

GLOUCESTER CITY COUNCIL MEETING
Tuesday, May 11, 2021 – 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 Sean Nolan; Councilor James O’Hara; Councilor Barry Pett

Absent: Councilor Scott Memhard

Also Present: Mayor Sefatia Romeo Theken; City Clerk, Joanne Senos; Auditor, Kenny Costa; CFO, John Dunn; Assistant to CAO, Chris Sicuranza; Assistant Public Health Director, Max Schenk; Clerk of Committees, Sherry Karvelas

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

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

Councilor LeBlanc announced consistent with the Governor’s orders suspending certain provisions of the Open Meeting Law and banning certain gatherings such that an in person meeting of the City Council is not possible, this meeting will be conducted by remote participation. The public may not physically attend this meeting but every effort will be made to allow the public to view and listen to the meeting in real-time and participate when necessary. Additionally, all votes taken by the City Council during this and future remote meetings will be by roll call vote. If someone is calling in on a phone, they can press Star 9 (*9) to request to speak. If they are watching on a computer or device there is a “raise hand” button that can be tapped or pressed to request to speak. Please use either of these options during oral communications or the public hearing to be recognized.

Councilor LeBlanc announced the names of the Councilors and city staff who were in attendance. **Councilor LeBlanc** stated there was a quorum of the City Council.

ORAL COMMUNICATIONS:

Bob Roland, 18 Marina Drive

Expressed safety concerns regarding the condition of the sidewalks on Marina Drive. Requested the parking at Brier Neck Good Harbor Beach be opened back up to residents. Requested a boardwalk (wooden walkway) be built at Wingsheek Beach to connect the resident parking area to the beach.

Louise Olimpia Palazzola, 57 Western Ave

Requested important City meetings be scheduled at different times so the public could attend all meetings.

PRESENTATIONS/COMMENDATIONS:

1. Karin Carroll, Public Health Director re: COVID-19 update (Cont. from 4/27/21, 5/11/21; TBC 6/18/21)

This matter is continued to the June 8, 2021 City Council meeting.

CONFIRMATION OF NEW APPOINTMENTS:

Gloucester Archives Committee

Beth Welin

TTE 2/14/24

Gloucester Cultural Council	Arthur Thomas	TTE 2/14/24
Historical Commission	Ralph Pisaturo	TTE 2/14/24
Open Space & Recreation Committee	Liam Anastasia-Murphy	TTE 2/14/24
Zoning Board of Appeals	James Gigliotti (<i>alternate member</i>)	TTE 2/14/24

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Beth Welin to the Gloucester Archives Committee, TTE 2/14/24.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to appoint Beth Welin to the Gloucester Archives Committee, TTE 2/14/24.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Arthur Thomas to the Gloucester Cultural Council, TTE 2/14/24.

Summary of Discussion: Councilor Holmgren thanked Mr. Thomas for his service and stated he would be an asset to this committee.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to appoint Arthur Thomas to the Gloucester Cultural Council, TTE 2/14/24.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Ralph Pisaturo to the Historical Commission, TTE 2/14/24.

Summary of Discussion: Councilor Gilman stated Mr. Pisaturo was the President of the Lanesville Historical Commission and had worked closely with him for the past seven years. She thanked Mr. Pisaturo for his service.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to appoint Ralph Pisaturo to the Historical Commission, TTE 2/14/24.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint Liam Anastasia-Murphy to the Open Space & Recreation Committee, TTE 2/14/24.

Summary of Discussion: Councilor LeBlanc stated Mr. Anastasia-Murphy was a wonderful fit to the Open Space & Recreation Committee.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to appoint Liam Anastasia-Murphy to the Open Space & Recreation Committee, TTE 2/14/24.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council appoint James Gigliotti (alternate member) to the Zoning Board of Appeals, TTE 2/14/24.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to appoint James Gigliotti to the Zoning Board of Appeals, TTE 2/14/24.

Members of the City Council thanked the five new appointments for their willingness to serve.

CONSENT AGENDA:

- **CONFIRMATION OF REAPPOINTMENTS**
- **MAYOR'S REPORT**
- 1. New Appointments:

Board of Registrars	Daniel J. Epstein	TTE 2/14/24	
Community Preservation Committee	Bill Cuff (<i>fulfilling an unexpired term</i>)	TTE 2/14/22	(Refer O&A)
- 2. Memorandum from HR Director re: requesting approval of Juneteenth Independence Day as a holiday for city employees (Refer B&F)
- 3. Memorandum from Police Chief and Special Budgetary Transfer Request (#2021-SBT-4) in the amount of \$12,000 (Refer B&F)
- 4. Memorandum from Veterans Services Director re: requesting acceptance of donations in the amount of \$76,000 (Refer B&F)
- 5. Memorandum from School CFO, Special Budgetary Requests (#2021-SBT-6, -7) totaling \$370,779.49 and a request to pay FY20 unemployment claims with FY21 funds (Refer B&F)
- 6. Memorandum from Police Chief requesting acceptance of a lease donation for two 2018 BMW i3's for an additional 12 months (Refer B&F)
- 7. Memorandum from Deputy Fire Chief/EMS Coordinator re: proposal to update the City of Gloucester's Fire Dept. Ambulance Service Billing & Collection Policy in preparation for the FY22 budget (Refer B&F)
- 8. Memorandum from Asst. DPW Director requesting review and approval of the Draft Contract 21147 Witham Street parking lease for the Good Harbor Beach parking area (Refer B&F)
- 9. Memorandum from Superintendent of Schools requesting approval of a Statement of Interest submission to the Mass. School Building Authority's Accelerated Repair Program for the replacement of windows at O'Maley School (Refer B&F)
- **COMMUNICATIONS/INVITATIONS**
- 1. 2021 Yearly Operation Plan from Keolis Commuter Services re: proposed Integrated Vegetation Management activities
- **INFORMATION ONLY**
- **APPLICATIONS/PETITIONS**
- 1. PP#2021-003: Request by National Grid to replace a regulator station at Veteran's Way and Washington Street (Refer P&D)
- 2. PP#2021-004: Request by Comcast to excavate to place (1) 3" PVC Conduit 60' +/- in the city right of way to install a new underground conduit system starting from existing Comcast vault in front of Main Street #417 to provide Comcast Service to Main Street #427 (Refer P&D)
- **COUNCILLORS ORDERS**
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting: 4/27/2021 (Approve/File)
- 2. Special City Council Meeting: 5/4/2021 (Approve/File)
- 3. Standing Committee Meetings: B&F 5/6/2021 (under separate cover), O&A 5/3/2021, P&D 5/5/2021 (under separate cover) (Approve/File)

UNANIMOUS CONSENT AGENDA:

- **APPLICATIONS/PETITIONS**
- 1. PP#2021-005: Request by National Grid to install 60' of 4-3" PVC conduit from MH 369A to the driveway/property line of Atlantic Road #238 at a point approx. 740' southwest of the intersection of Grapevine Road & Atlantic Road and continuing approx. 60' in a southwest direction (Refer P&D)

ITEMS TO BE ADDED/REMOVED FROM THE CONSENT AGENDA/UNANIMOUS CONSENT AGENDA: None.

MOTION: On a motion by Councilor Cox, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to accept the Consent Agenda.

MOTION: On a motion by Councilor Cox, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to accept the Unanimous Consent Agenda.

COMMITTEE REPORTS

• Budget & Finance – May 6, 2021

MOTION: On a motion by Councilor Cox, seconded by Councilor McCarthy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to accept the Budget and Finance Unanimous Consent Agenda.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City

Council accept a state grant under MGL c. 44, §53A, a FY21 Firefighter Safety Equipment Grant from the Mass. Dept. of Fire Services (DFS) in the amount of \$15,000 for the purpose of purchasing Fit Testing equipment for the Gloucester's Fire Department's Respiratory Protection Program. The grant period is through June 30, 2021 and there's no local match for this grant.

MOTION: On a motion by Councilor Cox, seconded by Councilor McCarthy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to accept a state grant under MGL c. 44, §53A, a FY21 Firefighter Safety Equipment Grant from the Mass. Dept. of Fire Services (DFS) in the amount of \$15,000 for the purpose of purchasing Fit Testing equipment for the Gloucester's Fire Department's Respiratory Protection Program. The grant period is through June 30, 2021 and there's no local match for this grant.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council approve Special Budgetary Transfer 2021-SBT-4 in the amount of \$12,000 from the Police-Uniform - Salaries, Account #0121151-511000, to Police-Uniform – Vehicles, Account #0121158-585001, for the purpose of purchasing a new vehicle.

MOTION: On a motion by Councilor Cox, seconded by Councilor McCarthy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to approve Special Budgetary Transfer 2021-SBT-4 in the amount of \$12,000 from the Police-Uniform - Salaries, Account #0121151-511000, to Police-Uniform – Vehicles, Account #0121158-585001, for the purpose of purchasing a new vehicle.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council approve Special Budgetary Transfer 2021-SBT-5 in the amount of \$1,000 from the Inspectional Services – Professional & Technical Services, Account #0124152-530000, to Inspectional Services – Salaries & Wages Temporary, Account #0124151-512000 for the purpose of funding a deficit in the salaries & wages temporary account.

MOTION: On a motion by Councilor Cox, seconded by Councilor McCarthy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to approve Special Budgetary Transfer 2021-SBT-5 in the amount of \$1,000 from the Inspectional Services – Professional & Technical Services, Account #0124152-530000, to Inspectional Services – Salaries & Wages Temporary, Account #0124151-512000 for the purpose of funding a deficit in the salaries & wages temporary account.

COMMITTEE RECOMMENDATION: On motion by Councilor Cox, seconded by Councilor Memhard, Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council accept under MGL c. 44, §53E-1/2 to increase the spending limit for the Board of Health -Vaccine Revolving Fund #3107, from a spending limit of \$100,000 to a new spending limit of \$175,000 for the purpose of funding flu vaccine clinic, COVID-19 efforts including overtime for police and fire staffing as well as operational and logistical expenses for clinics. The authorized officer of the Fund is the Public Health Director. The fund is credited from fees; the balance is the available balance, and there are no restrictions to the fund.

MOTION: On a motion by Councilor Cox, seconded by Councilor McCarthy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to accept under MGL c. 44, §53E-1/2 to increase the spending limit for the Board of Health -Vaccine Revolving Fund #3107, from a spending limit of \$100,000 to a new spending limit of \$175,000 for the purpose of funding flu vaccine clinic, COVID-19 efforts including overtime for police and fire staffing as well as operational and logistical

expenses for clinics. The authorized officer of the Fund is the Public Health Director. The fund is credited from fees; the balance is the available balance, and there are no restrictions to the fund.

• Ordinances & Administration – May 3, 2021

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O’Hara, the Ordinances and Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend, pursuant to Chapter 5 of the Acts of 2021, that the City Council evaluate and report on whether, changing the Ward 1, Precinct 2 polling location from the Veteran’s Memorial School, 11 Webster Street, to the Glen T. MacLeod Cape Ann YMCA, 7 Crossing Road would have a disparate adverse impact on access to the polls on the basis of race, national origin, disability, income or age.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to evaluate and report on whether, changing the Ward 1, Precinct 2 polling location from the Veteran’s Memorial School, 11 Webster Street, to the Glen T. MacLeod Cape Ann YMCA, 7 Crossing Road would have a disparate adverse impact on access to the polls on the basis of race, national origin, disability, income or age.

MOTION TO AMEND: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to AMEND the address of the Glen T. MacLeod Cape Ann YMCA to read 7 Gloucester Crossing Road.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O’Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to evaluate and report on whether, changing the Ward 1, Precinct 2 polling location from the Veteran’s Memorial School, 11 Webster Street, to the Glen T. MacLeod Cape Ann YMCA, 7 Gloucester Crossing Road would have a disparate adverse impact on access to the polls on the basis of race, national origin, disability, income or age.

MOTION TO AMEND: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 0 in favor, 8 opposed, 1 absent (Memhard) to AMEND by ADDING the word “not” to read “to evaluate and report on whether, changing the Ward 1, Precinct 2 polling location from the Veteran’s Memorial School, 11 Webster Street, to the Glen T. MacLeod Cape Ann YMCA, 7 Gloucester Crossing Road would not have a disparate adverse impact on access to the polls on the basis of race, national origin, disability, income or age.

Summary of Discussion: Councilor Holmgren stated the language as written, although wordy, read grammatically correct. The City Clerk, Joanne Senos stated the motion was based on past practice. Councilor Gilman stated she would withdraw her motion.

MOTION TO WITHDRAW: On a motion by Councilor Gilman, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to WITHDRAW the MOTION TO AMEND.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor O’Hara, the Ordinances and Administration Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that, pursuant to MGL c. 54, § 24 and Sec. 8.6 of the City Charter, that the City Council vote to move the Ward 1, Precinct 2 polling location from the Veteran’s Memorial School, 11 Webster Street, to the Glen T. MacLeod Cape Ann YMCA, 7 Crossing Road, to become effective with the Preliminary Election on September 14, 2021 and all future elections.

Summary of Discussion: Councilor LeBlanc thanked Councilor Cox for her work on this matter and also thanked the Director of the YMCA for his support.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard), pursuant to MGL c. 54, § 24 and Sec. 8.6 of the City Charter, to move the Ward 1, Precinct 2 polling location from the Veteran's Memorial School, 11 Webster Street, to the Glen T. MacLeod Cape Ann YMCA, 7 Gloucester Crossing Road, to become effective with the Preliminary Election on September 14, 2021 and all future elections.

• **Planning & Development – May 5, 2021 (no items under this heading)**

SCHEDULED PUBLIC HEARINGS:

1. PH2021-013: RZ2021-002: Amend GZO Sec. 5.24 "Accessory In-Law Dwelling Units" and associated definition in Sec. VI "Definitions" in accordance with GZO Sec. 1.11.2(a)

Public hearing opened at 6:33 p.m.

This matter is being continued until the May 25, 2021 City Council Meeting.

2. PH2021-014: Whether the City of Gloucester should opt-out of spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 252, Sec. 2A

Public hearing opened at 6:33 p.m.

Those speaking in favor: None.

Those speaking in opposition:

Patti Page, 3 Tidal Cove Way

Asked that the City Council approve plan #1 which included only educational pieces and personal protections and did not include any treatments with pesticides or chemicals. She stated the risk to the area was remote so the City should not add treatments as it would be counterintuitive from an environmental standpoint. She stated anything that would be used to kill mosquitos contained substances that would put other aquatic life in danger.

Naomi Graham, 1 Bickford Way

Stated she was in full agreement with the previous caller [Patti Page] and if there was a BTI Dunk element to the proposal to the State she asked that the City implement very clear thresholds as to when the BTI Dunks would be used and also clear guidelines be outlined for the company who would be hired to carry out treatment to mitigate as much damage as possible.

Lisa Rigsby, 3 Taylor Court

Stated she had spoken to the Assistant Public Health Director regarding the last time the City had used BTI Dunks for mosquito mitigation and learned that it had been approximately 20 years. She stated the City had managed without using BTI Dunks and had not opted-into the mosquito district. She asked that Gloucester be proactive in a 21st century mosquito management program that did not include BTI Dunks as an option.

Patti Amaral, 14 Myrtle Square

Stated that she was in support of the City not using any chemicals or pesticides and asked that the City please opt out.

Brenda Malloy, 43 Rocky Neck Avenue

Stated her support of opting out of treatment using chemicals or pesticides for the mosquito mitigation plan.

Ruth Mordecai, 4 Terrace Lane

Stated her support for opting out of treatment using chemicals or pesticides for the mosquito mitigation plan.

Written communications: The **City Clerk** stated she had submitted to the City Council 19 communications in support to opt out and 1 communication for plan #1.

Questions from Councilors:

Q1. (Gilman): Asked if the Assistant Public Health Director would give a brief synopsis of his presentation that he gave at the Board of Health meeting.

Q2. (Holmgren): Asked regarding practicability, specifically for putting out to bid vendors who would be able to do the opt-out to carry this out. Also asked if there were any mandates for education and outreach.

A1&2. (Schenk): The **Assistant Public Health Director, Max Schenk** provided background to help answer the Councilors questions. He stated last year the legislation was changed allowing for the State Reclamation and Mosquito Control Board in cooperation with the State Department of Public Health to provide aerial spraying in times and areas where it was felt there was a critical need in doing so. He stated the City became aware of this change last September when a resident of West Gloucester brought this to the Health Department's attention. He stated in researching this the City was told that it would not be affected by this as the City was not an area where a great vector of the mosquitos were around. He stated **Councilor Cox** then approached the Health Department to convey that there was an opt-out option available.

The **Assistant Public Health Director** then explained the City Council must put forth a plan with a vote with certain stipulations within that vote in order to be able to opt out by May 28, 2021. He stated the request of the plan was that the Council put forward a plan with the consultation of the Board of Health, which has been done. He stated there was a very strict form that needed to be filled out as to the City's plan. He stated past practice had been education, outreach and stated the best defense was an educated public and self-protection (i.e. sprays and limiting activities during certain times of the day at certain locations).

He explained the Department of Public Health had a four-tiered system for alerts of notifying the public about the West Nile Virus or EEE which included low, mild, high and critical. He stated the Board of Health had approved a response to each of those four levels and then outlined each of those responses. He stated there were some measures that could be taken in terms of enforcement, with the first approach being outreach. He stated, at a minimum, there had not been a case of West Nile Virus or EEE in the last five years.

He stated the Board of Health voted at their meeting of April 22, 2021, to go with plan #1. He stated the second plan was put forward only to provide an option to the City Council. He stated if the City Council chose to move forward with BTI Dunks, then all efforts would be made to ensure that methoprene or any other ingredient that may be harmful to the environment would not be used.

The **Assistant Public Health Director** answered the question posed by **Councilor Holmgren** regarding the logistics to securing a contractor. He stated the Health Department could not speak to that, but would work with the DPW to develop a scope of services of what should be included, but in terms of purchasing and contracting that would be DPW.

Q3. (Cox) Stated that on page 4 of the application, under larval mosquito control, the City had checked "Best professional judgment" as well as "Other: BTI Dunks will be distributed in May of each year and replaced each month until October"; she also referenced the comment section where "Catch basin treatments" was checked as well. **Councilor Cox** asked if the application was submitted with those options unchecked and the City strictly went with an education opt-out reason, what was the likelihood of the City's plan being rejected?

A3. (Schenk): Stated there were two plans, the first was an opt-out option without any BTI Dunks, which was the plan approved by the Board of Health, where those boxes were unchecked. He stated it was the second plan that had those boxes checked. He stated if the City not having an alternative treatment plan in place would affect the application then the next step would be to speak to the state legislators to garner their support for this plan.

Q4. (Holmgren): Asked if the City needed an alternate plan in place in order not to be fined if the City simply submitted an application with just the opt-out option.

A4. (Schenk): He stated the application would actually be the plan and that plan along with the vote of the City Council with stipulations outlined in the vote would be submitted via email to the Executive Office of Energy and Environmental Affairs for their review, and that office would need to approve the plan. He stated once the plan was submitted the City would need to wait and see what would happen.

Q5. (Pett): Asked if the City opted out and did not have an alternate plan submitted, and West Nile or EEE was found in the City, would the State step in and take some sort of action?

A5. (Schenk): Stated that was not his understanding and asked **Councilor Pett** to share his resource if that was, in fact, the case. He stated the confusion, he believed, came from not understanding that this was separate from being a participant with the Northeast Mosquito Control District.

Q6. (Cox): Asked if the City would be notified if the plan submitted was denied by the State. She also asked if the plan was denied would the City be allowed to reconvene on the issue. Also, she asked if the City was denied would that mean we would automatically be opted-in.

A6. (Schenk): Stated he had sent an email to the Executive Office of Energy and Environmental Affairs and had not received any response and stated it was a question worth asking again and suggested that maybe that question should come from the Administration in order to get a timely answer.

Q7. (LeBlanc): Asked if it would be best that the City Council pause and reconvene at the next meeting on May 25, 2021 in order to get clarification on the unanswered questions. **Councilor Holmgren** concurred. **Councilor LeBlanc** also asked if it was the Health Department or the City Clerk or Administration that submitted the application.

A7. (Cox): Stated if the City was moving forward with plan #1, she did not see a reason to delay the vote so the Board of Health would have time to compile the application and pull together the necessary documents, as the questions the Council were seeking answers to were in regard to the BTI ingredients.

A7. (Schenk): Stated the application would be submitted through the Council and Administration. He stated the application would be sent to an email address so it was not important on who actually submitted the plan, but the plan would need to include the vote and possibly Certificate of Vote with the stipulations included to indicate the Council fully met on this issue.

Q8. (LeBlanc): Asked if the educational component only would be sufficient if the City submitted a plan to opt out.

A8. (Schenk): Stated the educational component was the minimum requirement.

Councilor LeBlanc allowed a member of the public, Patti Page, to speak. Ms. Page addressed Councilor Pett's concern. She stated that if an emergency public health response was required, the State would step in and conduct treatment. She stated the City would be protected from a public health standpoint and the State would see to that.

The public hearing closed at 7:19 p.m.

MOTION: On a motion by Councilor Cox, seconded by Councilor Pett, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to approve the following: In order to comply

with the requirements to Opt Out of the spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 22, Sec. 2A:

- **That on May 11, 2021 @ 6:00 p.m., the City Council held a public hearing on whether the City of Gloucester should opt-out of spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 252, Sec. 2A;**
- **That the City Council referred this matter to the Board of Health and the Conservation Commission for their recommendation on whether the City of Gloucester should opt-out of spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 252, Sec. 2A;**
- **That the City Council allowed public comment;**
- **That the City Council accepts the Board of Health's alternative mosquito management plan;**
- **That the City Council accepts the Board of Health and Conservation Commission recommendations for the City to opt out of all mosquito control spraying conducted by the State Reclamation and Mosquito Control Board.**
- **That the City Council direct the Board of Health to submit the Application for an Alternative Management Plan Required for a Municipality to Opt Out of Spraying Conducted by the State Reclamation and Mosquito Control Board by the deadline of Friday, May 28th, 2021.**

MOTION TO AMEND: On a motion by Councilor Cox, seconded by Councilor Pett, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to AMEND to ADD the following:

- **That the vote to opt out will only be honored if an alternative mosquito management plan is recognized;**
- **That the vote to opt out will only be honored if an alternative mosquito management plan is submitted and approved by the EEA.**

MOTION: On a motion by Councilor Cox, seconded by Councilor Pett, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Memhard) to approve the following: In order to comply with the requirements to Opt Out of the spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 22, Sec. 2A:

- **That on May 11, 2021 @ 6:00 p.m., the City Council held a public hearing on whether the City of Gloucester should opt-out of spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 252, Sec. 2A;**
- **That the City Council referred this matter to the Board of Health and the Conservation Commission for their recommendation on whether the City of Gloucester should opt-out of spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 252, Sec. 2A;**
- **That the City Council allowed public comment;**
- **That the City Council accepts the Board of Health's alternative mosquito management plan;**

- That the City Council accepts the Board of Health and Conservation Commission recommendations for the City to opt out of all mosquito control spraying conducted by the State Reclamation and Mosquito Control Board.
- That the City Council direct the Board of Health to submit the Application for an Alternative Management Plan Required for a Municipality to Opt Out of Spraying Conducted by the State Reclamation and Mosquito Control Board by the deadline of Friday, May 28th, 2021.
- That the vote to opt out will only be honored if an alternative mosquito management plan is recognized;
- That the vote to opt out will only be honored if an alternative mosquito management plan is submitted and approved by the EEA.

MOTION TO RECONSIDER: On a motion by Councilor Cox, seconded by Councilor Pett, the City Council voted by ROLL CALL 0 in favor, 8 opposed, 1 absent (Memhard) to reconsider the vote to comply with the requirements to Opt Out of the spraying activities conducted by the State Reclamation and Mosquito Control Board pursuant to MGL Ch. 22, Sec. 2A.

The motion to reconsider failed.

OTHER BUSINESS:

1. Discussion Only: City Council discussion regarding resuming in-person meetings

This matter was continued until the June 8, 2021 City Council meeting.

COUNCILORS' THANKS AND ACKNOWLEDGEMENTS:

- Councilor McCarthy thanked Councilor Cox for her work on the mosquito control plan
- Councilor Nolan thanked Generous Gardeners, the Administration and the DPW, and stated the City's gardens were looking fantastic
- Councilor Holmgren thanked Councilor Cox, the Assistant Director of Public Health, Adrienne Lennon, the Conservation Commission, the DPW Director, the former CAO and Assistant to CAO for all of their work on the opt-out program
- Councilor Holmgren wished to acknowledge the City Clerk's office for Municipal Clerk Appreciation Week
- Councilor Cox offered an apology for the record for a comment that was made at a previous O&A meeting
- Councilor Gilman thanked her constituent, Patti Page, for her work with the Board of Health for the mosquito control plan
- Councilor Gilman thanked the Administration, Community Development and the Mayor's Office for the foresight to have had the City Council approve zoning flexibility in the City during the pandemic to help the businesses within the City in any way possible
- Councilor LeBlanc thanked the City Clerk, the City Clerk's office, and also thanked the DPW Director for his department's work on the City's streets

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (absent) to adjourn the meeting at 7:35 p.m.

Submitted by Sherry Karvelas, Clerk of Committees

Items submitted at the meeting: None.