

GLOUCESTER CITY COUNCIL MEETING

Tuesday, January 10, 2012 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Jacqueline Hardy; Vice Chair, Councilor Sefatia Theken; Councilor Joseph Ciolino; Councilor Melissa Cox; Councilor Steve LeBlanc, Jr.; Councilor Paul McGeary; Councilor Bruce Tobey; Councilor Greg Verga

Absent: Councilor Whynott

Also Present: State Senator Bruce Tarr; Linda T. Lowe; Kenny Costa; Melissa Teixeira; Stephen Winslow; Jim Duggan

The meeting was called to order at 7:04 p.m.

Flag Salute & Moment of Silence:

Council President Hardy stated the moment of silence is dedicated to Officer Aran Patrican. She extended the full City Council's condolences to Officer Patrican's family and his many retired and active brothers and sisters on the Gloucester police force.

The Council President announced that Councilor Whynott was ill, and expressed the good wishes of the Council in hopes that he returns soon.

Oral Communications:

Sunny Robinson, 20 Harvard Street requested in relation to an item that came before the Council on 9/27/11 whereby the City Council voted to request, "the Administration through legal counsel initiate appropriate legal action to establish the City's prescriptive easement rights in Pavillion Beach. She represents the group who brought this forward in a letter signed by approximately 15 citizens to the Council and the Mayor's office, and representing that group, she asked for an update as to what legal action the City has taken to date on this matter.

Joe Orange, 16 Taylor Street spoke to the recent reactivation of the interest of the Town of Rockport to work with the City to build an emergency access connector road through the property that holds the Babson Reservoir which He stated firmly his belief such a road is inappropriate as it would cause a degrading of the actual water source of the reservoir. He urged the Council to stop any actions by anyone who might breach the 600 acre water source area solely owned by the City of Gloucester. He asked the Council to come forward with a resolution to permanently protect this valuable water source. Mr. Orange submitted a map of the Dogtown area depicting the Babson Reservoir area with handwritten notes (placed on file).

Presentations/Commendations:

- State Senator Bruce Tarr and National Grid Representatives re: installation of additional sub transmission supply line to Cape Ann

Sen. Bruce Tarr explained this presentation is due to the on-going dialog between Jim Duggan, CAO; the Council and the Council President, with National Grid; and that enough electrical supply is brought into Gloucester to prevent frequent outages. Following last summer's outage that particularly affected Blackburn Industrial Park, he and Rep. Ferrante wrote to National Grid that while they appreciated National Grid's communications regarding daily operation issues, they needed a long term solution with an eye to look towards a permanent solution. They had fruitful conversations with National Grid who informed them they were in discussions to do just that; and that the news they will convey is long awaited in making strides to increase electricity to the City and region. He introduced John Newman, Legislative Liaison for National Grid, stating he has been pleased with National Grid's response. **Mr. Newman** then introduced Daniel Cameron, Manager of Community & Customer Management; Elton Prifti, Senior Engineer; and Aleta Fazzino, Director of Community & Customer Management. **Mr. Cameron** updated the Council on the electric supply to Cape Ann by way of a PowerPoint presentation to the Council starting with a basic overview of how electricity is generated and sent to the line, the closest being in Salem. Transmission lines are

69,000 volts and up, and this is how they transmit over long distances. It goes to a substation and then is distributed to streets into homes. The challenge on Cape Ann is that it doesn't have large transmission lines. The closest point for transmission is the East Beverly substation. They have six 23,000 volt lines that come out of Beverly for all of Cape Ann. They project the load which is currently 100MVA will be 120 MVA by 2026. The existing 23,000 volt lines are approaching their capacity. When they lose one circuit they have the ability to transfer loads to back up circuits. This summer they lost service which presented other challenges. He showed a map of the North Shore and pointed out transmission lines that come through the district which all come into their East Beverly substation, mostly all from the south. From East Beverly to Cape Ann they don't have regular transmission lines, but rather sub-transmission lines. They have long term plans for that, however. They are now looking short-term, which they view as 10-15 years for adding another sub-transmission line. **Elton Prifti**, Senior Engineer for National Grid pointed out another projected line map, noting two lines run with the railway lines into Cape Ann; and there is another one that runs in a manhole duct system. There are overhead lines that back up substations in Gloucester. He noted on July 21, 2011 the cable failures that occurred at 2:50 p.m. of the 23kV system that supplies the area. Everyone from Gloucester, Manchester and Rockport saw outages. They had two cables fail. They were able to get back one of the 23kV lines back. They were able to pick up most of the distribution lines and pick up most of Gloucester and West Gloucester. The only area that wasn't able to be picked up was the Blackburn Industrial Park, a 14MW load. They restored Varian's power finally on the 23rd of July. He touched upon future area upgrades by stating National Grid is in the process of getting the funding to install another 23kV line from East Beverly to Gloucester, which is 45 miles of cable. This line will be installed in the existing manhole and duct system put in 10 years ago. It will loop in Manchester, West Gloucester and the substation on Rogers Street. They expect approval of National Grid funding at the end of the month; design and procurement will start in February 2012 with completion by August 2012. Construction will start in the fall 2012. They expect to be in service for the summer of 2013. This is a fast tracked time line as National Grid views this as a priority. There will be permitting and licensing needing to be done. They'll also be doing the same in East Beverly; and another few areas where they will need road permits in Beverly and Manchester.

Councilor Tobey thanked the Senator and the presenters and the efforts they're making to meet the critical needs of the community for reliable sources for electricity. He noted they are key to the supply of natural gas to the community also. He asked that on another occasion that the people from National Grid who are supervising the ongoing construction and planning the pending construction in downtown areas of Wards 2 and 3 to come and present the full scope and projected timelines on those plans. He made that in the form of a request and then made the following motion recognizing they will be tearing up major parts of Wards 2 and 3 for the purposes of complying with the unfunded mandate for the CSO separation, combined sewer and water overflow, the fault of no one there that evening:

MOTION: On motion by Councilor Tobey, seconded by Councilor Theken, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent that the Administration combine the occasion for a gas company presentation for on-going construction and planning of the pending construction in the downtown areas of Wards 2 and 3; that on their own through the Council to the community, to speak to the scope and timeline for construction to be conducted as part of the CSO project in the course of calendar year 2012 as soon as possible.

Councilor Ciolino noted this work will be \$14 million and asked if this will be paid by rate payers. **Mr. Cameron** stated it would be. **Councilor Ciolino** assumed this work would raise electric rates and wanted to know what percentage that may be. **Mr. Cameron** stated capital improvements are built into the rates. They have an appropriate amount of money to spend each year on capital improvements. This will be funded through that pool of money. Rates will not go up until they decide to file another rate case before the State. The last one was filed in late 2009. **Councilor Ciolino** asked if this would benefit Rockport also. **Mr. Cameron** stated it would benefit Hamilton, Wenham, Essex, Gloucester, Manchester, and Rockport. In response to a further inquiry by **Councilor Ciolino**, **Mr. Cameron** stated rates are the same whether they are rate payers in Gloucester or elsewhere across the state. Customers in the Cape Ann area will not be seeing an automatic rate hike. The burden will be borne by all National Grid customers statewide. **Councilor Ciolino** asked if there would be any land taking. **Mr. Cameron** stated there is some near the substation at East Beverly and in Manchester. In both cases they will go through that process with those communities. **Councilor Ciolino** asked where the line comes into Gloucester. **Mr. Cameron** explained the line comes up Rte. 127 into the substation at Rogers Street. **Council President Hardy** asked if Sen. Tarr would be willing to get a meeting together as expeditiously as possible working through her, perhaps a workshop with National Grid at the Council level, to learn more. **Sen. Tarr** expressed his appreciation of the

workshop format and would coordinate with the Council President. **Council President Hardy** made note of the City's long range plans and wanted to know if there is talk of a permanent fix for supply of electrical service to the City versus a 10-15 year fix which is not considered a permanent fix. **Sen. Tarr** expressed his concern for long term vulnerabilities also. They have discussed bringing in the supply from the north versus the majority coming from the south. He is encouraging National Grid to look to the north, not only northern states, but to Canada as well, to make it part of the National Grid mindset. The legislative delegation has been particularly concerned about the businesses that are strategic in the economic planning of the future of the City. **Councilor Theken** asked them to look at the outskirts of Ward 5 which not always included in planning. She asked them to consider natural gas for that area. **Sen. Tarr** felt that would be appropriate for the workshop he and the Council President will be putting together. They need to be sure all the relevant utilities are at the table just for that purpose to avoid the repeated opening of streets or other infrastructure. **Council President Hardy** thanked the Senator and representatives of National Grid for the beginning of the conversation.

Council President Hardy noted this is the first meeting of the Council of 2012 and of the new term of the new City Councilors. She congratulated all city Councilors on their reelection and introduced the Councilors: returning City Councilor-At-Large Bruce Tobey; returning City Councilor Ward 1, Councilor Paul McGeary; returning Councilor-At-Large, Councilor Joseph Ciolino; new City Councilor Steven LeBlanc, Jr. representing Ward 3; returning Councilor-At-Large, Sefatia Theken; new City Councilor Melissa Cox representing Ward 2; and returning Councilor Greg Verga, Ward 5. Councilor Bob Whyntott, who is ill this evening is also a returning Councilor-At-Large.

Consent Agenda:

- **MAYOR'S REPORT**
- 1. Fuller School Site Reuse Study (Refer P&D)
- 2. Management Reappointments:

Purchasing Agent	Donna Compton	02/14/13	
Chief Administrative Officer	James Duggan	02/14/13	
General Counsel	Suzanne Egan	02/14/13	
Building Inspector	William Sanborn	02/14/13	
Chief Financial Officer	Jeffrey Towne	02/14/13	
Director of Public Works	Michael Hale	02/14/14	
Assistant Director Department of Public Works	Mark Cole	02/14/14	
Assessor	Nancy Papows	02/14/15	(Refer O&A)
- 3. Memorandum from DPW Director re: Supplemental Appropriation (#2012-SA-6) in the amount of \$300,000 (Refer B&F)
- 4. Memorandum from Mayor re: Free Cash Appropriation in the amount of \$30,000 for Fire Department (Refer B&F)
- 5. Memorandum from DPW Director re: City Council acceptance of STAG Grant in the amount of \$485,000 (Refer B&F)
- 6. Memorandum from Police Chief re: City Council acceptance of a supplemental grant request for \$9,125 from State Dept of 911 (Refer B&F)
- 7. Grant Application and Checklist from Police Dept. for a MIIA Loss Control Risk Management Grant for \$13,558.95 (Refer B&F)
- 8. Memorandum from CAO and Special budgetary Transfer Request (#2012-SBT-10) for Emergency Management Director's Compliance and Coordination Plans (Refer B&F)
- 9. Memorandum, Grant Application and Checklists and Resolutions from Community Development Director re: two 2011 PARC Grants from Massachusetts Division of Conservation Services (Refer B&F)
- **COMMUNICATIONS/INVITATIONS**
- 1. Letter from Town of Erving Board of Selectmen re: support to House Bill No. 00200 for Congressional District Apportionment Of Presidential Elections (Info Only)
- **APPLICATIONS/PETITIONS**
- 1. RZ2012-001: Amendment to Gloucester Zoning Ordinance: Commercial St. #33 & #47 to create a Hotel Overlay District (Refer PB & P&D)
- **COUNCILORS ORDERS**
- 1. CC2011-058 (Mulcahey) Amend GCO Sec. 22-287 re: deleting one handicapped space, Green Street #38 (No Referral Required)
- 2. CC2012-001 (Hardy) Review salary of the office of the Mayor as in accordance with City Charter, Article 3, Sec. 3-1(c) And amend GCO Sec. 2-54 accordingly (Refer O&A & B&F)
- 3. CC2012-002 (Ciolino) Request Legislative Delegation to file legislation re: naming of Gloucester Rte. 128 Extension (Grant Circle to East Main Street) to a "Purple Heart Killed in Action Veteran Highway" (Refer O&A)
- 4. CC2012-003 (McGeary, Tobey, Verga & Whyntott) Resolution re: FY13 Budget (Refer B&F)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting: 12/13/11 (Approve/File)
- 2. Special City Council Meeting: 12/20/11 (Approve/File)
- 3. Special City Council Meeting 01/10/12 (Approve/File)
- 2. Standing Committee Meetings: B&F 01/05/12 (under separate cover), O&A (no meeting); P&D 01/04/12 (Approve/File)

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

Councilor McGeary asked to remove Items #6 Memorandum from Police Chief re: City Council acceptance of a supplemental grant request for \$9,125 from State Dept of 911 and #7 Grant Application and Checklist from Police

Dept. for a MIIA Loss Control Risk Management Grant for \$13,558.95 from the Mayor's Report, as well as Council Order #4, CC2012-003 (McGeary, Tobey, Verga & Whynott) Resolution re: FY13 Budget.

Councilor Theken wished to remove Item #2 Management Reappointments under the Mayor's Report

Councilor Tobey asked to pull items #4 Memorandum from Mayor re: Free Cash Appropriation in the amount of \$30,000 for Fire Department under the Mayor's Report; under Councilor Orders #2 CC2012-001 (Hardy) Review salary of the office of the Mayor as in accordance with City Charter, Article 3, Sec. 3-1(c) and amend GCO Sec. 2-54 accordingly; and #1 under Applications/Petitions RZ2012-001: Amendment to Gloucester Zoning Ordinance: Commercial St. #33 & #47 to create a Hotel Overlay District.

Councilor McGeary stated in the case of Items #6 and #7 of the Mayor's Report, neither will require a referral to B&F. They have already been dealt with at that level and will ask to withdraw them. With no objection by the Council, those items were removed. Item 4 under Councilor Orders re: Resolution re: FY13 Budget filed by himself and Councilors Verga, Whynott and Tobey which stated, "Resolved: That in order to facilitate a community dialogue on whether and how to fund cost items for which it is estimated there will be inadequate revenue in FY13, the City Council requests that the Mayor, in preparing the City's budget for FY13 prepare as well a list of expenses that she was unable to fund within the current budget constraints, but which were requested by the heads of the various city departments during the budget preparation process. The list may include both operating expenses and capital requests as well as interest on borrowing that could not be accommodated within the Mayor's budget proposal." The Councilor explained his reason for offering this now is having now served for two years on the Budget & Finance Committee, and believed his colleagues on that Committee would agree, they often find out too late what the final budget will look like, often too late to do anything about it. It wasn't that they wished to second guess the Mayor, but he felt the voters should know as part of the budget process what didn't make the cut. Then they can decide whether or if they want to do anything with that information. He and his fellow Councilors who signed the order felt this is important information that they as a Council as well as the voters should have access to as part of the process. This order is already being referred to B&F.

Councilor Theken explained that under the City Charter Sec. 2-10(a), the Council is required to act on the management reappointments within 31 days. The referral by Council this evening of Item #2 under the Mayor's Report of Management Reappointments is the initial action required by the Charter (Sec. 2-10(a)). She had no objection to the referral.

Councilor Tobey stated he pulled Item #4 under the Mayor's Report, Mayor's memorandum seeking a Free Cash appropriation for the Fire Department for \$30,000. It was his belief it was well known in the community that the purpose that the Mayor seeks to serve by doing this, is for a period of one month, to provide the financial resources to meet overtime demands in order to keep the West Gloucester Fire Station open for more reasonable fire safety that can be expected through their fire service as a result. He commended the Mayor and senior management, the Chief and Deputy Chiefs who worked together to bring it forward so there is an "umbrella" for manning coverage for a month. Noting that City Councilors have no role in collective bargaining, and stating he was speaking for himself as an individual and the 28,000 citizens who live in the community. It was his hope that under that umbrella there is an opportunity by which both the Administration and the Firefighter's union will establish a new contract based on mutual respect and with reasonable concessions on both sides so there is a new "equilibrium" to present a new Chief on or about July 1st. He expressed he had no objection for this matter to go to B&F. He just wished to highlight the matter because he believed this to be a unique opportunity, believing with yielding on both sides it will get the job done now.

As to the Application/Petition related to the amendment of the Gloucester zoning ordinances for the hotel overlay district, **Councilor Tobey** explained this should be pulled given a communication that was shared with all Councilors from John Cunningham, legal counsel for the proponent asking for a two week delay. As presented to them on the agenda, it refers to two parcels on Commercial Street, and the filed application did refer to a third parcel. Unless that changes in two weeks, it should come before them as it was stated in the application. The Councilor then spoke to Council Order, Item #2, CC2012-001 (Hardy) Review salary of the office of the Mayor as in accordance with City Charter, Article 3, Sec. 3-1(c) and amend GCO Sec. 2-54 accordingly. He wished to highlight it and explain what he intended to do. This is an order by Councilor Hardy seeking a review of the salary of the Mayor and an amendment to the Code of Ordinances. He believed also this was a measure that was long overdue. Publically disclosing he never wished to be Mayor again, he stated the Mayor is grossly underpaid in this community. He pulled together data as a basis for his filing an order to reflect his assessment of Mayoral salaries in 39 communities showing Gloucester under pays its Mayor, by comparison, by 25%. Gloucester's Mayor runs a complex organization and has responsibility for a water and sewer plant, for instance, which many of the Mayors in the other 39 communities do not. He would be filing a follow-up order to supplement the Council President's order,

stating a specific number, which he hoped in turn would frame the conversation for O&A and take the pressure off of that Committee. **Councilor Theken** clarified if this order would affect the sitting Mayor or for a future Mayor. **Council President Hardy** responded the City Charter mandates if consideration is made and there is change, that it not be made for this sitting Mayor. Under the Charter, the City Council must bring it forward in the first 18 months that they sit in their term; the 19th or 20th month would be too late; and must be for the next sitting Mayor.

Councilor Theken stated this was to increase the Mayor's salary and this would allow them to compete with other communities. **Council President Hardy** read into the record Sec. 3-1(c) of the City Charter, "Compensation": "The City Council shall by ordinance establish an annual salary for the Mayor. No ordinance establishing or increasing such salary shall be effective unless it shall have been adopted in the first eighteen months of the term for which Councilors are elected and it provides that such salary is to be effective at the commencement of the next term of the office of the Mayor".

Councilor Ciolino, as a point of order, questioned the Councilors' going over so many items to be pulled and discussed versus his understanding that items pulled off the Consent Agenda were simply to be pulled to be removed or for further referral. **Councilor Tobey** commented that several items were in fact changed and given the fact that Committee work takes time, he didn't feel their discussion was legislative misuse by any of the Councilors who pulled items and made comments. **Council President Hardy** stated she did not feel there had been a violation of the Rules of Procedure.

By unanimous consent the Consent Agenda was accepted as amended.

Committee Reports:

Budget & Finance: December 8, 2011 and January 5, 2012

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c. 44, §53A to accept a grant for \$25,000 from the CDC passed through the Boston Public Health Commission for the Strategic Alliance for Health Mentoring Project.

DISCUSSION:

Councilor McGeary stated this grant was received through the CDC. This grant will allow for the mentoring and support for health initiatives such as "Get Fit Gloucester!" The \$25,000 in funds will be used to provide funding for the Get Fit Gloucester Project Manager position for an additional 3 months to September 2012. Other program funding will be used for the Clean Team run by the YMCA and also for the Cape Ann Farmer's Market Backyard Grower's Program. **Councilor Tobey** acknowledged he had asked this matter to be carried forward. **Stephen Winslow**, Project Manager for the program noted Get Fit! Gloucester is working to create a fit friendly Gloucester. The focus is in making physical improvements rather than physical education programs. It is to create physical improvements in the environment and policies to promote physical fitness. Over the last few years he has worked on the Open Space Plan which identified the need for better stewardship of open spaces. One thought is to use this money to help reprogram that Clean Team to have them help improve trails and open spaces. They have a successful backyard growers program that is run on a shoe string; and this will help fund that program. The year-to-year grant funds his salary. There is some uncertainty on the funding for his position; and this is to aid them in carrying out that grant. The thought was to make sure they have the resources for staff to the end of the grant. He helps spearhead the building committee for Newell Stadium. They hope when the Governor's budget comes out there will be funding to continue the Mass in Motion project. **Councilor Tobey** thought City grant programs, like the Community Development Block Grant program are allowed administrative costs capped at 20%. He was troubled by the administrative percentage. More than 50% is going to administer the grant. He asked how they justify spending less than half the money to the goals of the grant and over half to administer the grant. **Mr. Winslow** stated this grant will fund work on the Community Action Plan and has activities to work to implement the open space plan; to work on a bicycle plan for the City. He will be working more than just overseeing the backyard growers program and YMCA Clean Team. This is a much broader thing. The focus from the State level is that they're investing \$60,000 a year to allow larger projects to come to the City. The grantees want the money to be spent in this way. The State decided to make sure they hire people who focus on action plans to work on the bigger projects that come forward as a result. **Councilor Tobey** asked if Mr. Winslow was familiar with the contract language that governs this grant and if there was any cap on the funds that can be spent on the administration of the

grant; did they allow more than 50% to be spent on administration. **Mr. Winslow** stated this was the funding proposal that went in with this particular budget, and the grantors are willing to sign a contract once it is approved by the City. The grantors reviewed this budget and find it acceptable as they know it is important to have the staff. It is legal. **Councilor McGeary** asked for a ballpark figure to the administration. **Mr. Winslow** stated the intent is to provide resources to make bigger improvements. These grants fund staff and that is allowable. It is not intended for the funds to be passed on programmatically. Mass in Motion is focused on building infrastructure to allow physical activity in the long term. It is not the same as CDBG. **Councilor McGeary** stated the purpose is to create an administrative support structure for other projects. **Mr. Winslow** stated the Councilor was correct. **Councilor Ciolino** would support this tonight. He suggested Mr. Winslow create documentation of what exactly the accomplishments have been in the past few years. Mr. Winslow was urged to submit that through the office of the Mayor. **Councilor Tobey** didn't challenge the merit of the mission Mr. Winslow shared. However, he found parts troublesome such as the Newell Stadium effort which has an enormous community volunteer effort behind it; as well as the sidewalk projects supervised by the DPW and funded by loans put through by the City. It seemed to him with a \$25,000 public health grant directing enhancements to fitness for more than half spent on administration is an unacceptable stretch to use of the funds for the taxpayers. **Councilor Ciolino** mentioned there was a report issued two years ago by the Open Space Committee which Mr. Winslow headed up and felt it was an asset to have all in one volume; that it was a great accomplishment and money well spent. **Councilor McGeary** would support the motion and acknowledged this does require some Administrative overhead and is not untoward although he shared Councilor Tobey's view that the administrative costs should be in balance with the grant funds. **Council President Hardy** felt that more attention should be paid to administrative costs budgeted into grants that come into the City. She knew the B&F Committee would be on top of such things.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 7 in favor, 1 (Tobey) opposed, 1 (Whynott) absent, under MGL c. 44, §53A to accept a grant for \$25,000 from the CDC passed through the Boston Public Health Commission for the Strategic Alliance for Health Mentoring Project.

Budget & Finance: January 5, 2012

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to approve the Request for Proposal #12077 Good Harbor & Wingersheek Beach Concession and Restroom Operation Lease pursuant to the terms and conditions as stated therein. Said term is to be a three year term from May 1, 2012 to November 1, 2014.

DISCUSSION:

Councilor McGeary stated that this is a three year program which puts out to bid the Good Harbor Beach and Wingersheek Beach concessions to the best bidder(s) in the City's judgment. Minimum bids are \$75,000 for Good Harbor Beach and \$65,000 for Wingersheek Beach for the three year period. A couple of minor changes were made from the last lease agreements regarding the language to help with the clean up around the concession area, not only the 50 ft. radius around the concession but also ensuring the dumpster which is near the concessions is cleaned up. It is basically the same contract as the one they put out three years ago. **Councilor Ciolino** would support this also. One of the issues with the concessions is restroom operation. It was gone over at B&F who would be responsible for maintenance. It was understood the operator will take care of the restrooms at both beaches. They were also assured by the DPW the buildings are in good shape.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent. to approve the Request for Proposal #12077 Good Harbor & Wingersheek Beach Concession and Restroom Operation Lease pursuant to the terms and conditions as stated therein. Said term is to be a three year term from May 1, 2012 to November 1, 2014.

MOTION: On motion by Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to transfer (#2012-SA-5) \$25,000.00 from Highway Force Account, Unifund Account #294015 to Public Services Paving, Unifund Account #101000.10.470.58415.0000.00.000.00.058.

DISCUSSION:

Councilor McGeary explained this transfer is for funds from the Highway Force Account which is State money provided for paving and to fund the DPW spring paving projects. **Councilor Ciolino** stated at B&F it came up that when they set aside funds for paving projects they want to know which streets will be done. In the future they are not allocating money to pave without knowing what streets will be improved.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to transfer (#2012-SA-5) \$25,000.00 from Highway Force Account, Unifund Account #294015 to Public Services Paving, Unifund Account #101000.10.470.58415.0000.00.0000.00.058.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council under MGL c.44, Sec. 53A to accept a grant from the State 911 Department, for a FY12 State 911 Department Training Grant in the amount of \$130,864.00.

Councilor McGeary motioned to amend the main motion by striking the words “in the amount of \$130,864.00” and substituting after the word Training Grant “as amended in the amount of \$139,989.00”. The motion to amend was seconded by **Councilor Ciolino**.

DISCUSSION:

Councilor McGeary stated this grant money comes out of the 75 cents that all cell phone users pay for 911 services. There is a new training requirement; and this money will be used to train police officers in EMD which is Emergency Medical Dispatch; so that if someone calls having a heart attack or is choking, as an example, the answering police officer will be able to help over the phone while help is en route. It is required that all dispatchers receive four hours of training and will pay for that training and the overtime pay as well. There is no match.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, under MGL c.44, Sec. 53A to accept a grant from the State 911 Department, for a FY12 State 911 Department Training Grant as amended in the amount of \$139,989.00.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to allow the Police Department under MGL c. 44, §53A -1/2 to accept two Grants from the MIIA, a Loss Control Risk Management Grant in the amount of \$9,980.00 for the purchase of Video Surveillance Equipment for Police Department Booking area and a Loss Control Management Grant for \$3,578.95 for the purchase a bar-coding System (MIPSS) for Police Department.

DISCUSSION:

Councilor McGeary explained this grant was applied for and provided within the time sequence so the B&F Committee at the meeting approved the acceptance of the grant funds in the amount specified. This will get a new Video Surveillance Equipment for the Police Department Booking area and the purchase of a bar coding system for tracking police evidence. There is no match. **Councilor Ciolino** stated when they did a report on the police station, these two items were noted as being needed; and he commended Chief Lane and his officers for having pulled in a number of grants for the City and expressed his appreciated for their efforts.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to allow the Police Department under MGL c. 44, §53A -1/2 to accept two Grants from the MIIA, a Loss Control Risk Management Grant in the amount of \$9,980.00 for the purchase of Video Surveillance Equipment for Police Department Booking area and a Loss Control Management Grant for \$3,578.95 for the purchase a bar-coding System (MIPSS) for Police Department.

Councilor McGeary announced that the B&F Committee voted unanimously to open their Thursday evening meetings at 6:00 p.m. starting with their January 19th regularly scheduled meeting.

Ordinances & Administration: No Meeting due to Holiday. Councilor Theken announced that the O&A Committee would commence their regularly scheduled meetings at 6:00 p.m.

Planning & Development: January 4, 2012

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to approve the disposition by means of a lease as provided in the Request for Proposal #12077 Good Harbor & Wingersheek Beach Concession and Restroom Operation Lease pursuant to the terms and conditions as stated therein. Said term is to be a three year term from May 1, 2012 to November 1, 2014.

DISCUSSION:

Councilor Tobey explained that the Council did just vote this previously but it was referred to both B&F and P&D.

MOTION: On motion by Councilor Verga, seconded by Councilor McGeary, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to approve the disposition by means of a lease as provided in the Request for Proposal #12077 Good Harbor & Wingersheek Beach Concession and Restroom Operation Lease pursuant to the terms and conditions as stated therein. Said term is to be a three year term from May 1, 2012 to November 1, 2014.

Scheduled Public Hearings:

1. PH2012-001: SCP2011-018: Main Street #184-186, GZO 5.13.7 and GZO Sec. 5.13.2.23 (PWSF) Modifications

This public hearing is opened.

Those speaking in favor:

David Hoogasian, Site Acquisition, Network Building & Consulting LLC representing the applicant Sprint Spectrum LP (Sprint-Nextel) explained to the Committee that this proposal is to replace the existing six antennas on the rooftop with 9 remote radio heads. It is a capacity upgrade for the site allowing the site to handle more data traffic. There is one more cabinet going on the third floor for batteries. They'll use the existing co-axial routes. There are remote radio units which will be installed behind the antennas hidden from view. It is a technology shift of what used to be in the equipment cabinets moved now up close to the antennas which improves the performance of the antennas. The Electromagnetic Compliance Report (Radio Frequency Report) was submitted to the P&D Committee and placed on file, done by an independent consultant. There were conditions for a stairway in disrepair and for signage to alert fire personnel. It is the intent of the applicant to comply with those conditions.

Those speaking in opposition: None.

Communications: None.

This public hearing is closed.

MOTION: On motion by Councilor McGeary, seconded by Councilor Hardy, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Sprint Spectrum LP (Sprint-Nextel), by Agent, David Archambault for owner, Gloucester Business Equities, a Special Council Permit (SCP2011-018) for modification to an existing Wireless Communications Facility pursuant to GZO Sections 5.13.7 and 1.8.3 to replace six (6) existing antennas with six (6) new technology antennas; together with related amplifiers, cables, fiber and other associated antenna equipment including nine (9) remote radio heads, for new network service upgrades with associated electronic equipment within a current equipment cabinet as well as add one (1) equipment cabinet to lease area for a total of two (2) equipment cabinets located at 184-186 Main Street known as "Brown's Mall", Gloucester, MA (Assessors Map #8, Lot #70), as shown on the site plan prepared by Daniel P. Hamm, PE dated 10/4/11 and with additional conditions that Sprint Spectrum LP comply with as follows:

1. The applicant shall share in the expense of the repair to the interior stairway leading to the roof with other wireless facility providers currently at the same location;
2. That adequate lighting should be installed in stairway from elevator level to roof access;
3. That emergency lighting and exit signs are installed in same area;

4. That signage be placed on doorway leading to roof and in front of antenna arrays warning that cell antennas are present.

DISCUSSION:

Councilor Tobey explained the Committee vetted the project and that the zoning ordinances were satisfied and met. **Councilor Ciolino** didn't want to see the repairs fall through the cracks and felt that in three months the Council should check on the progress of the repairs as they did not put a timetable on them. He was uncomfortable voting on this as having no repairs timeline. **Council President Hardy** stated that the Building Inspector is expecting this to come forward as well as another application from a different carrier for this same location. He can't give out a building permit without these conditions being met. **Mr. Hoogasian** confirmed this also to the Council. **Councilor Ciolino** expressed he was reassured on the matter. **Councilor Verga** believed that they were covered with the conditions as stated in the motion.

MOTION: On motion by Councilor Tobey, seconded by Councilor Verga, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to grant Sprint Spectrum LP (Sprint-Nextel), by Agent, David Archambault for owner, Gloucester Business Equities, a Special Council Permit (SCP2011-018) for modification to an existing Wireless Communications Facility pursuant to GZO Sections 5.13.7 and 1.8.3 to replace six (6) existing antennas with six (6) new technology antennas; together with related amplifiers, cables, fiber and other associated antenna equipment including nine (9) remote radio heads, for new network service upgrades with associated electronic equipment within a current equipment cabinet as well as add one (1) equipment cabinet to lease area for a total of two (2) equipment cabinets located at 184-186 Main Street known as "Brown's Mall", Gloucester, MA (Assessors Map #8, Lot #70), as shown on the site plan prepared by Daniel P. Hamm, PE dated 10/4/11 and with additional conditions that Sprint Spectrum LP comply with as follows:

1. **The applicant shall share in the expense of the repair to the interior stairway leading to the roof with other wireless facility providers currently at the same location;**
 2. **That adequate lighting should be installed in stairway from elevator level to roof access;**
 3. **That emergency lighting and exit signs are installed in same area;**
 4. **That signage be placed on doorway leading to roof and in front of antenna arrays warning that cell antennas are present.**
2. **PH2012-002: Resolution adoption under MGL c.10, §58A re: East Gloucester Cultural District**

This public hearing is opened.

Those speaking in favor:

Karen Ristuben, 4 Bickford Way President of the Rocky Neck Art Colony which consists of approximately 140 members (100 of them being artists), was speaking on behalf of the East Gloucester Cultural District (EGCD). She acknowledged the presence of Mary Jenkins from the Mass. Cultural Council (MCC) as well as the leaders of the Gloucester Stage Company, Gloucester Writer's Center, and some leaders of the North Shore Art Association, the main cultural partners who are entering into this initiative. She gave a brief history of the cultural district concept noting that in 2010 legislation was passed in Massachusetts largely on the initiative of Sen. Tarr and Rep. Ferrante. In the summer of 2010 the President of the MCC came to Gloucester with Rep. Ferrante and Sen. Tarr and had a meeting about what the EGCD was looking like culturally then and how their artists and art producers and people who rely on the arts were being affected by a change in the economy. A year later they made changes starting to partner with the City; paving was done, new sidewalks, signage was put up to show what they could do with a newly formed and newly intentional partnership with the City and arts organizations. This initiative is all about partnership and collaboration between the State, the City and the arts organizations and the artists of East Gloucester. She stated this is to enhance property values and to enable them to work together as cultural organizations and with municipal partners. It is to build up a better infrastructure, better marketing and awareness of the area than they can do as individual arts organizations or the City can do on its own. By joining forces as partners, they'll be able to have more power over time to bring more visitors to the area and put them on the map as a cultural destination, and enhance and further their strong cultural base. It is wishing to carry the legacy into the future of the artists, writers, performing artists who came before them, this formation of a cultural district and is in a response to the realities of a 21st century economy and carry them into the future as an organization and a partnership. They will use as many

existing resources as they have and will be offered resources by the State and the City as partners. MCC has garnered the resources of State agencies, the DOT; Dept. of Tourism and Travel; Housing & Community Development Dept.; Conservation & Recreation Dept., who are committed to supporting cultural districts that are established in the State. They'll look to have them help develop the cultural district. They'll create a website and brochure as a guide for the EGCD. She noted the boundaries of the EGCD of a map that was displayed to the Council, but that they had received prior to the public hearing (on file) and described them as extending from the public landing at Cripple Cove to the end of Niles Beach where T.S. Eliot had his summer home. There are many points of interest, of historic interest, and contemporary interest. The boundaries go along East Main Street to the water; it includes Rocky Neck and Mt. Pleasant Avenue. A historian from the North Shore Art Association pointed out 30 points of historic interest. They will be submitting with their application to the MCC an additional list of several dozen artists who live in the area; as well as businesses who support the cultural efforts in the area. They would like to provide in the district an experience of what is there now and why they value what has gone before them. **Andrew Burgreen**, Gloucester Stage Company's Managing Director expressed that organization's support of the cultural district and hoped it will help to support their audience base and be a win:win situation. **Jim Duggan**, CAO stated the Administration recognizes the advantages of the partnership before the Council. It is with pleasure that they support this partnership, finding it a great opportunity to partner with artists in the community allowing them to leverage resources at a State level for the advantage not only for East Gloucester but as an economic tool for the entire City. **Henry Ferrini** co-founder of the Gloucester Writers Center, 126 East Main Street supported the initiative for an opportunity not only to bring extra money to the City, but to help with the heritage trade and an opportunity to create an organization to give back to the citizens of Gloucester for "educational overlay". **Ann Robinson** of Rockport and a member of SEArts spoke in support of the cultural district application and that this was supporting the economy. **Marsha Hart**, 3 Fremont Street, a Rocky Neck resident expressed her support of the Cultural District; however, she expressed concern as to the stated benefit of increasing property values. While she is on the City's Committee for the Arts, she is stating her personal opinion on the matter. She didn't know many artists who wanted property values to rise. She expressed her concern that there are consequences to raising the property values through this project. Culture and the arts is an economic engine. She didn't want the artists to end up as "props on a stage" of a cultural district. She felt this requires careful planning. She was completely in favor of the MCC cultural districts. To preserve the artists, she believed they must promote artists housing, live/work situations. The cultural district has to be designed so that artists are not hurt. **Gordon Geotemann**, 1 Rocky Neck Avenue, a gallery owner on Rocky Neck spoke in support of the cultural district as a stimulus to the difficult economic situation.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Ciolino stated at P&D they expressed concern that it was possibly a rezoning. **Ms. Ristuben** clarified that the cultural district designation is not a rezoning. **Councilor Ciolino** reiterated that there is no rezoning, but that the cultural district is just a designation and that nothing will change zoning wise. **Ms. Ristuben** added, rather, it is an enabling initiative. **Councilor McGeary** directing his question to Ms. Mary Jenkins of the Mass. Cultural Council who runs the cultural districts initiative, that he knew their budget was tight and asked where support mechanisms and initiatives could come to a cultural district. **Ms. Jenkins** stated the legislation was passed to be revenue neutral. There is no money attached to the designation. But other state agencies were obliged to adapt and adopt their own programs to assist the development of cultural districts. The agencies Ms. Ristuben spoke of have funding that MCC does not. They have an appointed point person for each of the involved agencies to work with the MCC, like DOT to put signage on Rt. 128 indicating the cultural district, at no cost to the City. They would ask the City to purchase the signage at \$75 apiece to delineate the entry and exit to the district, which is the only cost involved for the City and the district. The Mass. Office of Travel & Tourism, for example, will design at no cost to the community part of the cultural district's website. The Dept. of Conservation & Recreation would like to work with communities to look at public amenities and facilities issues as they relate to a district. The Mass. Historical Commission will look at historical assets that could be utilized that haven't been considered before within the district. Many of the cultural assets are housed in historic buildings of which they are particularly concerned with. The Dept. of Housing and Community Development has technical assistance programs and funding to support economic and community development initiatives. To date there are over 100 communities who have signaled interest in developing cultural districts. If the EGCD goes forward and is successful, it would be first of six in the State to be designated since the enabling legislation.. They will go back for funding for cultural districts when prosperity returns to the State. Those communities already designated will receive any funding first. Any organization or effort is eligible for several important funds and also local cultural council programs.

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 adopt a Resolution that the City of Gloucester make a commitment establishing a State Designated Cultural District pursuant to the East Gloucester Cultural District Partnership Application to the Mass. Cultural Council.

DISCUSSION:

Councilor Ciolino stated his belief that this recognition is long overdue; that the Rocky Neck area should be a designated cultural district. He congratulated the group for putting this together in less than a year. This is the model they'll have to work with and others can copy what was done there. He felt Rocky Neck is a special place; and that if there is any place that will be a cultural district, it should be there. He fully supported this effort.

Councilor Tobey thought this was recognition of the obvious. The Rocky Neck district wraps around to Cripple Cove, and as one who grew up on Smith Cove, he could state this was the place to be for art, sculpture, painting or theatre; for live music; a lively night life. The area has seen an ebb and flow, but the resurgence is there. He recalled being a young married man living there with their first daughter, and now his daughter and her family are living there also. He hoped this did increase property values. He wanted to see a "rising economic tide" in Gloucester again with good growth. This, he believed, is a great step forward to recognizing the obvious.

Councilor Theken voiced her support feeling they need to emphasize their City treasures. It is hard to let people know off the Cape of how wonderful an asset this City is. She believed this will bring visitors to other City assets not just the downtown area. They have to preserve what they have by moving forward. She recalled in the past when signage was put in and when something was on the map, they had no problem attracting tourism. She noted with the poor economy more people are driving to destinations instead of other forms of transportation. Now visitors will stop in Gloucester for yet another reason. **Councilor Verga** thought this a great opportunity between the City, State and the arts. The City is being asked to do very little. He would vote in favor of this. He would look forward to seeing the signs go up. **Councilor McGeary** noted as the ward Councilor in which the proposed cultural district will be located, he expressed his "enthusiastic support" the effort to bring these many and varied assets together and to give them some "specific gravity" to act in concert, like the Rocky Neck Art Colony, like the North Shore Art Association, like the Writer's Center and the Gloucester Stage Company. Individually they're all wonderful organizations; together with that designation as a cultural district they'll be even more of a draw to the City and will end up supporting each other and the neighborhood around Rocky Neck and East Gloucester down to Niles Beach. He, too, thought this was a win:win situation; a wonderful opportunity for the City, and the Councilor expressed he was proud to support this. **Council President Hardy** offered her support of this application noting she sat in on committee meetings and had conversations with the Ward 1 City Councilor, Paul McGeary who helped to inform her. She hoped other areas of the community, when it is an advantage to them, would seek designation going down the same path to draw tourism to their areas for completely different reasons. **Councilor McGeary** pointed out that this vote is a necessary prerequisite for the application. The governing body of the City has to vote to endorse a resolution before the application can move forward; being one step in a process and is an important one. He believed the motion as it stands is sufficient.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted 8 in favor, 0 opposed. 1 (Whynott) absent, to adopt a resolution under MGL c.10, §58A by the City of Gloucester, Massachusetts, to create a state-authorized cultural district for at least five (5) years to be named:
East Gloucester Cultural District

WHEREAS, the City wishes to pursue a state-authorized cultural district through the enabling legislation Massachusetts General Laws, Chapter 10, Section 58A;

WHEREAS, the City has a mixed-use geographical area that has a concentration of cultural facilities and assets;

WHEREAS, the City Council held a public hearing and adopted a Resolution on January 10, 2012, proclaiming its interest in establishing a state-designed cultural district;

WHEREAS, the City has created a broad and diverse Partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district, known as the East Gloucester Cultural District Partnership, comprised of the City of Gloucester, the Rocky Neck Art Colony, the Gloucester Stage Company, the Gloucester Writers Center, and the North Shore Arts Association (partner in principal subject to approval of the final Partnership Agreement by the NSAA Board), and other stakeholders who may be added as partners as warranted;

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gloucester that the City of Gloucester:

Article 1. Endorses the submission of this application and agrees to foster the development of a cultural district at East Gloucester (Map attached).

Article 2. Endorses the state-sponsored cultural district goals: attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development.

Article 3. Will appoint a City official (James Duggan, Chief Administrative Officer), to represent the City within the District Partnership of said cultural district.

Article 4. Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district.

Article 5. Directs City agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

ADOPTED ON THIS 10th DAY OF JANUARY, 2012 (To be signed by the Council President and the Mayor)

The City Council recessed at 9:13 p.m. and reconvened at 9:22 p.m.

Councilor Ciolino clarified that when the motion was made for the cultural district, there was a Resolution that needs to follow the motion and would enter the Resolution into the record. The Council waived the reading; and the Resolution was incorporated into the motion just passed by the Council in Public Hearing #2.

For Council Vote:

- 1. Motion to Reconsider (Ciolino): The City Council vote of December 20, 2011 re: public hearing to adopt MGL c. 32B §21, §22, §23.**

Council President Hardy explained that for Council vote, there is a Motion to Reconsider that is going to be offered by Councilor Ciolino regarding the vote that was taken by the City Council on December 20, 2011 related to the public hearing that was in relation to the adoption of MGL c. 32B §21, §22, §23. The Chair acknowledges that Councilor Ciolino was on the prevailing side of the vote that evening; and therefore, it is in order that he make the Motion to Reconsider.

Councilor Ciolino stated since he was on the prevailing side on the motion to conduct a public hearing regarding the possible adoption of MGL c. 32B §21, §22, §23, he moved reconsideration of that vote, which **Council President Hardy** seconded.

Councilor Ciolino explained his feeling that in looking back, the Council needed to work on the matter and delve into it more; that a public hearing is premature and suggested the matter should be referred back to O&A. **Council President Hardy** stated since the motion they're reconsidering was originally debatable and allowed discussion, the Motion for Reconsideration is allowable for further discussion itself. For clarification purposes, the Council President explained that this vote will be to negate and invalidate the motion that was made before the City Council

previously regarding the public hearing. If the Motion to Reconsider passes, the motion for the public hearing comes back on the floor and they vote whether or not they want to send the matter to public hearing again. The first motion is to reconsider to decide if the Council wishes to reconsider its vote of December 20, 2011. **Councilor Tobey** inquired if the motion for the public hearing when it comes back before the Council could be subject to amendment to capture some of the concerns Councilor Ciolino was alluding to. **Council President Hardy** stated that could occur as it goes back to the original point of the motion itself; that could come in during discussion and can be amended. **Councilor Verga** wanted to make sure they are covered before further discussion is off the table. He felt there needed to be more conversation and didn't want this vote to put an end to that potential conversation. Council President Hardy reminded the Council if they vote in favor of the Motion to Reconsider it means they are voting to put the old motion back on the table again. A no vote would mean the public hearing would stand as originally voted.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Hardy, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to reconsider the vote taken by the City Council on December 20, 2011 to conduct a public hearing related to the adoption of MGL c. 32B §21, §22, §23.

Council President Hardy announced the Motion to Reconsider passed by roll call vote.

MOTION: On motion by Councilor Whynott, seconded by Councilor Verga to conduct a public hearing to adopt MGL c. 32B §21, §22, §23 voted BY ROLL CALL the City Council voted 6 in favor, 3 (Hardy, Curcuru, Mulcahey) opposed.

Council President Hardy then advised that the original motion as presented at the December 20, 2011 City Council Meeting as presented by Councilor Ciolino is now on the table. She also advised for the record that there are two new City Councilors with the Council; and that according to Roberts Rules of Order these two new Councilors are members of the City Council and are able to vote not only on the Motion to Reconsider but on the motion that is now on the table and are able to participate completely in the discussion before the Council and will be participating in the vote on the public hearing.

DISCUSSION:

Councilor Ciolino expressed his belief that they were premature in scheduling a public hearing. He would have the City Council ask the Chair of O&A to schedule a workshop with the City Council and the Administration so they can "roll up their sleeves" to delve into the matter and see what the nuances are and how they can protect the majority of the people already involved in the City's health insurance program keeping the best interests in mind of all involved. He expressed as one Councilor he didn't have enough information on this subject to warrant to hold a public hearing; have people come in to plead their case and not have sufficient answers for them. The more practical route, he believed, was to have a workshop through O&A. **Councilor Theken** stated as Chair of O&A she would welcome this back as her Committee made no recommendation to come forward on the matter. She felt it was rushed to a public hearing without hearing all the information when there are so many aspects to look at. To do that all in one night at a public hearing would force continuation upon continuation. She wished to do it right from the beginning. She stated there was no rush. She urged it be brought back to O&A so that she can set up a workshop and that they will work together to handle the matter correctly, feeling there here are too many questions yet to be answered. **Councilor Verga** stated in retrospect the call to public hearing was possibly premature and rushed. However, that call to public hearing was a reaction to feeling of being pushed forward too quickly to adopt the Massachusetts General Law. When Councilor Whynott suggested the public hearing, it was why he seconded the motion. The concern he had then was the brief presentation wasn't enough to answer the questions being brought up by the Council. He would support a workshop that included the Administration and the other side as well, current and retired employees "so that no stone is unturned." He expressed he was not ready to vote for it on the 20th. The general "vibe" from this Council now is they need more information. He would reserve how he would vote until he hears what the amendment to the motion will be to be put forward by Councilor Tobey. **Councilor Tobey** expressed his feeling this matter should go back to O&A with the able leadership from Councilor Theken who he felt was uniquely qualified to lead a conversation and delve into the details of insurance coverage's. He looked forward to that wide-ranging conversation with workforce, unions, Council, and Administration presence.

Councilor Tobey then offered the amendment to the main motion on the table by way of a substitute motion that this matter be referred back to O&A for further study including a workshop so that a recommendation can come in the fullness of time back to the City Council which was seconded by Councilor Theken.

FURTHER DISCUSSION:

Councilor Verga noted there was no rush. The City is set with their insurance for the coming fiscal year. So there is no rush to adopt this whether or not that is the ultimate decision of the Council. There is time to do it right, and to make sure everyone feels they had a chance to have their say. **Councilor McGeary** wanted to be sure that if the matter is taken up in a workshop format that the PEC representatives be present. **Council President Hardy** asked that anyone who wished could submit their suggestions to the O&A Chair, and that the participants would be coordinated through her. **Councilor Ciolino** also felt that they are in no rush to move on this and have plenty of time to do this right. He thanked his fellow Councilors. **Councilor Theken** asked anyone who had an interest in this matter to come forward to her to let her know if they wish to participate. They can send their questions to her to be put forward as well.

MOTION: On motion by Councilor Tobey, seconded by Councilor Theken, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Whynott), Absent to refer the matter of the possible adoption of MGL c. 32B §21, §22, §23 back to the O&A Committee to conduct a workshop so a recommendation can come back to the City Council in the fullness of time.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.

Councilors' Requests to the Mayor:

Councilor Theken welcomed the new Councilors. She reminded folks to come forward with their interest in the workshop to be conducted. She also spoke to the Medicare glitches with drug coverage and if anyone is experiencing this situation, they should see her as soon as possible.

Councilor LeBlanc announced his first Ward Meeting on January 11th at 6 p.m. in the City Hall 1st Fl. Council Conference Room on the Washington Street Corridor and the Maplewood School. He thanked the City Council for their welcome as well as the Council and City staff.

Councilor Ciolino welcomed the new Councilors. He wished Councilor Whynott a speedy recovery.

Councilor McGeary noted the Gloucester Docksidiers are having a fundraiser at the Bass Rocks Country Club on January 27th for a music trivia game to fund their trip to Walt Disney World. For more information, please call 978-281-4862.

Councilor Tobey thanked Joseph Orange for his selfless service to the City advocating and protecting the City's watershed. He had "Save Babson Watershed" bumper stickers available, adding that the Babson Watershed is a precious resource and needs protection.

Council President Hardy noted on this Saturday from 9:30 to 12:30 for a public forum for the new Fire Chief where anyone can offer suggestions, ask questions, and give ideas of what they should be looking for. She invited anyone to come and voice their opinion. They're hoping for a good attendance.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:45 p.m.

Respectfully submitted,

**Dana C. Jorgensson
Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Map of the Dogtown area depicting the Babson Reservoir area with handwritten notes by Joseph Orange
- Power Point Presentation made by representatives of National Grid submitted by Daniel Cameron, Manager Community & Customer Management for National Grid