

GLOUCESTER CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
Monday, November 19, 2012 – 5:30 p.m.
1st Fl. Council Committee Room – 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 Greg Verga

Absent: Councilor Tobey

Also Present: Linda T. Lowe; Jim Duggan; Jeff Towne; Kenny Costa; Mike Hale; Hans Baumhauer; Dr. Richard Safier

The meeting was called to order at 5:30 p.m.

1. Budget & Finance Committee Report of November 15, 2012: Administration Proposals re: Supplemental Appropriations from Free Cash to Stabilization and DPW accounts

Council President Hardy motioned, and Councilor Whynott seconded that the City Council continue the meeting and the matters before the Council related to Free Cash appropriations to the November 27, 2012 City Council meeting.

DISCUSSION:

Council President Hardy mentioned Councilor Tobey's email (on file) to the Council explaining his inability to attend the meeting due to professional obligations. He had asked whether he should participate remotely, and would someone offer to invoke Sec. 2-11 (C) of the City Charter (to continue the meeting to the next regularly scheduled City Council meeting), but the Council President indicated she would rather not do so, and simply motion to continue this portion of the meeting to November 27th and take the Free Cash appropriations up at on their next agenda. **Councilor Ciolino** expressed he was against the continuance of the matters before the Council for appropriation from Free Cash, and would not support it. Many of these appropriations have to do with heating and air quality; even a week or two weeks time is too many to hold these things up. **Councilor Whynott** stated he would support the continuance. He had read Councilor Tobey's email to the Council, and agreed there should be a comprehensive plan, not just to come to the Council with piecemeal requests. With the \$4.8 million "windfall" of Free Cash, and City services suffering for lack of funding, folks don't feel they received proper services. He indicated that money needs to be given back to the people. **Councilor McGeary** would support the continuance of the meeting to November 27th. However, he said he had it from the Administration, and asked through the Chair for Mr. Duggan to speak to the Council, that their current stand is they couldn't have a comprehensive Free Cash allocation recommendation until early 2013. If the Administration were to say it would take more than a month to complete that plan, then the heating issue would become that much more critical. **Council President Hardy** asked if all of the appropriations before the Council were regarding heating issues. He would support the one week delay. On inquiry by **Council President Hardy**, **Councilor McGeary** pointed out there is two Free Cash appropriations related to HVAC/heating issues, and one plain appropriation related to HVAC/heating issues. **Councilor Theken** suggested the Council could take up the HVAC matters for the schools as Councilor Ciolino said. **Councilor Verga** agreed with both sides but that he would support continuing matters for one week, but suggested they are looking at February to get a comprehensive Free Cash allocation plan. The money is already there. He did not think some of these things could wait. At that time he would support Free Cash allocation. They do have funds, and can't wait until February to talk about HVAC and boilers for the schools. **Councilor Theken** asked if the Council continues this to the 27th City Council meeting what was expected to be accomplished in one week. **Council President Hardy** expressed the hope the Administration would be working on a presentation to the Council to give them a broad overview of the Free Cash allocations. They are really seeking a comprehensive plan.

Jim Duggan, CAO explained that after conferring with the DPW Director, the Superintendent of Schools and the CFO, "this is an emergency," and is why it is before the Council now to get these repairs done as soon as possible. There will be no comprehensive plan on November 27th. They are addressing the emergencies coming forward; and in the upcoming Mayor's packet the Council will see a strategy going forward to opening the Bay View Fire Station through the investment of Free Cash. They are also looking at addressing some improvements for the Magnolia

Station right away. Over the next 30-40 days they are going to make a comprehensive examination of all the needs across the City; the School Department, for all departments including public safety, DPW, and then put forward a well thought out plan for the 1st of January. He reiterated the Administration, in requesting the Special City Council meeting was because these matters are of the utmost importance for the heating systems and HVAC for the schools. **Councilor Whynott**, noting Mr. Duggan's statements suggested the Administration has some thoughts on the Free Cash allocation already; that as soon as they can, he asked they give the Council their overview, even rough draft. **Mr. Duggan** indicated his understanding, but these items before the Council now are the most urgent things that have to be done addressing the safety of the public, the students, the schools and the DPW buildings. To give any other expectations on a broader scope without a thorough examination "across the board" whether it is pension liability, OPEB, the library, the Fire Stations, he said it would not be a fair assessment at this time. **Councilor Whynott** reiterated his request for a draft list regardless. **Council President Hardy** suggested a CIAB list would be even better. **Councilor Cox** expressed her concern for what a week's continuance would do. It may produce a list of what is planned to be done, without the allocation figures it would not give a good picture. These things before the Council now will not come off the list. Pushing the matters off one week would make no difference. The need remains; it's getting colder. **Council President Hardy** added she hoped this would give the Administration the impetus to give the Council more detail than they were willing to present this evening. **Councilor Theken** remarked if there is already money in free cash why not take it out for these emergency items and agreed with the assertion nothing would really change between this meeting and next Tuesday's Council meeting. Understanding the difficult situation in the schools, she asked for an explanation and ramifications as to why this should be voted on tonight.

Mike Hale, DPW Director explained he was asked to put together a list of most pressing facilities needs. These are the things that are malfunctioning or not functioning as they should now. Every day that goes by, there is the risk of catastrophic failure on one of these mechanical items. The detailed breakdown shows the same items for all the schools. There was a catastrophic failure of a boiler six weeks ago at the high school where one boiler. There are two boilers handling the heating load of three. Most elementary only have one boiler, although a very few have two. If one goes there's no heat. If one boiler fails where there are two, it would not survive the stress of the demand for heat for an entire school. Most of these items are on the CIAB list. They just can't wait. **Councilor Theken** asked should the Council approve those specific appropriations, when the mechanical issues could be fixed. **Mr. Hale** responded they've already met with the Purchasing Agent to figure out a plan to move forward. Without funding they can't react yet. They have had discussions about where waivers are appropriate through the State's Inspector General's office; where certain bidding procedures they can go to three formal quotes and which need to go through a formal bidding process. They all have certain timeframes on them. "Every week is a week it is not getting done." If it went to the 27th it is fine; if not, the Superintendent of Schools and principals and students will see schools having to close. **Councilor Theken** stated she would like to see a list. It is not OK for children who go to the smaller schools to not have heat and good air quality. She agreed they should have a broad view of the Mayor's requests for free cash distribution, but she would not vote for a continuance on the three matters related to heating and air quality. It has been in front of the CIAB, and they know it is urgent. Nothing would change her decision today or next week. There are things that need to be done urgently. **Councilor McGeary** pointed out 2013-SA-11 and 2013-SA-13 are the appropriations directly related to the schools: \$109,000 for HVAC improvements and repairs, and \$67,000 for supplies to make these improvements; both a matter of safety. **Councilor Verga** stated the goal was for the Council to make a statement, and they did. He suggested the Council support these matters, and agreed with Councilor McGeary's suggestion of what could be deferred. These matters are important; if came through another time of the year, they would still be looking at \$176,000. That leaves about \$4.6 million in Free Cash they can still hold back awaiting the overall Administration's plan for the Free Cash distribution. To hold these up doesn't make sense. He supports the idea of holding out for the comprehensive plan; but to make the schools and other safety issues wait to February 2013 is not appropriate; they can still make their point and get these urgent matters moving forward. **Councilor Cox** pointed out one matters discussed at B&F, was that the companies who do these HVAC repairs are getting busier with the advent of the heating season. Delaying this could put the urgent fixes further back because of these companies' schedules. **Mr. Hale** added as the heating season progresses, the demand on vendors is greater, and so the premiums to do the work are higher. **Councilor Ciolino** confirmed there was a motion to put money back into the Stabilization Fund at B&F also, but the Committee said they weren't moving forward until a comprehensive plan was forthcoming. He assured the Committee would not move forward until a plan comes forward. But the rest of the motions were emergency issues. They've been waiting for this Free Cash to do these emergency repairs. The City's children have to come first. Mr. Hale had related to the B&F Committee what has been happening in the schools related to the heating systems, and reiterated he will not support the continuation. **Councilor LeBlanc** agreed with Councilor Cox about the scheduling of the urgent repairs. They

have fallen into a situation where they fix things when they break. They need a preventive maintenance program, and this is going in the right direction. He would support taking up those matters related to the schools. The schools have been neglected, and need to be taken care of. Free Cash, he said, is well spent on these items. **Council President Hardy** reiterated her call for a broader picture from the Administration for Free Cash allocation; and the Council needed to make that statement. They've asked for a CIAB list for some time. But she agreed the children need heat. **Councilor McGeary** stated the first appropriation before the Council is for Facilities/DPW Overtime, 2013-SA-10, and DPW HVAC improvements repairs for doors is 2013-SA-12. Supplemental Appropriations 2013-SA-11 and 2013-SA-13 are school related.

MOTION: On motion by Councilor McGeary, seconded by Councilor Whynott, the City Council voted BY ROLL CALL 7 in favor, 1 (Ciolino) opposed, 1 (Tobey) absent to amend the main motion to continue the Free Cash related appropriations, Facilities/DPW Overtime, 2013-SA-10, and DPW HVAC improvements repairs for doors is 2013-SA-12.

MOTION: On motion by Councilor Hardy, seconded by Councilor Whynott, the City Council voted BY ROLL CALL 7 in favor, 1 (Ciolino) opposed, 1 (Tobey) absent, to continue Supplemental Appropriation-Special Budgetary Request #2013-SA-10 from CFO and Supplemental Appropriation-Special Budgetary Request #2013-SA-12 from CFO to the Tuesday, November 27, 2012 City Council Meeting.

*Supplemental Appropriation-Special Budgetary Request #2013-SA-11 from CFO
Supplemental Appropriation-Special Budgetary Request #2013-SA-13 from CFO*

MOTION: On motion by Councilor Cox, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that \$109,500.00 (One Hundred Nine Thousand, Five Hundred Dollars) be appropriated (2013-SA-11) from the General Fund Unreserved Fund Balance ("Free Cash") to Facilities Contract Services, Account #1010000.10.472.52000.0000.00.000.00.052 for the purpose to make HVAC improvements at Gloucester High School, Plum Cove, Beeman, Veterans Memorial and East Gloucester schools; to fix doors and windows at West Parish and purchase a generator for Veterans Memorial School.

DISCUSSION:

Councilor McGeary explained because of the heating season these two appropriations from Free Cash are urgent.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent that \$109,500.00 (One Hundred Nine Thousand, Five Hundred Dollars) be appropriated (2013-SA-11) from the General Fund Unreserved Fund Balance ("Free Cash") to Facilities Contract Services, Account #1010000.10.472.52000.0000.00.000.00.052 for the purpose to make HVAC improvements at Gloucester High School, Plum Cove, Beeman, Veterans Memorial and East Gloucester schools; to fix doors and windows at West Parish and purchase a generator for Veterans Memorial School.

MOTION: On motion by Councilor Cox, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that \$67,000.00 (Sixty-Seven Thousand Dollars) be appropriated (2013-SA-13) from the General Fund Unreserved Fund Balance ("Free Cash") to Facilities General Supplies, Account #1010000.10.472.54000.0000.00.000.00.054 for the purpose to purchase supplies for repairs to heating and exhaust systems at Plum Cove, Beeman, Veterans Memorial, East Gloucester and West Parish schools.

DISCUSSION:

Councilor McGeary explained this appropriation is part of the same matter.

MOTION: On motion by Councilor McGeary, seconded by Councilor Cox, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, that \$67,000.00 (Sixty-Seven Thousand Dollars) be appropriated (2013-SA-13) from the General Fund Unreserved Fund Balance ("Free Cash") to Facilities General Supplies, Account #1010000.10.472.54000.0000.00.000.00.054 for the purpose to purchase supplies

for repairs to heating and exhaust systems at Plum Cove, Beeman, Veterans Memorial, East Gloucester and West Parish schools.

Memorandum from CFO re: appropriation request in the amount of \$500,000 for replacement of boiler at Gloucester High School

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, §53, to appropriate up to \$375,000 (Three Hundred, Seventy-Five Thousand Dollars) for ordinary expenses in the Special Revenue Account #294007.10.472.52000.0000.00.000.00.052 entitled Reserved for Appropriation, Insurance Reimbursements >\$20,000, Contracted Services, for the purpose of replacing a boiler at Gloucester High School from insurance reimbursement proceeds.

DISCUSSION:

Councilor McGeary explained that this is a requirement Mr. Hale alluded to the boiler failure at GHS. It is covered by insurance. In order to spend the insurance reimbursement, the Council has to make the appropriation and set up an account from which to disburse the expenditure for replacement of the boiler. Excepting the insurance deductible of \$1,000, the money will come from the insurance company and expended by the City.

MOTION: On motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, under MGL c. 44, §53, to appropriate up to \$375,000 (Three Hundred, Seventy-Five Thousand Dollars) for ordinary expenses in the Special Revenue Account #294007.10.472.52000.0000.00.000.00.052 entitled Reserved for Appropriation, Insurance Reimbursements >\$20,000, Contracted Services, for the purpose of replacing a boiler at Gloucester High School from insurance reimbursement proceeds.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:03 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.