

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, July 16, 2013 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Chair, Councilor Jacqueline Hardy; Councilor Steve LeBlanc, Jr.; Councilor Paul McGeary; Councilor Bruce Tobey; Councilor Greg Verga; Councilor Robert Whynott**

**Absent: Councilor Ciolino; Councilor Cox**

**Also Present: Joanne Senos; Jim Duggan; Kenny Costa; Aleesha Nunley; Jeff Towne; Jonathan Pope; Valerie Gilman; Kathy Clancy; Tony Gross; Roger Garberg; Hans Baumhauer; Tom Daniel**

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

**Flag Salute & Moment of Silence.**

**Council President Hardy** noted the absence of Councilors Cox and Ciolino who both had previous engagements and so were unable to attend this evening's meeting.

**Oral Communications: None.**

**Presentations/Commendations: None.**

**Confirmation of New Appointment:**

Confirmation of Aleesha Nunley to position of Permanent Assistant City Auditor

**MOTION:** On motion by Councilor Hardy, seconded by Councilor Whynott, the Budget & Finance Committee voted 3 in favor, 0 opposed, to confirm the retroactive appointment by the City Auditor, Kenny Costa, of Aleesha Nunley as Assistant City Auditor under the Code of Ordinances, Section 2-109 for a term beginning July 1, 2013 and running concurrently with that of the City Auditor to April 2014.

**DISCUSSION:**

**Kenny Costa**, City Auditor said that he was pleased to be able to make the recommendation to appoint Aleesha Nunley to the position of Permanent Assistant City Auditor. Ms. Nunley, he said, has worked under his supervision for the last three years and is ready to start in this new position. He pointed out she has a positive attitude and is wonderful to work with and said he recommended her wholeheartedly for this job.

**Councilor McGeary** added that Ms. Nunley is making a natural progression from within the department and will take over some of the day-to-day activities from the City Auditor, and working with the DOR while Mr. Costa works with the CFO on implementing a new integrated accounting system for the City.

**Councilor Whynott** said that his son was in school with Ms. Nunley while both were working towards their MBA and supports Ms. Nunley's appointment.

**Councilor Tobey** said while he didn't wish to see Mr. Costa leave his current position any time soon, succession planning is a part of any mature organization, and said this is a wonderful development. He offered his congratulations to Ms. Nunley on her promotion.

**Council President Hardy** also added her endorsement of Ms. Nunley's appointment to the position of Assistant City Auditor. She noted Ms. Nunley jumped right in the very day when the former Assistant City Auditor left at the end of June saying that she has done a wonderful job to date.

**Councilor Theken** also expressed her support of Ms. Nunley's appointment and knew of her work with the department as she had utilized her expertise on some matters, and added she appreciated a promotion from within.

**MOTION:** On motion by Councilor McGeary, seconded by Councilor Hardy, the City Council voted 7 in favor, 0 opposed, 2 (Ciolino, Cox) absent, to confirm the retroactive appointment by the City Auditor, Kenny Costa, of Aleesha Nunley as Assistant City Auditor under the Code of Ordinances, Section 2-109 for a term beginning July 1, 2013 and running concurrently with that of the City Auditor to April 2014.

**Consent Agenda:**

- **CONFIRMATION OF APPOINTMENT**  
Magnolia Woods Oversight & Advisory Committee Jane B. Porter, James Cooke TTE 02/14/16
  - **MAYOR'S REPORT**
1. Capital Improvements Advisory Board's Annual Report – FY2013 (Refer P&D & B&F)
  2. Memorandum, Grant Application & Checklist from Fire Chief re: US DHS/FEMA State Homeland Security Program Emergency Management Performance Grant (EMPG) (Refer B&F)
  3. Memorandum, Grant Application & Checklist from Fire Chief re: US DHS/FEMA State Homeland Security Program Citizen Corp Program (CCP) in the amount of \$5,000 (Refer B&F)
  4. Memorandum from Treasurer of the Committee for the Arts re: City Council acceptance of a grant in the amount of \$5,000 from the Bruce J. Anderson Foundation (Refer B&F)
  5. Memorandum from Director of Finance & Operations for the Gloucester Public Schools re: permission to pay an invoice for services/ Goods procured without a purchase order in place
  6. Memorandum, Grant Application & Checklist from Public Health Director re: City Council acceptance of one year extension funding in The amount of \$80,000 from the Bureau of Substance Abuse Services, Underage Drinking Prevention Grant (Refer B&F)
  7. Memorandum, Grant Application & Checklist from Public Health Director re: City Council acceptance of Mass. Dept. of Public Health, Bureau of Substance Abuse Services, Mass. Opioid Abuse Prevention Regional Collaborative Award in the amount of \$100,000 (Refer B&F)
  8. Memorandum, Grant Application & Checklist from CAO re: Essex Heritage Visitors Center Grant in the amount of \$2,600 (Refer B&F)
  9. Memorandum from General Counsel re: City Council acceptance of a Private Property Easement Taking at 40 Mt. Vernon Street for Phase III CSO Control Project 3 (Refer P&D)
    - **COMMUNICATIONS/INVITATIONS**
    1. Response to Oral Communications of May 7, 2013 City Council Meeting to Valerie Nelson, Patti Page & Damon Cummings (File)
    2. Memorandum from Director of Public Works re: Informational Request and/or Work Orders (Info Only)
    3. Memorandum from Stephen Winslow, Sr. Project manager to City Clerk re: New Balance Track & Field, Dedication Sign #1 (Refer P&D)
    4. North Shore Task Force July Meeting Announcement: Gloucester Harborwalk Event on July 18, 2013 (Info Only)
    - **APPLICATIONS/PETITIONS**
    1. Special Events Application Request from Magnolia Historical Society to hold "Old Magnolia Day" on July 27, 2013 (Refer P&D)
    2. Special Events Application Request from Magnolia Road Race Committee for road closures for 1K and 5K Road Races on 08/24/2013 (Refer P&D)
    3. PP2013-004: Petition of National Grid for installation of underground conduit & one heavy duty hand hole re: 149 Atlantic Street (Refer P&D)
    - **COUNCILORS ORDERS**
    1. CC2013-022 (Cox/McGeary) Whether there shall be a parking lot and amend GCO Sections 22-291, 22-288, 22-210, 22-212 & 22-216 Re: 65 Rogers Street (Refer B&F, P&D & TC)
    2. CC2013-023 (LeBlanc) Amend GCO Sec. 22-287 (Disabled Veteran, handicapped parking) re: one space across from Washington Street #200 near Knowlton Square
    3. CC2013-024 (Cox) Amend GCO Sec. 22-287 (Disabled Veteran, handicapped parking) re: one space at the intersection of Church and Proctor Streets nearest to the handicapped entrance of the Universalist Unitarian Church (Refer O&A & TC)
    4. CC2013-025 (Cox) Amend GCO Sec. 22-270 (Parking Prohibited at All Times) re: Green Street (Refer O&A & TC)
    5. CC2013-026 (Cox) Amend GCO Sec. 22-267 (One-Way Streets-Generally) re: Fort Square (Refer O&A & TC)
    6. CC2013-027 (LeBlanc) Amend GCO Sec. 22-287 by deleting one handicapped space re: Harold Avenue #8 (No Referral Required)
    7. CC2013-028 (LeBlanc) Request Traffic Commission to investigate parking of vehicles on Washington Street at intersection of Derby Street, Stone Court, Grove Street & Centennial Avenue (Refer O&A & TC)
    - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
    1. City Council Meeting: 06/11/13 (Approve/File)
    2. Special City Council Meeting: 06/18/13 (Approve/File)
    3. Special City Council Meeting: 06/24/13 (Approve/File)
    4. Special City Council Meeting: 07/02/13 (Approve/File)
    3. Standing Committee Meetings: B&F 06/20/13, 07/04/13 (no meeting), Special B&F 07/16/13 (under separate cover) O&A 06/17/13, 07/01/13 (no meeting), 07/15/13 (under separate cover), P&D (06/19/13), 07/03/13 (no meeting) (Approve/File)

**Items to be added/deleted from the Consent Agenda:**

**Councilor Theken** asked to remove the name of James Cook under Confirmation of Reappointments. She said she wished for this reappointment to be returned to the Office of the Mayor for no further action. She added that Mr. Cook with Ms. Porter helped to save the Magnolia Woods and helped it be developed into the safe recreational area it is used for today. She said Mr. Cook will be missed but not likely silent.

**Council President Hardy** added that regrettably Mr. Cook was no longer able to serve on the Magnolia Advisory & Committee due to work commitments.

**Councilor Verga** said that Mr. Cook's long-standing contribution regarding not only the Magnolia Woods Oversight & Advisory Committee, but his commitment to seeing the landfill properly capped and managed throughout the years will be missed. **Councilor Verga** also asked that a Request to the Mayor be submitted asking that the position vacated Mr. Cook is vacating be filled as soon as possible.

**Councilor Tobey** said he was saddened by Mr. Cook no longer being a part of the Committee as he is so devoted to the Magnolia community. He noted Mr. Cook grew up in the shadow of the environmental disgrace of what used to be a landfill, and he became part of the solution to solve the capping of the landfill at Magnolia Woods.

His service to Gloucester will be enormously missed. He said he knew that Mr. Cook would remain active with issues related to Magnolia Woods.

**By unanimous consent the Consent Agenda was accepted as amended.**

**Scheduled Public Hearings:**

**1. PH2013-035: Use/reuse of the Fuller School Building and Long-Term Elementary School Facilities Planning**

**This public hearing is open.**

**Those speaking regarding the Use/reuse of the Fuller School Building and Long-Term Elementary School facilities planning taken in order as follows:**

At the request of **Councilor McGeary, Council President Hardy** explained this public hearing is to begin the conversation related to the use and reuse of the Fuller School building and the long-term facilities planning for the City's elementary schools. The opinions expressed this evening, she said will help to frame a non-binding referendum question on the reuse of Fuller School on the November election ballot.

**Councilor Tobey** added the public hearing is to get this matter out from the shadows as to what is going on with the Fuller School moving forward and to learn what the community wants. He suggested this hearing be continued for a month or so out in order to have a community dialog that the matter deserves.

**Jonathan Pope**, Chair of the School Committee spoke to the reuse of the Fuller School, noting it was built in 1965 as a Catholic boy's high school for 400 students. It was built to code at that time and considered state of the art when completed. At this point, the building doesn't meet code at all. It has been used as a 9<sup>th</sup> and 10<sup>th</sup> grade, and K-5 and of late. When the decision was made in 2007 to move out of the Fuller building, it was driven by the need to save money and by the educational philosophy stated in the Plan for Effective Learning Communities. It was also the hope of th School Committee to break up the concentration of students receiving free or reduced lunch.

The School Committee declared the school surplus January 9<sup>th</sup> by a unanimous vote and it is no longer needed for educational purposes. He urged the reference that Fuller be reused as a school be removed from options proposed for a non-binding referendum question on the November ballot.

Mr. Pope noted that projected elementary enrollment for 2016 is just over 1,200 students. A new West Parish School will hold 370 students. A renovated Fuller might hold 630, leaving 200 students. There would be one small school normally sized and one very large school. He asked what it said about equity particularly if one assumes contiguous catchment areas the large school would also have the majority of the neediest students. The playing fields, he pointed out, have previously declared surplus and a public safety building are scheduled to be built adjacent to the school. It would be a school with no playing fields, with a highway and shopping mall next to it, and emergency vehicles coming in and out at a frequent rate. He said it is financially responsible to use the building as a school even if people are willing to accept the hazards to education. In preliminary design submittal for the replacement of West Parish School, it would cost \$67 million to renovate less than half the building to accommodate 370 students, more than twice the cost of building a new school on the West Parish site. The cost of renovating the entire building, if one extrapolates the cost, would be about \$130 million. In a presentation by Dore & Whittier before the Council for preliminary design of options to replace West Parish, Brad Dore was asked specifically his opinion about rebuilding Fuller to which he replied, "It should be bulldozed."

He asked why the City would renovate the building when it could build a new state of the art school for half the cost. To build a new 630 student school, he also asked if the Fuller site was the best location or might that site be better used to possibly generate income and growth for the City. He also expressed his understanding that it would require an override vote to finance a school of that size. He concluded by urging the school option not be considered for the non-binding referendum question on the November ballot. He said he thought it disingenuous to include an option that is financially irresponsible and educationally unsound. Mr. Pope noted that the Superintendent of Schools was attending a Mass. Association of School Superintendent's meeting out of the City and was unable to attend this evening. He had with him a three-ring binder that held, in part, an evaluation of the Fuller School which he said was available on CD-ROM which had been available since the previous Thursday which **Council President Hardy** requested it be submitted to the Council through the Mayor.

**Joel Favazza**, 25 Acacia Street said in February 2012 Mass Development submitted a report to the Council and School Committee for four options for the reuse of the Fuller School site. They weren't allowed to address the reuse

of the building as a school, he said. He noted of the four non-school options reviewed, three involved demolishing the building and didn't receive a recommendation. One option involved renovating the building and repurposing it; that received the recommendation. Two reasons cited at the presentation were: 1) that the building was so structurally sound it made no sense to demolish it. The report mentioned that the building housed important City assets such as the gym and the auditorium. He said those assets should not be allowed to be destroyed. At the last City Council meeting, the Administration said it would not spend \$1 to maintain the Fuller building further. He said it is shameful, reckless and should be reversed.

**Mr. Favazza** added this building is going to be needed not just as a building, but possibly as a school. All the elementary schools are in need of major renovation or replacement, he said; and none are providing the 21<sup>st</sup> century learning environment that is needed. Also, he said, the schools don't have enough room and modular classrooms have been installed. He pointed out that according to the City's CFO; the modular classrooms do not have a lifespan longer than the time it takes to pay for them. He added that the City will be faced with purchasing new modulars while the previously purchased modulars sit and run down schools remain.

He said the West Parish rebuild also lends to necessity of having Fuller active and ready. Originally it was put forward that West Parish would be a 500 student school to be built on the back lot with no disruption to the students during construction. Now, he said, the school would house about 370 students, and there is a chance it can't be built in the back field as well as displacements of all the West Parish students during construction. He asked if additional private properties are to be leased or more modulars purchased to house these students while Fuller sits empty.

**Mr. Favazza** spoke to the public safety building slated to be built adjacent to the Fuller site, and said that if Fuller is revived as a school, Veteran's Memorial Elementary School could be consolidated into the Fuller School, and then there would be land available 1,000 yards away ready, he suggested for a City Hall annex, a combined public safety building or both. He also mentioned the MSBA reimbursements for school roofs recently completed, and that if these schools were shuttered the reimbursement money would have to be paid back. He said it is a prorated repayment, and it has been several years since the work was done. Long-term cost savings of maintaining fewer buildings could, he said, easily outweigh whatever money has to be paid back.

At the Dore Whittier presentation, he said those in attendance were told that it was not cost effective to renovate Fuller for use by 350 students. **Mr. Favazza** suggested a helpful study would be an accurate comparison of costs to renovate Fuller School and to replace three elementary schools. That, he said, is what could be avoided by consolidating at least three elementary schools into Fuller. This is all predicated on the Fuller School being capable of being revived, he said. It should be revived, he added, as it is an asset worth preserving. He said if Fuller is beyond saving, and if that is true, which he said he hoped was not the case, it is not because of decades of poor maintenance or that the building is just getting old. Rather, he said, it is a product of deliberate destruction. He said this building is an important City asset that will be needed in the future and asked the City Council to do all they can do to stop the building's destruction. He concluded by saying that the City cannot afford to lose the building.

**Kathy Clancy**, School Committee member, 78 High Popples Road noted the School Committee wants the best education possible for students. The School Committee wants them in buildings that are safe; that there are no worries about the heat going out in the winter; in buildings where the students feel like they belong and are known by all the staff which is what there is now with current configuration, she said, and added that it is what best serves the community. A huge building with six year olds who are expected to feel they are in an intimate surrounding.

**Ms. Clancy** pointed out the Superintendent has done extensive research on the topic. The community is economically diverse which is one of the benefits and one of the challenges in education. Research shows that smaller schools benefit that population and English language learners the most which is over 40 percent of the City's elementary population. The School Committee, she said, has a duty to provide a safe learning environment. She noted that West Parish School is currently hoped to last two or three years until there is a new or renovated school available to that community. She, like the parents, she said, is concerned for that learning environment. Parents overwhelmingly want the schools the way they are currently configured; she said, and added that she hoped the Council would look to the Superintendent's research and knowledge.

**Tony Gross**, School Committee Member, 18 Nashua Avenue said he attended the Fuller School as a high school student. He noted that a classmate reminded him they were there a corner of the building fell completely on the school. He pointed out that the school was built during a drought on wetlands; the basement is underwater; the effervescence on the wall proves that fact, which is not conducive to a healthy building environment. MassDevelopment may have said the building was structurally sound building, he noted, but he said he saw no engineering or architect's stamp on any of the MassDevelopment documents. Fuller was deemed one of the worst school buildings in the Commonwealth, according to the State.

**Mr. Gross** noted his daughter were in the Fuller School for six years. During that time there were four principals; seven assistant principals. He asked if that is what the City Council wants for the elementary students of

the City. He said a smaller school environments gives children an educational foundation they deserve. He warned with consolidation of the elementary schools, parents will choice their children out of the City school system. Elementary age students, he said, require the communities established within the School Department as it is configured now, but admitted that the elementary school buildings do need work.

**Damon Cummings**, 1063 Washington Street (statement placed on file) noted when all the fifth graders were in Fuller School it was put forward that O'Maley was to be abandoned and Fuller was to be used as a middle school. The only school that was saved during a rash of school closings was Veteran's Memorial Elementary. He also noted the advanced age of the elementary schools, West Gloucester and East Gloucester being the oldest in active use. Despite being in better shape, Fuller School was closed, and he pointed out downtown students were then bused to outlying elementary schools and still are today. Noting he has grandchildren in the preschool housed at Fuller, the gym which the preschool was using was closed and so they can no longer use that. If the Fuller School is falling apart, he said, it is the City's fault. Fuller is much closer to downtown and would be a better home for those students who live nearby. By keeping Fuller in school use, it would allow the elementary schools to be renovated with the children being able to be housed in Fuller during those renovations, he pointed out.

**Michael DelVecchio**, Tragabigzanda Road said he is not in favor of consolidation and reopening of Fuller School for use as a school, but was in favor of neighborhood schools. His children attend East Gloucester Elementary School and like their small school and thrive there. He said he didn't know of any parents of Gloucester students who want their students to be housed in a consolidated school at Fuller. The plan put forth by the School Committee is the right one for the City, he said.

**Roger Garberg**, 107 Mt. Pleasant Avenue, School Committee member (statement placed on file) said that the School Committee has had a good public conversation on Fuller School before making the decision to surplus the Fuller School, and with public input via a survey that over 500 parents took the time to respond to. The newspaper said that the community hasn't had input in that decision, which he contested. He read several extracted opinions from parents out of the survey which all endorsed elementary schools in neighborhoods and not in favor of consolidation into Fuller. The respondents, he pointed out, said that they preferred small elementary schools by 3 to 1. Fuller School used again as a school, he said, was met with a resounding no, he said.

**Councilor Tobey** asked Mr. Garberg for a complete record of the survey to which **Mr. Garberg** said was on the School Committee's website. **Council President Hardy** asked that it be forwarded to the Council through the Mayor.

**Aria McElhenny**, 19 Allen Street said she has two children at East Gloucester Elementary School and is opposed to consolidation of City elementary schools to Fuller. She said she and her husband are actively engaged in the school and community and that if this consolidation went through they would be forced to choice their children out of the school system which she added many other parents have expressed to her the same sentiment.

**Robert Parsons**, 163 Essex Avenue noted that when on the School Committee he fought to keep the neighborhood schools. During a wave of school closures the School Committee was told the buildings were unsound. Yet, he noted, many of those buildings still stand and are now repurposed. Students adjusted well when they went to Fuller School, he said. Fuller, he said was one of the best structures in the City. It is neglect on the part of City officials who let it deteriorate to the condition it is today, he said. He pointed out the Police Department building and Central Station as problem buildings and wished to see them combined at the Fuller site. He suggested the DPW Highway department building could be used for other purposes, for instance, and urged centralization of City offices which is more convenient for conducting business, and that Fuller would be ideal for that purpose. Any space that is not used for school services or City services he suggested could be rented out.

**Marsha Hart**, 2 Freemont Street spoke of the Fuller School survey and felt it was an unclear document. She touched upon the possible combined safety services building at the Fuller site. She suggested that the City should have multiple conversations so that interconnection of services can be made. She is in favor of small schools, she said. She urged there be more forums to inform the public of all the surrounding issues.

**Russell Hobbs**, 1166 Washington Street noted as a member of CERT he was in the EOC at Fuller. He said he was appalled by the interior condition of Fuller School. He said it was the School Committee's and Administration's fault to allow the school to become so deteriorated. All City services should be at the Fuller School – DPW, Fire, Police, School Administration, and all of those departments in City Hall, he suggested. To let the property go, he said would be a big mistake for the City. Access to the City from the Fuller site can be tied in to the area to allow for easier access for emergency and City vehicles. He suggested reuse of the DPW yard for other purposes once the DPW is fully housed there. To say the Fuller building is beyond repair is, he said, is not true; that it can be repaired and will cost money. He urged the property not leave City hands. The Police and Fire Departments deserve a new building, eh said. He pointed to both those department's current building conditions.

He asked that the Council not listen to the Mayor. He asked the Council to get the roof fixed on Fuller and not let fall into further disrepair.

**Valerie Nelson**, 7 Sunset Point Road said the public is at a loss to understand what the Council wishes to engage in such a discussion. What happens at Fuller affects Police and Fire and Pond Road; and there is not much information available to make decisions about those choices. She suggested a committee be established with citizens as part of it to look at the overall situation. The education of the City's children is important, she said. She rejected the notion that cost is not a factor. Cost, she said, is a very important factor. She pointed out the lack of money to open Bay View, or to hire a Fisheries Commission Director as endemic of the issue. She said that there is a fiction of neighborhood schools. She pointed to the example of Plum Cove School where 50 percent of the children are bussed in from the downtown. The downtown does not have a neighborhood school. Why, she said, did Ward 2 and 3 lose their elementary schools? This is a complex issue, she said that the public is given virtually no information and lack a full analysis of what the issues are. Much needs to be scoped out and defined through a citizen/governmental committee to look at these options.

**Val Gilman**, School Committee Vice Chair spoke about her husband's comment that as a taxpayer, why should he support a new school in West Gloucester saying that their son had one more year in O'Maley and then was off to the high school. Her response, she said, was that education is valuable. She went on to say that he City is in the queue to be reimbursed by the MSBA for 48.7 percent. The cost of \$24 million in total for a new West Parish School would see the City reimbursed by about half. The City, she said, has to start somewhere. She pointed out the examples of much newer schools in smaller communities. Smaller learning environments are optimal learning environments she noted and said a school survey was conducted which proved that. A previous School Committee explored the options of the best learning environments and that the best learning environments were found in small schools. She said with small schools there is also a parental community where they know all of the teachers and participate more actively within the schools. She expressed her appreciation for the public hearing but remained unclear on the benefit of a non-binding referendum of the use of Fuller School, and knowing that all the elementary school buildings need renovation to bring them into the 21<sup>st</sup> century. **Ms. Gilman** said there is a need for a capital plan for the four other elementary schools. A consultant is hired to determine the existing conditions and future configuration for the best learning environments at those schools.

**Councilor Theken** said he actual language has yet to be framed in its final form for the non-binding ballot question by the Council.

**Erin McKay**, 5 Orchard Road said she has two children in East Gloucester elementary School and has two in the wings. She noted previously her children were in Boston public schools and that City went with smaller community schools. She said she and her husband toured all the area schools and chose Gloucester and endorsed the small elementary school configuration citing some examples of the small school community. She said as a taxpayer she didn't want to put more money into Fuller to close neighborhood schools.

**Annette Spanks**, St. Peter's Lane asked that the Council consider Fuller as a multi-use facility. She noted the building's size which she said had room for all sorts of things to accommodate the diverse needs of the City. She suggested City departments, and retail space. As a member of the local Cape Ann YMCA, it could partner with the City, she said. She pointed to the Town of Ipswich's new YMCA and in Beverly also. She asked that the current YMCA facility while a good one is outdated and could use another place to go. A multi-use facility could include a first-rate YMCA, she said. The relocated YMCA would open up their current space on Middle Street and perhaps could be turned into a parking garage. She said she is in favor of small neighborhood schools.

**John Keys**, 17 Birch Grove Heights said the Fuller should become a resource for the City and a source of income. He added he is for small schools.

**Neil Costa**, 134 East Main Street said he has two children, one going into second grade and another going into kindergarten. Walking to school is important, he said, and being in a small intimate setting. Small schools are very important. Fuller is an opportunity for the City for other uses.

**Mr. Pope** clarified that when he spoke about the response from Brad Dore about bulldozing Fuller, the remark was made in the context of if the City was going to build an elementary school out of that building would it be better renovating it or tearing it down. Mr. Dore, he noted, said that it would be better to tear Fuller down and build a new one if the City wanted to have an elementary school. It didn't mean, he said, the building won't make good offices or housing. It meant as an elementary school, he added.

**Councilor McGeary** said he wished to clarify that whether or not a public safety center is built at the Fuller site, it does not impact the Fuller building. It is to be built on a surplused field hockey playing field. It has no impact on the use of the Fuller building, he reiterated.

**Councilor Tobey** said this public hearing was a good beginning but much more is to be done. He pointed out that the Council has some decisions to make. He said the next step should include a follow up public hearing where

the Administration is asked to share its vision, the planning process it has underway as well. He would like ask that those in the building trades in the community to weigh in with their opinions on the Fuller School. He suggested that the next meeting in which the public hearing is conducted should be held at Fuller School. At an appropriate time he would and asked the Council Chair when the hearing might be continued to.

**Council President Hardy** suggested it could be done in August as the next Council meeting is top heavy with public hearings already.

**Councilor Whynott** reminded the Council there is not a lot of time to get the ballot question formed.

**James Duggan**, CAO said he concurred with Councilor Tobey, that this was a good first step for potential reuse and planning process of the Fuller School. He said for the next meeting he believed it would not be in the interest of the public's safety to hold a public hearing there because there is not an active fire alarm system in that area.

**Council President Hardy** said she would have firefighters there with two-way radios to alleviate that concern. **Mr. Duggan** reiterated that the Administration will not support the public hearing being there and having the public being there without the fire alarm working in the area of the auditorium.

**Ms. Nelson** pointed out that all this needs to be written down citing confusion on State subsidies. She said that the State will subsidize a building at West Parish as well as Fuller. That information has to be written down and made available to the public. She said she heard that a combined public safety should possibly be on the site of the Veteran's School while the Veteran's School students should be moved to a renovated Fuller School. This, she said, has to be analyzed and written down and made available to the public, on schooling and public safety in order for the community to make coherent decisions. She said what the facts are, issues and trade offs are needs to be explained for each choice made. She said the community cannot make coherent decisions to see in writing what those options are.

**Councilor Tobey** said he agreed that a committee could be set up through the Council President and the roof needs to be fixed to preserve the asset.

**Councilor Verga** said there was a building study report done about five years ago. When he was on that committee, as School Committee Chair at that time, and then as a City Councilor, there were options that were brought forward but there was limited opportunity or lack of instruction to expand to the what-if's. He said he had asked in that Committee about what happens if City services were moved to Fuller and what would happen to City Hall. But the Committee, he said, wasn't allowed to explore that; which he said clearly needs to be answered. He said there is a domino effect regarding City building if all City departments move to Fuller which he supported. The question does need to be answered of what happens to the other City assets if there is a consolidation of municipal services to one building. A ballot question, he suggested, can lead the way to which direction the City should take. A revived building study committee with a bigger scope and less restrictions would be, he said, the way to go.

**Maggie Rosa**, 26 Fort Hill Avenue clarified that Fuller School auditorium is not ADA compliant and enhanced hearing compatible assistance and did not recommend a meeting of this importance at the Fuller location. Kyrouz Auditorium is the only ADA compatible venue in the City for such a meeting, she said. Council President Hardy added that one of the main reasons City Hall is ADA compatible for the hearing impaired was because of Ms. Rosa.

**Ms. Clancy** also clarified about the reimbursement from the State. The MSBA agreed to reimburse the City for are built or new West Parish School on that site or to consider the Fuller building. The MSBA will reimburse the City for a school for 62,000 to 65,000 square feet because that is in line with the school's enrollment. The issue with Fuller is because of the inefficient configuration; wide corridors; cafeterias that are bigger than required for 370 students; the gym is too big; work on the auditorium is not reimbursable. That renovation was estimated to be about 87,000 square feet to house 370 children compared to a new school that would be efficient at 65,000 square feet. Reimbursement is on 65,000 square feet regardless if it is at West Parish or Fuller. Also, she noted, at Fuller it is the 50 percent on the 65,000 square feet. The remaining 22,000 square feet is fully the City's cost, she said, and if any there are other ADA or code issues that need to be fixed, it is borne solely by the City.

**Councilor Tobey** said the public knows that it had before it the executive director of the Mass. School Building Authority. Two things emerged from that meeting, and asked that an extract from that meeting of that testimony be placed on the City's website, that, yes, the MSBA has agreed to finance what the City has asked for but have not agreed to finance what the City hasn't asked for but would work with the City.

**Councilor LeBlanc** said that the dialog this evening is great and appreciated the comments on the use and reuse of the Fuller School. He agreed with Ms. Nelson on the domino affect of moving from one building to another and an answer is needed on reuse of the City buildings that would be vacated. He appreciated those members of the public who came forward tonight.

**Councilor Whynott** said he is a proponent of neighborhood schools, and that the Mt. Vernon school was sold and is still being used for another purpose today, he pointed out. There is no chance of Fuller School being a school again is too far out with too many things against. Fuller, he said, should house all the City departments. He pointed

out that people have to go to Pond Road, to City Hall and perhaps to another location again to complete a particular application. He said Collector and City Clerk and Mayor need perhaps to be in City Hall, he said, but that all other departments should be at Fuller which is the best of both worlds. By centralizing emergency services to Blackburn Circle would help to improve response times throughout the City, he said.

**Councilor Theken** expressed her appreciation for the public hearing. She spoke of the non-binding ballot question on the reuse of Fuller School. She spoke of response times of emergency services, and what the potential other uses of the building should be. She said she went to small neighborhood schools, and then went to Fuller School also. Inner City children do not have a neighborhood school, she said, adding that it is about a community based school. She said her biggest fear in doing the West Parish School, she said don't build for those 400 students now there, but look at the possible increase in the student population with new building going on in that part of the City. She suggested there should be a committee to conduct Charettes. **Councilor Theken** said she trusts the School Committee saying she did not believe they failed the City; but she is concerned about the students in the preschool. She urged community participation, and to let the Council know of their opinions even if they were unable to attend this evening.

**Councilor McGeary** agreed with the notion of a committee to look into the future of the Fuller building but wished to see its scope of inquiry limited. He said it is quite clear from this evening that the use of the Fuller School as an educational institution is simply in the cards. It is educationally and financially unsound, he added. There are, he said, many good uses the building could be put. He noted the many closed former schools now contribute to the fabric of the community in a different guise, and said that Fuller can be still a part of the community; but structurally sound is not educationally sound. He said the ballot question language should be for non-school uses. He would be pleased, he said, to engage in the debate of what could go into Fuller as good uses, but not as a school. It will be paralysis by analysis if they keep going over the same ground, he added.

**Councilor Whynott** urged a committee be kept small. Optimum it would consist of five to seven people.

**Council President Hardy** suggested a charette on the matter and was willing to reach out to get a committee going. This charette would be as soon as possible, she said. **Councilor Theken** offered her assistance.

**Councilor Tobey** asked if it is possible to get a copy of the draft report he and Councilor Grow and Everett Brown worked on. **Councilor Verga** said he would submit a PDF version of the building study report for Council information to be used as a resource for the charette.

**Councilor Tobey** added the continued public hearing would help inform the charette.

#### **Communications:**

**Joanne Senos**, Assistant City Clerk read into the record emails from City residents: comments submitted by Glen Bresnahan by email to the City Clerk. Mr. Bresnahan said he would like Fuller property to be used for educational purposes and was not in favor of a new West Parish Elementary School. His second choice would be to have a combined municipal complex at the Fuller School.

John McElhenny submitted an email to Councilor Cox endorsing neighborhood schools which was read into the record by Ms. Senos. He noted he and his family would choose their children out should the City centralize elementary schools to Fuller.

Bill Fonvielle submitted an email that suggested the auditorium at Fuller be preserved for the Gloucester symphony. He also said a centralized elementary school would not be preferred. He said he was in favor of a new West Parish School which should house more than the current student population. He pointed out by consolidating schools to Fuller; the City would be required to pay back MSBA reimbursement funds for school roofs recently completed.

**Councilor McGeary** said on the matter of the charette and study committee he asked that the school option be eliminated. **Council President Hardy** responded the charette should clear that issue up whether that option should be included.

**Councilor Tobey** said he wanted to encourage the community through the next public hearing and through the charette to think outside of the box. He noted the charette held on the Magnolia landfill being capped and on its reuse. He pointed out a charette is a safe process where any suggestion, no matter the content, was put forward. He challenged the School Committee and the Superintendent to think about their options to be put forward and gave suggestions of what could become of the elementary schools, suggesting perhaps each elementary school could be a specialized school; one for the arts; one for the sciences, etc., and folks opt in within their own community, for instance. He urged some creative thinking.

**This public hearing is continued to August 13, 2013.**



**The Council recessed at 8:53 p.m. and reconvened at 9:03 p.m.**

**Committee Reports:**

**Budget & Finance: Special Meeting-July 16, 2013** (*matters of 6/20/13 meeting taken up in Special City Council meeting of June 24, 2013*)

The single item agenda for 7/16/2013 was taken up under "Confirmation of New Appointment." Therefore, there are no further matters for Council action from either June 20, 2013 or July 16, 2013 B&F Committee meetings.

**Ordinances & Administration: June 17, 2013**

There were no matters for Council action from this meeting.

**Planning & Development: June 19, 2013**

There were no matters for Council action from this meeting.

**For Council Vote:**

**1. Resolution in Council re: City Council support of Massachusetts Attorney General's lawsuit against the National Oceanic & Atmospheric Administration (NOAA)**

**Councilor Verga** proposed a motion to adopt his resolution to join with the City's Fisheries Commission in support of the State's Attorney General's lawsuit against the National Oceanic & Atmospheric Administration (NOAA) regarding new rules governing regulation of fish stocks from implementation and enforcement by the Northeast Fishery Management Council (NEFMC).

**Councilor McGeary** asked for a friendly amendment to replace the word flawed with the word limited in the second WHEREAS paragraph, to which the Council agreed.

**MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Ciolino, Cox) absent, to adopt the following RESOLUTION IN COUNCIL:**

**Be it RESOLVED as follows:**

**WHEREAS, Attorney General Coakley on May 30, 2013 filed suit against the National Oceanic & Atmospheric Administration (NOAA) seeking to block the new rules governing regulation of fish stocks from implementation and enforcement by the Northeast Fishery Management Council (NEFMC); AND**

**WHEREAS, this litigation seeks to have these rules declared invalid due to being based on limited science; AND**

**WHEREAS, the City of Gloucester is home to the Massachusetts fishing industry; AND**

**WHEREAS, the fishermen of the City of Gloucester as well as shore side businesses will face further economic devastation as a result of these new regulations which severely reduce groundfish allotments; AND**

**THEREFORE BE IT RESOLVED, that the City of Gloucester expresses its support of this litigation; AND**

**FURTHER RESOLVED, that a copy of these resolutions be transmitted forthwith by the City Clerk to the Attorney General.**

**2. Communication from City Auditor re: Trash Stickers (amend minutes from June 6, 2006)**

**Council President Hardy** explained that the following amendment is being offered because it was discovered that the motion had passed as shown by a roll call sheet (on file) done at the time of that Special City Council meeting on June 6, 2006, but it was erroneously reported in the minutes. The motion passed on a roll call vote of 6 in favor, 3 opposed; but the minutes indicate that the motion failed. This is a vote to correct the minutes in order to reflect accurately what actually happened in raising the trash sticker fee on that date.

**Councilor Tobey** questioned whether one Council can amend the actions of another. **Council President Hardy** said the outside auditor is looking for a Certificate of Vote, which the previous Assistant City Clerk did not produce at that time. The Roll Call Sheet on file shows that the vote taken on the matter was 6 in favor to 3 opposed. A certificate of vote needs to be issued and cannot be done on an incorrect motion as shown in the minutes.

**Councilor Whynott** noted when the minutes are amended the correction will be attached to the original minutes.

**MOTION: On motion by Councilor Hardy, seconded by Councilor Whynott, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Ciolino, Cox) absent, to AMEND the City Council minutes of a Special City Council meeting on June 6, 2006, Page 11 to now read as follows:**

**“MOTION: On motion of Councilor Tobey, seconded by Councilor Romeo the City Council voted by ROLL CALL 6 in favor, 3 opposed (Tobey, Swekla, Foote) City Council approval of the trash sticker fee of \$1.50 to \$2.00 for all residents except seniors (65 and older) which will remain at \$1.50 to be purchased at City Hall or the Senior Center, five per month. MOTION PASSES.”**

**Council President Hardy** announced, with the unanimous consent of the Council, that the Council further orders that the City Clerk prepare a Certificate of Vote reflecting this amendment. Additionally, the City Clerk is to make appropriate notations in the archival records by affixing a copy of the action taken this evening to correct and amend the June 6, 2006 minutes.

**Unfinished Business: None.**

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

**Councilors’ Requests to the Mayor:**

**Councilor Whynott** said that he filed an order to have the P&D look into the double utility poles and leaning utility poles. He also noted some awful repair jobs on City Streets, citing Prospect Street, for one. He asked the Administration to look into whether the utilities are doing a proper resurfacing job.

**Councilor Verga** said a West Gloucester fifth grader put together a petition to get sidewalks put in West Gloucester. He said Michael Bresnahan is now going into his sophomore year at UMass. He quipped in the better late than never category, when driving along Essex Avenue, a few hundred yards on either side of the entrance to Concord Street, sidewalks are in the works. He expressed his thanks to Rep. Ferrante’s office and to the State Department of Transportation for trying to help to get this project moving forward. The original funding was put into place in 2006 by Sen. Tar and Rep. Verga, he noted but no one pulled the trigger. A key area of focus is from West Parish School; and it is hoped the sidewalks can be expanding outward in that part of the community, he said.

**Councilor Tobey** said he is condemning Governor Patrick for vetoing local aid and holding cities and towns hostage to his agenda, especially in light that he has never held local office in any part of the Commonwealth. He said he has spoken with Rep. Ferrante who is in favor of a legislative override, as is Sen. Tarr.

**Councilor Tobey** said that on another matter he was visited by Leo Francis in a local restaurant who reminisced about a safe place for the children of Gloucester to celebrate Halloween. **Councilor Tobey** asked the Council if his fellow Councilors would rise to the challenge in planning and launching a City Council Halloween Party in Kyrouz Auditorium on Halloween 2013 for the children of Gloucester. The Council indicated they would assist the Councilor.

**Councilor McGeary** said this past Sunday the parish of St. John Church on Middle Street celebrated its one hundred and fiftieth anniversary which was started as a mission church to the fishermen who would come down from Newfoundland and were of the Episcopal faith. He commended the church on their 150 years of outreach service to the community and wished them 150 more years.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 9:18 p.m.**

**Respectfully submitted,**

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

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

Written statements submitted by the following participants in the scheduled public hearing:

1. Jonathan Pope, School Committee Chair;
2. Val Gilman, School Committee member;
3. Erin McKay, 5 Orchard Road;
4. Roger Garberg, School Committee member;
5. Dr. Damon Cummings, 1063 Washington Street;
6. Kathy Clancy, School Committee member, Chair-School B&F Committee