

GLOUCESTER CITY COUNCIL MEETING

Tuesday, October 25, 2011 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Jacqueline Hardy; Vice Chair, Councilor Sefatia Theken; Councilor Paul McGeary; Councilor Joseph Ciolino; Councilor Anne Mulcahey; Councilor Steven Curcuru; Councilor Greg Verga; Councilor Robert Whynott

Absent: Councilor Tobey

Also Present: Linda T. Lowe; Kenny Costa; Jeff Towne; Nancy Papows; Gary Johnstone; Tim Good; Bethann Godhino; Dr. Richard Safier; Brian Tarr; Val Gilman; Melissa Teixeira; Grant Harris; Dr. Bill Goodwin; Kathy Clancy

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

Flag Salute & Moment of Silence.

Council President Hardy announced that Councilor Tobey was unable to attend the City Council meeting this evening as he is away on business.

Oral Communications: None.**Consent Agenda:**

- **MAYOR'S REPORT**
- 1. Memorandum from CAO re: request transfer of funds for communication equipment and supplies at the Emergency Operations Center (Refer B&F)
- 2. Memorandum from Fire Chief re: creation of a revolving training account (Refer B&F)
- 3. Grant Application and Checklist from Emergency Management Director re: Administrative Help & Equipment (Refer B&F)
- 4. Supplemental Appropriation-Budgetary Request (#2012-SA-4) from DPW (Refer B&F)
- 5. Memorandum, Grant Application and Checklist from Interim Health Director re: \$625,000 Drug Free Communities Grant (Refer B&F)
- **COMMUNICATIONS/INVITATIONS**
- 1. Cape Ann Chamber of Commerce request to hold one-day blues festival at Stage Fort Park on August 11, 2011 (Refer P&D)
- **COUNCILORS ORDERS**
- 1. CC2011-053 (Verga/Tobey) Establishment of City Ordinance re: Securing and Maintaining Vacant Properties and Properties In the Process of Foreclosure (Refer O&A)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. Special City Council Meeting: 10/11/11 (Approve/File)
- 2. City Council Meeting: 10/11/11 (Approve/File)
- 3. Standing Committee Meetings: B&F 10/20/11 (under separate cover) O&A 10/17/11, P&D 10/19/11 (Approve/File)

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

Councilor Ciolino wished to remove City Council Minutes of 10/11/11. He then moved to amend the minutes of the regularly scheduled meeting of October 11, 2011 related to the Special Council Permit SCP2011-005 granted to Equity Industrial Gloucester LLC for the operation of a commercial land-based wind conversion facility, 11 Dory Road, pursuant to Sec. 5.22 of the Gloucester Zoning ordinance to strike Condition #1 in its entirety which now reads, "1. The turbines shall be operated in a manner that does not create significant shadow or flicker on a residential unit. Without limiting the foregoing, the following curtailment standards shall be adhered to in order to ensure insignificant flicker effect: Turbine #1 at location B shall not operate between 7:45 p.m. and 8:15 p.m. from May 15 through July 15; Turbine #2 at location A shall not operate between the hours of 7:00 p.m. and 7:45 p.m. from May 1 through August 15;" and substituting in its entirety replace with an entirely the following language and curtailment table scheduled as a new amended Condition #1: 1. The turbines (Turbine #1 and Turbine #2) shall be operated in a manner that does not create significant shadow or flicker on a residential unit. Without limiting the foregoing, the turbines shall not be operated in accordance with the following curtailment schedule to ensure insignificant flicker effect. He noted there is a table to be made a part of the motion. The motion was seconded by Councilor Whynott. Councilor Ciolino stated on the second look, Condition #1 of the original motion was too vague; the table addresses the shadow/flicker much more specifically.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to AMEND the minutes of the regularly scheduled City Council meeting of October 11, 2011 related to the Special Council Permit (SCP2011-005) granted to Equity Industrial Gloucester LLC for the operation of a commercial land-based wind conversion facility at 11 Dory Road pursuant to Sec. 5.22 of the Gloucester Zoning ordinance by striking Condition #1 in its entirety which now reads:

“1. The turbines shall be operated in a manner that does not create significant shadow or flicker on a residential unit. Without limiting the foregoing, the following curtailment standards shall be adhered to in order to ensure insignificant flicker effect: Turbine #1 at location B shall not operate between 7:45 p.m. and 8:15 p.m. from May 15 through July 15; Turbine #2 at location A shall not operate between the hours of 7:00 p.m. and 7:45 p.m. from May 1 through August 15;”

and to SUBSTITUTE in its entirety the following language and curtailment table/schedule as the Amended Condition #1:

“1. The turbines (Turbine #1 and Turbine #2) shall be operated in a manner that does not create significant shadow or flicker on a residential unit. Without limiting the foregoing, the turbines shall not be operated in accordance with the following curtailment schedule to ensure insignificant flicker effect:

Elimination of Shadow/Flicker Potential - Dates and Times at Residential Receptors

Residential Receptors	Worst Case Flicker (Hrs/Yr)	Turbine #1 (Dates of Flicker)	Turbine #1 (Time Not to Be Operated)	Turbine #2 (Dates of Flicker)	Turbine #2 (Time Not to be Operated)
A	33	May 15 - July 25	5:45am - 6:15am	April 10-30 & Aug 10-31	6:00am - 6:45am
B	36	May 15 - July 15	5:30am - 6:15am	April 10-30 & Aug 10-31	6:00am - 6:45am
H	0				
I	60			May 15 - July 15	7:45pm - 8:15pm
J	38	May 1 - Aug 15	7:30pm - 8:00pm	May 1 - Aug 15	7:00pm - 7:45pm
K	0				
L	0				
M	50			May 15 - July 31	7:00pm - 8:00pm

“

By unanimous consent the Consent Agenda was accepted as amended.

Council President Hardy noted out there was a Unanimous Consent Calendar. She informed the Council there would be information coming forward later than usual to them because they’re getting near the local election and towards the year end. They’re trying to get as much information into each meeting as they can so it can be taken care of by the end of the calendar year. The two items on the Unanimous Consent Calendar are: 1. Memorandum from Mayor re: Report and recommendation from the EDIC regarding a municipal wind turbine for the Council’s information only; and 2. Request from the Lanes Cove Fish Shack Committee for the establishment of a revolving fund for Lanes Cove Fish Shack repair to be referred to the Budget & Finance Committee.

Councilor McGeary asked that the Memorandum from the Mayor regarding the EDIC recommendation of a municipal wind turbine be pulled from the Unanimous Consent Calendar for discussion purposes. He then read into the record the following statement (on file):

“Madame President:

I am concerned that the report from the EDIC referenced in the unanimous consent agenda could have the effect of slowing down the progress toward a privately financed wind turbine installation which this Council has permitted at the Gloucester Engineering site at Blackburn Industrial Park.

The EDIC report states: "If a city owned project is desirable, it should be developed first before consideration of alternatives due to the value of the city's wind resources and specifics of the regulation governing net metering." As you know, the project awaits only a final power purchase agreement between the applicant and the city to move forward. That agreement, once finalized, must be sent to the council for approval. That process is time consuming. The proponents are up against a deadline in that the tax credits that make the process viable expire on Dec. 31 of this year. In order for them to begin the project they must secure financing and to do that, they need a power purchase agreement in place.

In addition, there is a limit of 2% of historical power generation that can be used for so-called net metering by National Grid customers. In other words, once 2% of the historical generating capacity has been reached, the city will lose the ability to use net metering to offset our electrical usage.

I am concerned that the negotiations over the power purchase agreement, which have gone on for some time as the City has done its due diligence, might be put on the back burner while we weigh the alternative of funding and constructing our own turbines. Any delay would jeopardize the privately funded project.

Madame President we can still look at the prospect of building our own turbines while we negotiate the power purchase agreement with the backers of the Gloucester Engineering proposal. Under the applicant's proposal, the City would, at no risk to itself, receive offsets equal to about 10 percent of our annual usage of electricity.

While it is true that we would reap all the benefits of constructing our own turbines, we would also bear all the costs and all the risk. These turbines go for \$5 million and \$7 million each, and there are continuing operating costs in the hundreds of thousands of dollars per year.

I would hate to see us lose the possibility of some risk-free, cost-free electrical power to the hope that we might get more someday. More importantly, Madame President, if we did decide to go forward with our own wind turbine proposal, we could still do that. We are permitted 10 megawatts of net metering capacity. The Gloucester Engineering proposal uses only 4 megawatts of that total, so there would remain 6 MW of available net metering credits for the city's benefit.

While I applaud the Mayor and the EDIC for working toward a comprehensive Wind Energy strategy, I feel that we can do both - avail ourselves of a short-term opportunity without compromising our ability to invest long term in City-owned and -developed wind energy facilities.

I would ask, Madame President, that you arrange as soon as possible a workshop among the Council, the EDIC and the pertinent members of the Administration so that we can address this issue in a timely manner, and that the appropriate parties advise you as soon as possible as to their availability for such a workshop.”

Council President Hardy clarified that the Councilor was asking for the Council to move forward on the workshop so it didn't interfere with the timeliness of the power purchase agreement being worked simultaneously and independently of this which **Councilor McGeary** confirmed. The **Council President** asked that the Council inform her of their availability for early the following next week by the following day in order to arrange for the workshop to educate folks on other options available to the City regarding wind turbines. She would work with the EDIC through the Administration and inform the Council of the workshop date.

By unanimous consent Unanimous Consent Calendar was accepted as amended.

Committee Reports:

Budget & Finance: October 20, 2011

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council under M.G.L. c. 44, §53A-½ to accept the

donation of tangible goods totaling \$186,272.68 from the Gloucester Rotary Club Foundation for their 100th Anniversary project of the Stage Fort Park playground.

[NOTE: Goods and services donated consisted of items such as landscaping materials, construction materials, playground equipment, labor and in-kind services. A complete list of these tangible goods is on file.]

DISCUSSION:

Councilor Curcuru explained this is for the goods, services and physical work [primarily playground equipment] all donated that the Gloucester Rotary Club has undertaken on behalf of the City's Stage Fort Park Playground for their 100th Anniversary Project over an almost 10 year period. They have made an invaluable contribution to the children of the City, and have continued to work to be sure that this valuable asset is maintained going forward. On behalf of the Budget & Finance Committee he expressed their gratitude to the Gloucester Rotary Club for their commitment to the community.

MOTION: On motion by Councilor Curcuru, seconded by Councilor McGeary, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, under M.G.L. c. 44, §53A-½ to accept the donation of tangible goods totaling \$186,272.68 from the Gloucester Rotary Club Foundation for their 100th Anniversary project of the Stage Fort Park playground.

Ordinances & Administration: October 17, 2011

There were no action items for the Council from this meeting.

Planning & Development: October 19, 2011

Councilor Ciolino acknowledged he has been a Rotarian since 1991 and was the President of the Gloucester Rotary Club when the centennial project started and was involved with the project.

MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to accept the Rotary Club of Gloucester Foundation's gift of the Stage Fort Park Playground 100th Anniversary Project including all equipment, materials and services itemized on the Rotary Club of Gloucester's letter dated September 29, 2011, all of which constitute the Anniversary project.

DISCUSSION:

Councilor Ciolino expressed it is a wonderful park, one of the top 10 rated children's park in the State. The Rotary Club will continue to maintain the playground for the future and is a great addition for the future.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to accept the Rotary Club of Gloucester Foundation's gift of the Stage Fort Park Playground 100th Anniversary Project including all equipment, materials and services itemized on the Rotary Club of Gloucester's letter dated September 29, 2011, all of which constitute the Anniversary project.

Scheduled Public Hearings:

1. **PH2011-066: Loan Authorization #2011-006 in the amount of \$200,000 re: Gloucester Public School District Campuses and Main Office**

This public hearing is opened.

Those speaking in favor:

Val Gilman, Chair of the School Committee recognized Superintendent Dr. Richard Safier, Dr. Bill Goodwin, Principal of Gloucester High School; Assistant Superintendent Brian Tarr; IT Director Grant Harris; School Committee Vice-Chair Melissa Teixeira; and Kathy Clancy, School Committee Budget & Finance Committee Chair as in attendance. They were before the Council in support of the loan authorization. She had submitted to the

Council just prior to the opening of the meeting the approved minutes from the meeting of September 14th where the School Department voted (5 in favor, 0 opposed) in support of this loan authorization to formally request the purchase of a new telephone system from the City, through the Administration and read a brief excerpt from those minutes as well (see file). She informed the Council the High School has only two telephone lines working at that time of the meeting. She recounted that Mr. Harris made a 30 minute presentation to allow the School Committee to understand all the technicalities of a very detailed investigation. **Dr. Safier** further explained that on Friday, August 26th (the Friday before school started) smoke was discovered coming from the main telephone box in the high school's main office. They called immediately for a repair to the system and were told it would be repaired several days later; but because the system was so old, no replacement parts were available and so the system was unable to be serviced or repaired. Stop-gap measures were put in place. There are currently six lines now and functioning for the entire high school of almost 1,000 students and 100 or so staff members. They are party lines and only one party can use them at a time; giving the facility very limited access to telecommunications. The Middle School had circuit board issues this summer that took out all the phones for a large portion of the summer. A third party had to be brought in at great cost to effect repairs to that system. Several weeks ago they had a teacher with severe medical symptoms and the nurses at the Middle School couldn't get through to 911 because the telephones did not work properly. At Veteran's Memorial Elementary School, the modulators have no intercom system. The intercom system at the school is not expandable; they can't increase its capacity. Of the four elementary schools and the School Administration have systems in excess of 20 year old and break down frequently, are costly to service. He noted Plum Cove has two analog phone lines which are similar to residential land lines and don't have the accessories they really need for a business. The RFP calls for a Voice Over Internet Protocol System. This is a communication service transported over the computer system. Internal calls will be unlimited without going out to public lines. There are a series of protective measures and mechanisms in case of service interruption to maintain constant connections to outside public switch telephone networks. In case of power failures there are a series of back ups, including batteries if necessary; and there is surge protection from natural sources ensuring they are able to connect to an outside traditional outside telephone lines. This will also expand the capacity of their intercom systems; paging services and bell systems as well and a host of accessories that go with this system. This has caller ID, voicemail and with that voice mail translating onto the email system also. The equipment can be moved from one location to another making the entire system transportable. Proposals for the system are in by October 30th. They have nine vendors who are interested and are fully engaged in the process.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Ciolino asked presently if a teacher has a problem in the classroom how do they communicate to their main office. **Grant Harris**, School Department IT Director responded they pick up the handset in the classroom over the intercom system and call the main office. Some of the schools don't have that capability. Most of the schools have an existing paging and intercom system in place; however, the high school does not. Veteran's Memorial Elementary School's system is on the verge of collapse; Plum Cove has limited capability. Where there is no existing intercom system, the new phone system will augment that. They will have the ability to call the main office in each school with the new telephone system. **Councilor Ciolino** asked about DSL lines. **Mr. Harris** stated all the phones will go over the existing data network. All the classrooms have network cable drops in them. Handsets will plug right into that same line and go over their regular network, converge to the central switch and from there go out to the public telephone network to the carrier. On further inquiry by **Councilor Ciolino**, **Mr. Harris** noted each school will have its own phone system that can survive on its own if any others go down. They built in also if the high school system were to go down, it would then be taken over by the next largest system; in this case, it would be the Middle School, so they won't lose communications. In this way, service would never be interrupted. **Councilor Ciolino** asked about the system for communicating with the parents and would it be interfaced with the new phone system. **Mr. Harris** explained it is a separate system by a third party service. **Councilor Whynott** asked how long the installation of a new system would take. **Mr. Harris** hoped to have it all done within 60 days. He also confirmed for the Councilor that there are no phones from the 'shops' to the main office at the High School which **Councilor Whynott** found concerning. **Mr. Harris** confirmed they do not currently have communication between the shops and the high school's main office. However, there are computers in those shops, and wherever there are computers, they will have phones also with the new system. **Council President Hardy** asked who the carrier was. **Mr. Harris** stated the dial tone carrier hasn't been determined yet. Currently they're using Verizon for all their services. They are looking at the State contracted telephone services and are looking at several to be the actual carrier. They'll keep existing analog lines at each building to be the back up system and will stay with Verizon for that service. **Council President Hardy** asked about some of the limited

services provided by some of the carriers to the Lanesville area and how that affects Plum Cove School. **Mr. Harris** was well aware of that fact and stated they have now connected Plum Cove School to the City's fiber network. That school will run all its telecommunications and data lines back to the Central Office. They've actually negated the problems by having Verizon go out to the building. **Council President Hardy** asked how the City proposes to pay for this and type of loan. **Mr. Towne**, CFO stated it is short term loan to begin with and likely be issued as long term debt in the fall or in June 2012. The life of the loan will be over nine years. After nine years worth of payments, it would be no higher than \$38,000 for total interest costs in addition to the \$200,000 loan. **Council President Hardy** asked how this would affect the City's credit "card". In response, **Mr. Towne** stated this and the loan authorization the Council will see on November 15th will have a combined total of about \$280,000 a year in principal interest payments. **Councilor Curcuru** asked what the yearly payment would be on the telephone system, which **Mr. Towne** informed the Councilor it would approximately \$30,000 to \$33,000 going down slightly over time; and come out of the operating budget each year. **Mr. Towne** clarified for **Councilor Theken** that the loan is paid out of his department and not the School Department, as he pays for all the debt for the City except for water and sewer which is in the enterprise funds. The debt total will be a bottom line type of project. **This public hearing is closed.**

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council the following loan authorization for the funding of a new telephone system for the Gloucester Public School District as follows:

ORDERED: That up to \$200,000 (Two Hundred Thousand Dollars) be appropriated for the installation and configuration of a telephone system to replace failed and outdated systems for all of the Gloucester Public School District campuses, including the District's Main Office; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow up to \$200,000 (Two Hundred Thousand Dollars) under G.L. c.44, §7(9) or any other enabling legislation; that the Mayor with the approval of the City Council is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under c. 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for those purposes.

DISCUSSION:

Councilor Curcuru expressed this is a part of the City protecting its assets and would vote in favor of the loan authorization. He felt it was part of the City's agreement when taking over the maintenance of the schools a year ago and is not the responsibility of the School Department who shouldn't have to worry about failing telephone systems. **Councilor Theken** would also support the loan order pointing out the members of the School Department Administration and the School Committee in attendance who would not come before the Council if it was not a necessity. It is about school safety; and having access to telecommunications is a necessity. She thought this is the first time and the City side is working together with the School Department to make sure there are proper communications systems. **Councilor Ciolino** would support the loan order for safety reasons, keeping students and teachers safe in their classrooms; and to make sure there is good access to telecommunications for the schools. He, too, felt the partnership between the School Committee and the City Council was working well, and that the City has taken on the burden of the new telephone system so the School Committee can concentrate on education. **Councilor Whynott** would support the loan order as he believed that this situation was dangerous as it currently exists wishing there was a way to connect the vocational shops to the main office through some form of portable communication for safety purposes. He understood regular cell phones don't work at many school sites and hoped more was done in the meantime. **Council President Hardy** supported the loan order for all the reasons she had enumerated at the Budget & Finance Committee meeting. **Councilor Mulcahey** pointed out that we take for granted the ability to communicate through these systems every day and was supportive of the loan order. She offered to donate several Nextel telephones to the schools if it were needed as well.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Ciolino, the City Council voted **BY ROLL CALL 8** in favor, **0** opposed, **1** (Tobey) absent, the following loan authorization for the funding of a new telephone system for the Gloucester Public School District as follows:

ORDERED: That up to \$200,000 (Two Hundred Thousand Dollars) be appropriated for the installation and configuration of a telephone system to replace failed and outdated systems for all of the Gloucester Public School District campuses, including the District's Main Office; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow up to \$200,000 (Two Hundred Thousand Dollars) under G.L. c.44, §7(9) or any other enabling legislation; that the Mayor with the approval of the City Council is authorized to take any other action necessary to carry out this project; and that the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under c. 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for those purposes.

The City Council recessed at 7:37 p.m. and reconvened at 7:41 p.m.

Council President Hardy explained that during the recess Councilor Whynott had spoken to the school administrators; and **Councilor Whynott** related to the Council that Dr. Goodwin and Dr. Safier told him they had purchased 10 walkie/talkies for use at the high school in the shops and in other places in the school so that the high school's office can be contacted immediately when needed and so felt that the safety issue had been somewhat addressed.

2. PH2011-067: Tax Classification in accordance with MGL c40, §56 and GCO Sec. 2-26 to determine the percentage of the local levy to be borne to each class of real and personal property

This public hearing is opened.

Those speaking in favor:

Nancy Papows, Principal Assessor explained that FY12 values have been approved by the Department Of Revenue on October 14th, and then reviewed documentation on file for this meeting, entitled "Tax Classification Information for Fiscal Year 2012 (on file) with the Council. She noted on Page 4 it shows values by class: Residential class makes up 88.95%; commercial/industrial and personal property is 11.05%. The total value of the City is down 2.88% from last year. Based on sales analyses, residential class as a whole has declined this year 3.65%. Depending on the property type in that class, the decrease is in a range between 2%-6%. Commercial values decreased at less than 1% for last year; and industrial values were down 1.8%. The maximum allowable levy is \$63,270,523; and that figure divided by the total value at a factor of 1 comes to 12.27. On Page 7 is the calculation of the maximum allowable levy which is the levy limit from FY11 plus the Prop 2-1/2 increase plus new growth. Added to that is the Poles Hill Debt Exclusion and the Sewer Debt Shift. The FY12 maximum allowable levy is \$63,027,523; and that figure divided by the total value of all properties results in a FY12 tax rate at a factor of 1 of 12.27. The maximum shift allowed by the State is 1.5; and any factor above the factor of 1 would shift a portion of the residential burden or levy onto the commercial/industrial and personal property class. Pages 8-9A show the approximate tax rates that would result from the various shift factors; and Page10 shows the change in tax dollars for properties valued from \$250,000 to \$1 million and shows the variations in savings that would be realized for the residential tax payer depending on the shift; or the increase in taxes that would be paid by a commercial/industrial, personal property tax payer. The remainder of the packet explains the open space discount residential exemption and the small commercial exemption. There are no parcels classified as open space in the City at this time; and the Mayor has opted not to adopt either the residential or the small commercial exemption. The matter before the Council is to adopt a tax classification factor between 1% to 1.5%. **Peter Webber**, 83 High Street, Rockport; spoke on behalf and acted as representative of the members and directors of the Cape Ann Chamber of Commerce for whom he works. He urged the Council approve the same 1.06% shift of burden factor used since FY06. The Chamber appreciates the responsiveness the Council has demonstrated in these years in balancing the tax burden between the residential and commercial/industrial property classes, especially in view of the continuing economic and financial challenges facing the nation and the community's business owners and homeowners; and believe it is a wise and prudent course to take to maintain the current tax factor.

Those speaking in opposition:

Communications: None.

Questions:

Councilor Verga asked how much longer they have to carry Poles Hill. **Mr. Towne** stated it would stay on until 2019. **Councilor Theken** asked about the Mayor not adopting the residential exemption and asked for a brief explanation of it. **Ms. Papows** stated there are two exemptions, that and the small commercial exemptions which are at the option of the Mayor with approval by the City Council. The Mayor has not elected to adopt either of them

for FY12. The residential exemption shifts the burden that the residential class bears as a whole within that class. There would be certain parcels that won't qualify such as vacant land, apartments that are not owner occupied. A person that receives the exemption has to be a resident; a seasonal homeowner would not qualify. Because the burden shifts within the class, the tax rate is recalculated so any property owner that doesn't qualify for the exemption would pay more than they would have while properties that do qualify if they are lower in value would see a savings to a certain point which **Ms. Papows** likened to the break even point noted in the Councilor's packet. Residential homeowners who qualify would pay more because of the higher tax rate. It is shifting within the residential class. Small commercial is similar. It benefits the lower commercial value properties, and shifts the burden to the higher valued small commercial and industrial properties. **Ms. Papows** clarified for **Councilor Theken** that this is not a "widow's exemption" or has anything to do with changing that process; these two issues are an exemption of changing of values for taxation. **Councilor Curcuru** asked how long the 1.06% Tax Classification had been in place. **Ms. Papows** informed the Councilor the rate has been in place for six years. In FY06 it was 1.06; and in the year before that it was 1.12. **Council President Hardy** asked if he was able if the CFO, Mr. Towne would address on behalf of the Administration as to holding the Tax Factor to 1.06%. **Mr. Towne** responded it is the Administration's recommendation that the Tax Classification Factor kept at 1.06%. **This public hearing is closed.**

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed for a Tax Classification Factor of 1.06 percent for Fiscal Year 2012.

DISCUSSION:

Councilor Curcuru expressed his thanks to Ms. Papows and her staff for their continuing good work. **Council President Hardy** pointed out full contingency from the Assessors office was attendance and thanked them all. **Councilor Ciolino** welcomed Mr. Webber as the temporary head of the Chamber of Commerce. He stated he would support the Tax Classification at 1.06% because in this economic climate he didn't wish to change anything. **Councilor Theken** thanked the B&F Committee and the Assessors office for coming forward earlier this year than last year in order to understand the information better enabling Councilors to be more responsive to their constituents. She noted some taxes will go up, some will go down; it has to do with the values and was in favor of holding the Tax Classification to the same rate as in the last few years.

MOTION: On motion by Councilor Curcuru, seconded by Councilor McGeary, the City Council voted **BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, for a Tax Classification Factor of 1.06 percent for Fiscal Year 2012.**

3. PH2011-068: SCP2011-006: Washington Street #298, GZO Sec. 5.13.7.2 (PWSF) Modifications

This public hearing is opened.

Those speaking in favor:

Attorney Edward Pare of Brown, Rudnick LLP, of Boston, MA appeared speaking on behalf of the applicant, New Cingular Wireless PCS, LLC by AT&T Mobility Corporation for a Special Council Permit pursuant to GZO §1.8.3 and 5.13.7.2. AT&T is a provider of wireless communications services licensed by the FCC. AT&T currently has five sites in the City. AT&T is proposing to install a new network called LTE to provide enhanced high speed data service. It means upgrading what is on their existing sites with the LTE rather than installing new sites. Typically for an LTE installation, AT&T installs three additional antennas or three replacement antennas to existing antennas on the façade of the hospital building. With a laser pointer, he noted on a line map drawing the location of a set of antennas and two sets of antennas on the penthouse. The penthouse is about 69 ft to 70 ft. in elevation. The roof building is about 60 ft. The antennas as they currently exist are not above the edge of the penthouse, so there is a low profile. At this location currently AT&T has nine panel antennas and is proposing to replace three of those antennas to provide this LTE upgrade. Additionally, there is one small equipment cabinet. AT&T's equipment is located in the center of the roof and there will be one additional cabinet to what is there currently. The antennas are slightly larger than what is there already, at 96 inches. He referred the Council members to the photographs and photo simulations that were prepared and provided in the application (on file) which shows the existing conditions and the proposed conditions showing AT&T's three antennas and will remove one in the center and replace with one slightly larger. The antennas will be painted to match the façade of the building of the penthouse so they will blend in from a visibility standpoint. The antennas will be at the same height and will not exceed the roof height of the

building or the penthouse height. He showed the Council coverage charts of Cape Ann pointing out the lack of an existing network by AT&T in one rendering noting AT&T is not providing any LTE services in the City currently nor are they in the State. The service that will be provided by pointing to another coverage plot chart from the site, it provides a decent footprint coming off the hospital. When they upgrade all five sites, hopefully once receiving Council approval for them that will provide the entire AT&T coverage for the City of Gloucester. Referring to the application packets, these maps were previously provided as part of their submission. At P&D he had mentioned there is an unexecuted of a Report of Radio Frequency, and then submitted to the Council a completely executed Report of Radio Frequency signed by their RFR engineer dated October 4, 2011. Also as part of their P&D presentation they were asked to provide an access plan to the roof of the building for AT&T's equipment and did so on Friday, October 21st and then submitted a copy to the Council of that letter.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Mulcahey asked if this is a connection or a box, or what size is the connection. **Attorney Pare** stated there would be three antennas located on the exterior of the penthouse and the façade of the building. There are photo simulations in their packet with photo simulations that were submitted with the application that show current conditions and what the proposed new antennas would look like. **Councilor McGeary** asked to see the photo simulations which **Attorney Pare** then showed a copy of them to the Councilor. **Council President Hardy** understood they're adding an equipment box to the roof because they need more room for existing equipment on the roof. **Attorney Pare** stated the LTE technology uses fiber and a different switch. The radio heads are closer to the antennas in this case, connected by fiber and the cabinet can be smaller. This is an addition on top of the current cabinet. They have systematically updated these on their sites. This will provide enhanced 4G for faster service. He thought in future they would upgrade; but this provides enhanced 911 and other services. **Council President Hardy** asked if doorways are marked with appropriate signage as to the hazard. **Attorney Pare** stated they are marked as required by the FCC. **Council President Hardy** expressed her concern for those using the area and not knowing about these microwave antennas. **Attorney Pare** stated their equipment is secured and is not able to be accessed by anyone but them. On inquiry by **Council President Hardy**, **Attorney Pare** explained LTE means "long term evolution". This will all be 4G speed. It is a speed issue, and LTE is the technology.

This public hearing is closed.

MOTION: On motion by Councilor Whynott, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant New Cingular Wireless PCS, LLC by AT&T Mobility Corporation a Special Council Permit (SCP2011-006) for a modification of an existing Wireless Communications Facility pursuant to Section 5.13.7.2 and 1.8.3 to install three (3) new panel antennas (one antenna per sector), together with related amplifiers, cables, fiber and other associated antenna equipment including remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within AT&T's existing equipment shelter at the Addison Gilbert Hospital located at 298 Washington Street, Gloucester, MA (Assessors Map #90, Lot #1) zoning classification R-10 (Medium/High Density Residential) with the following conditions:

- The antennas shall be installed on the facade of the building at the same height and location as the existing antennas;
- The antennas will be painted to match the building;
- All associated equipment shall be housed within the AT&T's existing platform on the roof of the building;

And that the requirements of section 5.13.5.5(e) and 5.13.4.1 be waived as this is a modification of equipment with a de minimus impact on the site.

DISCUSSION:

Councilor Ciolino stated that this is a modification and the applicant has met the six criteria of GZO Sec. 1.8.3 for a special Council permit, and having filed an access plan with the City Clerk's office as well as the City's Emergency Services, the P&D Committee was unanimous in their assent. **Councilor Theken** disclosed she is an employee of the Addison Gilbert Hospital/Northeast Health System, and is not in conflict with this matter and is allowed to vote this evening on it. **Councilor Verga** would support this as he did at P&D; the difference between this equipment and the old equipment is negligible. The community is in need of this technology upgrade and felt it was worthwhile and hoped his fellow Councilors would support it. **Councilor McGeary** would support this feeling it

would be nice to see some of the signal holes filled up. **Council President Hardy** felt this complies with the criteria of Sec. 5.14 of the zoning ordinance and would support it this evening.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to grant New Cingular Wireless PCS, LLC by AT&T Mobility Corporation a Special Council Permit (SCP2011-006) for a modification of an existing Wireless Communications Facility pursuant to Sections 5.13.7.2 and 1.8.3 to install three (3) new panel antennas (one antenna per sector), together with related amplifiers, cables, fiber and other associated antenna equipment including remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within AT& T's existing equipment shelter at the Addison Gilbert Hospital located at 298 Washington Street, Gloucester, MA (Assessors Map #90, Lot #1) zoning classification R-10 (Medium/High Density Residential) with the following conditions:

- **The antennas shall be installed on the facade of the building at the same height and location as the existing antennas;**
- **The antennas will be painted to match the building;**
- **All associated equipment shall be housed within the AT&T's existing platform on the roof of the building;**

And that the requirements of sections 5.13.5.5(e) and 5.13.4.1 are waived as this is a modification of equipment with a de minimus impact on the site.

4. PH2011-069: SCP2011-008: Kondelin Road #16, Sec. 5.13.7.2 (PWSF) Modifications

This public hearing is opened.

Those speaking in favor:

Attorney Pare, Brown Rudnick, LLP again representing New Cingular Wireless PCS LLC which operates as AT&T Mobility explained this application is to modify an existing wireless communications facility and asked the Council to accept his incorporating his remarks regarding the previous application as to what AT&T is seeking to install the LTE service. At the Kondelin Road #16 address, there is an existing guy 340 ft. tower upon which AT&T is already located there at 209 feet. There are currently nine antennas belonging to AT&T on the existing tower along with many others from other carriers. They will be replacing three of those antennas with the LTE antennas similar to the situation at the hospital. The remote radio heads will be installed behind the antennas on the tower. The fiber will run down the tower into AT&T's existing equipment shelter. In this instance the equipment cabinet or rack will be installed in the shelter. He again showed radio frequency plots to the Council, in this instance from the Kondelin Road perspective. A radio frequency report fully executed and dated October 4, 2011 was submitted to the Council. They also provided the existing photographs (on file) and proposed conditions by photo simulations with the application package for the LTE upgrade.

Those speaking in opposition:

Communications: None.

Questions:

Councilor McGeary asked if the LTE technology increase range or is a factor of speed over the range of the signal or is it both.. **Attorney Pare** stated the LTE signal is going to be similar to the footprint they get, probably slightly smaller; because the frequency will be higher. It will not impact what is at the site already at the site for the 2G and 3G; it will speed up data transmission. As an iPad user and in the vicinity, the speed will show as increasing significantly.

This public hearing is closed.

MOTION: On motion by Councilor Whynott, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant New Cingular Wireless PCS, LLC by AT&T Mobility Corporation a Special Council Permit (SCP2011-008) a modification of an existing Wireless Communications Facility pursuant to Section 5.13.7.2 and to install three (3) new panel antennas (one antenna per sector), together with related amplifiers, cables, fiber and other associated antenna equipment including remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within AT& T's existing equipment shelter on the tower owned by American Tower located at 16 Kondelin Road, Gloucester, MA (Assessors Map #198, Lot #39) zoning classification GI (General Industrial).

DISCUSSION:

Councilor Ciolino expressed this was similar to the previous PWSF application and endorsed the Special Council Permit modifications for Kondelin Road #16 noting that the access plan had been submitted to the City Clerk's office and the City's Emergency Services also.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent to grant New Cingular Wireless PCS, LLC by AT&T Mobility Corporation a Special Council Permit (SCP2011-008) a modification of an existing Wireless Communications Facility pursuant to Section 5.13.7.2 and 1. to install three (3) new panel antennas (one antenna per sector), together with related amplifiers, cables, fiber and other associated antenna equipment including remote radio heads, surge arrestors and global positioning system antennas, for new network service upgrades with associated electronic equipment within AT& T's existing equipment shelter on the tower owned by American Tower located at 16 Kondelin Road, Gloucester, MA (Assessors Map #198, Lot #39) zoning classification GI (General Industrial).

5. **PH2011-070: SCP2011-010: Prospect Street #27, GZO Sec. 2.3.1.6 Conversion to or new multi-family Dwelling, three dwelling units; Sec. 1.10.1 and 3.1.6 for building height over 35' and Sec. 1.10.1 and 3.2.2(a) for Decrease in minimum lot area and open space per dwelling unit**

This public hearing is opened.

Those speaking in favor:

Attorney Robert Coakley of Porter & Coakley, LLC, 45 Middle Street appeared before the Council representing the applicants Kayleen Reilly and Barbara Reilly Cohen (daughter and mother, owners of the property) for a Special Council Permit to upgrade the existing building and construct an additional dwelling unit to a building at Prospect Street #27. He reviewed the family history with the property for the Council. They were unable to find a suitable three-family dwelling to allow Mrs. Reilly Cohen, Ms. Reilly, her husband and her brother and his family to live under one roof with separate units. The property they found was only a two family home, but perfectly suited for conversion to a three family home, a beautiful old Victorian structure. Most properties in this immediate area are full three stories in height and are multi-family structures. This particular house is 36 feet tall. The property has a full third floor with interior staircase, three finished rooms and two unfinished rooms on the third floor. The idea was to take the third floor area and convert it to a three family home. They went to the ZBA, as before they can come to the City Council they must seek some dimensional relief. It is a prominent building in the area in which it is located. This is a corner lot on Prospect and Church Streets. He noted when he is referring to the front of the property; he is referring to the frontage on Prospect Street which is the 'face' of the building which is right across from a cemetery. They had letter of support of the three closest neighbors who were also in support of the relief the Cohen family is looking for. They're proposing on the Prospect Street side to bump out between two existing dormers (which the applicant calls "nun's habit dormers"). There are two similar dormers on the rear (on the Church Street side). No changes are proposed on the dormers on Prospect Street. However, to gain some headroom on the third floor level on the rear of the building they're proposing to connect the two dormers creating a 'dog house dormer'. It doesn't increase the height but does create an alteration and expansion of the interior. To provide a second means of egress for the third floor unit, they're proposing to put on a new stair case on the back. There is a staircase and deck system that goes up from the ground to the first and second floor with an enclosed porch on the second floor. They will remove that enclosed porch on the second floor and to create a new deck for the full width of the house, and then to go from that deck to the third floor; so there would be doorway to the third floor creating a lawful means of egress. There are two sets of interior stairs because there are separate entrances for the main apartment on the first floor and then the unit on the second floor. They're seeking three forms of relief.. The first is to add a third unit to the existing two-family home. The second is because they're changing the use, they need a Special Permit to exceed the height of 30 ft. They're already at 36 ft. Because of the changing use they are asking for that Special permit although they are not changing that height at all. They are adding the connection between the two dormers at the rear of the property and adding some skylights to the existing roof line without the installation of more windows or alterations to the structure. The third form of relief which is a dimensional relief within the Council's purview, which the ZBA cannot give, is the lot area per unit and open space per unit. Prior to appearing before P&D, the City Clerk contacted him pointing out his math was slightly off in the application which was correct. When he went to P&D he submitted a revised sheet stating the open space and lot area per unit. The net

result is the relief that they're asking for is less than he originally submitted. When P&D reviewed it, they voted the revised relief. .

Attorney Coakley then reviewed the six criteria for a Special Council Permit: Social, economic or community needs: the applicant proposes to add an additional housing unit but doing so in a way that is minimal. They are within the existing cube of the building and not putting on a big addition; and taking underutilized space on the third floor which people have lived in before into a third apartment. Traffic flow and safety: there are three spaces in front; there are a total of five spaces because of a two car garage also on the property. In an R-5 district, which is a high density district, you need one space per unit and they have five. The ZBA chose to vote on the three spaces because they were going to deal with the minimum space per unit that was required. They did recognize the additional spaces. The ZBA also granted relief to allow the backing out of cars from the site onto a collector street (Prospect Street) consistent with other properties in the neighborhood with no adverse affect; Adequacy of utilities: It is City sewer and City water; and there are adequate utilities and would not overburden City services in that area. Neighborhood character and social structure: This is the threshold requirement when looking at the open space per unit and lot area per unit. It is the preliminary finding that it is in keeping with the neighborhood character and social structure of the area. Qualities of the natural environment: there will be no negative impact on the natural environment. The Reilly/Cohen families have increased the landscaping on the property and have a lovely backyard there. Potential fiscal impact: This will be owner occupied three units, all family. There is no intent to turn this into condominiums. The addition of this unit will not adversely impact schools or public safety; there may be twins that may be going to the school system should they live in one of the units full time. The addition of the third unit will provide additional tax revenue to the City adding a positive fiscal impact.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Mulcahey noted the backing out onto Prospect Street. She asked if they applicants are doing that now.

Attorney Coakley stated even with the front three spaces, to pull into the existing garage, you would still have to back onto the street as there is no room to do it any other way. On further inquiry by the Councilor, **Attorney Coakley** stated this house is not part of the historic district. He noted the interior pictures submitted at P&D and made a part of the record. **Councilor McGeary** asked what a dog-house dormer was and **Attorney Coakley** explained it is a longer, extended dormer. **Attorney Coakley** showed the Councilor a colored photograph of the house as it exists now and explained that they would be connecting the two dormers. The quality of the house would be kept intact. They are not increasing the height.

This public hearing is closed.

MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Kayleen Reilly and Barbara Reilly Cohen a Special Council Permit (SCP2011-010) to convert an existing two unit multi-family dwelling located at Prospect Street #27, (Assessors Map 15, Lot 40) zoned R-5 (High Density Residential), pursuant to Sec. 1.8.3 and Sec. 2.3.1.6, to a three unit multi-family.

DISCUSSION:

Councilor Ciolino noted this project met the six criteria of a Special Council Permit and is fully endorsed by the P&D Committee. There are three motions that will be made with regard to this matter.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Mulcahey, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to grant Kayleen Reilly and Barbara Reilly Cohen a Special Council Permit (SCP2011-010) to convert an existing two unit multi-family dwelling located at Prospect Street #27, (Assessors Map 15, Lot 40) zoned R-5 (High Density Residential), pursuant to Sec. 1.8.3 and Sec. 2.3.1.6, to a three unit multi-family.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted 9 in favor, 0 opposed to grant Special Council Permit (SCP2011-010) by Kayleen Reilly and Barbara Reilly Cohen for the property located at Prospect Street #27, (Assessors Map 15, Lot 40) zoned R-5 (High Density Residential), pursuant to Sec. 1.8.3, Sec. 1.10.1 and Sec. 3.1.6 of the Gloucester Zoning Ordinance for building height with an exemption of six feet, not to exceed a building height of 36 feet.

DISCUSSION:

Council President Hardy quoted GZO Sec. 3.1.6 concerning height exceptions and noted that the height exceeds the 30 ft. limit by 6 ft. She agreed with the statement of the zoning ordinance and there are no obstruction of views and would vote in favor.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to grant a Special Council Permit (SCP2011-010) by Kayleen Reilly and Barbara Reilly Cohen for the property located at Prospect Street #27, (Assessors Map 15, Lot 40) zoned R-5 (High Density Residential), pursuant to Sec. 1.8.3, Sec. 1.10.1 and Sec. 3.1.6 of the Gloucester Zoning Ordinance for building height with an exemption of six feet, not to exceed a building height of up to 36 feet.

MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Kayleen Reilly and Barbara Reilly Cohen a Special Council Permit (SCP2011-010) for the property located at Prospect Street #27, as shown Assessors Map 15, Lot 40 zoned R-5 (High Density Residential), Gloucester, pursuant to Sec. 1.8.3, and Sec. 3.2.2(a) of the Gloucester Zoning Ordinance to decrease the minimum lot area per dwelling unit to 726 square feet per unit (totaling 2,178 square feet); and to decrease the required open space per unit to 83 feet per unit (totaling 249 square feet).

DISCUSSION:

Councilor Ciolino stated this property is comparable to other properties on the same street.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to grant Kayleen Reilly and Barbara Reilly Cohen a Special Council Permit (SCP2011-010) for the property located at Prospect Street #27, as shown Assessors Map 15, Lot 40 zoned R-5 (High Density Residential), Gloucester, pursuant to Sec. 1.8.3, and Sec. 3.2.2(a) of the Gloucester Zoning Ordinance to decrease the minimum lot area per dwelling unit to 726 square feet per unit (totaling 2,178 square feet); and to decrease the required open space per unit to 83 feet per unit (totaling 249 square feet).

6. PH2011-071: SCP2011-011: Ferry Hill Road #21, GZO Sec. 5.5.4 (Lowlands)

This public hearing is opened.

Those speaking in favor: None.

Those speaking in opposition: None.

Council President Hardy stated as there is no one speaking in favor of or opposition to the application, she offered the Council could continue the matter. By unanimous consent the Council continued Ferry Hill Road #21, GZO Sec. 5.5.4 (Lowlands) to November 15, 2011.

This public hearing is continued to November 15, 2011.

7. PH2011-009: Main Street #186, GZO Sec. 5.13.7.2 (PWSF) Modifications

This public hearing is opened.

Council President Hardy stated this public hearing is continued as a recommendation has yet to be made by the Planning & Development Committee and with written agreement forwarded by the attorney from Brown Rudnick on behalf of the applicant (on file).

This public hearing is continued to November 15, 2011.

8. PH2011-073: CC2011-044 (Verga) Amend GZO Sec. 1.5.3 pursuant to MGL c. 40A, §5 and Gloucester Zoning Ordinance Sec. 1.22 and 1.11.2(e) and "Appendix A-Rule 25: Rules of Procedure Special Permit Procedures" – Part I and II

This public hearing is opened.

Council President Hardy announced that this public hearing was opened and would be continued to the November 15, 2011 meeting.

This public hearing is continued to November 15, 2011.

For Council Vote:**1. Special Speed Regulation #7912 from MassDOT re: Gee Avenue**

Linda T. Lowe, City Clerk explained the City Council must sign a document from the MassDOT which must show the date of passage and signature lines for the Council and the City Clerk; sent back to them for their signature and then comes back to the City to be enacted for a speed limit.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Theken, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, in accordance with MGL c. 90, §18 that the following #7912 Special Speed Regulation is hereby adopted as follows:

Gee Avenue – East Bound: Beginning at the junction of Washington Street (Route 127), thence easterly on Gee Avenue, 0.37 miles at 20 miles per hour ending at the end of paved surface; the total distance being 0.37 miles and Gee Avenue West Bound beginning of paved surface, thence westerly on Gee Avenue 0.37 miles at 20 miles per hour ending at the junction of Washington Street (Route 127); the total distance being 0.37 miles.

2. Decision to Adopt: SCP2011-001: Decatur Street #14, GZO Sec. 5.2 Earth Fill and Removal Regulations

MOTION: On motion by Councilor Verga seconded by Councilor McGeary, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to adopt the Special Council Permit (SCP2011-001) decision for Decatur Street #14 pursuant to Section 5.2 of the Gloucester Zoning Ordinance.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:

Councilor Curcuru reported the TIF Committee is in process and will come to B&F at their next regularly scheduled meeting regarding the request of Gorton's Inc.

Councilors' Requests to the Mayor:

Councilor Whynott reported that the naming of the Harbor Patrol Boat for Steve Amaral is moving forward. He also reported that the creation of bocce courts at Stage Fort Park is moving forward also. **Councilor McGeary** noted this Thursday is the Open Door Food Pantry Breakfast at the Cruiseport and encouraged everyone to attend. **Councilor Theken** sent "kudos" for those who won money from BankGloucester. The Council on Aging won \$5,000. The Fisheries Commission does have Council representation and that the meetings have been very well attended. She encouraged seniors to make their appointments regarding open enrollment. If she can't be reached by telephone, stop by the hospital to make an appointment. **Councilor Curcuru** announced there is a Ward 3 meeting on the City's Phase 3 water project, a \$5 million upgrade, in Ward 3-1 at Kyrouz Auditorium the following evening.

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:59 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Minutes of the September 14, 2011 School Committee Meeting submitted by Val Gilman, Chair of the Gloucester School Committee
- Written statement by Councilor Paul McGeary regarding the EDIC Municipal Turbine Report to the Mayor
- Report of Radio Frequency Engineer dated October 4, 2011 pursuant to SCP2011-006 – 298 Washington Street by Attorney Edward Pare of Brown Rudnick LLP representing AT&T Cingular Wireless

- Letter from Dewberry-Goodkind, Inc. dated October 21, 2011 to the Fire and Police Chiefs enumerating the egress to the facility located at 298 Washington Street pursuant to SCP2011-006 – 298 Washington Street by Attorney Edward Pare of Brown Rudnick LLP representing AT&T Cingular Wireless
- Report of Radio Frequency Engineer dated October 4, 2011 pursuant to SCP2011-008 – 16 Kondelin Road by Attorney Edward Pare of Brown Rudnick LLP representing AT&T Cingular Wireless