

**GLOUCESTER CITY COUNCIL MEETING****Tuesday, October 11, 2022 – 6:00 p.m.****REMOTE MEETING****-Minutes-**

**Councilors Present: Council President, Councilor Val Gilman; Council Vice President, Councilor Sean Nolan; Councilor Tony Gross; Councilor Jason Grow; Councilor Frank Margiotta; Councilor Scott Memhard; Councilor Jamie O’Hara; Councilor Tracy O’Neil; Councilor Jeff Worthley**

**Also Present: Mayor Greg Verga; Auditor, Kenny Costa; CFO, John Dunn; Assistant City Clerk, Grace Poirier; Director of Communications and Constituent Services, Pam Tobey**

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

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

**Councilor Gilman** announced: “In the interest of government transparency, consistent with chapter 107 of the Acts of 2022, with regards to deliberations and decisions made by the City Council and according to open meeting law, since this meeting was posted as a Zoom meeting, this meeting is recorded by video and audio and 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 “raised 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.”

“It is the finding of the City of Gloucester that no individual should be denied equal treatment or opportunity because of their age, ancestry, color, disability, including intellectual and developmental mental disability, family status, immigration status, gender identity or expression, military status, marital status, national origin, race, religion, sex or sexual orientation. In this vein, we as City Councilors do not condone language that is discriminatory or offensive and will not accept it at City meetings.”

**Councilor Gilman** introduced the City Council members and City staff in attendance.

**Moment of Silence:** **Councilor Gilman** led a moment of silence in honor of the Mayor’s mother, Adrienne Verga, who passed away on September 27, 2022, at 84 years old. **Councilor Gilman** gave a brief overview of the full life of Mrs. Verga.

**ORAL COMMUNICATIONS:****Lisa Rigsby, 3 Taylor Court**

Expressed concern regarding the MBTA community guidelines and stated that the City needs a Master Plan in place before any zoning changes. Asked for an update regarding the ARPA funds distribution.

**PRESENTATIONS/COMMENDATIONS:****1. City Council update regarding Hybrid meeting options, venues, and possible City Council vote**

**Summary of Discussion:** **Councilor Gilman** stated that she sent an email to the Superintendent of Schools to find out about the possibility of true hybrid locations within the schools, including the O’Maley Learning Commons and the small auditorium at Gloucester High School. She stated that the Superintendent confirmed that neither location was an option. In her conversations with School Superintendent Ben Lummis, he

suggested that the Council host meetings similar to that of the School Committee with the members of the City Council in person and the public attend remotely via Zoom. **Councilor Gilman** suggested that the meetings could start in this format on November 9, 2022 for five meetings through February of 2023, which is the anticipated date that the Kyrouz Auditorium would be ready for true hybrid meetings. She stated that the other option is that the City Council simply waits until true hybrid is ready in Kyrouz. **Councilor Gilman** further stated that she has received feedback from community members regarding returning to in-person meetings

**Mayor Verga** stated that the space at the O'Maley Library for the 'hybrid lite option' is not a simple 'plug and play' option as originally thought. He recommended letting the **IT Director, Ryan Knowles**, focus solely on the project at the Rose Baker Senior Center, Kyrouz Auditorium and the City Hall Conference Room in getting them up to speed for the true hybrid format. He explained that the Administration is currently working on a Memorandum of Understanding with 1623 Studios regarding the true hybrid format.

### **Questions from Councilors**

**Q1. (Grow):** Asked if there was any reason why the public could not attend meetings in the library or other facilities.

**A1. (Gilman):** Stated that the Open Meeting Law requires a room to be large enough to accommodate any member of the public that wishes to attend.

### **Councilor Memhard joined the meeting at 6:26 p.m. after having technical log in difficulties.**

**Q2. (Worthley):** Asked what would prevent councilors from simply bringing their laptops to a location that is open to the public with participation via Zoom as well.

**A2. (Verga):** Stated that it is not that simple in just bringing laptops to a public space. Stated that he did not think that the work and resources needed for an interim solution was worth using this option.

**Q3. (Worthley):** Asked if the lecture room at the Gloucester High School is an option.

**A3. (Verga):** Stated that that room is not set up for any hybrid option at this point and to do so would be taking away staff resources and would be counterproductive from the end goal of true hybrid.

**Q4. (O'Neil):** Asked for clarification if boards and commissions could decide whether to meet in-person or via Zoom.

**A4. (Verga):** Stated the option was given to the nonregulatory boards only.

**Q5. (O'Neil):** Asked if the Fisheries Commission is able to make the choice.

**A5. (Verga):** Stated that the Fisheries Commission has not met at all via Zoom.

**Councilor Gilman** confirmed that the regulatory boards include ConCom, Waterways, Board of Health, Planning Board, ZBA and the School Committee. **Mayor Verga** added that the City Council and Standing Committees are also included and that the Administration would provide a full list tomorrow.

**Q6. (Gross):** Asked what the Council would be voting on regarding this matter.

**A6. (Gilman):** Explained that the Council would be voting on a semi-hybrid format beginning on November 22, 2022, through the anticipated date in February 2023 when Kyrouz would be ready for full hybrid.

**Councilor Gilman** offered a motion, seconded by **Councilor Worthley**, that the City Council approve a semi-hybrid model until Kyrouz Auditorium is prepared for the full hybrid model.

**Councilor Gross** stated that this option does not serve the need that the public is seeking. **Councilor Worthley** asked what the next motion would be. **Councilor Gilman** stated that the next motion offered will be that the Council continue as-is until the Kyrouz Auditorium is ready for true hybrid. **Councilor Worthley** clarified that

the public would not be able to attend and participate under the first motion; **Councilor Gilman** confirmed that to be true and added that the legislative body would be meeting in person. She also added that the Gloucester High School hybrid-lite option is turnkey for Zoom and the councilors would meet in person. **Councilor Worthley** asked if any staff resources would be needed which would take that staff person away from the focus of implementing the true hybrid system. **Mayor Verga** stated that IT would only need to supply the Wi-Fi password as it should be similar to “plug and play.” **Councilor Grow** stated that he is of the mindset of **Councilor Gross** in that this option does need serve the need of the public having the option of attending the meeting in person. **Councilor O’Hara** stated that the public participation with Zoom meetings has increased significantly. **Councilor O’Neil** agreed with **Councilor O’Hara** and also stated that the Council meeting in person does not serve the public if the public cannot attend in person. **Councilor Memhard** stated that he feels it appropriate to focus on the long-term solution and to not be distracted by an interim solution. **Councilor Gilman** stated that she will be supporting the motion as she feels the Council legislates better in person and is more sensitive to interpersonal relationships. **Councilor Worthley** stated that meeting in person in the interim will help make the Council a more cohesive group and stated that he will be supporting the motion.

**MOTION: On a motion by Councilor Gilman, seconded by Councilor Worthley, the City Council voted by ROLL CALL 2 in favor, 7 (Gross, Grow, Margiotta, Memhard, Nolan, O’Hara, O’Neil) opposed, to approve a semi-hybrid model for the full City Council meetings beginning on November 22, 2022, until such time that the full hybrid setup is prepared at Kyrouz Auditorium, with the location of the semi-hybrid model being at the Gloucester High School Library.**

**The motion fails.**

**Councilor Gilman** stated that at the last City Council meeting it was agreed that after Columbus Day the Standing Committees would be able to use the Harbormaster’s Conference Room for full hybrid. **Councilor Gilman** offered a motion to consider moving the Standing Committees to the Harbormaster’s Conference Room beginning the third week of November.

**Councilor Grow** clarified that there could be public participation at subcommittee. **Councilor Gilman** added that the public could also participate via Zoom. **Councilor Nolan** stated that before the vote is taken he wished to see that the dates needed by the Standing Committee are available for that room. Without objection, **Councilor Gilman** withdrew her motion until such time that confirmation is made that the dates needed are available. **Councilor Memhard** asked, for clarification, if a member of the Harbormaster’s staff would be available for the security of the space (opening and closing of the space). **Councilor Gilman** stated that the **CAO, Jill Cahill**, had conveyed at the last City Council meeting that the room is available for use by the Standing Committees and that the other details would be figured out.

**Councilor Gross** stated that the capacity of the space needs to be determined. **Councilor Grow** asked if a hybrid meeting would have to end if there are technical difficulties with the Zoom platform. There was a brief discussion; **Councilor Gilman** stated she would ask the General Counsel regarding this issue.

#### **CONFIRMATION OF NEW APPOINTMENTS:**

*Committee for the Arts*

*Philip Storey*

*TTE 2/14/25 (Cont. from 9/27/22)*

**COMMITTEE RECOMMENDATION:** On a motion by Councilor O’Hara, seconded by Councilor Margiotta, the Ordinances & Administration Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council appoint Philip Storey to the Committee of the Arts, TTE 2/14/25.

**Summary of Discussion:** **Mr. Philip Storey** gave a brief description of his background and stated that he attended both Florida State and Wesleyan University and has written and published poetry since he was in his

20s. He stated that currently he buys and sells ephemera (antique paper) and that he is working on a book about a gentleman who took photographs in front of the statue from 1926 – 1976.

**Councilor Nolan** thanked **Mr. Storey** for his willingness to serve. **Mayor Verga** stated that **Mr. Storey** had previously been selected to be the City’s Poet Laureate and thanked him for stepping forward to serve on this board.

**MOTION: On a motion by Councilor Nolan, seconded by Councilor Worthley, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to appoint Philip Storey to the Committee for the Arts, TTE 2/14/25.**

**Without objection, the City Council took a three-minute recess at 7:15 p.m. Councilor O’Neil left the meeting at 7:15 p.m. The meeting resumed at 7:19 p.m.**

**CONSENT AGENDA:**

- **CONFIRMATION OF REAPPOINTMENTS**
- **MAYOR’S REPORT**

1. Memorandum from General Counsel regarding proposed amendments to GCO Ch. 2 “Administration,” Art. V “Boards, Commissions, Councils and Committees,” Div. 10, Sec. 2-508 “Committee for the Arts” (Refer O&A)
2. Memorandum from Asst. DPW Director requesting to pay FY22 invoices with FY23 funds (Refer B&F)
3. Memorandum from Harbormaster requesting acceptance of a Port Security Grant in the amount of \$285,941 (Refer B&F)
4. Memorandum from Director of Elder Services requesting acceptance of donations in the amount of \$805 (Refer B&F)
5. Mayor’s response to Oral Communications made at the September 27, 2022 City Council meeting (Info Only)
  - **COMMUNICATIONS/INVITATIONS**
  - **INFORMATION ONLY**
1. Incident Report on the train crossing sent to City Council President from Elizabeth Cellucci of the Dept. of Public Utilities (DPU) Oversight Division (Info Only)
  - **APPLICATIONS/PETITIONS**
1. Special Event Application: Request for Street Closures: Gloucester Holiday Parade & Tree Lighting Ceremony on November 27, 2022 with a rain date of December 4, 2022 (Refer P&D)
2. PP#2022-010: Request by Comcast to place (1) 4” PVC conduit 274’ +/- to Rogers Street #69 (Refer P&D)
  - **COUNCILLORS ORDERS**
1. CC#2022-026 (Worthley): Amend GCO Ch. 21, Art. I, Sec. 21-1 by DELETING Sec. 21-1 “Prerequisites to acceptance of ways” and ADDING a new Sec. 21-1 “Prerequisites to acceptance of ways” (Refer O&A)
2. CC#2022-027 (Gross/Gilman): Request the Budget and Finance Standing Committee review the Gloucester School Committee request to approve School Committee compensation from \$5,000.00 to \$5,500.00 effective January 1, 2024 as required by MGL Chapter 71 §52 (Refer B&F)
  - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 9/27/2022 (Approve/File)
2. Standing Committee Meetings: B&F 10/6/2022 (under separate cover), O&A 10/3/2022 (no meeting), P&D 10/5/2022 (Approve/File)

**ITEMS TO BE ADDED/REMOVED FROM THE CONSENT AGENDA:** **Councilor Nolan** removed CC#2022-026 (Worthley) regarding amending the “Prerequisites to acceptance of ways.” **Councilor Nolan** stated that the City has a private roads working group and asked that the Council Order be deferred until after the Council receives the working group’s recommendations. **Councilor O’Hara** removed the Incident Report on the Washington Street train crossing under Information Only.

**MOTION: On a motion by Councilor Grow, seconded by Councilor Memhard, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O’Neil) absent, to accept the Consent Agenda as amended.**

**Councilor Nolan** recommended deferring CC#2022-026 until the City Council receives the information from the private roads working group. He explained that the working group consists of volunteers who have been working on this issue for four months. He added that he did not want this matter to come before O&A without the recommendations from the working group. **Councilor Worthley** stated that he supports sending the matter to O&A and it would be up to the discretion of the Chair as to when to place this matter on the agenda. **Councilor Gross** asked if there is a time limit as to how long a matter can be deferred at subcommittee.

**Councilor Nolan** stated that he is not aware of any time limits. **Councilor Grow** stated that he will support the referral of the matter to O&A and leave the timing of when the matter appears on the agenda up to **Councilor Nolan**. **Councilor Memhard** agreed with waiting for the recommendations from the working group. **Councilor Gilman** stated that she is on the private roads working group and that she will not support referring this matter to O&A.

**MOTION: On a motion by Councilor Worthley, seconded by Councilor O’Hara, the City Council voted by ROLL CALL 4 in favor, 4 (Gilman, Margiotta, Memhard, Nolan) opposed, 1 (O’Neil) absent, to refer the Council Order to O&A.**

**The motion fails as there was not a majority.**

**Councilor O’Hara** read the letter from James Sottile, Railroad Safety Consultant, to Elizabeth Cellucci, Director of the Transportation Oversight Division. **Councilor Gilman** added that the letter could be found on page 57 of the packet for tonight’s meeting.

### Washington St. Gloucester Massachusetts Incident Inquiry

September 21, 2022  
Ms. Elizabeth Cellucci  
Director of the Transportation Oversight Division  
Department of Public Utilities  
One South Station, 5<sup>th</sup> Floor  
Boston Massachusetts 02110  
Subject: Washing ton Street Gloucester, Massachusetts crossing safety concern  
Ms. Cellucci,

I was recently tasked by the DPU to look into a matter that occurred at the Washington Street grade crossing in Gloucester, MA during late August 2022. The incident involved a southbound vehicle which was struck by a grade crossing gate arm as an MBTA commuter train was moving southbound after a station stop from the nearby passenger station. Washington Street crosses the MBTA mainline on a single tangent track and is located east of the Gloucester passenger station. I responded to the site on September 13, 2022 and met with Keolis technical signal employees to inspect the grade crossing circuits, and determine if the installed plans, firmware, and software was safe, and conformed with (fail safe) federal regulations. I obtained a copy of the in-service circuit plans, and determined that plans were up to date, and conformed to federal Railroad safety regulations. I reviewed the plans and determined that the crossing installation was safe and presented no potential safety risk to highway users using the Washington Street grade crossing.

The grade crossing is activated by an electronic predictor unit that activates the active warning protection by sensing the movement of a train as the train dwells in the passenger station to board and leave passengers. As the trains stands in the station timing circuits in the software allow the crossing gate arms and flashing lights to return to a non-active status. When a train starts to move eastward the track detection circuit senses a change in circuit impedance, and restarts the active warning protection. Apparently, there was a highway user vehicle that was standing on the mainline trackage and struck by the southwest quadrant gate. A copy of the Gloucester City council letter and the grade crossing circuit plans are attached for your ready reference.

**Recommendation:**

That the town and the commuter rail agencies including the “Operation Lifesaver” group conduct an enhanced education plan for Gloucester citizens on awareness of trains using the Washington Street grade crossing.

Sincerely  
James Sottile  
Railroad Safety Consultant

**Councilor Gilman** explained that there would be a call with MBTA/Keolis on Wednesday and if councilors had any questions they could email them to her and she would ask them on their behalf. **Councilor O’Hara** then asked how the recommendations of Mr. Sottile would be carried out.

By unanimous consent, this matter was accepted as Information Only.

**UNANIMOUS CONSENT CALENDAR:**

- **ADDENDUM TO MAYOR’S REPORT**
- 1. Memorandum from Principal Assessor re: Tax Classification

(Refer B&F)

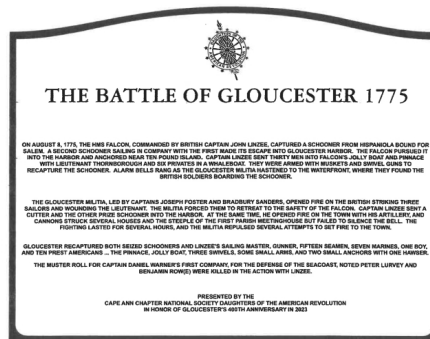
**ITEMS TO BE ADDED/REMOVED FROM THE UNANIMOUS CONSENT CALENDAR:** None.

**MOTION:** On a motion by Councilor Grow, seconded by Councilor Worthley, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O'Neil) absent, to accept the Unanimous Consent Calendar.

**COMMITTEE REPORTS****• Budget & Finance – 10/6/2022****1. Memorandum from General Counsel requesting acceptance of two gifts to the City of Gloucester**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept a donation, under MGL c. 44, §53A-½, a gift of tangible goods to the City of Gloucester, from the Cape Ann Chapter of Daughters of the American Revolution for a bronze plaque commemorating the Battle of Gloucester 1775, with an estimated value in the amount of \$3,000.

**Summary of Discussion:** The Assistant City Clerk, Grace Poirier, shared her screen to display a photograph of the plaque.



**Councilor Memhard** explained that both of the gifts to the City have been referred through the Mayor's Office for proper acceptance and that a determination will be made as to an appropriate placement. **Mayor Verga** stated that the Cape Ann Chapter of the Daughters of the American Revolution (DAR) recommended that the plaque be installed down at the park near the fort and will be leaving it up to the DPW to pick the ultimate location. He thanked the DAR for their donation.

**MOTION:** On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O'Neil) absent, to accept a donation, under MGL c. 44, §53A-½, a gift of tangible goods to the City of Gloucester, from the Cape Ann Chapter of Daughters of the American Revolution for a bronze plaque commemorating the Battle of Gloucester 1775, with an estimated value in the amount of \$3,000.

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept a donation, under MGL c. 44, §53A-½, a gift of tangible goods to the City of Gloucester, from Daniel Altshuler, artist, for a metal plaque of the Gloucester Fisherman, with an estimated value in the amount of \$1,500.

**Summary of Discussion:** **Councilor Memhard** stated that the second donation is of a large medallion done by artist, Daniel Altshuler. The Assistant City Clerk shared her screen to show a picture of the medallion.



**Mayor Verga** thanked Mr. Altshuler for his generous donation and stated that a location for installation will be determined before the Gloucester 400<sup>th</sup>.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (O’Neil) absent, 1 (O’Hara) technical difficulties, to accept a donation, under MGL c. 44, §53A-½, a gift of tangible goods to the City of Gloucester, from Daniel Altshuler, artist, for a metal plaque of the Gloucester Fisherman, with an estimated value in the amount of \$1,500.**

**2. Memorandum from Elder Services Director and #2023-SBT-4 in the amount of \$20,000**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council approve Special Budgetary Transfer #2023-SBT-4 in the amount of \$20,000 from Mayor, Contingency-Emergency, Account #0112152-578001, to the Council on Aging, Senior Citizens Activities, Account #0154152-535007, for the purpose of partially funding the Non-Emergency Medical Rides Program during Fiscal Year 2023.

**Summary of Discussion:** Councilor Memhard stated that the **Director of Elder Services, Elise Sinagra**, has worked closely with the Mayor’s office to fulfil the need of providing non-emergency medical rides. **Mayor Verga** stated that this program has the full support of the Administration.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O’Neil) absent, to approve Special Budgetary Transfer #2023-SBT-4 in the amount of \$20,000 from Mayor, Contingency-Emergency, Account #0112152-578001, to the Council on Aging, Senior Citizens Activities, Account #0154152-535007, for the purpose of partially funding the Non-Emergency Medical Rides Program during Fiscal Year 2023.**

**3. Memorandum from Veterans Services Director requesting acceptance of donations in the amount of \$3,750**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Memhard, seconded by Councilor Worthley, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$3,750 from the following members and business partners within our community:

Ed Comeau	\$ 100.00
Pamela Carter	\$ 100.00
West Gloucester Trinitarian Congo Church	\$ 500.00
Jo Ann Sanfilipo	\$ 25.00
Andrea Bouchie (St Ann Class of 1966)	\$ 25.00

SGT David J Coullard Mem Fund	\$ 3,000.00
Total:	\$ 3,750.00.

**Summary of Discussion:** Councilor Memhard explained that Sgt. David Coullard was a sniper who was killed in action in Iraq.

**MOTION:** On a motion by Councilor Memhard, seconded by Councilor Worthley, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (O’Neil) absent, 1 (O’Hara) technical difficulties, to accept cash donations, under MGL c. 44, §53A, to support Veterans Services in the amount of \$3,750 from the following members and business partners within our community:

Ed Comeau	\$ 100.00
Pamela Carter	\$ 100.00
West Gloucester Trinitarian Congo Church	\$ 500.00
Jo Ann Sanfilipo	\$ 25.00
Andrea Bouchie (St Ann Class of 1966)	\$ 25.00
SGT David J Coullard Mem Fund	\$ 3,000.00
Total:	\$ 3,750.00.

- **Ordinances & Administration – October 3, 2022 (no meeting)**
- **Planning & Development – October 5, 2022 (no items)**

**Summary of Discussion:** Councilor Grow stated that there were no items for the Council’s consideration.

**SCHEDULED PUBLIC HEARINGS:**

1. *PH2022-026: Amendment to inflammable license granted to Energy North Inc. to store 26,000 gallons of gasoline – regular in UST (underground storage tank); 8,000 gallons – super in UST; and 6,000 gallons of diesel – retail in UST at 65-73 Essex Avenue*

**The Public Hearing was opened at 8:03 p.m.**

**Those speaking in favor:** Huseyin Sevincgil of Greenman Pedersen, Inc, on behalf of Energy North, stated that Energy North is seeking to redevelop their existing gas station site located at 65-73 Essex Avenue. He explained that currently there is a service station on the left side of the property with used car sales; the center of the property has a canopy that houses five dispensers for filling of vehicles with a small convenience store behind the canopy; and to the right there is a parking lot. He explained that the proposal is to redevelop the entire site to a state-of-the-art facility with a 4,500 ft<sup>2</sup> two-story building on the right side of the property and in the center would be the new retail fuel canopy. He explained that to the left would be two 20,000-gallon underground fuel storage tanks that will be strapped onto concrete; one tank would be a 20,000-gallon single compartment tank with the other tank being a 20,000-gallon three-compartment tank that would house 6,000 gallons in the end compartments and the base tank in the middle would house 8,000 gallons of premium fuel. He stated that the state-of-the-art tanks have a “honeycomb” space that is monitored continuously for leakage in or out and would set off an alarm if detected. He explained that the fuel dispensers will be compliant with MassDEP and US EPA regulations and that there will be a fire suppression system that will be designed in accordance with the State Fire Marshal’s requirements.

A member of the public, **Lisa Rigsby of 3 Taylor Court**, asked that **Mr. Sevincgil** speak to the environmental impacts and process of removing the old tanks.



**Those speaking in opposition:** None.

**Written communications:** The **Assistant City Clerk, Grace Poirier**, stated that there is one communication from **Fire Deputy Chief Barry Aptt** who stated that, on behalf of himself and **Fire Inspector, Tom Sayess**, as far as the plans submitted everything is good to go and that the State Fire Marshal has not conveyed any issues via the Compliance Office and that the entire process will be overseen by the Fire Department.

**Questions from Councilors**

**Q1. (Gilman):** Asked, on behalf of Lisa Rigsby, for an explanation of the process of upgrading the new tanks and in respect to the environment.

**A1. (Sevincgil):** Stated that the existing tanks would be removed in accordance with the MassDEP requirements and that there would be a licensed professional (environmental engineer) on site observing the soils around the tank. If there is any contamination, the soils will be managed in accordance with rules.

**Q2. (Grow):** Asked **Mr. Sevincgil** to speak to the age of the current tanks and to the benefit of having fiberglass tanks in the area influenced by salt water.

**A2. (Sevincgil):** Stated that the existing tanks are double-walled steel tanks. Stated that the new fiberglass tanks are the new industry standard and are liquid-tight tanks. Stated that the existing tanks have been in place since 1983 and 1988. Stated that Massachusetts also has an enhanced vapor recovery requirement.

**Q3. (Memhard):** Asked if appropriate steps have been taken to address the flooding that happens in that area and to being a sensitive wetland environment.

**A3. (Sevincgil):** Stated that the project has gone through the local approval process, including Planning Board, Conservation Commission and MEPA. Stated that the site has been designed with the enhanced vapor recovery process and stated that the tanks are vapor tight.

**Q4. (O'Hara):** Asked how dewatering of the site will be handled during installation.

**A4. (Sevincgil):** Stated that the tanks will be surrounded by crushed stone (as recommended by the tank manufacturer). Stated that there will be frac tanks onsite that will pump out water to dewater the tank hole to get a dry hole.

**The Public Hearing was closed at 8:23 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Grow, seconded by Councilor O'Neil, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council grant Energy North, Inc. an amended License of Flammable and Combustible Liquids, Flammable Gases and Solids, under GCO Ch. 8 "Fire Prevention and Protection," Sec. 8-1 "License for storing inflammables," MGL Ch. 148, §13 and 527 CMR 1.00 for storage of flammables for the property at 65-73 Essex Avenue, Map 217, Lots 20 & 22; specifically to store 26,000 gallons of Gasoline – Regular in UST (underground storage tank); 8,000 gallons of Gasoline – Super in UST (underground storage tank); and 6,000 gallons of Diesel – Retail in UST (underground storage tank).

**Summary of Discussion:** Councilor Grow stated that environmental concerns were also discussed at P&D and that **Deputy Fire Chief Aptt** and **Lt. Tom Sayess** did not express any concerns and stated that they would be onsite during the installation of the tanks.

**MOTION:** On a motion by Councilor Grow, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O'Neil) absent, to grant Energy North, Inc. an amended License of Flammable and Combustible Liquids, Flammable Gases and Solids, under GCO Ch. 8 "Fire Prevention and Protection," Sec. 8-1 "License for storing inflammables," MGL Ch. 148, §13 and 527 CMR 1.00 for

storage of flammables for the property at 65-73 Essex Avenue, Map 217, Lots 20 & 22; specifically to store 26,000 gallons of Gasoline – Regular in UST (underground storage tank); 8,000 gallons of Gasoline – Super in UST (underground storage tank); and 6,000 gallons of Diesel – Retail in UST (underground storage tank).

**FOR COUNCIL VOTE:**

***1. Warrant for the November 8, 2022 State Election***

**Summary of Discussion:** There was no additional discussion on this matter.

**MOTION:** On a motion by Councilor Worthley, seconded by Councilor Grow, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O’Neil) absent, to adopt the warrant for the November 8, 2022 Election.

**COUNCILORS’ REQUESTS TO THE MAYOR:**

- **Councilor Margiotta** requested to the Mayor that the City assists in cleaning up Governors Park. By way of background, he stated that there is vulgar graffiti, alcohol bottles and unwanted visitors. **Councilor Gilman** suggested that **Councilor Margiotta** speak to the Police Chief as well as the Sheriff Kevin Coppinger who has offered to assist with any graffiti removal.
- **Councilor Memhard** requested through the Mayor to the Public Works Department to reconstitute some of the lost trees due to the Mt. Pleasant Avenue infrastructure project.
- **Councilor Worthley** requests to the Mayor to explore what resources the city might have to try to maintain the Gloucester HealthCare Nursing Home.
- **Councilor Worthley** requests to the Mayor to review the major project special council permit and TIF agreement with Sam Park to determine if he is required to build a nursing home/assisted living facility in exchange for his permit and tax arrangement.

**COUNCILORS’ THANKS AND ACKNOWLEDGEMENTS:**

- **Councilor Nolan** thanked the Magnolia Library and the Magnolia Farmer’s Market for the success of the MagtoberFest event.

**COUNCILORS’ WARD UPDATES AND COMMUNITY NEWS:**

- **Councilor Worthley** congratulated **Councilor Gross** on winning the Volunteer of the Year Award from the Open Door. He also explained that there is currently a fundraising effort with a \$35,000 matching donation. **Councilors Grow, Margiotta and Nolan** also congratulated **Councilor Gross**.
- **Councilor Gilman** also congratulated Grace Hamada, a volunteer at Second Glance, for receiving the Helen Muise Award, along with **Councilor Gross**.
- **Councilor Gilman** congratulated Marc Nicasastro for receiving the Charlotte Pope Award.
- **Councilor Gilman** congratulated the Ipswich YMCA for winning the Outstanding Community Partner Award.

**MOTION:** On a motion by Councilor Gross, seconded by Councilor Worthley, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (O’Neil) absent, to adjourn the meeting at 8:38 p.m.

**Submitted by:** Sherry White, Clerk of Committees

**Items submitted at the meeting:** None.