questioned if there was a real fire, would anyone react to it?

She also mentioned air quality in the elementary schools, and said that at the Gloucester Teacher Association meetings she has attended, she has been told that it is wonderful. She believes it is wasteful that Maplewood School is no longer in use, and that the City is planning to tear down the \$4 million dollar East Gloucester School, and then spend \$1.2-2 million to create a ballfield on Green Street when there is one on Webster Street that the neighborhood loves and needs. She stated that greenspace is priceless, especially in light of COVID-19.

She also shared the philosophy that you can teach kids anywhere, even in a tent. She referenced the tents being used at elementary schools throughout the city to allow the students and faculty to be socially distanced. She commented that we are in a COVID situation and are trying to build a pre-COVID school. She said a tent could not be put on the grounds of the proposed school because it would be consumed by the building, parking lot, and turf play space that has road wrapped completely around it. She mentioned that she has seen three children be hit by cars at the intersection of Chapel and Davis Streets.

She stated that all information regarding the East Gloucester/Veterans Memorial consolidated school project should have been readily available, and taxpayers are looking for itemized costs for the entire project. She thanked everyone for their time.

**Tracy O’Neil, 12 Friend Street**

She asked her City Councilors to vote no for this land transfer because she does not approve of what she considered to be the Article 97 “land snatch.” She expressed feeling appalled that the City is taking Mattos Field and are not replacing it, they are squishing it into another playground that already has a field and playground. In this world where social distancing is paramount, she does not see any room for it in the brand-new school. She shared that she is not opposed to the new school, just the chosen location that she felt was insufficient for 440 children.

She mentioned that cars drive up over her sidewalk like it does not exist, and she could barely cross the street the other day. She stated that if the 10 parking spaces are taken away, cars are going to be parked on the street, and she does not believe two cars are going to be able to pass each other on Webster Street. She said there is just not enough room for kids to play outside. She commented that this is the worst location, a congested neighborhood with tremendous traffic. She observed that people in favor of the project do not live in her neighborhood. She shared that driving down the street on her way to work today, she saw parents and children crossing the street without the assistance of the crossing guard or crosswalk. She said that it is dangerous as it is right now, and she believed it is unrealistic to think that people are going to get into a car queue around that building, the whole neighborhood will become overcrowded.

She shared that she prefers to play ball with her nephew on the current Veterans Memorial site, or at Mattos Field, because the last time she took him to Burnham’s Field about six years ago, there were three different languages other than English being spoken, and the ones who did speak English were swearing and blasting music, so she did not feel comfortable.

**Summary of Discussion:** Councilor Gilman called a point of order because she felt that Ms. O’Neil was using inflammatory language. Council President LeBlanc commented that we cannot discriminate against a person in our community based on the language they speak. Ms. O’Neil apologized, and stated that she did not mean to insult anyone, she just felt out of place in that situation.

**Kailie Mione, 8 Davis Street Extension**

She shared that tonight, she is speaking as both a neighbor, and a mother of two children who would be attending the new school. She expressed major concern for the lack of green space since she believed that only a 60 x 90 turf area will be provided for over 400 children. She is also a direct abutter to EGS, and asked if this vote passes, will the property at 8 Davis Street Extension be protected forever, or will it be subject to future development and lose the beautiful wooded area beside the school? She stated that 1 and C are within wetlands that could potentially be protected under the Environmental Protection Act, and asked if Article 97 protection can be taken off Mattos Field, what would stop it from being done at the EGS site? She mentioned that she opposed this project, and urged the Council to vote no.

**Terese Zingg, 41 Mount Pleasant Avenue.**

She asked what is the date that the MSBA is insisting that the property be transferred by, is it before or after November 3rd? She heard Ms. Palazzola ask but did not hear an answer. She believed it is relevant to the conversation, and commented that if it is after November 3rd, then we have no business being here having this discussion right now, it should wait for the people of Gloucester to make their decision. She commented that if they decide to proceed, then we will have this conversation.

She expressed opposition to the consolidated school at this point, at that location, for reasons spoken here by others that objected to the congestion in the area. She believed spending \$40 million dollars for 440 students is ludicrous when there are enormous expenses on the horizon. She was offended by the statement that she believed **CFO Dunn** made that there are no exceptions to the property taxes even if people cannot afford them, that is life. She stated that so much of the city has been impacted by COVID-19 and the skyrocketing unemployment rate. She is opposed to the location primarily for financial reasons since she does not want people to be priced out of Gloucester, it would destroy the character of the city.

**Summary of Discussion:** Council President **LeBlanc** stated that the Councilors are writing down the questions being asked, and they will be answered after the public hearing closes.

### **Pam Steele, 10 Pilot's Hill**

She stated that her property also abuts the school. She had mentioned in her letter to **City Clerk Joanne Senos** that she thought no vote should be taken this evening because she felt there were too many unanswered questions. She believed many people oppose this project, and that it is disrespectful to the community to take Mattos Field away from the neighborhood and put a new school in such a small space. She stated that she is not opposed to a new school, just the location. She quoted the **Mayor's** comment about taking care of seniors, however, she feels that seniors are being priced out of Gloucester, and are trying to figure out how much longer they can afford to live here. She asked that all voices be heard. She expressed thanks and appreciation to the Council, and respect for the fact that they are trying to help.

**Summary of Discussion:** Seeing no remaining attendees requesting to speak in opposition, **Council President LeBlanc** moved on to the rebuttal, and informed the administration that they would be given three minutes to deliver it. He then informed Ms. Amaral that as lead person for the opposition, she would also be provided with three minutes for her rebuttal. There was no rebuttal provided by anyone who had spoken in favor, so Ms. Amaral provided hers.

She shared that she had worked with the wonderful citizens of Gloucester to save Matto's Field that was broken due to what she feels is the fact that the City did not maintain it. She mentioned that she even cleaned the bathrooms since no custodial services were provided. She asked the Council to think about what they are going to take away from this densely populated neighborhood since most houses do not even have yards. She asked the Councilors if they have walked the neighborhood and spoken to the neighbors to receive their input. She asked the Council to also consider the justice policy. She begged them to not take this priceless greenspace away from the neighborhood, and to please not approve the land transfer. She stated that there is a better answer, and this is the Council's chance to do the right thing. She said that those in opposition have talked to the Council since they found out about it, have attended meetings, told the Council what they would like to see, and up to this point, she believed that not one of the suggestions have happened. She asked them to think of the children who should be able to play in the grass instead of a 60 x 90 artificial turf.

**Summary of Discussion:** Seeing no one else who wanted to speak in opposition, **Council President LeBlanc** asked if there were any communications. The **City Clerk** shared that the **Clerk's office** had received 31 emails in favor of the land transfer, and 13 were received in opposition, including the 4 that requested the City Council wait to receive the November 3rd ballot vote before taking any further action. Patti Amaral had submitted an email with five documents attached, three of which were petitions: a Mattos Field Article petition with signatures from IPetitions.com. The petitions were not dated, and no names were provided, only addresses. There was a digital Petition to Save Our Neighborhood School's Open Space that contained 97 signatures, and then Ms. Amaral submitted a 2019 Save Mattos Field petition summary that contained over 650 signatures. She also submitted a SurveyMonkey response and a Microsoft Excel spreadsheet, all of which have been shared with all Councilors. She also mentioned that up to the start of this meeting, more emails had been received.

**Council President LeBlanc** received notifications from School Committee Vice-Chair Melissa Teixeira-Prince and resident Kristie Lambert in favor. He stated that responses kept coming in, and he believed they would continue over the next few days. He briefly summarized that the **City Clerk** had received 31 letters in favor, 13 in opposition, including 4 that thought the City Council should wait until after the November 3<sup>rd</sup> vote, as well as the communication complete with multiple petitions submitted by Ms. Amaral. At tonight's meeting, 16 people spoke in favor, while 6 spoke in opposition.

### **Councilor Questions**

#### **Q1 (Holmgren) I was hoping General Counsel Chip Payson could address the concerns brought forward by Patty Amaral and Denise Pascucci.**

**A1 (Payson)** I will try to be brief while touching on all of them. When this idea of Article 97 came up, Gregg Cademartori and I reached right out to the EEA after reviewing their policy. We had multiple telephone conversations, and sent them large amounts of information. On October 22<sup>nd</sup>, we sent them a packet of background materials. On November 5<sup>th</sup>, we informed them about the process that we were going to go through. We talked to them about that on December 12<sup>th</sup>, I sent them a draft of the January 22<sup>nd</sup> memo, and on March 3<sup>rd</sup>, we sent them the Article 97 draft. Throughout that time, we had multiple phone conversations with Jenna Sulla from the EEA and staff from Department of Conservation & Recreation. The comment that Ms. Amiral attributes to me was the result of the draft of the January memo that I sent to the EEA on December 12<sup>th</sup>. We subsequently had a phone conversation, and it was communicated to us from the EEA verbally that they thought the memo was fine and approved it.

To take this a little bit further, the EEA through its own policy has an opportunity to recommend by the Secretary to the Governor that the Governor veto the legislation. They did not do that. We worked with them throughout this process. They had some comments on the Article 97 legislation, but they had no comments on the documents that we provided up to that point. We incorporated their comments, and the way the process according to the EEA was described to us was that they are a necessary component to this because when Article 97 legislation is filed, the legislature immediately reaches out proactively to the EEA. The EEA then comments whether they have any issues with the Article 97 legislation. If they do not, the legislature passes it. When the Governor receives the Article 97 legislative bill, he reaches out the EEA to ask if they have any issues with it. If they do not, he signs it, so to argue that the EEA never approved this does not make any sense.

The conversation I had with the EEA about the memo was verbal approval, and I think impliably, the fact that this bill passed is a clear indication that with no issues addressed, the EPA did in fact approve this, as did the legislature. I heard somebody say it was a 50/50 vote, that is not true. It has to be by the Constitution, a 2/3 legislative vote, two-thirds of both houses of the legislature approved this Article 97 bill and it passed. As a side note, Ms. Amaral asked this question in a public records request, and on August 17<sup>th</sup>, 2020 at 11:58 a.m., my office, through Next Request communicated to her that the approval was verbal. In terms of the Park and Recreation Commission, it is true that Gloucester does, in fact, have a Park and Recreation Commission ordinance, however, as we all know, there is no such commission currently constituted. Under the DPW ordinance, which is Mike Hale's powers outlined in Section 2-283, it says the Department of Public Works under the direction of its Director, or Public Works and the supervision of the Mayor shall (Number 11) have the charging control of all the lands, buildings, and other property, and also the direction and control of all the activities heretofore directed by the Board of Park Commissioners, The Playground and Recreation Commission, The Board of Sewerage Survey, and the Board of Water Commissioners. The ordinance has taken the powers heretofore from the Board of Park Commissioners and put them in Mike Hale's hands.

Now, Ms. Amaral asked for a list of the park commissioners, and as we know from public records requests, we are not authorized or ordered under the law to create documents. We have no list of Board

Commissioners, there is no Board Commission, so we did not provide any documents. We did provide the ordinance of the Board Commissioners, but she asked for documents, and we provided what we had. Just a comment on the no-net-loss policy disappearing on Beacon Hill. So, not only did the EEA review this legislation, but as is typical, and as some of you know, Councilor O'Hara in particular since he has done a couple of Home Rules with me: we submit the legislation to the legislature through Senator Tarr's office and Representative Ferrante's office. That legislation then goes to the House Legal Counsel and the Senate Legal Counsel. They then change the legislation to comply with the law as they see it, and then the legislature passes it. So to argue that the no-net-loss policy disappeared miraculously or mysteriously, one only needs to look at the legislative process and the fact that the Legal Counsels on the House and the Senate weigh in on this and make the appropriate changes. Now, I would suggest to you that simply because it says no-net-loss, does not mean that it is not included. As we know, the legislation conditions the transfer of this property on the creation of new comparable open space, that is in and of itself, a no-net-loss. Finally, I would just like to touch briefly on the MEPA, and I think that Gregg can chime in a little bit on this as well. In the 1998 policy by EEA, it is up to the Secretary of EEA to determine the City's compliance as to whether we need MEPA review at this stage. Again, as I said to you, the EEA had plenty of time to disagree with us, and in fact, they had the authority to request that the Governor veto this legislation if something was incomplete. It was not. Further, during our multiple conversations with MEPA and the EEA, both Gregg and I, as we went through the process that they had laid out in the memo, at no time did EPA ever suggest that we needed a MEPA review. If they did, we would have done it, and I do not know if Gregg has any further comments on this, but I will go ahead and open it up to him if you would like.

**A2 (Cademartori)** The only thing I would add is, again, this is a policy that was created 22 years ago. It actually does not even title the agency that currently administers it. It has expanded, as you know, to include Energy and the Environmental Affairs. It is an outline, and it also clearly identifies in the language itself that an Article 97 disposition can be carried out without any consultation of using this policy. I think the Governor's office uses the arms of all of its executive agencies to inform him as to whether something is appropriate to be signed as legislation or vetoed. I think Chip had an accurate representation of what we conducted to go through, be proactive, and consult with EEA to ensure that we followed all the steps. I believe specifically on the no-net-loss policy, it is stated in Section 2 of the legislation that was passed that actually has the language that says to ensure no-net-loss, and that is what was defined in the open space that would be offered. Just a final note again, this process also involved consultation, at EEA's discretion with some folks from DCR, as they are the state stewards of public lands. So, you know, there could have been the option of choosing a similar acreage in West Gloucester or North Gloucester of wooded land that has no access to it, that could have been an option. I think the nexus here is that this will expand on that open space in East Gloucester. It also included the language of it, of expanding or improving a softball field, because that was something that was important to the administration to include in the legislation. I deeply respect Patti Amaral, I have worked with her on the Open Space Committee, and I know that these decisions over the years and decades are what the City has to face, and they are difficult decisions. There are multiple needs in the community, and they are often diametrically opposed, but to suggest that the process was not followed, I think we have done everything that we needed to do to present it to the legislature, and again, this has been outlined as an important step in the process of pursuing the funding and the construction of the new combined school.

**Summary of Discussion: Council President LeBlanc** asked if **Councilor Holmgren's** questions had been satisfied. She responded that they had. She thanked **Mr. Cademartori** and **General Counsel Payson**. In terms of the legislative vote, she contacted State Representative Ann-Ferrante's legislative aide, and determined that the vote had been unanimous.

**Q2 (Gilman) Can Mr. Hale please explain the retention pond.**

**A1 (Hale)** Relative to a retention basin or area, it is stormwater, so most stormwater and the DPW water management is handled on-site. It is retained on-site and simply put back into the ground. A detention basin

would retain it, detain it, and then discharge it off-site. Retention is keeping it on-site. That is pretty much the methodology used for most construction these days, to retain it on-site, put it back into the ground, ground water recharge. It is desirable, it is the right way to manage stormwater. It collects in a single point or multiple points designed for this, and so it is just not sheet flow off-site causing someone else some issues downstream. That is what retention ponds or basins do on any developed site in the city. They do not need to be deep, or need infrastructure fences around them. They could be rain gardens, which is a fancy name, but it is still a retention area for stormwater.

**Q3 (Gilman) Also, the parking spaces on Webster Street, which I had recalled that there were 8 that were going to remain there based on our site visit, is that correct?**

**A1 (Pope)** What the plan currently holds is right now, the parking spaces on Webster Street are angled parking going in, and because of the access road needed for the busses, we are going to have to change that to parallel parking. There will still be parking on Webster Street, but there will be less spaces. I think it goes from 12 down to 8 as Counselor Gilman said, but there will also be 112 parking spaces on-site at the school where there are currently about 30-35.

**Q4 (Gilman) I received this question from Jerry Goulart, 39 Hart Street today. How do we guarantee the successful moving of Matto's Field to Green Street Playground?**

**A1 (Payson)** Regarding the successful guarantee of Matto's Field being moved to Green Street, clearly the legislation that passed the civil law. So once we start down this path, there are multiple pieces, according to the Article 97 legislation that we must do, and one of those in Section 3 is the upgrade of the ballfield and accommodations to Green Street. So that is the guarantee that it is going to happen, that it is the law, and we have to follow it. Once we pull the trigger on the land transfer, we start this whole process with Section One, which is the transfer. Once that happens, if in fact that happens tonight, then all of these pieces start to flow and be legally required.

**Q5 (LeBlanc) Speaking of the parking, I know the City allows the other schools to open up for winter storm parking. That will be permissible on this property also?**

**A1 (Pope)** That has always been our policy during snow emergencies, that people can park at the school.

**Summary of Discussion:** Council President LeBlanc checked with Councilor Gilman to make sure that her questions had all been answered. He then asked if there were any more Councilor questions.

**Q6 (Pett) Mr. Goulart had also mentioned that he believed that either Sam Park (the owner of Gloucester Crossing), or Gloucester Crossing itself had denied access from Schoolhouse Road. Is that a true statement, or is Mr. Goulart just not aware of the current situation?**

**A1 (Hale)** Schoolhouse Road is a public way, however, it does not abut the Green Street Property. Market Street, which extends past the intersection of Schoolhouse Road and Gloucester Crossing Road abuts the property, and there have been initial discussions with Mr. Park on the potential for opening an access off that, and he was amenable to that.

**Q7 (McCarthy) Vanessa, can we get that question answered that was asked several times. One hundred and twenty days after the MSBA vote, when is it that day?**

**A1 (Krawczyk)** I believe that is December 24, 2020, that is when the 120 days runs out. I want to point out, like we did with the loan order that was approved last week, we are kind of getting our ducks in a row right now and planning ahead. To transfer this land right now, if the vote were not successful in November, we

would take action to rescind that just as we would the loan order if it was not successful. Whether we do it now or later, we are just lining things up. As John discussed at Planning & Development, as we get towards the end of the calendar year, the number of City Council meetings are very limited, and we have a lot of City business that needs to happen: certified free cash, the tax rates, if Gloucester residents approve the debt exclusion vote, we will have to do the loan order for that, so there is a lot of things happening after the November 3rd vote. Should everything be successful, we can move forward faster.

**Q8 (McCarthy) Chip, could the purpose for the East Gloucester School be changed again under Article 97 with a land swap, is that a possibility?**

**A1 (Payson)** I do not think so, I will tell you why. The legislature can decide to do anything they want more or less within the bounds of the Constitution. I do not think that that would ever happen because all of this is part of a package deal that the legislature signed off on. The transfer, the land, and the use of that property at Mattos Field is contingent upon the creation of a Green Street property and the East Gloucester property, making that into open space. Then we have to record a deed restriction restricting that as open space. I think this has been set up in such a way that it would be very difficult to unwind that whole thing.

**The public hearing closed at 8:05 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to transfer the care, custody, and control of land known and numbered as 11 Webster Street, which includes Mattos Field, Assessors' Map 47, Lot 13 to the Gloucester School Committee for school purposes.

**Summary of Discussion:** Councilor Cox requested amending the motion so that if the vote on November 3rd does not pass in favor of the school, the land will revert back to the City no later than November 6<sup>th</sup> (the Friday after the vote). She believed that should give enough time to account for all of the votes in the election, and that the City Clerk would have the opportunity to review the votes from that election. She stated that she wanted to amend the motion because it would give an end date in sight, and there would be no need to come before the Council again if the vote does not pass, this is it. She believed that should give enough time to account for all of the votes in the election, and would allow the **City Clerk** the opportunity to review the votes from that election. **Council President LeBlanc** agreed with the amendment, but felt that the date was too close to a massive election, so the Council consulted the City Clerk for her opinion.

The City Clerk explained that the vote is counted on November 3rd. After that, the Clerk's office is given a couple of days to count provisional if anybody votes provisional to see whether they are counted or not. The Boards of Registrars will have to hold a meeting. Our Showing UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) has 10 days to return the e-ballots. I would say that probably November 6th is too soon of a date. There are so many variables that need to be waited for on that. We have to take that into consideration, along with any hand counts, provisionals, and write-ins. Councilor Cox then suggested November 30th since by then the vote will be certified, and it was agreed on.

**AMMENDMENT to MOTION:** On a motion by Councilor Cox, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to insert the language "and if the vote on November 3, 2020 does not pass in favor of the school, the land will revert back to the City no later than November 30, 2020."

**Summary of Discussion:**

**Councilor Pett** stated that over the years, the City has had some issues with long-term planning, and he thinks it shows that there are a lot of different views. He thanked the administration for all their hard work on

this project, including the Article 97 legislation. The City, as it went forward with Senator Tarr and State Representative Ann-Margaret Ferrante, insisted that all the necessary components were included in the Article 97 legislation, not just the land transfer, but what was going to happen in East Gloucester and what was going to happen on Green Street in place of Mattos Field. He explained that is part of what took a while for the legislation to be passed, because in general, the state representative that is in charge of third readings did not want to include all that language in there. He thanked the administration for standing by it, and stated that he supported the move because he thought this is the best way to move forward, and we need to do this for our kids and their education before we lose an opportunity.

**Councilor Cox** stated that she supported the land transfer, despite the fact that she had once written letters of support to the Community Preservation Act that requested funding for the Mattos Field lights. She was reminded of that during a recent visit to Subway since they have a framed copy of the letter, and are very proud to have donated to the cause. She shared that Dick Wilson's name was also on the framed letter, and he had submitted a letter of support for this land transfer earlier in the evening. She said that change is inevitable, and we have to go with it, although we do not necessarily always have to support it. However, in this case, she believed that the proper steps had been taken to a point that satisfied her willingness to show support for good projects, and she believed this is one of them.

**Councilor Holmgren** stated that while this decision has been fraught and it seemed like a minefield at times, she needs to vote in support of this for a few reasons. She understands that there are people who feel opposed to this land transfer for reasons that have been described by them, however she needed to listen to the teachers and parents, the people who have the boots on the ground. The overwhelming majority of teachers support this land transfer and the building of the new school, and she feels like they are teaching in a MASH unit right now.

She is pleased to send their daughter to the West Parish Elementary School (currently a remote program) since she has had the privilege to attend that beautiful school over the past few years, and she said she wants the same privilege for the other children in this community. Moreover, she spoke on behalf of the many senior citizens who reached out to her in favor of this project who asked her to vote yes tonight. The baby boom generation was privileged to attend brand new schools after World War II, and these schools are now derelict. They expressed feeling a social responsibility obligation to help their grandchildren, our children, to attend schools with as many modern facilities as we can afford.

**Councilor Gilman** expressed support for the land transfer, and clarified three matters that were important to her in this decision. The first one was that when **Mike Hale** submitted his letter to the **Mayor** (since as **DPW Director**, he is responsible for the care, custody, and control of this parcel), he stated that the intent was to ensure a no-net-loss of lands protected for conservation and recreational purposes in the construction of a new softball field at another location in the city. That was part of his recommendation, which was incorporated into the Land Disposition Committee, which she wanted to make sure that people are very clear about. She elaborated on Chapter 152 of the Acts of 2020, an act authorizing the City of Gloucester to use certain land for municipal school purposes. Section 2 of this document stated that the School Committee transfers care, custody, and control of certain land comprised approximately of 2.8 acres, more or less located at 8 Davis Street, which includes East Gloucester Elementary School, comprises of Lots 1, 2, 3, 4, 5, A, B, C, D in the lot labeled Portion of Maxwell Parsons Playground. Section 3 describes what **Mr. Hale** said in his memo, Public Works upgrades, softball field facilities and accommodations in another city-owned open space located at 6 Green Street & 18A Beckford Street prior to the discontinuance of the use of Mattos Field associated with the commencement of school construction. She thanked **Senator Tarr** and **Representative Ferrante** for carrying this important document forward through the House, Senate, Governor Baker.

**Councilor McCarthy** shared that this was a very difficult decision for him. He stated that he supports Gloucester Schools 100% and had visited all of them multiple times when he was the Acting Police Chief

with the Cops & Kids Program. He explained that if he voted yes tonight, it would mean that he thought it was the best location, and best decision for the City. He reiterated what **Councilor Pett** had said regarding the City's history of not planning, and commented that he thinks it is time to start. We have a 95-year-old fire station that 70 men are living in 24/7. We are getting rid of a \$4 million dollar property and tearing it down to put some trees and benches on it. We are getting rid of a ballfield that is historic and dedicated to a veteran. We are paying around \$400,000 a year to rent the 50-year-old Blackburn building. He stated that the City needs to come up with a better plan. Having an extensive history in public safety, he has reviewed the traffic plan. He opined that we would have the school for 70 years, and he really thinks that the neighborhood and traffic would be adversely affected for 70 years. He mentioned that the easy thing would be if he voted yes, however, he cannot vote for something he does not believe in.

### **Councilor O'Hara**

He thanked everyone, and stated that he also planned to vote in opposition tonight for many of the reasons **Councilor McCarthy** had noted. The Veterans neighborhood is congested with normal traffic, and he predicted it could double when the students are dismissed for the day, and would cause chaos on Eastern Avenue, Webster Street, and the side roads. He also mentioned the present state of the economy, and shared that he had spoken to a self-employed constituent today who had told him business was horrendous. He stated that people are not spending money because they do not have it to spend. Regarding the school itself, **Councilor O'Hara** commented that we are currently in a COVID-19 crisis, and exactly when it will end cannot be determined, we all hope it will be soon. We also have no way to know what the future of schools will look like, which makes it hard to plan. He spoke to a retired U.S. Army Colonel today who shared that Private Joseph Mattos, Jr. served for and protected this county, and died in a vicious war at age 19 and one day. In 1935, this piece of property was dedicated in his name, and the field was named after him in 2003. He expressed that we should honor Private Matto's again.

**Council President LeBlanc** ensured that the Councilors understood what the Council was voting on, accepting the land for MSBA. He stated that this matter is not a done deal after the vote this evening, the people will have the final say on November 3, 2020.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 7 in favor, 2 (McCarthy, O'Hara) opposed to transfer the care, custody, and control of land known and numbered as 11 Webster Street, which includes Mattos Field, Assessor's Map 47, Lot 13, to the Gloucester School Committee for school purposes; and if the vote on November 3, 2020 does not pass in favor of the school, that the land reverts back to the city no later than November 30, 2020.**

**MOTION to RECONSIDER: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 2 in favor (McCarthy, O'Hara), 7 opposed. Motion Fails.**

**Summary of Discussion: Council President LeBlanc** thanked all who attended the meeting this evening.

**MOTION: on a motion by Councilor Cox, seconded by Councilor Memhard, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adjourn the meeting at 8:27 p.m.**

Respectfully submitted,  
**Brianna Komi**  
Administrative Support  
City Clerk's Office