

CITY COUNCIL STANDING COMMITTEE  
**Budget & Finance**  
Thursday, July 21, 2011-6:00 p.m.  
1<sup>st</sup> Fl. Council Committee Room – City Hall  
**-Minutes-**

**Present:** Chair, Councilor Steven Curcuru; Vice Chair, Councilor Paul McGeary; Councilor Jacqueline Hardy

**Absent:** None.

**Also Present:** Kenny Costa; Jim Duggan; Jeff Williams; Police Chief Michael Lane; Donna Compton; Mark Cole

**The meeting was called to order at 6:08 p.m. Items were taken out of order.**

**1. Continued Business:**

- A) Memorandum from CFO re: Municipal Lien Certificate and Demand Fees (Cont'd from 06/23/11)  
Presentation by CFO: Data of other MA municipalities charging for same services

**Jim Duggan, CAO** reviewed with the Committee a cost comparison chart (submitted and on file) Jeff Towne, CFO prepared. Mr. Towne's memo (on file) shows the fees were last amended in 2002. **Councilor Curcuru** all fees listed under Municipal Lien Certificates (MLC) are proposed to be doubled, as would the Demand Fee. **Mr. Duggan** noted the proposed increases coincide with what many other communities charge for the same services. **Councilor McGeary** noted not all communities listed on the comparison chart showed MLC fees. **Mr. Duggan** felt Mr. Towne would not have proposed the fee increases unless they were applicable and reasonable. **Councilor Hardy** commented that the fee for 'land with a commercial, industrial or public utility concern structure' no other community on the chart appears to have as high an MLC fee in place. **Councilor Curcuru** stated this is a one time fee. **Councilor McGeary** added this information shows whether there is a lien on a property. **Mr. Duggan** stated this would bring in about \$48,000 in additional annual revenue. **Councilor Curcuru** asked if these fees are structured to put a position back in the Treasurer/Collector's office, that of a principal clerk. **Mr. Duggan** stated it was more than enough revenue to return that position. On inquiry of the Committee, **Mr. Duggan** informed them the payer of these fees is the property owner. **Councilor Hardy** asked for a definition of a public utility concern. **Councilor McGeary** thought it would be an entity like NStar. **Councilor Curcuru** felt they could go forward to a public hearing, and Mr. Towne giving some clarity on the matter. **Mr. Duggan** would get some information for the public hearing and be prepared to give it at that time to the Council. **Councilor Hardy** noted the main rationale for the fee increases is to fill a position in the Treasurer's Office. **Mr. Duggan** noted in Mr. Towne's memo that the department processes 1,100 certificates annually and that position processes the MLC's and Demand Fees. Further, the person in that role would continue to process the certificate requests and would be part of the job description as one of their job responsibilities. Any requests that come in now have to be done by the existing staff. **Kenny Costa**, City Auditor explained if this fee structure is approved there has to be an appropriation done before recap time. The City is required to identify this as a source of revenue. **Mr. Duggan** reviewed that the Committee is looking to understand the big increases in certain line items for the MLC's, in particular the 'land with a commercial, industrial or public utility concern structure'. **Councilor McGeary** also wondered if it was inherently more difficult to do them for that particular type. **Councilor Hardy** asked for more specific information on the MLC's from different surrounding communities on that particular one line charging a proposed fee of \$250 proposed. **Councilor McGeary** suggested if they need to make up some revenue that perhaps they could bump up the Demand Fee if the \$250 turns out to be a stumbling block. **Councilor Hardy** asked about demand fees and **Councilor Curcuru** noted the comparison chart showed other communities range from \$5.00 to \$30.00. **Councilor Curcuru** also asked to have the information on MLC's for the number of properties with a "land with a commercial, industrial or public utility concern structure" that are fulfilled annually by the Treasurer's office.

**MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to adopt the Certificate of Liens and Demand Fees adjustments as proposed by the Chief Financial Operator in a memorandum dated June 7, 2011 (on file) as follows AND FURTHER TO ADVERTISE FOR PUBLIC HEARING:**

**Certificate of Liens:**

<b>Land less than one acre with no permanent structure</b>	<b>\$50.00</b>
<b>Land with no more than a single family resident and outbuildings</b>	<b>\$50.00</b>
<b>Land with no more than a two-family residence and outbuildings</b>	<b>\$50.00</b>
<b>Land with no more than a three family residence and outbuildings</b>	<b>\$50.00</b>
<b>Land with residence of four or more families</b>	<b>\$175.00</b>
<b>Land with a commercial, industrial or public utility concern structure</b>	<b>\$250.00</b>
<b>Farms, forest land and all other real property</b>	<b>\$100.00</b>
<b>Land with one acre or more with no permanent structure</b>	<b>\$100.00</b>
<b>Mixed Use land (as classified by the Assessors)</b>	<b>\$100.00</b>

**Demand Fee:** **\$10.00**

- B) Invoice and request from DPW for payment of invoice for good procured without a purchase order for the Downtown Improvement Committee

Mr. Duggan stated he was unable to get in touch with John Orlando, DDC chair by email to confirm his attendance this evening and would continue to try to arrange for him to appear before the B&F Committee on this matter.

**This matter is continued to August 4, 2011.**

- C) Request from Veteran's Director to pay an invoice for goods procured without a purchase order

**Councilor Curcuru** explained the Committee wished to speak with Mr. Williams in person to make him aware of the situation; that his purchase made without an approved P.O. in place was one of three such situations reviewed by B&F at their last meeting. **Jeff Williams**, Veterans' Services Director acknowledged his understanding but expressed his knowledge only of his particular situation. **Mr. Duggan** had sent Mr. Williams an email regarding the invoice without a P.O. He shared that Mr. Williams only does one P.O. a year. **Councilor Curcuru** stated the Committee is standing firm on City policy on invoices without P.O.'s that come forward to payment. **Councilor Hardy** added they wanted to be sure Mr. Williams was aware of the procedures in place that purchases have to be approved first; and there will need to be a P.O. in place and then you must wait until you have been told that the P.O. has been approved before purchasing any goods or services. **Mr. Williams** expressed his belief there should be a process in place for training of City employees. **Councilor Hardy** thought that there may be something that should be in new employee packets and 30B information is there as well. The Committee had asked Mr. Bain to attend to discuss that particular aspect; however, he was unable to attend. **Mr. Duggan** stated this is asking City employees to follow the law. They can take into consideration that as part of the entrance packet for a new employee they be given the 30B packet and acknowledge they've received and read it. **Councilor Hardy** also felt new employees need to know that if a requested purchase is over \$5,000.00 three written quotes are needed and purchases under \$5,000 are guided by "sound business practices". She was satisfied Mr. Williams understood this. She also asked for Pauline's Gifts to be given an explanation why this payment was late. **Mr. Duggan** would make personally transmit the information. **Mr. Costa** reminded that it would be August before this check can be cut.

**MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to pay Invoice #050611 (undated), prior to an approved purchase order being in place, to Pauline's Gifts for \$3,225.60 for Memorial Day flags purchased by Veterans' Services.**

- D) Memorandum from CFO-Gloucester Public Schools requesting permission to pay an "extraordinary reimbursement" to School Department employee for classroom supplies and materials purchased outside of required procurement procedures

**Councilor Curcuru** informed the Committee at the request of Tom Markham, School Department CFO that this matter is continued.

**This matter is continued to August 4, 2011.**

## **2. *Review and recommendation for the disposition of real property for the Magnolia School House (Blynman School)***

**Mr. Duggan** stated in recognizing the outstanding work and investment that the Magnolia Historical Society has done, they are bursting at the seams at the Magnolia Library and would like to move their artifacts, and materials to the vacant Blynman school house. They have made an effort with cleaning it with the assistance and support of the DPW and would like to be able to be housed in the school house in order to care for it; having control of the property; hold their meetings, storage, etc. **James Cooke**, 622 Western Avenue, secretary of the Magnolia Historical Society noted the Blynman building has been empty since 2004 and has been steadily deteriorating. It has great value to the MHS and the community as it is a historic building and one of the last two room school houses around with unique architecture. After taking on Knowlton Park, Magnolia Cemetery, Magnolia Landing, Betty Cannon has been interfacing with the DPW and to clean the property up. They've removed brush and a tree leaning on the building, and painted steps. They want to save the building first and foremost. They're in the middle of a renovation at the Magnolia Library to expand their exhibit space, but it won't be enough. They would like to get stewardship of the Blynman School; and with a phased program make the building water tight and the following year start renovations with the eventual goal in several years to move a part of their operations there. They will take over the regular maintenance from the City and hope to raise enough money to take more and more of the burden off the City. **Councilor Curcuru** thought originally the City wanted to sell the building. **Mr. Duggan** stated it was always to structure a lease by this Administration. He has only had two inquiries to lease or purchase the property, the most recent of which was two years ago from the Montserrat School of Art who wanted a satellite campus in Gloucester. They originally looked at the Legion but for a variety of reasons it was not possible for their use. Out of courtesy he offered up the school house. They looked at it, but felt they needed to be downtown. The Administration knows the MHS have done an outstanding job and would like to help them grow. **Councilor Curcuru** asked about the terms. **Mr. Duggan** stated it is similar to the Legion with all the utilities picked up by the lessee. **Mr. Cole** stated it is minimal right now. He would have to go back and look to see what the day care (previous tenant) used but the needs were different for the MHS. **Councilor Hardy** asked if this would be primarily storage. **Mr. Cooke** replied the school house would house the museum's collection. Right now they're in one little room in the library. They are expanding in a loft area but it is still a small space. They'll retain the museum area. Even after their library renovation, they'll be at capacity. In response to **Councilor Hardy's** inquiry, **Mr. Cooke** explained they will store artifacts and paper records at the school house, not supplies and building materials. **Mr. Duggan** noted a concern of Councilor Ciolino the previous evening at P&D that should activity by the MHS comes to a standstill, what recourse the City would have. **Councilor McGeary** who had been at the P&D meeting explained that they didn't want to see the building lay fallow. **Mr. Duggan** agreed it is a good concern. He stated in response to that concern General Counsel has amended the language that after so much time laying dormant the City has the right to exercise an option to break the lease. **Councilor Curcuru** asked who has overall maintenance. **Mr. Cooke** stated they would handle day to day. If something like the furnace fails, that would be the City's part reiterating as time goes on they would take more costs off of the City. **Mr. Cole** noted the building is winterized. **Councilor Curcuru** expressed concern with a long-term lease as there will very possibly be maintenance issues revealed once the school house is re-opened. **Mr. Cooke** stated the MHS had an inspection done by Beachwood Inspection Engineering. There are a few problems, but showed nothing major. **Councilor Hardy** suggested there be a list defining what a major repair is and what is day to day. There was a discussion of the Legion lease versus the school house lease. **Councilor McGeary** noted some language about repair under Sec. 18.9 (on file). **Mr. Duggan** stated if a capital expenditure like a roof has to be done it has to be done whether it is the MHS or another tenant. They have to maintain their assets. **Councilor Curcuru** was always under the impression the position was to sell these buildings which was **Councilor Hardy** understood as well. The Committee agreed with Mr. Duggan that the MHS is an active community group and committed. But now they'll take on two buildings. **Mr. Cooke** stated they need to complete their current project at the Magnolia Library location first. They're looking to take this on themselves and as soon as is feasible knock down the City's responsibility to take care of the building. If the City needed guarantees, he felt they should put it in. Their goal is only to save that building and to create more space for them to move into. **Councilor Curcuru** didn't want to be in a situation similar with the Fitz Henry Lane House lease as an example. **Councilor Hardy** suggested this as a three year lease with a two year option instead of five straight years. **Councilor Curcuru** wanted to get someone from the DPW and the Building Inspector to go over the building to find out what the actual issues with the building are. **Councilor Hardy** thought this might be a situation where they do a site visit of the school house and the museum housed at the Magnolia Library. **Councilor McGeary** asked about the agreement with the Magnolia Library. **Mr. Cooke** thought eventually they'll leave the

library. They've only solved the problem temporarily. He noted there is no ADA access there. He hoped that within a couple of years they can open the school building space for public access. The goal for the first year is to assess the situation; and secure the outside of the building for the winter season. Then they would assess how to make the building ADA accessible. If this meant they would need to raise funds to renovate the bathrooms to make them ADA accessible they would. **Councilor Hardy** felt this should be in writing. As to rent, **Councilor Curcuru** thought \$1 per year was low as an annual rent for this building. **Mr. Cooke** stated they were open to the Committee's suggestions. **Councilor Hardy** expressed her knowledge of the property, the people involved; and their integrity. But she explained they need to abide by their fiduciary responsibility for the taxpayers of the City and whether the City can afford to do this and what their responsibility is. She asked if the MHS would be amenable to a \$500 a year rent because she, too, could not agree to a \$1 annual lease. **Mr. Cooke** responded it would. **Councilor McGeary** would rather see the \$500 spent on the improvements with the proviso that they write the lease to say what the MHS is responsible for and what the City is responsible for suggesting they could create an attachment to Sec. 18.9 to enumerate the maintenance responsibilities. **Councilor Curcuru** wanted to know exactly what needs to be done to the building before moving forward and reiterated his desire to have City inspectors first assess the situation. **Councilor Hardy** felt this was a good cause and they do have the wherewithal to raise money. She asked if the property land locks any property behind it. **Mr. Cooke** stated it is a figure eight City parcel. There is a soccer field in one corner, a pinch point and then Magnolia Avenue. There is a 40 ft. right of way next to the school and is still in use. **Councilor Hardy** noted the heat hasn't been turned on in a long time. **Mr. Cole** stated they can do an inspection and turn the heat on; and would have a crew go through the building. **Councilor Curcuru** asked for the Plumbing, Electrical and Building Inspectors look over the building. If there are some major repairs the lease will have to reflect it. **Mr. Cole** stated he would have a report for the Committee ready in a month. **Councilor Hardy** also asked for a list of the Board of Directors of MHS at the August 18<sup>th</sup> meeting.

**A site visit would take place Thursday, August 4<sup>th</sup> at Magnolia Library at 10 a.m. and at 11 a.m. at the Blyman School.**

**This matter of the RFP is continued to August 18, 2011.**

**3. *Memorandum, Grant Application and Checklist from Police Chief re: grant for training of Police Officers in Emergency Medical Dispatching***

**Police Chief Michael Lane** explained his department wishes to apply for a grant offered by the State 911 Department for the training of Police Officers in Emergency Medical Dispatching (EMD). Earlier in June 2011 the MA legislature passed legislation requiring all dispatchers to take 40 hour course in dispatching and everyone will be required who dispatches to take a 40 hour EMD course. There will be a set of cards which will advise questions and will require advice to 911 callers on certain medical situations. The Fire Department then would start all over with the same questions. The 40 hour telecommunications course will not be required for current officers on the force; but any new officer doing dispatching will be required to do so. A 16 hour course EMD course will have to be redone every two years for recertification purposes. The State Department of E911 will pay for this. The department estimates a cost \$115,000. It is a big expense; their E911 training grant is \$16,000. Any funding received will be used to pay personnel costs for training as well as software and hardware products to interface with their current equipment. There is no match. It will involve a different way of doing things. They will be dispatching the ambulance as the Fire Department is not set up to be a public safety answering point. **Councilor Hardy** expressed some concerns as it relates to the acronym "EMD" as this mnemonic was also used elsewhere within the City's emergency services for other purposes and didn't want it to be confusing those mnemonic. EMD could be attached to a title, as an example. She also suggested clear lines of communication. She added she was in support of the Police Department pursuing this grant. **Mr. Duggan** felt there could be further discussions on that particular matter. **Chief Lane** acknowledged his understanding of the Councilor's perspective. The Committee discussed with Chief Lane as to how the training could be handled in future and how it could be done in a cost effective manner. **Councilor Hardy** thanked the Chief for making the application.

**As there was no match involved with this grant, the Committee determined there was no further action to be taken until such time as the grant is awarded. This matter is filed.**

**4. *Communication from Gloucester Rotary Club re: Stage Fort Park***

**Councilor Curcuru** and Mr. Duggan agreed the City would pick up the maintenance on the Rotary's donated playground equipment, park benches, etc. at Stage Fort Park. **Councilor Curcuru** suggested looking into a program whereby businesses adopt City playgrounds to help with their maintenance and upkeep. **Mr. Duggan** noted such a campaign hadn't been considered along with who would be the lead person to follow through with it. Councilor Curcuru thought it could be a matter of putting up the funds for mulch and landscaping for instance. **Mr. Duggan** stated there is still a campaign that would be needed for follow through. He thought CDBG funds paid for some items listed in the Rotary Club's letter (on file). **Councilor Hardy** stated there needs to be a policy in place as to handle these kinds of situations. People who want to help the City need to be shown how to go through the process properly so that the City can accept it properly as well. She suggested Josh Arnold from the Gloucester Rotary Club be asked to the next meeting.

**This matter is continued to the August 4, 2011.**

**5. *Memo from City Auditor regarding accounts having expenditures which exceed their authorization And Auditor's Report***

**Mr. Costa** reviewed his documentation with the Committee which was submitted at the meeting and on file.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 7:40 p.m.**

**Respectfully submitted,**

**Dana C. Jorgensson**  
**Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **Comparison Chart by MA communities for Municipal Lien Fees and Demand Fees compiled by Jeff Towne, CFO, submitted by Jim Duggan, CAO**
- **Actual Amount Overdrawn Report and Projected Amount Overdrawn Report dated July 21, 2011 from City Auditor**