

GLOUCESTER CITY COUNCIL MEETING

Tuesday, December 10, 2013 – 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; Councilor Robert Whyntott

Absent: None

Participating Remotely: Councilor Bruce Tobey (from approximately 7:05 p.m. to 7:37 p.m. via cell phone call)

Also Present: Linda T. Lowe; Jim Duggan; Kenny Costa; Beth Ann Godhino; Jim Caulkett; Tony Gross; Mark Cole; J.J. Bell; Sandra Dahl-Ronan; Debbie Laurie

The meeting was called to order at 7:02 p.m. Council President Hardy announced that Councilor Tobey would participate remotely by telephone for the first portion of the meeting.

Flag Salute & Moment of Silence.

Council President Hardy announced that Councilor Tobey would participate remotely by telephone for the first portion of the meeting.

NOTE: Council matters were taken out of order and are herein presented as each matter came forward.

Portion of City Council Consent Agenda:

- APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS
2. City Council Meeting: 11/26/13

(Approve/File)

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the minutes of November 26, 2013.

Unanimous Consent Calendar:

1. Discussion & Council Vote to override Mayor's Veto of City Council Vote of November 26, 2013 re: Amend GCO by ADDING a New Section 22-28 to Chapter 2 "Administration," Art. II "City Council" entitled "Funds for Lease of Private Property (FCV)
2. Memorandum from General Counsel to President Hardy & Members of the City Council dated January 8, 2013 relating to the final Disposition of Susan Taormina et al vs. Jackie Hardy, et al (File)

Taking up the matter slated For Council Vote on the Unanimous Consent Calendar, Council President Hardy asked the Council for its opinion on the override of the Mayor's veto of the City Council vote of November 26, 2013 regarding the amendment to the Code of Ordinances by adding a new section 22-28 to Chapter 2 "Administration," Art. II "City Council" entitled "Funds for Lease of Private Property."

Councilor Tobey asked did the City have a Charter of checks and balances or one of a strong Mayor and a weak Council; is there a system where decisions made openly in the community's living room (Kyrouz Auditorium) or in the shadows? The context for this, he said, when the City leases property, if the City had bought it, the Council would have to vote for a bond (for that purchase). He said for a lease of multiple years the Council should have to do no less because it is a Charter of checks and balances and is a system where decisions are best made in the auditorium freely debated for all to see. Councilor Tobey urged the five Councilors who saw things as he did at the last meeting to join him as a block of six to stand firm, hold their convictions, and to stand up for the Charter and for good process and override what he called an ill-considered veto by this Administration's head. (Note: Six votes are required to override a Mayor's veto.)

Councilor Verga said he too supported the vote to override the Mayor's veto. He said he agreed with Councilor Tobey, adding this is more an empowerment of the public because without this measure things can be done behind closed doors without any input. Councilor Verga said this will bring matters into the public eye to be vetted. He pointed out it is a reasonable expectation for long-term leases like this at a cost hundreds of thousands of dollars to be done in the light of day with an up or down vote.

Councilor Cox added her support for an override of the veto saying this was a matter of checks and balances. Had the Administration acquiesced to the Council's request for a presentation or given the Council more information (for the Charter School lease), she would have not voted yes for this ordinance initially, she pointed out. This is about avoiding the closed door meetings and decisions, she said.

Councilor McGeary said he would oppose the measure as he did previously because the Charter outlines specific powers and reserves them to the Council; and reserves specific powers to the Administration. Although he said he agreed with Councilor Tobey that the intent of the Charter was to some degree to limit of the powers of the office of the Mayor; it was not intended to paralyze it. He said he thought the Council was overreaching.

Councilor McGeary noted this was a unique set of circumstances, unlikely to reoccur; that in every other instance an agreement had to be approved by the Council as recommended by a Council Standing Committee, typically B&F; sometimes P&D. **Councilor McGeary** said this is the Council putting its oar in a place where it doesn't need to be. The Council, he pointed out, has the ultimate power, that of the power of the purse which is a strong power, not a weak Council. This is an ultimate power which is used reservedly and singularly but it is an extreme power and the Council owns it, he said; and since the time of the Magna Carta, it is the role of a parliament to dispense the monies for the executive. To go beyond that flies in the face of the charter, he also pointed out, going beyond the resolution of powers that were established in 1975 and so he said he would oppose the measure.

Councilor Ciolino noted that the last time he was an advocate of the ordinance amendment. However, in doing more research and in speaking with General Counsel, he said she informed him this amendment is not ready. It is not that the Council is weak, he said; but that the Council needs to pass legislation that will be lasting and not a quick reaction to one particular case. He said he believed that O&A should take this matter up in the next session, working with General Counsel to come up with a more consistent ordinance. **Councilor Ciolino** said he would support the Mayor's veto.

Councilor LeBlanc added his agreement with Councilor McGeary. These matters have to come through B&F and the Council for approval for funding, he said, and reiterated Councilor McGeary's words that this would be a matter of the Council sticking its oar where it doesn't belong.

Councilor Whynott said he returns to his original position to agree also with Councilor McGeary. He pointed out this is the only time a situation like the leasing of the former Charter School has happened, and he would not support the override.

Councilor Theken would not support the Mayor's veto, she said. This is, she pointed out, to stem possible future bleeding of funding. If a lease is funded one year, would the Council then not fund a lease for a swing school, perhaps; and tell those children they would not be able to be in that building another year? It is, she said, about checks and balances.

Council President Hardy said she would maintain her position in favor of an override, and agreed with checks and balances. She said she didn't believe this was a band aid measure but was about allowing the public through the Council to express its views. A lease should not be approved without the input of the public, she said. The Council should have the opportunity to look into leases that last more than a year, she added. This is a first step, she pointed out, and that she would not support the veto. She urged the Council to stand with their prior vote.

Council President Hardy read the vote taken on November 26, 2013 as follows:

MOTION: On a motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 6 in favor, 2 (LeBlanc, McGeary) opposed, 1 (Whynott) absent, to Amend the GCO by ADDING a new Section 2-28 to Chapter 2 Administration, Article II "City Council" as follows:

"Section 2-28 Funds for Lease of Private Property.

Prior to the City entering into any lease of private property for a period or term of at least one year, said lease shall be submitted to the City Council for referral to its Budget & Finance Committee for funding of the lease. The lease shall then be put before the City Council for its approval."

After a Council discussion of procedure on an override with City Clerk, **Linda T. Lowe** advising the Council upon reading a portion of Section 3-9 of the City Charter to the Council, the Council then revoted the original motion as follows:

MOTION: On a motion by Councilor Cox, seconded by Councilor Verga, the City Council voted by ROLL CALL 5 (Cox, Hardy, Theken, Tobey, Verga) in favor, 4 opposed, to Amend the GCO by ADDING a new Section 2-28 to Chapter 2 Administration, Article II "City Council" as follows:

"Section 2-28 Funds for Lease of Private Property.

Prior to the City entering into any lease of private property for a period or term of at least one year, said lease shall be submitted to the City Council for referral to its Budget & Finance Committee for funding of the lease. The lease shall then be put before the City Council for its approval."

THE MAYOR'S VETO IS UPHELD.

Councilor Tobey left the meeting at 7:37 p.m.

Council President Hardy briefly reviewed the Memorandum from General Counsel to President Hardy & Members of the City Council dated January 8, 2013 relating to the final Disposition of Susan Taormina et al vs. Jackie Hardy, et al which was the second matter on the Unanimous Consent Calendar for the Council's file which she explained was related to the Executive Session Minutes for release by the Council under the Consent Agenda dated 12/10/13.

By unanimous consent of the Council the Unanimous Consent Calendar was accepted as amended.

Oral Communications:

Jim Duggan, CAO said a memo from the Mayor was in the Council packet recognizing the efforts and dedication of **Councilors Ciolino** and **Tobey** for their service to the City over the years. He said as he has worked in Gloucester for the past six years, and in the public sector for over 20 years, he voiced his sincere appreciation for the devotion, hard work and commitment the Councilors made to the citizens of Gloucester.

Mr. Duggan also recognized and lauded the work of **Council President Hardy** as a two-term City Council President. In over 20 years of his 20 years of public sector service, he said he has seen a lot of City Council presidents, and that Council President Hardy has held her position with distinction and honor. He said he applauded all three Councilors.

Presentations/Commendations:

Council President Hardy read the following commendations into the Council Record:

COMMENDATION:

Be it Hereby Known to all that the City of Gloucester City Council Hereby Commends **Councilor Bruce Tobey**

Whereas, the end of the 2012 -2013 City Council term means that Councilor Bruce Tobey has chosen to Complete his illustrious years of service as an elected official in the City of Gloucester;

Therefore, we the members of this City Council deem it fitting and proper that there be inscribed upon our records our appreciation for the dedicated and valuable service of Councilor Tobey.

Wherefore, we express our sincere gratitude for your 11 years of service as a Councilor, including service as City Council President, and our appreciation for your significant accomplishments while serving on this body.

Furthermore, we also take this opportunity to express our gratitude on behalf of the citizens of Gloucester for your dedicated years of service on the School Committee and as Mayor of the City of Gloucester which taken together with your years as a City Councilor have meant over 20 years passionately devoted to your City.

Wherefore, we find that whatever the future holds for you in public or private life we know that the experience you have gained in the Council will inspire you to greater efforts and in the end will add to the laurels you have earned.

Adopted, by the Gloucester City Council on the 10th day of December 2013.

COMMENDATION:

Be it Hereby Known to all that the City of Gloucester City Council Hereby Commends **Councilor Joseph Ciolino**

Whereas, the end of the 2012 -2013 City Council term means that Councilor Joseph Ciolino Will no longer be serving as an elected official in the City of Gloucester;

Therefore, we the members of this City Council deem it fitting and proper that there be inscribed upon our records our appreciation for the dedicated and valuable service of Councilor Ciolino.

Wherefore, we express our sincere gratitude for your 10 years of service as a Councilor and our appreciation for your accomplishments while serving on this body.

Furthermore, we also take this opportunity to express our gratitude on behalf of the citizens of Gloucester for your dedicated years of service including conducting your satellite office on Main St. at "The Weathervane"

Wherefore, we find that whatever the future holds for you in public or private life we know that the experience you have gained in the Council will inspire you to even greater efforts for Gloucester.

Adopted, by the Gloucester City Council on the 10th day of December 2013.

Upon the completion of the reading of both commendations, the City Council, City staff and the full audience rose to give both **Councilor Ciolino** and **Councilor Tobey** (now absent from the meeting) a standing ovation.

Appointments:

- Tourism Commission:

Councilor Theken said that all the new appointees for the Tourism Commission comprise a group of wonderful representatives for the City and that the O&A Committee had unanimously recommended them all.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Catherine Ryan to the Tourism Commission, TTE 02/14/14 as an Arts and Culture representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Catherine Ryan to the Tourism Commission, TTE 02/14/14 as an Arts and Culture representative.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Pauline Bresnahan to the Tourism Commission, TTE 02/14/15 as a Non-Downtown Retailer representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Pauline Bresnahan to the Tourism Commission, TTE 02/14/15 as a Non-Downtown Retailer representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Laura Dow to the Tourism Commission, TTE 02/14/15 as an Accommodations representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Laura Dow to the Tourism Commission, TTE 02/14/15 as an Accommodations representative.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Paul Frontiero to the Tourism Commission, TTE 02/14/15 as a Tourist Attraction representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Paul Frontiero to the Tourism Commission, TTE 02/14/15 as a Tourist Attraction representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint John Orlando to the Tourism Commission, TTE 02/14/15 as the Seaport Gloucester Destination Marketing Organization representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint John Orlando to the Tourism Commission, TTE 02/14/15 as the Seaport Gloucester Destination Marketing Organization representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Peter Webber to the Tourism Commission, TTE 02/14/15 as the Cape Ann Chamber of Commerce representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor Theken, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Peter Webber to the Tourism Commission, TTE 02/14/15 as the Cape Ann Chamber of Commerce representative.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Karen Ristuben to the Tourism Commission, TTE 02/14/16 as an Arts and Culture representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Karen Ristuben to the Tourism Commission, TTE 02/14/16 as an Arts and Culture representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Zachary Sears to the Tourism Commission, TTE 02/14/16 as a Restaurant representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Zachary Sears to the Tourism Commission, TTE 02/14/16 as a Restaurant representative.

MOTION: On a motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Laura Baker to the Tourism Commission, TTE 02/14/16.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Laura Baker to the Tourism Commission, TTE 02/14/16.

Councilor Ciolino said the Council has worked for two years to reconstitute the Tourism Commission into a better unit, and it also worked to rewrite the ordinance for the Commission with a lot of hard work done by Councilors Hardy and Theken. This is new group of Commission appointees, he said, which is so important to the

visitor economy for the City. He said the Tourism Commission will be directed by the new Community Development Director, Tom Daniel, and he wished the new group good luck.

- Clean Energy Commission

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Tom Kiely to the Clean Energy Commission, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Tom Kiely to the Clean Energy Commission, TTE 02/14/14.

- Gloucester Cultural Council

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Rose Sheehan to the Gloucester Cultural Council, TTE 02/14/16.

DISCUSSION:

Councilor Theken added the Council's and City's gratitude for all the volunteers who step forward in service to the City.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Rose Sheehan to the Gloucester Cultural Council, TTE 02/14/16.

Consent Agenda:

- **MAYOR'S REPORT**
 1. Letter to City Council from Mayor (Info Only)
 2. Memorandum from Fire Chief outlining FY14 Fire Department budget needs to meet contractual obligations (Refer B&F)
 3. Special budgetary Transfer Request (2014-SBT-13) from City Clerk's Office in the amount of \$144.14 (Refer B&F)
 4. Memorandum, Grant Application & Checklist from Harbormaster regarding a Clean Vessel Act grant (Refer B&F)
 5. Memorandum from CAO & Supplemental Appropriation-Budgetary Request (2014-SA-6) in the amount of \$100,000 re: West Parish School swing space location (Refer B&F)
 6. New appointment: Shellfish Advisory Commission TTE 02/14/16 William Nugent (Refer O&A)
- **COMMUNICATIONS/INVITATIONS**
 1. Response to Oral Communications of October 22, 2013 City Council Meeting to Carmine Gorga (Info Only)
 2. Response to Oral Communications of October 22, 2013 City Council Meeting to Ralph G. Hobbs (Info Only)
 3. Communications from Leonora "Lee" Swekla to City Council (Info Only)
- **APPLICATIONS/PETITIONS**
 1. RZ2013-002: a portion of Whitmore St., Assessors Map 21, Lot 7 from General Industrial (GI) to R-10 (Med./High Density Resid.)(Refer P&D & PB)
- **COUNCILORS ORDERS**
 1. CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 "Disabled veteran, handicapped parking" re: Proctor Street #12 (Refer O&A & TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. Executive Session Minutes of the June 14, 2011 City Council Meeting (Approve/File)
 3. Standing Committee Meetings: B&F 12/05/13 (under separate cover), O&A 11/18/13, 12/02/13, P&D 11/20/13 (no meeting) 12/04/13 (Approve/File)

Items to be added/deleted from the Consent Agenda:

By unanimous consent of the Council the Consent Agenda was accepted as amended.

Scheduled Public Hearings:

1. PH2013-065: Amend c. 22 "Traffic," Sec. 22-287 "Disabled veteran, handicapped parking" by ADDING one handicapped space in front of #14 Liberty Street

This public hearing is opened.

Those speaking in favor: None.
Those speaking in opposition: None.
Communications: None.
Councilor Questions: None.
This public hearing is closed.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space in front of Liberty Street #14.”

DISCUSSION:

Councilor Theken said that this amendment was supported by the Traffic Commission.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space in front of Liberty Street #14.”

2. PH2013-066: Amend c. 22 “Traffic,” Sec. 22-287 “Disabled veteran, handicapped parking” by ADDING one handicapped space at Knowlton Square, southerly side, 45 feet from a point beginning with its intersection with Washington Street in an easterly direction for 22 feet

This public hearing is opened.
Those speaking in favor: None.
Those speaking in opposition: None.
Communications: None.
Councilor Questions: None.
This public hearing is closed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space at Knowlton Square, southerly side, 45 feet from a point beginning with its intersection with Washington Street, in an easterly direction for 22 feet.”

DISCUSSION:

Councilor Theken explained that the Traffic Commission approved this amendment as did O&A that a handicap parking space across from Washington Street #200 near Knowlton Square be created.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space at Knowlton Square, southerly side, 45 feet from a point beginning with its intersection with Washington Street, in an easterly direction for 22 feet.”

3. PH2013-067: Amend c. 22 “Traffic,” Sec. 22-287 “Disabled veteran, handicapped parking” by DELETING one space in front of #7A Riggs Street, and ADDING one space in front of #6 Riggs Street

This public hearing is opened.
Those speaking in favor: None.
Those speaking in opposition: None.
Communications: None.
Councilor Questions: None.

This public hearing is closed.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by DELETING one handicapped parking space at Riggs Street #7A and ADDING one handicapped parking space at Riggs Street #6.

DISCUSSION:

Councilor Theken said that this space is being deleted in order to move the handicap parking space across the street to #6 Riggs Street which was approved by the Traffic Commission.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) to Amend GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by DELETING one handicapped parking space at Riggs Street #7A and ADDING one handicapped parking space at Riggs Street #6.

5. PH2013-069: Amend c. 22 "Traffic," Sec. 22-269 "Stop Intersections" by ADDING Center Street, northbound traffic at Middle Street intersection

This public hearing is opened.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-269 (Stop Intersections) by ADDING Center Street, northbound traffic on Center Street at the intersection with Middle Street."

DISCUSSION:

Councilor Theken noted that the Traffic Commission approved this stop sign's placement.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-269 (Stop Intersections) by ADDING Center Street, northbound traffic on Center Street at the intersection with Middle Street."

6. PH2013-070: Amend c. 22 "Traffic," Sec. 22-282 "Angle Parking" by ADDING Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court in a southerly direction, three 9 foot angle parking spaces

This public hearing is opened.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-282 (Angle Parking) by ADDING Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court, in a southerly direction three 9 foot angle parking spaces."

DISCUSSION:

Councilor Theken said this was also approved by the Traffic Commission. By angling the parking at this address it adds another parking space. **Councilor Cox**, in response to questions by **Councilor Ciolino** said the following: that the spaces were previously angled and removed. The only angled parking being put back is in front of 27 Commercial Street and that this is in front of a dental office. There is no hazard to traffic by the angle parking placed only in front of 27 Commercial Street which is at the street's widest point.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-282 (Angle Parking) by ADDING Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court, in a southerly direction three 9 foot angle parking spaces."

4. PH2013-068: Amend GCO c. 22, Sec. 22-267 "One way Streets-Generally" re: Fort Square

This public hearing is opened.

Those speaking in favor:

Attorney Joel Favazza, 111 Main Street representing Jeffrey Amero, trustee owner of 33 Fort Square explained the following: He and Mr. Amero are here in support of amending GCO c. 22, Sec. 22-267 by looking to have a limited window of time for two-way truck traffic to be allowed to and from this portion of Fort Square. The window is Monday through Friday only, 5 a.m. to 10 a.m. only. The only vehicles that would be allowed to utilize two-way traffic patterns would be trucks too large to take the left-hand turn at the northeast corner of Fort Square. Any of these trucks seeking to use the two-way flow of traffic would have to be led by an adult on foot at all times until they are clear of Fort Square. The proposed language (referring to a handout previously submitted to the Council) was noted in boldface print. In addition, although not in the ordinance, Mr. Amero has agreed as a sign of good will he would install a convex (aka parabolic) mirror at the telephone post at the corner of the playground which will help trucks leaving the property, the adult on foot or any trucks coming up Fort Square the usual way. While there may be concerns expressed about safety, it was noted this portion of Fort Square passes five residential buildings and the Fort Square playground. This area is entirely in the Marine/Industrial (M/I) zone, and Mr. Amero's parcel is an industrial parcel and can only do what the zoning ordinance allows which includes industrial manufacturing and storage; but if the parcel can't be accessed by industrial and commercial vehicles, industrial manufacturing and storage can't be done on the site. They are looking for appropriate access to a site. **Mr. Favazza** then used his handout's aerial photographs to illustrate the following to the Council:

- Rocky Neck Avenue is a residential neighborhood with a two-way street heading to a M/I property. There is on-street parking; sections less than 25 feet wide with a pinch point at the Rudder Restaurant which is 24 feet wide and the road is heavy with tourist and pedestrian traffic in the summer.
- Grove Street on the way to Matheson Gas is a residential street with truck traffic going to a General Industrial park property. There is a 21 foot pinch point on Carlisle Street.
- East Main Street on the way to Americold. This street is half residential, half M/I. There is no on-street parking but there are many sections of the road less than 25 feet in width. There is a 20 foot pinch point at a guard rail just before the Americold entrance and is also a walking route to an elementary school.
- Gloucester Avenue, another residential neighborhood with two-way truck traffic going to a General Industrial parcel. There is no on street parking with most of the road at 20 feet wide with a 17 foot wide pinch point at a train bridge. In the summer when trees are fully leafed, visibility is limited with many hills and turns and no sidewalks

It was noted all four sites, 24/7 a tractor trailer could be driven up and down both ways on those streets.

- The Fort Square area is strictly M/I. There is no on-street parking from the Mortillaro tin building to the brown house next to the Fort playground. Most of the road is less than 25 feet wide with a 17 foot pinch point at the playground corner.

Mr. Favazza said they are not looking for anything that isn't already happening in the City. Given the safeguards in place that Mr. Amero has proposed and with the ordinance change, he said, this will be safer than the other areas in the city he cited. He reiterated the hours are tailored to avoid peak playground and beach use times which includes no weekend deliveries. The on-foot adult accompanying the truck will naturally keep the speed of the truck to a very slow speed, he said. **Mr. Favazza** concluded that the proposed ordinance language takes into account the realities of the situation on the street is limited in scope as to the type of vehicles that will be traveling

back down Fort Square but still provides at least the minimum access necessary to appropriately utilize the industrial parcel.

Jared Downey, 7 Diamond Avenue, commercial truck driver, noted this amendment would be an improvement which would allow Mr. Amero to use his property which he said did not seem unreasonable.

Those speaking in opposition: None.

Communications:

Linda T. Lowe, City Clerk noted the following communication: **Jen Johnson**, 26R Fort Square said she supports Mr. Amero's ability to transport his product to and from his property but expressed concern for the safety of the area's children and asked the Council to listen to the Police Chief; and that if he did not support this proposal to bow to his opinion.

Councilor Questions:

Councilor Ciolino asked about the Police Chief's opinion. **Mr. Favazza** said both the Police and Fire Chiefs did not support the proposed ordinance change. The Traffic Commission has not weighed in on the actual ordinance language. He said he understood that the Traffic Commission weighed in on the earlier language. The Commission was invited to the site visit, he noted, but none attended. The Commission, he said, did not support the earlier language for the traffic amendment.

Councilor McGeary noted the pinch point is at a corner on Fort Square. **Mr. Favazza** said that the narrowest point on Gloucester Avenue is at 17 feet and that Fort Square at its narrowest is also at 17 feet. The parabolic mirror would be a few feet further down in order to see the pinch point. He noted the proposed ordinance language says that a truck is led to come out of the property. The trucks can drive in unaccompanied, he pointed out. **Councilor McGeary** asked if there was a sign big enough to explain the ordinance. **Mark Cole**, DPW Assistant Director said his department would be able to do so.

Council President Hardy asked how long it would take for a truck to get around Fort Square on the way back out. **Mr. Favazza** said it would take at least a minute or two. He and the Council President spoke about the practicality of an adult on foot accompanying the large trucks. **Council President Hardy** asked why the police could not be called to accompany a truck when needed. **Mr. Favazza** said police details are a prohibitive business cost for routine deliveries. **Council President Hardy** concluded her remarks by saying she would base her vote on the opinion of the Police Chief.

Councilor Verga expressed his concern for the lack of support of the public safety chiefs. He spoke to the weekday issues where traffic flow has been changed at East Gloucester School. He suggested that there be a trial. **Mr. Favazza** said that Mr. Amero is looking to develop his property and that it is at a cost of hundreds of thousands of dollars for an industrial site and not do so with an ordinance that is on a trial basis. It does not prohibit the ordinance to be revoked, he noted. It would make investment in the property a great risk, he pointed out, on a trial basis. **Councilor Verga** commented that with no support for this measure from the Police and Fire Chief and no full vetting by the Traffic Commission, it is very telling.

Councilor Ciolino noted it was said this evening a parabolic mirror would be relied on. He asked how effective they were. **Mr. Cole** said a parabolic mirror was recently installed by the City, and noted it works well. With someone accompanying the truck on foot he suggested the process could work.

This public hearing is closed.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 2 in favor, 1 (Theken) opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-267 (One Way Streets-Generally) "Fort Square" to ADD after the current ordinance in effect as follows:

"except from 5:00 a.m. to 10:00 a.m., Monday through Friday, for a distance of approximately 500 feet beginning at its intersection with Commercial Street on the westerly side and terminating at the driveway of 33 Fort Square in which tractor trailer or other vehicles with a hitch-and-trailer system with a total length (truck and trailer) in excess of 30 feet, and fixed-body vehicles with a total length in excess of 40 feet, and no others may travel against the customary direction of traffic provided such vehicles are, at such times, led and accompanied by an adult on foot."

DISCUSSION:

Councilor Theken explained that this first went to the Traffic Commission it was turned down. For the first time O&OA did an actual site visit and spoke to people in the community, she said, and that as a result of community input, there was a small compromise on the timeframe. This type of accommodation has been done for other businesses in the City, she noted. She pointed out that the driver of the truck in the demonstration rode over

the sidewalk when taking the corner which she said was concerning to her with the beach and playground adjacent to where this demonstration took place. She also asked the Fire Department to bring a vehicle to the demonstration, and she said it took over two minutes for that vehicle to back up. It was suggested, she said, that Mr. Favazza's client do a memorandum of understanding with the City instead of an ordinance amendment, but that idea was rejected. She also noted that the Police Chief pointed out the issue of who would be responsible to train the person accompanying the truck. **Councilor Theken** said that the ordinance would be applicable to any truck, not just those making deliveries to this one property. Both Chiefs said this is a safety problem despite a mirror or someone on foot accompanying a truck, she said. She expressed her continued concern, and pointed out that the comments of the Chiefs are contained in the O&A minutes (on file). There really was no compromise here, she said; and people want a trained person to accompany a truck. The Police Chief said he can't put a policeman there all the time to look out for these trucks she noted, and said that both Chiefs said no to the ordinance amendment.

Councilor Whynott said most of the time he is very pro business. He noted he had attended the site visit. Because the Fire and Police Chiefs object, he would object also, he said. This was about a safety issue, and he said he could not support the measure in its current form without the Chiefs' and Traffic Commission support.

Councilor McGeary said after much thought he would support this measure; and while loathe to go against the Police Chief, but often in the City trucks off load with someone flagging traffic temporarily. He said while it would be more comfortable to have a trained law enforcement professional to guide the truck, but it is not absolutely necessary. He noted he was also at the site visit and saw the truck go up on the sidewalk. How likely is the truck to be a safety issue if an emergency vehicle needs to pass – not that likely, he said. If Mr. Amero doesn't follow through with his commitments, this measure can be removed rather quickly. **Councilor McGeary** pointed out that while one business could benefit from this amendment, this is a Marine/Industrial (M/I) business in an M/I zone; and if the City wants to retain M/I business in the Fort, this businesses should be accommodated. At the first hint Mr. Amero is not following through with his commitment **Councilor McGeary** said he would be first to move to reverse the ordinance, adding that the Council should support this ordinance amendment.

Councilor Cox said there are many areas heavily travelled by tractor trailers that go by bus stops and playgrounds. She said she understood the Police Chief supporting his staff and supporting detail work, but Commercial Street sees unloading and loading of heavy large trucks all day long. There is no legal parking on that entire stretch of Fort Square although vehicles are parked there. The area is M/I, and she has said she would do everything she could to keep the M/I zoning in place, so she would support this measure as she promised. Without this measure, it is unlikely this business could succeed, she said, and that to her this measure is a compromise. If it doesn't work the Council has the opportunity to pull the ordinance she pointed out.

Councilor LeBlanc, noting he lives on Carlisle Street said he knows Gloucester Avenue very well. He said his children play in that neighborhood which is predominantly residential with industrial businesses. He noted when he was growing up he hung around in the Fort which was heavily travelled by trailer trucks. The compromise of limiting the time for two-way travel, the flag person and the mirror is reasonable, he pointed out, and gave several other examples that appeared to be similar situations in the City. He said he would support this measure and wanted to see the waterfront flourishes in hopes that this would be a positive domino effect.

Councilor Ciolino said he would not support this amendment to the ordinance because the Police and Fire Chief's opinions, and that this is also taking place next to a playground. Children have lost their lives because of trucks in the Fort area and is an inappropriate area to make two-way, he said. Parabolic mirrors don't work as well; he pointed out, and urged the Council to not support the ordinance amendment.

Councilor Verga said there is precedent set in East Gloucester, but the public safety officers have said no; there is a lack of a traffic study, and it would be false hope to vote for the amendment to hope all goes well. He said he could not support the measure.

Councilor Theken said the Police Chief didn't say he didn't want this because he wanted police to work details, and it has nothing to do with unions or pay; he is saying it is hard to patrol the area. Chief Campanello said Mr. Amero is trying to be a good neighbor, but it is hard to monitor the situation. She pointed out these are really big tractor trailers. The Fire Department vehicles and dump trucks make it around, but a tractor trailer can't easily do so. She reiterated her concern for emergency vehicles and trucks meeting up on the street without maneuvering room in an emergent situation. Gloucester Avenue is already two ways, but this street is not, she pointed out. When that area is snowed in, snow banks impede traffic and this would add to that problem. She said she did not support the ordinance amendment.

Council President Hardy agreed it is easier to take the ordinance away, but it wouldn't be fair once construction had started, and then when complaints were received, how, she asked, could the Council take it away if the property owner is already committed to contractors. While she said she usually supports presentations of ward Councilors for Code amendments, in this instance she would listen to the public safety officials.

At the request of the **City Council President**, the following excerpt of statements by Police Chief Leonard Campanello and Fire Chief Eric Smith from the October 28, 2013 O&A Committee Meeting Minutes (on file) was entered into the record as follows:

“Police Chief Campanello said Mr. Amero has tried to be a good neighbor and make some concessions. Hours can be changed, mirrors, but the physicality of the street can’t be changed, he said; and would not change his original assessment (memo on file) which was against such a change due to safety and enforcement concerns.

Fire Chief Eric Smith said in view of the size of his department’s vehicles, this proposal creates a more dangerous situation in the off chance that an emergency were to occur at the same time one of the trucks was leaving the property. He, too, said his original recommendation stood in light of viewing the street in person, and in talking with his deputy and captain after the site visit. He said he spoke to his captain and deputy today again who informed him they felt the same way now as they did at the site visit which was they were not in favor of the change.”

This public hearing is closed.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 3 (McGeary, LeBlanc, Cox) in favor, 5 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-267 (One Way Streets-Generally) “Fort Square” to ADD after the current ordinance in effect as follows:

“except from 5:00 a.m. to 10:00 a.m., Monday through Friday, for a distance of approximately 500 feet beginning at its intersection with Commercial Street on the westerly side and terminating at the driveway of 33 Fort Square in which tractor trailer or other vehicles with a hitch-and-trailer system with a total length (truck and trailer) in excess of 30 feet, and fixed-body vehicles with a total length in excess of 40 feet, and no others may travel against the customary direction of traffic provided such vehicles are, at such times, led and accompanied by an adult on foot.”

MOTION FAILS.

The Council recessed at 8:45 p.m. and reconvened at 8:54 p.m.

7. PH2013-060: Recommendations of the Community Preservation Committee for Round 4, FY2013 Funds

This public hearing is opened.

Sandra Dahl-Ronan, Co-Chair, Community Preservation Committee (CPC) gave a brief historic overview of the Community Preservation Act process. To date 29 projects have been funded, and this evening another 17 additional projects are being brought forward this evening for funding, she said. Funding applications had to meet general and category specific criteria, she pointed out. The Community Preservation Committee (CPC) receives applications, reviews them, and forwards them to the Mayor with their recommendations who puts them forward to the Council, she said. **Ms. Ronan** pointed out that the CPC criteria plan can be found on the City’s web site. The CPC recommendations were forwarded to the B&F Committee for their review and recommendation to the Council. She said the CPC thanks the City’s voters for voting for the creation of the CPA fund, and that all the projects approved enhance the City.

Project #1 – Magnolia Library & Community Center Renovation - \$7,500

Sandra Dahl-Ronan, Co-Chair, Community Preservation Committee (CPC) gave a brief overview as follows: The Magnolia Library (a 501(C) 3 organization) is recommended to receive \$7,500 in CPA funds for the purpose of design and cost studies for the rehabilitation and restoration of an historic asset by hiring a sprinkler engineer to develop a plan for a sprinkler system to protect and preserve the building in the event of fire, and/or hiring an architect to draft plans for a handicapped-accessible bathroom.

Walter Kolenda, representing The Magnolia Library and Community Center said that the Library was looking for more money than awarded, but is pleased to have this funding for the studies to learn what it would take to install an ADA compliant bathroom. He said the Library was told when the studies are completed that they could come forward again for more funding CPA funding in the next round.

Those speaking in opposition: None.

Communications: None.

Questions:

On inquiry by **Council President Hardy, Ms. Ronan** said the original request was for \$195,150. The Library was noted as having not coming forward before for CPA funding. **Mr. Kolenda** added the study would go forward as soon as possible.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$7,500.00 (Seven Thousand Five Hundred Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Library & Community Center for the purpose of its renovation in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275017.

DISCUSSION:

Councilor McGeary said that this is a worthy project and that the Magnolia Library is a wonderful community resource. **Councilor Verga** said he hoped that next year there would be a more generous awarding of funds to the Magnolia Library & Community Center.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$7,500.00 (Seven Thousand Five Hundred Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Library & Community Center for the purpose of its renovation in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275017.

Project #2 – Sargent-Murray-Gilman-Hough House: Saving the Foundation, Repairing the Structure - \$20,000

J.J. Bell, Co-Chair, Community Preservation Committee (CPC) explained the following:

The Sargent Murray Gilman Hough House Association is recommended to receive \$20,000 in CPA funds for the purpose of rehabilitation and restoration of an historical asset by repairing the foundation, repointing chimney bases and outer walls, replacing and repairing beams, support columns and repairing a basement window. The total project cost for this phase is estimated at \$53,075.

Barbara Silverman, 7 Bass Rocks Road representing the Sargent Murray Gilman Hough House said that the project is intended to ensure the stabilization and long-term preservation of the Sargent House Museum, a 1782 structure. There is significant structural damage to infested wooden beams (2) and brick piers (4) in the basement. The brick piers will get new concrete footings. Chimney bases that serve five of the house's fireplaces have shifted and earlier repairs are failing. This is another step in a plan based on a 2007 architectural assessment to renovate and preserve the museum. Workshops for the public to explain the renovations will be held, she noted.

Those speaking in opposition: None.

Communications: None.

Questions:

Council President Hardy asked when this project would be completed. **Ms. Silverman** said there could be a mushroom factor but that it will likely take nine months and will begin in March. The museum was awarded a grant in the previous CPA funding cycle to replace a fence, she said; but the fence was removed which the public preferred; and so funds were returned to the CPA. This funding is 38 percent of the overall renovation budget for this renovation project, **Ms. Silverman** said.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$20,000.00 (Twenty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Sargent-Murray-Gilman-Hough House Association for the purpose of preserving the museum's

foundation and repair the structure in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275018.

DISCUSSION:

Councilor McGeary commented that this is a literal supporting of a valuable City resource. The money, he said, would be well spent. He appreciated the openness of the museum to not taking the CPA Round 3 funding for the fence and leaving the space open.

Councilor Ciolino said the museum is a jewel of the City and commended the museum supporters for keeping it open. This, he said, is what CPA money was meant to do to preserve the City's historic assets.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$20,000.00 (Twenty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Sargent-Murray-Gilman-Hough House Association for the purpose of preserving the museum's foundation and repair the structure in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275018.

Project #3 – Cape Ann Museum and Thacher Island Association: Restoration and Preservation of Thacher Island Fresnel Lens - \$10,000

Ms. Ronan explained the following:

The Cape Ann Museum and Thacher Island Association is now recommended to receive \$10,000 in CPA funds for the purpose of preserving an historic asset by repairing and restoring the Fresnel lens from the Thacher Island Lighthouse to be permanently exhibited at the museum.

Martha Oakes, Curator of the Cape Ann Museum explained the is the Fresnel lens is from the south tower of the two lighthouses on Thacher Island that served as a beacon for Cape Ann mariners for over 120 years (from 1861 to 1980). It will be restored at the museum in two sections and permanently exhibited in the Maritime Gallery in an area expressly constructed to facilitate viewing by the public. The lens has been brought up from the Maryland, where it had been in Coast Guard storage. Restoration will also involve removing part of the original pedestal from the top part from the lighthouse and reconstructing the bottom part that supports the lens to fit it into the Cape Ann Museum's exhibit space. Standing 10 feet high and weighing over a ton, it will be restored on site at the museum by a trained team whose ongoing work will be able to be viewed by the public. The lens has to be protected from being touched, so the installation will include railings and lighting to illuminate the lamp and have interpretive materials. It was noted that this is a unique collaborative community project with the Thacher Island Association located in Rockport. The Thacher Island Association is also seeking CPA funding in Rockport for this project for \$20,000. **Ms. Ronan** added this is collaboration between a city and town makes the project rather special. The total project cost is estimated at \$46,790.

Those speaking in opposition: None.

Communications: None.

Questions:

On inquiry by **Council President Hardy**, **Ms. Oakes** said the total project is \$200,000 and the final phase is for \$50,000 which will be made up partly of this original request of \$10,000. **Council President Hardy** noted Rockport CPA funding was approved for \$10,000 and that private funding would make up the rest of the funding for the final phase of the project which **Ms. Oakes** confirmed. She also noted B&F minutes indicated the lens would be permanently displayed at the museum but the Coast Guard will allow that for 30 years. **Ms. Oakes** said there has to be some end date. The lens will go into a gallery where it can never be removed and the Coast Guard recognizes this. She also pointed out this is the third project that the museum has had before the Council for funding and that the museum is a 501(C) 3 organization with other funding sources. She also noted the particulars of the time frame of the museum's current renovations.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$10,000.00 (Ten Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Museum and Thacher Island Association for purpose of the restoration and preservation of the Thacher Island Light Fresnel Lens in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275019.

DISCUSSION:

Councilor McGeary said that he saw the lens at the museum, which is wonderful. It was grand that the Thacher Island Association is permitting the City to share in this project, he said.

Councilor Ciolino congratulated the Cape Ann Museum for spearheading this project and that the lens is a wonderful addition to the City and the museum.

Councilor Theken thanked Mr. Bell and Ms. Ronan for continuing their advocacy to share these projects with the City.

Council President Hardy added that she wished the Cape Ann Museum had asked for more funding, and she extended her thanks the Town of Rockport for their collaboration on the project.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$10,000.00 (Ten Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Museum and Thacher Island Association for purpose of the restoration and preservation of the Thacher Island Light Fresnel Lens in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275019.

Mr. Bell said he had recused himself from any discussion or voting on the preceding project as he is a member of the Board of the Cape Ann Museum.

Project #4 – Phyllis A. Association: Stern Rebuild of the Vessel Phyllis A. - \$25,000

Mr. Bell explained the following:

The Phyllis A. Marine Association is recommended to receive \$25,000 in CPA funds for the purpose of preserving an historic asset by repairing and restoring the stern of the historic gill-netter Phyllis A.

Doug Parson, 39 Mt. Pleasant Avenue, President of the Phyllis A. Association said this is the third time before the Council for CPA funding. He reviewed the Gloucester gill-netter's history briefly. These funds will be 50 percent of the estimate for the slated project repairs. This restoration is another step in the overall restoration of the Phyllis A. to make it available for tourism and educational purposes. Total cost for this project is estimated at about \$51,000.

Those speaking in opposition: None.

Communications: None.

Questions:

Mr. Parsons, responding to questions by **Council President Hardy** said the Association is always seeking funds from other sources. He noted the Phyllis A. is not as glamorous as a schooner and makes outside funding more difficult. He noted the Association has asked for an extension for the Round 3 CPA funding and that the Round 4 funding would sync with the ability of the Association to finish up the work of Round 3 in March. He discussed the process of the renovations with **Council President Hardy**. Mr. Bell pointed out that the CPC was informed at a meeting of the request for an extension of the Round 3 funding, and that the CPC is considering that request. **Mr. Parsons** noted this is a 501(C) 3 organization and assured the Phyllis A. is not leaving Gloucester. **This portion of the public hearing is closed.**

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$25,000.00 (Twenty Five Thousand

Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Phyllis A. Marine Association to rebuild the stern of the vessel, Phyllis A. in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275020.

DISCUSSION:

Councilor McGeary noted that Mr. Parsons has done a good job. This is an important record of the City's fisheries which is difficult to restore, he said. It is hoped this will be a dockside attraction soon and is money well spent, he added.

Councilor Ciolino gave his support for the funding and agreed that this is just as an important vessel to the City as other schooners are to show the history of Gloucester. He commended Mr. Parsons for his hard work.

Councilor Cox announced under MGL c. 268A her husband is a member of the Board of the Phyllis A. but neither she nor her husband benefit financially and would, therefore, vote on this project funding.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$25,000.00 (Twenty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Phyllis A. Marine Association to rebuild the stern of the vessel, Phyllis A. in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275020.

Mr. Parsons added that the CPA money has been well used by the Phyllis A. Association. He thanked the CPC; and the Council saying that without CPA funding the boat wouldn't be at a City dock able to be worked on.

Project #5 – Rocky Neck Art Colony: Rehabilitation and Restoration of former Christian Science Church, 6 Wonson Street - \$50,000

Mr. Bell explained the following:

The CPA funding of \$50,000 will serve the purpose of rehabilitating and restoring of an historic asset by providing exterior restoration which includes: window repair, gutter and downspout replacement and painting as well as providing handicap accessibility through the installation of a ramp and construction of American with Disabilities Act (ADA) bathrooms at the Rocky Neck Cultural Center. The Rocky Neck Art Colony (RNAC) has acquired this historic building and took title of it on April 30, 2013.

Karen Ristuben, 4 Bickford Way, President of the Rocky Neck Art Colony (501 (C) 3 organization) said money was raised to make a substantial down payment to purchase the building (the former Christian Science Church on Wonson Street) and the organization expects to be debt free by next year. The building is acquired now. Programming enables the RNAC to pay for the building's running expenses, she said. It is hoped, she said, a part-time staff will be hired in the next year or two. **Ms. Ristuben** noted \$74,000 is committed through CDBG funds for a handicapped accessible bathroom. This funding is sought for offsetting the costs of: 1) a handicapped-accessible ramped entrance on the eastern side of the building; two accessible bathrooms, and an interior wheelchair lift (which may be done in the following year); and 2) exterior restoration which includes window repair, gutter and downspout replacement and painting; a kitchen as well. The total cost of the three projects is about \$125,000. **Council President Hardy** complimented Ms. Ristuben's organization for their outreach to the community. **Ms. Ristuben** said, in response to an inquiry by **Council President Hardy** that the RNAC came to the CPC for funding in 2012 but that initial application was not recommended to move forward at that time.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$50,000.00 (Fifty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a

grant to the Rocky Neck Art Colony, Inc. for the purpose of the rehabilitation and preservation of the former Christian Science Church, 6 Wonson Street in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275021.

DISCUSSION:

Councilor McGeary said that this is a worthy project. The building is at this time is unfriendly to the handicapped, and this project will allow for the building's full accessibility. **Councilor McGeary** noted that Ms. Ristuben has been the heart and soul of the RNAC and the creation of the City's first cultural district for which he commended her.

Councilor Ciolino said this is the model in the state for a cultural center organization. He said he supported the project funding. **Council President Hardy** added her approbation also.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$50,000.00 (Fifty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Rocky Neck Art Colony, Inc. for the purpose of the rehabilitation and preservation of the former Christian Science Church, 6 Wonson Street in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275021.

Project #6 – City Hall Restoration Committee: City Hall Restoration – Repairs/Restoration of Auditorium Windows - \$36,000

Ms. Ronan explained the following:

The City Hall Restoration Committee is recommended to receive \$36,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitation and restoration of an historic asset by repairing City Hall windows on the second level of City Hall (Warren Street side). This project will continue the restoration of the exterior of City Hall, specifically repairs and restoration of the Kyrouz Auditorium windows and will represent three windows only. The approved 2010 application of CPA funding to restore the exterior of City Hall included these windows; however, the final project budget necessitated that the repairs of the windows south and east elevations be delayed until other funding was secured.

Maggie Rosa, City Hall Restoration Committee submitted a hand out on the restoration of City Hall. In 2009 the Committee applied for \$3.5 million for the restoration of the exterior of City Hall. As it was the first round, it was a \$2.6 million loan order in the end for a term of 13 years. The money would not be sufficient to complete the restoration of the exterior of the building. The specific request was for \$150,000 to complete the window restoration of the Pleasant Street side and the windows on Warren Street of City Hall. All the windows facing the Post Office and the west elevation have been restored and are being reinstalled, she noted. The CPC recommended \$36,000 together with funds that remain from the on-going project, and funds privately raised the Committee will be able afford to restore the four windows on the Warren Street side of the building. The windows facing Pleasant Street in Kyrouz Auditorium would have to wait. The Committee has applied to the Administration for some Free Cash. They have also applied through State Rep. Ferrante and Sen. Tarr who through their efforts City Hall should be eligible for funding as a municipal building which would have to be matched funds. Each passing year, she pointed out, the building continues to deteriorate, and restoration is an on-going project. **Ms. Rosa** also reviewed her handout to the Council in brief which covered the progress of the City Hall restoration project.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Whynott asked if the restored windows would be an improvement over what had been done before. **Ms. Rosa** said the Commission hired a historical architectural firm which is top notch, McGinley Kelso, who tested the windows to be sure they would stand the test of time. There will be drafts, she pointed out, because the interior of the building has not been addressed yet.

Councilor LeBlanc requested that regular maintenance be done on the new windows. **Ms. Rosa** said that her Committee has advocated for DPW line items for maintenance on the City buildings. It is a matter for the Administration and Council to consider, she said.

Councilor McGeary said if and when the interior trim is completed it would obviate some of the drafts coming through now. **Ms. Rosa** said the interior window frames do need work, but that they need help from the DPW and the Administration on that matter. Things have to be maintained; an assessment will have to be done, she said. The Committee's mission was to stop the building from falling down, **Ms. Rosa** pointed out.

Council President Hardy and **Ms. Rosa** discussed the issue of the newly restored windows, on-going maintenance issues and issues concerning the Facilities Manager.

Mr. Cole said the Mass. Historic Association was very strict with what could be done and said the department can only maintain the windows not change them. He said this is the first he has heard of any issues with the Facilities Manager, and said he would talk with the Facilities Manager to learn what the current issues are.

Ms. Rosa and **the Council President** also discussed other aspects of the City Hall restoration problems and the lack of communication with the Office of the Mayor despite the Committee's attempts to communicate their position and needs. **Council President Hardy** asked for a progress update on the City Hall restoration to the Council. Until the issues are resolved with the recently installed windows she said would propose a postponement of this vote. **Ms. Rosa** said the contract for the windows had to be extended; and with the \$36,000 to do the Warren Street windows it would extend the contract to May 2014. **Mr. Bell** added that the windows recently installed had not been finished via a punch list; and he pointed out many windows don't have their storm windows installed yet.

MOTION: On motion by Councilor Hardy, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed to request that the Mayor appoint an alternate for the Facilities Manager to the City Hall Restoration Committee when the Facilities Manager is unavailable to attend the City Hall Restoration Committee meetings.

Councilor McGeary asked what recourse there was for windows found to be defective. **Ms. Rosa** said the contractors are very responsive but must be told about the issues, and commented that somewhere there seemed to be a significant lack of communication. **Councilor McGeary** recalled there was a time constraint that if the money is not spent that the current contract will have to be closed. **Ms. Rosa** confirmed that was the case. If there is a delay in this funding, it will be an issue for the City to abide by the State rules and regulations for procurement; she had been informed by the City's Purchasing Agent. **Council President Hardy** said the Building Inspector can't sign off on the window project to date. **Ms. Rosa**, noting that the Building Inspector sits on their committee, and at the Committee's request it was he who went through the building to survey compliance with ADA regulations.

Councilor Ciolino noted the inside trim on the newest installed windows appears compromised commenting that the windows are tight on the outside but are not on the inside. **Ms. Rosa** said the \$2.6 million was insufficient to do it all. There had to be compromises, she said; and she suggested that the DPW could do the inside trim and further look at the building for things like this.

Councilor Verga said this is a communication breakdown and that he would not vote for the \$36,000. He suggested that the vote be postponed. **Ms. Rosa** said with this \$36,000 approved this evening combined with private funds the four windows could be done and the contractor would still be on site. Without a vote this evening to approve the funding the contract would cease, she reiterated.

Councilor LeBlanc said he is a contractor and on construction sites all the time. A properly installed window with insulation without the interior trim should not create drafts. He said he wanted to ensure the casings were being insulated and wanted to be sure someone is checking before the casings go on the building.

Councilor Whynott expressed concern that by postponing a vote it would impede the current contract. **Mr. Bell** said that contract was up in September and was extended to May 2014. He said he didn't know if a postponement of the vote would work for January.

MOTION: On a motion by Councilor Verga, seconded by Councilor Theken, the City Council voted by ROLL CALL 4 in favor, 4 (Ciolino, Cox, McGeary, Whynott) opposed to continue the portion of the public hearing for the funding of the City Hall Restoration Committee of \$36,000 be continued to January 28, 2013.

MOTION FAILS.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$36,000.00 (Thirty Six Thousand

Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Hall Restoration Committee for the purpose of the City Hall repairs and restoration of the Kyrouz Auditorium windows in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Capital Fund #346001.

DISCUSSION:

Councilor Theken expressed her concern for the funding of this project without answers to issues just raised by the Council. **Councilor McGeary** read from B&F minutes about the contract issues now raised by the Council. He said he believed if the Council doesn't fund this project now they'll lose one of the four Warren Street windows because of the cost going back out to bid. The new contractor has done a better job; he noted and said he would vote for the windows, although it is a risk. There is still \$140,000 of City Hall windows to be done, he pointed out. **Mr. Bell** said the Committee is looking to other sources for funding as well. **Council President Hardy** suggested that the funding request be withdrawn.

Mr. Bell reiterated that these windows have just been finished and the architect has not come back to punch them out. Without this funding the City Hall Restoration Committee will lose this contractor, he said. He asked the Council for a continuance.

By unanimous consent, the Council continued this portion of the public hearing to January 28, 2014.

Project #7 – Ocean Alliance: Tarr and Wonson Paint Manufactory – Repair Chimney & Support Building - \$30,000

Ms. Ronan explained the following:

The Ocean Alliance is recommended to receive \$30,000 in CPA funds for the purpose of the rehabilitation and restoration of the chimney and accompanying brick building with repointing and stabilization of the Tarr and Wonson Paint Factory chimney.

Ian Kerr, Director of Ocean Alliance summarized the project as follows: The chimney is cracking and pointing is gone so that water egress is taking place. This is a project that would start in the spring. The organization is a 501(C) 3 oceanographic research institute. Some Ocean Alliance recent research projects worldwide were touched upon, that the Ocean Alliance made a documentary and that Mr. Kerr had speaking engagements at the United Nations and at the National Academy of Sciences. The site is open Monday through Friday, and the site free and clear, he pointed out, with one building completed. The total project cost is estimated at \$80,650, of which \$53,000 worth of work will be completed by this winter.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor LeBlanc asked why the Ocean Alliance is coming forward for CPA funding. **Mr. Kerr** said most of the people that give them money are interested in the research, not in saving a chimney. It is Gloucester and his organization is interested in the building which is iconic and historic to the City, he said. **Councilor LeBlanc** asked what would happen to the chimney without the funds. **Mr. Kerr** said the goal is to restore the whole site. He would still do his best to raise the money for the chimney's restoration as they are in a race to save it.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$30,000.00 (Thirty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Ocean Alliance for the purpose of repairing a chimney and supporting building at the Tarr and Wonson Paint Manufactory in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275022.

DISCUSSION:

Councilor McGeary said that Mr. Kerr is preserving an iconic building as important to Gloucester as Motif #1 is to Rockport. **Councilor Ciolino** added his support for the funding.

The Council unanimously extended the meeting to 11:30 p.m.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$30,000.00 (Thirty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Ocean Alliance for the purpose of repairing a chimney and supporting building at the Tarr and Wonson Paint Manufactory in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275022.

Project #8 – Magnolia Historical Society, Inc.: Rehabilitation and Restoration of the Blynman Schoolhouse to enable use as the Magnolia Historical Museum and Cultural Center - \$30,000

Mr. Bell explained the following:

The Magnolia Historical Society (MHS) is recommended to receive \$30,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitation and restoration of an historic asset by upgrading the electrical and HVAC system at the former Blynman School.

Lisa Ramos, President of the MHS said that the society, a 100 percent volunteer organization. The \$30,000 is for the heating system; after reviewing three estimates, the cost will be \$38,000 for heat throughout the building with air conditioning in the museum and the cultural center with humidity control in the museum section only. The entire heat system can be done; and the A/C and humidity control can be done later, she noted. **Ms. Ramos** said a building committee has been established which has put together a six phase plan for rehabilitation of the Blynman School House for it to become a historical museum and cultural center.

Those speaking in opposition: None.

Communications: None.

Questions:

Bob Cannon, 22 Fuller Street, MHS member said that there are propane interior heaters which are exteriorly vented. These have been inspected by the Fire Department, he said responding to **Council President Hardy's** inquiry. **Ms. Ramos** said the heating project will take three weeks for installation, and they are ready to go immediately upon receiving the funding.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$30,000.00 (Thirty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Historical Society, Inc. for the purpose of the rehabilitation and restoration of the Blynman School House in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275023.

DISCUSSION:

Councilor McGeary explained that this is a building that the MHS is using is important to maintain given its historical significance.

Councilor Ciolino noted that this is a group to watch; it is a group that is well organized and working hard to be successful. He said he was pleased to hear that the group was doing something about preserving their archives with humidity control.

Council President Hardy asked about other funding sources which **Ms. Ramos** confirmed the MHS is pursuing other funding sources aggressively.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent to appropriate up to \$30,000.00 (Thirty Thousand

Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Historical Society, Inc. for the purpose of the rehabilitation and restoration of the Blynman School House in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275023.

Project #9 – Gloucester Committee for the Arts: City Hall WPA Mural Restoration Project – Phase II - \$35,000

Mr. Bell explained the following:

The CPA funding of \$35,000 will serve the purpose of preserving an historic asset by continuing the restoration and repairing of the Mulhaupt panels in the hallway of City Hall, mural in the City Attorney's office, the mural in Kyrouz Auditorium.. Following recommendations from the 2010 Condition Assessment Report funded by the National Endowment for the Humanities, the Committee for the Arts (CFA) has already overseen the completed restoration of six Charles Allen Winter WPA murals in City Hall. The second phase will include the remaining four WPA murals (as listed) recommended for restoration in the Condition Assessment report, the total cost of which is approximately \$55,000.

Dale Brown, 37 Beacon Street, Committee for the Arts noted this is the second phase of the City Hall mural restoration project. The first phase received CPA funding as well, she said. **Ms. Brown** and **Council President Hardy** briefly discussed the mural in the Mayor's office reception area and why it is not being restored at this time.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$35,000.00 (Thirty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Gloucester Committee for the Arts for the purpose of Phase II of the restoration of City Hall Works Progress Administration Murals, in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Capital Projects Fund # 346002.

DISCUSSION:

Councilor McGeary said that the mural restoration has been an amazing project and appreciated the on-going work. **Councilor Ciolino** asked that the murals stored under the Kyrouz Auditorium stage not be forgotten.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent to appropriate up to \$35,000.00 (Thirty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Gloucester Committee for the Arts for the purpose of Phase II of the restoration of City Hall Works Progress Administration Murals, in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Capital Projects Fund # 346002.

Project #10 – Cape Ann Women's Softball League: Mattos Field Rehabilitation Project - \$10,075

Ms. Ronan explained the following:

The Cape Ann Women's Softball League working with the Department of Public Works is recommended to receive \$10,075 in Community Preservation Act (CPA) funds for the purpose of rehabilitation of recreational land by repairing and resurfacing areas of the infield and outfield.

Patti Amaral, Cape Ann Women's Softball Field said that the group will continue their restoration and care of the Mattos Field. She gave a brief overview of the project. The field, she pointed out, is used by Veteran's Memorial Elementary School and also in addition by other groups. Total cost of this project is estimated at \$10,075.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council appropriate up to \$10,075 (Ten Thousand Seventy Five Dollars) from Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Women's Softball League for the purpose of rehabilitating Mattos Field located in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340002.

DISCUSSION:

Councilor Cox extended her appreciation to the Cape Ann Women's Softball League and **Council President Hardy** extended her thanks to Ms. Amaral for her continuing efforts.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$10,075 (Ten Thousand Seventy Five Dollars) from Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Women's Softball League for the purpose of rehabilitating Mattos Field located in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340002.

Project #11 – City of Gloucester: Gloucester Skate Park Rehabilitation Project - \$25,000

Mr. Bell explained the following:

The Department of Public Works is recommended to receive \$25,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitating and restoring a recreational resource by repairing and enhancing the Skate Park located at the O'Maley Middle School which is becoming unsafe. The total cost for this project is estimated at \$25,000.

Mr. Cole said the skate park was built in the 1990's, and noted that skateboarders who use the park also supervise it, some of whom were present this evening. He pointed out to date the DPW to date had taken old fence down; and new signage, benches, picnic tables are all ready to be ordered as is new signage. New lighting will be installed as well as landscaping. He said transition areas had deteriorated and will be fixed. **Mr. Cole** assured the skateboarders and the DPW would come forward next year seeking funding in order to make more improvements at the park.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor LeBlanc asked if there were scheduled hours which **Mr. Cole** confirming there were. **Council President Hardy** expressed her concern about graffiti. **Mr. Cole** said it is being handled. **Council President Hardy** suggested that there be a maintenance plan which included handling of graffiti.

Jared Downey, 7 Diamond Avenue said there is a nice culture change at the skate park with a good group of young kids that do a lot of self policing and positive activities. He urged the Council to give the group a chance to show what they can do to improve the skate park.

Council President Hardy noted she was on the building committee for the skate park and pointed out the original park rules should be researched as she recalled the School Department had some say as to the hours of use. She expressed concern about bicycles being used on the skate park. **Mr. Cole** said this is something they can

address. **Council President Hardy** also urged the transitions be carefully repaired and that the kids who use the skate park should report any problems to the DPW.

Councilor LeBlanc commented bikes will be difficult to keep off the skate park track; however, he said he would support this funding; as did **Councilor Theken**.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox , the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$25,000 (Twenty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Of Gloucester Department of Public Works for the purpose of rehabilitating the Gloucester Skate Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340003.

DISCUSSION: None.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$25,000 (Twenty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Of Gloucester Department of Public Works for the purpose of rehabilitating the Gloucester Skate Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340003.

Project #12 – Friends of Stage Fort Park: Stage Fort Park – Walking Path - \$4,000

Mr. Bell explained the following:

The Stage Fort Park Walking Path Project, sponsored by George H. Roark and Susannah Wolfe (Friends of Stage Fort Park or FSFP) working with the Department of Public Works, is recommended to receive \$4,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitation and restoration of recreational land by repairing and resurfacing a gravel path at Stage Fort Park.

Susannah Wolfe, 3 Old Salem Road, representing The Friends of Stage Fort Park said this path restoration is approximately 325 feet by 10 feet of a central path between the Visitors Welcome Center at Stage Fort Park and the children's park. The path's current condition is very rocky and unsafe. It is hoped, she said, to make the park more walkable for all ages. The project has the support of City departments, the Open Space & Recreation Committee, the Gloucester Civic & Garden Club, she and including the Gloucester Rotary Club which is a co-sponsor of the project, she said. Total cost for this project is estimated at \$5,100.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$4,000 (Four Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Stage Fort Park (George H. Roark and Susannah Wolfe) for the purpose of creating a walking path at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340004.

DISCUSSION:

Councilor McGeary said this was a good idea, and **Councilor Ciolino** noted he has put in a request to the Mayor for a revolving fund to be established for the maintenance of Stage Fort Park.
(**Councilor Cox** stepped away from the dais.)

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Tobey) absent, to appropriate up to \$4,000 (Four Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Stage Fort Park (George H. Roark and Susannah Wolfe) for the purpose of creating a walking path at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340004.

(**Councilor Cox** returned to the dais.)

Project #13 – Gloucester Waterways Board/Harbormaster: Hodgkins Cove Public Landing - \$8,000
Project #14 – Gloucester Waterways Board/Harbormaster: Head of Lobster Cove Public Landing - \$5,000

Ms. Ronan explained the following:

The CPC recommends funding of \$8,000 to be given to the Gloucester Waterways Board/Harbormaster serve the purpose of rehabilitating and restoring recreational land by clearing overgrown areas and provide seating/viewing and parking areas at the Hodgkins Cove Public Landing and a similar project at Head of Lobster Cove Public Landing, also recommended by the CPC for \$5,000. Both projects serve the purpose of rehabilitating and restoring recreational land.

Jim Caulkett, Harbormaster said with these grant funds the Waterways Board will be able to accomplish three important goals: 1) Clean up the two landings with installation of proper signage that indicates these are public landings and public property for all to enjoy; 2) improve public access to the water at both public landings; and 3) these projects when completed will also encourage all the residents of Gloucester to come and enjoy the beautiful scenery of both of these areas.

Mr. Caulkett confirmed to **Councilor LeBlanc** both Hodgkins Cove and Head of Lobster Cove are both fully functioning public landings.

Those speaking in opposition: None.

Communications: None.

Questions: None.

These portions of the public hearing are closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$8,000 (Eight Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbormaster for the purpose of rehabilitating Hodgkins Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340005.

DISCUSSION:

Councilor McGeary said that this funding helps to improve access to the water for the City. **Councilor LeBlanc** also endorsed the two projects.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$8,000 (Eight Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbormaster for the purpose of rehabilitating Hodgkins Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and

funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340005.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbor Master for the purpose of rehabilitating Head of Lobster Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340006.

DISCUSSION: None.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbor Master for the purpose of rehabilitating Head of Lobster Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340006.

Project #15 – Magnolia Bike Club: Magnolia Bike Park – Bicycle Track - \$5,000

Mr. Bell explained the following:

The Magnolia Bike Club (MBC) working with the Gloucester DPW is recommended to receive \$5,000 in CPA funds for the purpose of obtaining technical assistance to aid in the planning, location, design, permitting and cost analysis of a proposed “Pump Track” at the Magnolia Woods field. The estimated cost of this project is now over \$25,000. The \$5,000 is seed money to come up with a plan and cost out a pump track installation. This plan would assist the MBC to be able to come back before the CPC to apply for further funding to execute the plan.

Chris Pester, 24 Englewood Road, and Treasurer of the Magnolia Bike Club which is pending final approval of as a 501 (C) 3 organization noted his club’s mission is to create a fun and safe track and trail experience for the enjoyment and health of Gloucester residents of all ages and abilities.

He explained that: A pump track is a continuous route that can be ridden without pedaling with the rider pumping the front and back side of rollers to build speed and momentum. A pump track is also a tool for riders to learn bike handling skills. This is a fast growing sport worldwide. The closest pump track to the City is in Chelmsford, Mass. The MBC believes that the City would benefit from such a track. An example is the Kingdom Bike Trails Bike Park in Vermont. After a decade this track now brings over \$4 million to the area with an average visitor at 37 years old, staying an average of two nights and spending an average of \$100 per day on lodging and food. The average mountain biker makes two visits per year.

The MBC has identified the area of Magnolia Woods at the far end of the complex. The specific area is approximately 100 feet by 150 feet currently overgrown but with no requirement for any digging into the ground. There would be 1,500 cubic yards of clean top soil and clay brought in to create rollers and berms (banked turns). He said MBC is aware of the delicate nature of working in and around the Magnolia Woods. The track will be built with clean uncontaminated fill as approved by City boards. The MBC group believes they are a welcome addition to the City, noting that the school system is already supportive and interested in having a team. The group sees itself as an ideal part of the Get Fit! Gloucester initiative and will plan to work with other groups using the area. In busy periods the advantage of having bikes will allow members and riders the use of other local parking options such as Burke Field, the Blynman Schoolhouse or other public parking in Magnolia. The MBC would provide personnel patrol the track to ensure the track’s integrity is preserved. Estimates for the project are \$15,000 to \$40,000 depending on the requirements imposed by the City. At the low end the track would be built with no surrounding fence and by volunteers. At the higher cost it would involve a professionally built and enclosed facility. Fundraising was reported to be underway with the MBC applying for grants to fund the initial planning, construction and maintenance of the track. It was also noted that the growing popularity of the sport would help to attract tourists seeking locations with a superior collection of activities.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Verga said he was pleased to hear about the clean fill as there are very particular requirements for soil at Magnolia Woods. He added he knew the MBC had been in contact with the Woods Oversight and Advisory Committee. He asked if Mr. Pester had considered becoming a member and that the ordinance could be expanded to allow that if this track were to become a full time part of the Magnolia Woods sports area and added his hope the MBC was working in concert with the Committee. **Mr. Pester** pointed out that the MBC's initial site for the track was in an area that would have been under that jurisdiction. The track is some distance from the cap, nor is it on conservation land. He pointed out that the MBC has the full support of the Magnolia Woods Oversight and Advisory Committee. On inquiry by **Council President Hardy**, **Mr. Pester** noted that the track is at least several hundred yards away from the cap. She also asked if the DPW had any input during the B&F review on this project to which **Councilor McGeary** said he didn't believe so although minutes show a reference to the DPW. **Mr. Pester** said there is a letter of recommendation in the application submitted to the CPC and to the Council in which the DPW gave their full support of the project. **Councilor McGeary** said at the site visit it appeared to his eye that the track location was substantially distant from the capped area. **Council President Hardy** expressed her concern that no matter how far the track was from the cap it would not keep people off the capped landfill. She pointed out that without seeing something from the DPW in writing she may not be able to approve the initial work in Phase 2 for funding for the actual project with or without a fence around the track and would want something in writing from the DPW with rules and regulations in place as well as fines. It is about the protection of the cap, she said. **Mr. Pester** and **Council President Hardy** also discussed her concern about bicycles coming off of the track onto the capped area. He noted there would be no motorized bikes will be allowed.

Councilor Verga and **Council President Hardy** strongly suggested that the MBC work closely with the Magnolia Woods Oversight and Advisory Committee. **Mr. Pester** said that Committee had been involved in their plan's development since the beginning. It was the Committee that offered that part of the Magnolia Woods and told the MBC that would be the best spot for the pump track. The MBC would also use the paved tarmac path that already exists which terminates at the area of the proposed pump track.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Bike Club for the purpose of creating a Magnolia Bike Park Bicycle Track at Magnolia Woods in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340007.

DISCUSSION:

Councilor McGeary explained that this is for a study and that the group has been in contact with the Magnolia Woods Oversight and Advisory Committee. He said he also encouraged the MBC to stay in close touch with the Committee. **Councilor Ciolino** added his support and suggested the MBC work closely with the DPW. **Councilor Verga** pointed out William Fonvielle will become the Ward 5 Councilor and urged Mr. Pester meet with him very soon. **Council President Hardy** said she would want to see precautions taken with close vigilance regarding the cap.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Bike Club for the purpose of creating a Magnolia Bike Park Bicycle Track at Magnolia Woods in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340007.**

Project #16 – Friends of Gloucester Dog Park: Gloucester Dog Park - \$15,000

Ms. Ronan explained the following:

The Friends of the Gloucester Dog Park improvements project is recommended to receive \$15,000 in Community Preservation (CPA) funds for the purpose of creating recreational space for an agility center for dogs. The proposed enhancement includes adding a section of fence, a gate and some outdoor agility equipment within the Dog Park located at Stage Fort Park. Total cost for this project is approximately \$15,000.

Marie Demick, 12 Long Beach Road, speaking on behalf of the Friends of the Gloucester Dog Park with Louise Grinrod, 19 Way Road and Dog Park board member said the intention is to install a six-unit dog agility center to expand the exercise and fun for dogs in the park which is the last piece of the park to be built which will be fully funded by the CPA funds. The contractor is lined up from the State bid list. And the installation is expected to be completed by May 2014. Fundraising has been on-going; with \$175,000 raised privately to build the Dog Park.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$15,000 (Fifteen Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Gloucester Dog Park for the purpose of making improvements at the dog park located at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340008.

DISCUSSION:

Councilor McGeary commented that the Dog Park is a resounding success, and with this project it will serve more dogs. **Councilors Ciolino, LeBlanc, Theken** all added their support.

Council President Hardy disclosed that under MGL c. 268A part of the Dog Park is named in her honor, but she will not benefit financially in any way; therefore, she is able to vote and support the project funding.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$15,000 (Fifteen Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Gloucester Dog Park for the purpose of making improvements at the dog park located at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340008.**

Project #17 – Essex County Greenbelt Association: Norcross Property Acquisition - \$100,000

Mr. Bell explained the following:

The CPA funding of \$100,000 will allow the Essex County Greenbelt Association (ECGA) to pursue the purchase of the Norcross property, slightly over 10 acres, for the purpose of its preservation, located at Concord Street and Route 128 by protecting the property from development as well as to enhance, expand and improve access and parking for the adjacent 300 acre Tompson Street Reservation, also purchased with some CPA funds as well. After the CPC and B&F voted the ECGA has said they only need \$60,000, not the recommended \$100,000 because of a grant that came through. Therefore, the CPC is recommending an amendment to the motion for funding to \$60,000, **Mr. Bell** added.

David Santomena, Director of Land Conservation, ECGA, for the Norcross Property Acquisition made the following statements: The ECGA proposes to acquire and preserve the Norcross property at a cost of \$200,000, with the total project cost being approximately \$225,000. He pointed out the property on an enlarged map to the Council. The property which is located on Concord Street in West Gloucester directly abuts the ECGA's 300-acre

Thompson Street Reservation and serves as the de facto access point via an existing trail. He also showed the Council an aerial photograph of the Norcross Property. Some features of this property are: a 19th century carriage road, and a brook that crosses over to the Tompson Street Reservation which becomes the core of the trail system. The ECGA will install a kiosk and informational trail signage at the trail head indicating trail connections. The ECGA has been fortunate with their fundraising and receipt of grants and are able to reduce their request for CPA funding from \$100,000 to \$60,000. The ECGA expects to close on the property by the end of 2013.

Councilor LeBlanc asked about the closest residential properties to the Norcross Property and **Mr. Santomenna** discussed that the closest privately owned properties were well away from the Norcross property.

Councilor Verga and **Mr. Santomenna** discussed issues with people discarding trash in the area and plan to deal with it.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council to appropriate up to \$100,000 (One Hundred Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee for a grant to the Essex County Greenbelt Association (ECGA) for the purpose of purchasing of the 10.3 acre site on Concord Street and Route 128 in Gloucester, Massachusetts, in order to acquire land for open space, upon the condition that the ECGA conveys a conservation restriction to the City of Gloucester or its designee. The appropriation will be allocated to the Open Space category and funded by up to \$97,130 from Open Space Reserves in Fund #2701000, and funded by up to \$2,870 from the Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Open Space Projects Fund #271005.

DISCUSSION:

Councilor McGeary asked for and received unanimous Council approval for a friendly amendment to reduce the CPA funding from \$100,000 to \$60,000 for the Essex County Greenbelt Association's purchase of the Norcross Property.

Councilor McGeary then pointed out that the carriage road on the Norcross property was constructed by Clarence Birdseye; and that this property provides access to the Tompson Street Reservation. He said he thought the funding was money well spent. He also thanked Mr. Bell, Ms. Ronan, the CPC, Debbie Laurie, Project Manager with the Community Development Department who works with the CPC, and Kenny Costa, City Auditor for their tremendous work on the Round 4, FY13 CPA funding. **Councilor McGeary** said this is an enormous amount of work, but that the Community Preservation Act is a great success and commended everyone involved.

Councilor Ciolino added his approbation for this project and maintaining open space.

Council President Hardy also thanked the B&F Committee and Mr. Costa for their hard work.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$60,000 (Sixty Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee for a grant to the Essex County Greenbelt Association (ECGA) for the purpose of purchasing of the 10.3 acre site on Concord Street and Route 128 in Gloucester, Massachusetts, in order to acquire land for open space, upon the condition that the ECGA conveys a conservation restriction to the City of Gloucester or its designee. The appropriation will be allocated to the Open Space category and funded by up to \$60,000 from Open Space Reserves in Fund #2701000. The project will be tracked in the Community Preservation Fund – Open Space Projects Fund #271005.**

Councilor Theken left the meeting at 11:50 p.m.

For Council Vote:

1. Decision to Adopt: SCP2013-006: Ferncliff Heights #6, GZO Sec. 2.3.4(6) Animal Daycare, animal grooming, daytime only.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Theken, Tobey) absent to adopt the SCP2013-006 decision for 6 Ferncliff Heights pursuant to Section 2.3.4(6) of the Gloucester Zoning Ordinances.

Committee Reports:

- **Budget & Finance:** The Committee Report of December 5, 2013 was continued to January 14, 2014.
- **Ordinances & Administration:** The Committee Report of December 2, 2013 was continued to January 14, 2014.

Planning & Development: December 4, 2013

MOTION: On a motion by Councilor Ciolino, seconded by Councilor McGeary, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend that the City Council approve under GCO Sec. 2-3(a) (2) and 2-3(e) the Disposition of Real Property #14070, Sign Location Lease Agreement for the Gloucester House Restaurant sign located at 45 Rogers Street for a five-year term beginning January 1, 2014 and ending December 31, 2018 at a rate of \$1,200 per year.

DISCUSSION:

Councilor Verga said that the previous lease for the Gloucester House Restaurant was set at a rate of \$800 per year for a five-year term and with an option to renew, which was taken up, at a rate of \$900 per year for another five year term. He explained that the rate is set by determining the revenue lost by use of a parking space. The particular space lost would be an undersized. Gary Johnstone, Assessor prepared an assessment of leased City property where billboards are erected, of which there are three. **Councilor Verga** noted that based on average price per square foot Mr. Johnstone estimated the rental for a five year lease would be \$1,000 to \$1,200 annually based upon the square footage of the sign. The Committee, he said, was unanimous that the rate of \$1,200 was a fair market rate.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Theken, Tobey) absent, to approve under GCO Sec. 2-3(a) (2) and 2-3(e) the Disposition of Real Property #14070, Sign Location Lease Agreement for the Gloucester House Restaurant sign located at 45 Rogers Street for a five-year term beginning January 1, 2014 and ending December 31, 2018 at a rate of \$1,200 per year.

Unfinished Business: None.

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

Councilors' Requests to the Mayor:

Councilor Ciolino said it was an honor to serve on the Council and thanked the voters for allowing him to serve five terms.

Councilor LeBlanc said he was honored to serve with Councilors Tobey and Ciolino. He also thanked Council President Hardy for her mentoring during his first term as a City Councilor.

The entire City Council wished the citizens of Gloucester a very Merry Christmas.

A motion was made, seconded and voted unanimously to adjourn the meeting at 11:56 p.m.

Respectfully submitted,
Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Handout of City Hall Restoration Committee project timelines submitted by Maggie Rosa**

GLOUCESTER CITY COUNCIL MEETING

Tuesday, December 10, 2013 – 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; Councilor Robert Whyntott

Absent: None

Participating Remotely: Councilor Bruce Tobey (from approximately 7:05 p.m. to 7:37 p.m. via cell phone call)

Also Present: Linda T. Lowe; Jim Duggan; Kenny Costa; Beth Ann Godhino; Jim Caulkett; Tony Gross; Mark Cole; J.J. Bell; Sandra Dahl-Ronan; Debbie Laurie

The meeting was called to order at 7:02 p.m. Council President Hardy announced that Councilor Tobey would participate remotely by telephone for the first portion of the meeting.

Flag Salute & Moment of Silence.

Council President Hardy announced that Councilor Tobey would participate remotely by telephone for the first portion of the meeting.

NOTE: Council matters were taken out of order and are herein presented as each matter came forward.

Portion of City Council Consent Agenda:

- APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS
2. City Council Meeting: 11/26/13

(Approve/File)

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 9 in favor, 0 opposed to accept the minutes of November 26, 2013.

Unanimous Consent Calendar:

1. Discussion & Council Vote to override Mayor's Veto of City Council Vote of November 26, 2013 re: Amend GCO by ADDING a New Section 22-28 to Chapter 2 "Administration," Art. II "City Council" entitled "Funds for Lease of Private Property (FCV)
2. Memorandum from General Counsel to President Hardy & Members of the City Council dated January 8, 2013 relating to the final Disposition of Susan Taormina et al vs. Jackie Hardy, et al (File)

Taking up the matter slated For Council Vote on the Unanimous Consent Calendar, Council President Hardy asked the Council for its opinion on the override of the Mayor's veto of the City Council vote of November 26, 2013 regarding the amendment to the Code of Ordinances by adding a new section 22-28 to Chapter 2 "Administration," Art. II "City Council" entitled "Funds for Lease of Private Property."

Councilor Tobey asked did the City have a Charter of checks and balances or one of a strong Mayor and a weak Council; is there a system where decisions made openly in the community's living room (Kyrouz Auditorium) or in the shadows? The context for this, he said, when the City leases property, if the City had bought it, the Council would have to vote for a bond (for that purchase). He said for a lease of multiple years the Council should have to do no less because it is a Charter of checks and balances and is a system where decisions are best made in the auditorium freely debated for all to see. Councilor Tobey urged the five Councilors who saw things as he did at the last meeting to join him as a block of six to stand firm, hold their convictions, and to stand up for the Charter and for good process and override what he called an ill-considered veto by this Administration's head. (Note: Six votes are required to override a Mayor's veto.)

Councilor Verga said he too supported the vote to override the Mayor's veto. He said he agreed with Councilor Tobey, adding this is more an empowerment of the public because without this measure things can be done behind closed doors without any input. Councilor Verga said this will bring matters into the public eye to be vetted. He pointed out it is a reasonable expectation for long-term leases like this at a cost hundreds of thousands of dollars to be done in the light of day with an up or down vote.

Councilor Cox added her support for an override of the veto saying this was a matter of checks and balances. Had the Administration acquiesced to the Council's request for a presentation or given the Council more information (for the Charter School lease), she would have not voted yes for this ordinance initially, she pointed out. This is about avoiding the closed door meetings and decisions, she said.

Councilor McGeary said he would oppose the measure as he did previously because the Charter outlines specific powers and reserves them to the Council; and reserves specific powers to the Administration. Although he said he agreed with Councilor Tobey that the intent of the Charter was to some degree to limit of the powers of the office of the Mayor; it was not intended to paralyze it. He said he thought the Council was overreaching. **Councilor McGeary** noted this was a unique set of circumstances, unlikely to reoccur; that in every other instance an agreement had to be approved by the Council as recommended by a Council Standing Committee, typically B&F; sometimes P&D. **Councilor McGeary** said this is the Council putting its oar in a place where it doesn't need to be. The Council, he pointed out, has the ultimate power, that of the power of the purse which is a strong power, not a weak Council. This is an ultimate power which is used reservedly and singularly but it is an extreme power and the Council owns it, he said; and since the time of the Magna Carta, it is the role of a parliament to dispense the monies for the executive. To go beyond that flies in the face of the charter, he also pointed out, going beyond the resolution of powers that were established in 1975 and so he said he would oppose the measure.

Councilor Ciolino noted that the last time he was an advocate of the ordinance amendment. However, in doing more research and in speaking with General Counsel, he said she informed him this amendment is not ready. It is not that the Council is weak, he said; but that the Council needs to pass legislation that will be lasting and not a quick reaction to one particular case. He said he believed that O&A should take this matter up in the next session, working with General Counsel to come up with a more consistent ordinance. **Councilor Ciolino** said he would support the Mayor's veto.

Councilor LeBlanc added his agreement with Councilor McGeary. These matters have to come through B&F and the Council for approval for funding, he said, and reiterated Councilor McGeary's words that this would be a matter of the Council sticking its oar where it doesn't belong.

Councilor Whynott said he returns to his original position to agree also with Councilor McGeary. He pointed out this is the only time a situation like the leasing of the former Charter School has happened, and he would not support the override.

Councilor Theken would not support the Mayor's veto, she said. This is, she pointed out, to stem possible future bleeding of funding. If a lease is funded one year, would the Council then not fund a lease for a swing school, perhaps; and tell those children they would not be able to be in that building another year? It is, she said, about checks and balances.

Council President Hardy said she would maintain her position in favor of an override, and agreed with checks and balances. She said she didn't believe this was a band aid measure but was about allowing the public through the Council to express its views. A lease should not be approved without the input of the public, she said. The Council should have the opportunity to look into leases that last more than a year, she added. This is a first step, she pointed out, and that she would not support the veto. She urged the Council to stand with their prior vote.

Council President Hardy read the vote taken on November 26, 2013 as follows:

MOTION: On a motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 6 in favor, 2 (LeBlanc, McGeary) opposed, 1 (Whynott) absent, to Amend the GCO by ADDING a new Section 2-28 to Chapter 2 Administration, Article II "City Council" as follows:

"Section 2-28 Funds for Lease of Private Property.

Prior to the City entering into any lease of private property for a period or term of at least one year, said lease shall be submitted to the City Council for referral to its Budget & Finance Committee for funding of the lease. The lease shall then be put before the City Council for its approval."

After a Council discussion of procedure on an override with City Clerk, **Linda T. Lowe** advising the Council upon reading a portion of Section 3-9 of the City Charter to the Council, the Council then revoted the original motion as follows:

MOTION: On a motion by Councilor Cox, seconded by Councilor Verga, the City Council voted by ROLL CALL 5 (Cox, Hardy, Theken, Tobey, Verga) in favor, 4 opposed, to Amend the GCO by ADDING a new Section 2-28 to Chapter 2 Administration, Article II "City Council" as follows:

"Section 2-28 Funds for Lease of Private Property.

Prior to the City entering into any lease of private property for a period or term of at least one year, said lease shall be submitted to the City Council for referral to its Budget & Finance Committee for funding of the lease. The lease shall then be put before the City Council for its approval."

THE MAYOR'S VETO IS UPHELD.

Councilor Tobey left the meeting at 7:37 p.m.

Council President Hardy briefly reviewed the Memorandum from General Counsel to President Hardy & Members of the City Council dated January 8, 2013 relating to the final Disposition of Susan Taormina et al vs. Jackie Hardy, et al which was the second matter on the Unanimous Consent Calendar for the Council's file which she explained was related to the Executive Session Minutes for release by the Council under the Consent Agenda dated 12/10/13.

By unanimous consent of the Council the Unanimous Consent Calendar was accepted as amended.

Oral Communications:

Jim Duggan, CAO said a memo from the Mayor was in the Council packet recognizing the efforts and dedication of **Councilors Ciolino** and **Tobey** for their service to the City over the years. He said as he has worked in Gloucester for the past six years, and in the public sector for over 20 years, he voiced his sincere appreciation for the devotion, hard work and commitment the Councilors made to the citizens of Gloucester.

Mr. Duggan also recognized and lauded the work of **Council President Hardy** as a two-term City Council President. In over 20 years of his 20 years of public sector service, he said he has seen a lot of City Council presidents, and that Council President Hardy has held her position with distinction and honor. He said he applauded all three Councilors.

Presentations/Commendations:

Council President Hardy read the following commendations into the Council Record:

COMMENDATION:

Be it Hereby Known to all that the City of Gloucester City Council Hereby Commends **Councilor Bruce Tobey**

Whereas, the end of the 2012 -2013 City Council term means that Councilor Bruce Tobey has chosen to Complete his illustrious years of service as an elected official in the City of Gloucester;

Therefore, we the members of this City Council deem it fitting and proper that there be inscribed upon our records our appreciation for the dedicated and valuable service of Councilor Tobey.

Wherefore, we express our sincere gratitude for your 11 years of service as a Councilor, including service as City Council President, and our appreciation for your significant accomplishments while serving on this body.

Furthermore, we also take this opportunity to express our gratitude on behalf of the citizens of Gloucester for your dedicated years of service on the School Committee and as Mayor of the City of Gloucester which taken together with your years as a City Councilor have meant over 20 years passionately devoted to your City.

Wherefore, we find that whatever the future holds for you in public or private life we know that the experience you have gained in the Council will inspire you to greater efforts and in the end will add to the laurels you have earned.

Adopted, by the Gloucester City Council on the 10th day of December 2013.

COMMENDATION:

Be it Hereby Known to all that the City of Gloucester City Council Hereby Commends **Councilor Joseph Ciolino**

Whereas, the end of the 2012 -2013 City Council term means that Councilor Joseph Ciolino Will no longer be serving as an elected official in the City of Gloucester;

Therefore, we the members of this City Council deem it fitting and proper that there be inscribed upon our records our appreciation for the dedicated and valuable service of Councilor Ciolino.

Wherefore, we express our sincere gratitude for your 10 years of service as a Councilor and our appreciation for your accomplishments while serving on this body.

Furthermore, we also take this opportunity to express our gratitude on behalf of the citizens of Gloucester for your dedicated years of service including conducting your satellite office on Main St. at "The Weathervane"

Wherefore, we find that whatever the future holds for you in public or private life we know that the experience you have gained in the Council will inspire you to even greater efforts for Gloucester.

Adopted, by the Gloucester City Council on the 10th day of December 2013.

Upon the completion of the reading of both commendations, the City Council, City staff and the full audience rose to give both **Councilor Ciolino** and **Councilor Tobey** (now absent from the meeting) a standing ovation.

Appointments:

- Tourism Commission:

Councilor Theken said that all the new appointees for the Tourism Commission comprise a group of wonderful representatives for the City and that the O&A Committee had unanimously recommended them all.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Catherine Ryan to the Tourism Commission, TTE 02/14/14 as an Arts and Culture representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Catherine Ryan to the Tourism Commission, TTE 02/14/14 as an Arts and Culture representative.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Pauline Bresnahan to the Tourism Commission, TTE 02/14/15 as a Non-Downtown Retailer representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Pauline Bresnahan to the Tourism Commission, TTE 02/14/15 as a Non-Downtown Retailer representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Laura Dow to the Tourism Commission, TTE 02/14/15 as an Accommodations representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Laura Dow to the Tourism Commission, TTE 02/14/15 as an Accommodations representative.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Paul Frontiero to the Tourism Commission, TTE 02/14/15 as a Tourist Attraction representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Paul Frontiero to the Tourism Commission, TTE 02/14/15 as a Tourist Attraction representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint John Orlando to the Tourism Commission, TTE 02/14/15 as the Seaport Gloucester Destination Marketing Organization representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint John Orlando to the Tourism Commission, TTE 02/14/15 as the Seaport Gloucester Destination Marketing Organization representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Peter Webber to the Tourism Commission, TTE 02/14/15 as the Cape Ann Chamber of Commerce representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor Theken, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Peter Webber to the Tourism Commission, TTE 02/14/15 as the Cape Ann Chamber of Commerce representative.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Karen Ristuben to the Tourism Commission, TTE 02/14/16 as an Arts and Culture representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Karen Ristuben to the Tourism Commission, TTE 02/14/16 as an Arts and Culture representative.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Zachary Sears to the Tourism Commission, TTE 02/14/16 as a Restaurant representative.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Zachary Sears to the Tourism Commission, TTE 02/14/16 as a Restaurant representative.

MOTION: On a motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Laura Baker to the Tourism Commission, TTE 02/14/16.

DISCUSSION: None.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Laura Baker to the Tourism Commission, TTE 02/14/16.

Councilor Ciolino said the Council has worked for two years to reconstitute the Tourism Commission into a better unit, and it also worked to rewrite the ordinance for the Commission with a lot of hard work done by Councilors Hardy and Theken. This is new group of Commission appointees, he said, which is so important to the

visitor economy for the City. He said the Tourism Commission will be directed by the new Community Development Director, Tom Daniel, and he wished the new group good luck.

- Clean Energy Commission

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Tom Kiely to the Clean Energy Commission, TTE 02/14/14.

DISCUSSION: None.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Tom Kiely to the Clean Energy Commission, TTE 02/14/14.

- Gloucester Cultural Council

MOTION: On motion by Councilor Whynott, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to appoint Rose Sheehan to the Gloucester Cultural Council, TTE 02/14/16.

DISCUSSION:

Councilor Theken added the Council's and City's gratitude for all the volunteers who step forward in service to the City.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Tobey) absent, to appoint Rose Sheehan to the Gloucester Cultural Council, TTE 02/14/16.

Consent Agenda:

- **MAYOR'S REPORT**
 1. Letter to City Council from Mayor (Info Only)
 2. Memorandum from Fire Chief outlining FY14 Fire Department budget needs to meet contractual obligations (Refer B&F)
 3. Special budgetary Transfer Request (2014-SBT-13) from City Clerk's Office in the amount of \$144.14 (Refer B&F)
 4. Memorandum, Grant Application & Checklist from Harbormaster regarding a Clean Vessel Act grant (Refer B&F)
 5. Memorandum from CAO & Supplemental Appropriation-Budgetary Request (2014-SA-6) in the amount of \$100,000 re: West Parish School swing space location (Refer B&F)
 6. New appointment: Shellfish Advisory Commission TTE 02/14/16 William Nugent (Refer O&A)
- **COMMUNICATIONS/INVITATIONS**
 1. Response to Oral Communications of October 22, 2013 City Council Meeting to Carmine Gorga (Info Only)
 2. Response to Oral Communications of October 22, 2013 City Council Meeting to Ralph G. Hobbs (Info Only)
 3. Communications from Leonora "Lee" Swekla to City Council (Info Only)
- **APPLICATIONS/PETITIONS**
 1. RZ2013-002: a portion of Whitmore St., Assessors Map 21, Lot 7 from General Industrial (GI) to R-10 (Med./High Density Resid.)(Refer P&D & PB)
- **COUNCILORS ORDERS**
 1. CC2013-058 (Cox) Amend GCO c. 22, Sec. 22-287 "Disabled veteran, handicapped parking" re: Proctor Street #12 (Refer O&A & TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
 1. Executive Session Minutes of the June 14, 2011 City Council Meeting (Approve/File)
 3. Standing Committee Meetings: B&F 12/05/13 (under separate cover), O&A 11/18/13, 12/02/13, P&D 11/20/13 (no meeting) 12/04/13 (Approve/File)

Items to be added/deleted from the Consent Agenda:

By unanimous consent of the Council the Consent Agenda was accepted as amended.

Scheduled Public Hearings:

1. PH2013-065: Amend c. 22 "Traffic," Sec. 22-287 "Disabled veteran, handicapped parking" by ADDING one handicapped space in front of #14 Liberty Street

This public hearing is opened.

Those speaking in favor: None.
Those speaking in opposition: None.
Communications: None.
Councilor Questions: None.
This public hearing is closed.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space in front of Liberty Street #14.”

DISCUSSION:

Councilor Theken said that this amendment was supported by the Traffic Commission.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space in front of Liberty Street #14.”

2. PH2013-066: Amend c. 22 “Traffic,” Sec. 22-287 “Disabled veteran, handicapped parking” by ADDING one handicapped space at Knowlton Square, southerly side, 45 feet from a point beginning with its intersection with Washington Street in an easterly direction for 22 feet

This public hearing is opened.
Those speaking in favor: None.
Those speaking in opposition: None.
Communications: None.
Councilor Questions: None.
This public hearing is closed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space at Knowlton Square, southerly side, 45 feet from a point beginning with its intersection with Washington Street, in an easterly direction for 22 feet.”

DISCUSSION:

Councilor Theken explained that the Traffic Commission approved this amendment as did O&A that a handicap parking space across from Washington Street #200 near Knowlton Square be created.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by ADDING one (1) handicapped parking space at Knowlton Square, southerly side, 45 feet from a point beginning with its intersection with Washington Street, in an easterly direction for 22 feet.”

3. PH2013-067: Amend c. 22 “Traffic,” Sec. 22-287 “Disabled veteran, handicapped parking” by DELETING one space in front of #7A Riggs Street, and ADDING one space in front of #6 Riggs Street

This public hearing is opened.
Those speaking in favor: None.
Those speaking in opposition: None.
Communications: None.
Councilor Questions: None.

This public hearing is closed.

MOTION: On motion by Councilor LeBlanc, seconded by Councilor Whynott, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by DELETING one handicapped parking space at Riggs Street #7A and ADDING one handicapped parking space at Riggs Street #6.

DISCUSSION:

Councilor Theken said that this space is being deleted in order to move the handicap parking space across the street to #6 Riggs Street which was approved by the Traffic Commission.

MOTION: On motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) to Amend GCO c. 22, Sec. 22-287 (Disabled veteran, handicapped parking) by DELETING one handicapped parking space at Riggs Street #7A and ADDING one handicapped parking space at Riggs Street #6.

5. PH2013-069: Amend c. 22 "Traffic," Sec. 22-269 "Stop Intersections" by ADDING Center Street, northbound traffic at Middle Street intersection

This public hearing is opened.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-269 (Stop Intersections) by ADDING Center Street, northbound traffic on Center Street at the intersection with Middle Street."

DISCUSSION:

Councilor Theken noted that the Traffic Commission approved this stop sign's placement.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-269 (Stop Intersections) by ADDING Center Street, northbound traffic on Center Street at the intersection with Middle Street."

6. PH2013-070: Amend c. 22 "Traffic," Sec. 22-282 "Angle Parking" by ADDING Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court in a southerly direction, three 9 foot angle parking spaces

This public hearing is opened.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor McGeary, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-282 (Angle Parking) by ADDING Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court, in a southerly direction three 9 foot angle parking spaces."

DISCUSSION:

Councilor Theken said this was also approved by the Traffic Commission. By angling the parking at this address it adds another parking space. **Councilor Cox**, in response to questions by **Councilor Ciolino** said the following: that the spaces were previously angled and removed. The only angled parking being put back is in front of 27 Commercial Street and that this is in front of a dental office. There is no hazard to traffic by the angle parking placed only in front of 27 Commercial Street which is at the street's widest point.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-282 (Angle Parking) by ADDING Commercial Street for a distance of 27 feet from its southerly intersection with Beach Court, in a southerly direction three 9 foot angle parking spaces."

4. PH2013-068: Amend GCO c. 22, Sec. 22-267 "One way Streets-Generally" re: Fort Square

This public hearing is opened.

Those speaking in favor:

Attorney Joel Favazza, 111 Main Street representing Jeffrey Amero, trustee owner of 33 Fort Square explained the following: He and Mr. Amero are here in support of amending GCO c. 22, Sec. 22-267 by looking to have a limited window of time for two-way truck traffic to be allowed to and from this portion of Fort Square. The window is Monday through Friday only, 5 a.m. to 10 a.m. only. The only vehicles that would be allowed to utilize two-way traffic patterns would be trucks too large to take the left-hand turn at the northeast corner of Fort Square. Any of these trucks seeking to use the two-way flow of traffic would have to be led by an adult on foot at all times until they are clear of Fort Square. The proposed language (referring to a handout previously submitted to the Council) was noted in boldface print. In addition, although not in the ordinance, Mr. Amero has agreed as a sign of good will he would install a convex (aka parabolic) mirror at the telephone post at the corner of the playground which will help trucks leaving the property, the adult on foot or any trucks coming up Fort Square the usual way. While there may be concerns expressed about safety, it was noted this portion of Fort Square passes five residential buildings and the Fort Square playground. This area is entirely in the Marine/Industrial (M/I) zone, and Mr. Amero's parcel is an industrial parcel and can only do what the zoning ordinance allows which includes industrial manufacturing and storage; but if the parcel can't be accessed by industrial and commercial vehicles, industrial manufacturing and storage can't be done on the site. They are looking for appropriate access to a site. **Mr. Favazza** then used his handout's aerial photographs to illustrate the following to the Council:

- Rocky Neck Avenue is a residential neighborhood with a two-way street heading to a M/I property. There is on-street parking; sections less than 25 feet wide with a pinch point at the Rudder Restaurant which is 24 feet wide and the road is heavy with tourist and pedestrian traffic in the summer.
- Grove Street on the way to Matheson Gas is a residential street with truck traffic going to a General Industrial park property. There is a 21 foot pinch point on Carlisle Street.
- East Main Street on the way to Americold. This street is half residential, half M/I. There is no on-street parking but there are many sections of the road less than 25 feet in width. There is a 20 foot pinch point at a guard rail just before the Americold entrance and is also a walking route to an elementary school.
- Gloucester Avenue, another residential neighborhood with two-way truck traffic going to a General Industrial parcel. There is no on street parking with most of the road at 20 feet wide with a 17 foot wide pinch point at a train bridge. In the summer when trees are fully leafed, visibility is limited with many hills and turns and no sidewalks

It was noted all four sites, 24/7 a tractor trailer could be driven up and down both ways on those streets.

- The Fort Square area is strictly M/I. There is no on-street parking from the Mortillaro tin building to the brown house next to the Fort playground. Most of the road is less than 25 feet wide with a 17 foot pinch point at the playground corner.

Mr. Favazza said they are not looking for anything that isn't already happening in the City. Given the safeguards in place that Mr. Amero has proposed and with the ordinance change, he said, this will be safer than the other areas in the city he cited. He reiterated the hours are tailored to avoid peak playground and beach use times which includes no weekend deliveries. The on-foot adult accompanying the truck will naturally keep the speed of the truck to a very slow speed, he said. **Mr. Favazza** concluded that the proposed ordinance language takes into account the realities of the situation on the street is limited in scope as to the type of vehicles that will be traveling

back down Fort Square but still provides at least the minimum access necessary to appropriately utilize the industrial parcel.

Jared Downey, 7 Diamond Avenue, commercial truck driver, noted this amendment would be an improvement which would allow Mr. Amero to use his property which he said did not seem unreasonable.

Those speaking in opposition: None.

Communications:

Linda T. Lowe, City Clerk noted the following communication: **Jen Johnson**, 26R Fort Square said she supports Mr. Amero's ability to transport his product to and from his property but expressed concern for the safety of the area's children and asked the Council to listen to the Police Chief; and that if he did not support this proposal to bow to his opinion.

Councilor Questions:

Councilor Ciolino asked about the Police Chief's opinion. **Mr. Favazza** said both the Police and Fire Chiefs did not support the proposed ordinance change. The Traffic Commission has not weighed in on the actual ordinance language. He said he understood that the Traffic Commission weighed in on the earlier language. The Commission was invited to the site visit, he noted, but none attended. The Commission, he said, did not support the earlier language for the traffic amendment.

Councilor McGeary noted the pinch point is at a corner on Fort Square. **Mr. Favazza** said that the narrowest point on Gloucester Avenue is at 17 feet and that Fort Square at its narrowest is also at 17 feet. The parabolic mirror would be a few feet further down in order to see the pinch point. He noted the proposed ordinance language says that a truck is led to come out of the property. The trucks can drive in unaccompanied, he pointed out. **Councilor McGeary** asked if there was a sign big enough to explain the ordinance. **Mark Cole**, DPW Assistant Director said his department would be able to do so.

Council President Hardy asked how long it would take for a truck to get around Fort Square on the way back out. **Mr. Favazza** said it would take at least a minute or two. He and the Council President spoke about the practicality of an adult on foot accompanying the large trucks. **Council President Hardy** asked why the police could not be called to accompany a truck when needed. **Mr. Favazza** said police details are a prohibitive business cost for routine deliveries. **Council President Hardy** concluded her remarks by saying she would base her vote on the opinion of the Police Chief.

Councilor Verga expressed his concern for the lack of support of the public safety chiefs. He spoke to the weekday issues where traffic flow has been changed at East Gloucester School. He suggested that there be a trial. **Mr. Favazza** said that Mr. Amero is looking to develop his property and that it is at a cost of hundreds of thousands of dollars for an industrial site and not do so with an ordinance that is on a trial basis. It does not prohibit the ordinance to be revoked, he noted. It would make investment in the property a great risk, he pointed out, on a trial basis. **Councilor Verga** commented that with no support for this measure from the Police and Fire Chief and no full vetting by the Traffic Commission, it is very telling.

Councilor Ciolino noted it was said this evening a parabolic mirror would be relied on. He asked how effective they were. **Mr. Cole** said a parabolic mirror was recently installed by the City, and noted it works well. With someone accompanying the truck on foot he suggested the process could work.

This public hearing is closed.

MOTION: On a motion by Councilor McGeary, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 2 in favor, 1 (Theken) opposed to recommend to the City Council to Amend the GCO c. 22, Sec. 22-267 (One Way Streets-Generally) "Fort Square" to ADD after the current ordinance in effect as follows:

"except from 5:00 a.m. to 10:00 a.m., Monday through Friday, for a distance of approximately 500 feet beginning at its intersection with Commercial Street on the westerly side and terminating at the driveway of 33 Fort Square in which tractor trailer or other vehicles with a hitch-and-trailer system with a total length (truck and trailer) in excess of 30 feet, and fixed-body vehicles with a total length in excess of 40 feet, and no others may travel against the customary direction of traffic provided such vehicles are, at such times, led and accompanied by an adult on foot."

DISCUSSION:

Councilor Theken explained that this first went to the Traffic Commission it was turned down. For the first time O&OA did an actual site visit and spoke to people in the community, she said, and that as a result of community input, there was a small compromise on the timeframe. This type of accommodation has been done for other businesses in the City, she noted. She pointed out that the driver of the truck in the demonstration rode over

the sidewalk when taking the corner which she said was concerning to her with the beach and playground adjacent to where this demonstration took place. She also asked the Fire Department to bring a vehicle to the demonstration, and she said it took over two minutes for that vehicle to back up. It was suggested, she said, that Mr. Favazza's client do a memorandum of understanding with the City instead of an ordinance amendment, but that idea was rejected. She also noted that the Police Chief pointed out the issue of who would be responsible to train the person accompanying the truck. **Councilor Theken** said that the ordinance would be applicable to any truck, not just those making deliveries to this one property. Both Chiefs said this is a safety problem despite a mirror or someone on foot accompanying a truck, she said. She expressed her continued concern, and pointed out that the comments of the Chiefs are contained in the O&A minutes (on file). There really was no compromise here, she said; and people want a trained person to accompany a truck. The Police Chief said he can't put a policeman there all the time to look out for these trucks she noted, and said that both Chiefs said no to the ordinance amendment.

Councilor Whynott said most of the time he is very pro business. He noted he had attended the site visit. Because the Fire and Police Chiefs object, he would object also, he said. This was about a safety issue, and he said he could not support the measure in its current form without the Chiefs' and Traffic Commission support.

Councilor McGeary said after much thought he would support this measure; and while loathe to go against the Police Chief, but often in the City trucks off load with someone flagging traffic temporarily. He said while it would be more comfortable to have a trained law enforcement professional to guide the truck, but it is not absolutely necessary. He noted he was also at the site visit and saw the truck go up on the sidewalk. How likely is the truck to be a safety issue if an emergency vehicle needs to pass – not that likely, he said. If Mr. Amero doesn't follow through with his commitments, this measure can be removed rather quickly. **Councilor McGeary** pointed out that while one business could benefit from this amendment, this is a Marine/Industrial (M/I) business in an M/I zone; and if the City wants to retain M/I business in the Fort, this businesses should be accommodated. At the first hint Mr. Amero is not following through with his commitment **Councilor McGeary** said he would be first to move to reverse the ordinance, adding that the Council should support this ordinance amendment.

Councilor Cox said there are many areas heavily travelled by tractor trailers that go by bus stops and playgrounds. She said she understood the Police Chief supporting his staff and supporting detail work, but Commercial Street sees unloading and loading of heavy large trucks all day long. There is no legal parking on that entire stretch of Fort Square although vehicles are parked there. The area is M/I, and she has said she would do everything she could to keep the M/I zoning in place, so she would support this measure as she promised. Without this measure, it is unlikely this business could succeed, she said, and that to her this measure is a compromise. If it doesn't work the Council has the opportunity to pull the ordinance she pointed out.

Councilor LeBlanc, noting he lives on Carlisle Street said he knows Gloucester Avenue very well. He said his children play in that neighborhood which is predominantly residential with industrial businesses. He noted when he was growing up he hung around in the Fort which was heavily travelled by trailer trucks. The compromise of limiting the time for two-way travel, the flag person and the mirror is reasonable, he pointed out, and gave several other examples that appeared to be similar situations in the City. He said he would support this measure and wanted to see the waterfront flourishes in hopes that this would be a positive domino effect.

Councilor Ciolino said he would not support this amendment to the ordinance because the Police and Fire Chief's opinions, and that this is also taking place next to a playground. Children have lost their lives because of trucks in the Fort area and is an inappropriate area to make two-way, he said. Parabolic mirrors don't work as well; he pointed out, and urged the Council to not support the ordinance amendment.

Councilor Verga said there is precedent set in East Gloucester, but the public safety officers have said no; there is a lack of a traffic study, and it would be false hope to vote for the amendment to hope all goes well. He said he could not support the measure.

Councilor Theken said the Police Chief didn't say he didn't want this because he wanted police to work details, and it has nothing to do with unions or pay; he is saying it is hard to patrol the area. Chief Campanello said Mr. Amero is trying to be a good neighbor, but it is hard to monitor the situation. She pointed out these are really big tractor trailers. The Fire Department vehicles and dump trucks make it around, but a tractor trailer can't easily do so. She reiterated her concern for emergency vehicles and trucks meeting up on the street without maneuvering room in an emergent situation. Gloucester Avenue is already two ways, but this street is not, she pointed out. When that area is snowed in, snow banks impede traffic and this would add to that problem. She said she did not support the ordinance amendment.

Council President Hardy agreed it is easier to take the ordinance away, but it wouldn't be fair once construction had started, and then when complaints were received, how, she asked, could the Council take it away if the property owner is already committed to contractors. While she said she usually supports presentations of ward Councilors for Code amendments, in this instance she would listen to the public safety officials.

At the request of the **City Council President**, the following excerpt of statements by Police Chief Leonard Campanello and Fire Chief Eric Smith from the October 28, 2013 O&A Committee Meeting Minutes (on file) was entered into the record as follows:

“Police Chief Campanello said Mr. Amero has tried to be a good neighbor and make some concessions. Hours can be changed, mirrors, but the physicality of the street can’t be changed, he said; and would not change his original assessment (memo on file) which was against such a change due to safety and enforcement concerns.

Fire Chief Eric Smith said in view of the size of his department’s vehicles, this proposal creates a more dangerous situation in the off chance that an emergency were to occur at the same time one of the trucks was leaving the property. He, too, said his original recommendation stood in light of viewing the street in person, and in talking with his deputy and captain after the site visit. He said he spoke to his captain and deputy today again who informed him they felt the same way now as they did at the site visit which was they were not in favor of the change.”

This public hearing is closed.

MOTION: On a motion by Councilor Theken, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 3 (McGeary, LeBlanc, Cox) in favor, 5 opposed, 1 (Tobey) absent, to Amend the GCO c. 22, Sec. 22-267 (One Way Streets-Generally) “Fort Square” to ADD after the current ordinance in effect as follows:

“except from 5:00 a.m. to 10:00 a.m., Monday through Friday, for a distance of approximately 500 feet beginning at its intersection with Commercial Street on the westerly side and terminating at the driveway of 33 Fort Square in which tractor trailer or other vehicles with a hitch-and-trailer system with a total length (truck and trailer) in excess of 30 feet, and fixed-body vehicles with a total length in excess of 40 feet, and no others may travel against the customary direction of traffic provided such vehicles are, at such times, led and accompanied by an adult on foot.”

MOTION FAILS.

The Council recessed at 8:45 p.m. and reconvened at 8:54 p.m.

7. PH2013-060: Recommendations of the Community Preservation Committee for Round 4, FY2013 Funds

This public hearing is opened.

Sandra Dahl-Ronan, Co-Chair, Community Preservation Committee (CPC) gave a brief historic overview of the Community Preservation Act process. To date 29 projects have been funded, and this evening another 17 additional projects are being brought forward this evening for funding, she said. Funding applications had to meet general and category specific criteria, she pointed out. The Community Preservation Committee (CPC) receives applications, reviews them, and forwards them to the Mayor with their recommendations who puts them forward to the Council, she said. **Ms. Ronan** pointed out that the CPC criteria plan can be found on the City’s web site. The CPC recommendations were forwarded to the B&F Committee for their review and recommendation to the Council. She said the CPC thanks the City’s voters for voting for the creation of the CPA fund, and that all the projects approved enhance the City.

Project #1 – Magnolia Library & Community Center Renovation - \$7,500

Sandra Dahl-Ronan, Co-Chair, Community Preservation Committee (CPC) gave a brief overview as follows: The Magnolia Library (a 501(C) 3 organization) is recommended to receive \$7,500 in CPA funds for the purpose of design and cost studies for the rehabilitation and restoration of an historic asset by hiring a sprinkler engineer to develop a plan for a sprinkler system to protect and preserve the building in the event of fire, and/or hiring an architect to draft plans for a handicapped-accessible bathroom.

Walter Kolenda, representing The Magnolia Library and Community Center said that the Library was looking for more money than awarded, but is pleased to have this funding for the studies to learn what it would take to install an ADA compliant bathroom. He said the Library was told when the studies are completed that they could come forward again for more funding CPA funding in the next round.

Those speaking in opposition: None.

Communications: None.

Questions:

On inquiry by **Council President Hardy, Ms. Ronan** said the original request was for \$195,150. The Library was noted as having not coming forward before for CPA funding. **Mr. Kolenda** added the study would go forward as soon as possible.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$7,500.00 (Seven Thousand Five Hundred Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Library & Community Center for the purpose of its renovation in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275017.

DISCUSSION:

Councilor McGeary said that this is a worthy project and that the Magnolia Library is a wonderful community resource. **Councilor Verga** said he hoped that next year there would be a more generous awarding of funds to the Magnolia Library & Community Center.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$7,500.00 (Seven Thousand Five Hundred Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Library & Community Center for the purpose of its renovation in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275017.

Project #2 – Sargent-Murray-Gilman-Hough House: Saving the Foundation, Repairing the Structure - \$20,000

J.J. Bell, Co-Chair, Community Preservation Committee (CPC) explained the following:

The Sargent Murray Gilman Hough House Association is recommended to receive \$20,000 in CPA funds for the purpose of rehabilitation and restoration of an historical asset by repairing the foundation, repointing chimney bases and outer walls, replacing and repairing beams, support columns and repairing a basement window. The total project cost for this phase is estimated at \$53,075.

Barbara Silverman, 7 Bass Rocks Road representing the Sargent Murray Gilman Hough House said that the project is intended to ensure the stabilization and long-term preservation of the Sargent House Museum, a 1782 structure. There is significant structural damage to infested wooden beams (2) and brick piers (4) in the basement. The brick piers will get new concrete footings. Chimney bases that serve five of the house's fireplaces have shifted and earlier repairs are failing. This is another step in a plan based on a 2007 architectural assessment to renovate and preserve the museum. Workshops for the public to explain the renovations will be held, she noted.

Those speaking in opposition: None.

Communications: None.

Questions:

Council President Hardy asked when this project would be completed. **Ms. Silverman** said there could be a mushroom factor but that it will likely take nine months and will begin in March. The museum was awarded a grant in the previous CPA funding cycle to replace a fence, she said; but the fence was removed which the public preferred; and so funds were returned to the CPA. This funding is 38 percent of the overall renovation budget for this renovation project, **Ms. Silverman** said.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$20,000.00 (Twenty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Sargent-Murray-Gilman-Hough House Association for the purpose of preserving the museum's

foundation and repair the structure in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275018.

DISCUSSION:

Councilor McGeary commented that this is a literal supporting of a valuable City resource. The money, he said, would be well spent. He appreciated the openness of the museum to not taking the CPA Round 3 funding for the fence and leaving the space open.

Councilor Ciolino said the museum is a jewel of the City and commended the museum supporters for keeping it open. This, he said, is what CPA money was meant to do to preserve the City's historic assets.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$20,000.00 (Twenty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Sargent-Murray-Gilman-Hough House Association for the purpose of preserving the museum's foundation and repair the structure in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275018.

Project #3 – Cape Ann Museum and Thacher Island Association: Restoration and Preservation of Thacher Island Fresnel Lens - \$10,000

Ms. Ronan explained the following:

The Cape Ann Museum and Thacher Island Association is now recommended to receive \$10,000 in CPA funds for the purpose of preserving an historic asset by repairing and restoring the Fresnel lens from the Thacher Island Lighthouse to be permanently exhibited at the museum.

Martha Oakes, Curator of the Cape Ann Museum explained the is the Fresnel lens is from the south tower of the two lighthouses on Thacher Island that served as a beacon for Cape Ann mariners for over 120 years (from 1861 to 1980). It will be restored at the museum in two sections and permanently exhibited in the Maritime Gallery in an area expressly constructed to facilitate viewing by the public. The lens has been brought up from the Maryland, where it had been in Coast Guard storage. Restoration will also involve removing part of the original pedestal from the top part from the lighthouse and reconstructing the bottom part that supports the lens to fit it into the Cape Ann Museum's exhibit space. Standing 10 feet high and weighing over a ton, it will be restored on site at the museum by a trained team whose ongoing work will be able to be viewed by the public. The lens has to be protected from being touched, so the installation will include railings and lighting to illuminate the lamp and have interpretive materials. It was noted that this is a unique collaborative community project with the Thacher Island Association located in Rockport. The Thacher Island Association is also seeking CPA funding in Rockport for this project for \$20,000. **Ms. Ronan** added this is collaboration between a city and town makes the project rather special. The total project cost is estimated at \$46,790.

Those speaking in opposition: None.

Communications: None.

Questions:

On inquiry by **Council President Hardy**, **Ms. Oakes** said the total project is \$200,000 and the final phase is for \$50,000 which will be made up partly of this original request of \$10,000. **Council President Hardy** noted Rockport CPA funding was approved for \$10,000 and that private funding would make up the rest of the funding for the final phase of the project which **Ms. Oakes** confirmed. She also noted B&F minutes indicated the lens would be permanently displayed at the museum but the Coast Guard will allow that for 30 years. **Ms. Oakes** said there has to be some end date. The lens will go into a gallery where it can never be removed and the Coast Guard recognizes this. She also pointed out this is the third project that the museum has had before the Council for funding and that the museum is a 501(C) 3 organization with other funding sources. She also noted the particulars of the time frame of the museum's current renovations.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$10,000.00 (Ten Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Museum and Thacher Island Association for purpose of the restoration and preservation of the Thacher Island Light Fresnel Lens in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275019.

DISCUSSION:

Councilor McGeary said that he saw the lens at the museum, which is wonderful. It was grand that the Thacher Island Association is permitting the City to share in this project, he said.

Councilor Ciolino congratulated the Cape Ann Museum for spearheading this project and that the lens is a wonderful addition to the City and the museum.

Councilor Theken thanked Mr. Bell and Ms. Ronan for continuing their advocacy to share these projects with the City.

Council President Hardy added that she wished the Cape Ann Museum had asked for more funding, and she extended her thanks the Town of Rockport for their collaboration on the project.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$10,000.00 (Ten Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Museum and Thacher Island Association for purpose of the restoration and preservation of the Thacher Island Light Fresnel Lens in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275019.

Mr. Bell said he had recused himself from any discussion or voting on the preceding project as he is a member of the Board of the Cape Ann Museum.

Project #4 – Phyllis A. Association: Stern Rebuild of the Vessel Phyllis A. - \$25,000

Mr. Bell explained the following:

The Phyllis A. Marine Association is recommended to receive \$25,000 in CPA funds for the purpose of preserving an historic asset by repairing and restoring the stern of the historic gill-netter Phyllis A.

Doug Parson, 39 Mt. Pleasant Avenue, President of the Phyllis A. Association said this is the third time before the Council for CPA funding. He reviewed the Gloucester gill-netter's history briefly. These funds will be 50 percent of the estimate for the slated project repairs. This restoration is another step in the overall restoration of the Phyllis A. to make it available for tourism and educational purposes. Total cost for this project is estimated at about \$51,000.

Those speaking in opposition: None.

Communications: None.

Questions:

Mr. Parsons, responding to questions by **Council President Hardy** said the Association is always seeking funds from other sources. He noted the Phyllis A. is not as glamorous as a schooner and makes outside funding more difficult. He noted the Association has asked for an extension for the Round 3 CPA funding and that the Round 4 funding would sync with the ability of the Association to finish up the work of Round 3 in March. He discussed the process of the renovations with **Council President Hardy**. Mr. Bell pointed out that the CPC was informed at a meeting of the request for an extension of the Round 3 funding, and that the CPC is considering that request. **Mr. Parsons** noted this is a 501(C) 3 organization and assured the Phyllis A. is not leaving Gloucester. **This portion of the public hearing is closed.**

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$25,000.00 (Twenty Five Thousand

Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Phyllis A. Marine Association to rebuild the stern of the vessel, Phyllis A. in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275020.

DISCUSSION:

Councilor McGeary noted that Mr. Parsons has done a good job. This is an important record of the City's fisheries which is difficult to restore, he said. It is hoped this will be a dockside attraction soon and is money well spent, he added.

Councilor Ciolino gave his support for the funding and agreed that this is just as an important vessel to the City as other schooners are to show the history of Gloucester. He commended Mr. Parsons for his hard work.

Councilor Cox announced under MGL c. 268A her husband is a member of the Board of the Phyllis A. but neither she nor her husband benefit financially and would, therefore, vote on this project funding.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$25,000.00 (Twenty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Phyllis A. Marine Association to rebuild the stern of the vessel, Phyllis A. in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275020.

Mr. Parsons added that the CPA money has been well used by the Phyllis A. Association. He thanked the CPC; and the Council saying that without CPA funding the boat wouldn't be at a City dock able to be worked on.

Project #5 – Rocky Neck Art Colony: Rehabilitation and Restoration of former Christian Science Church, 6 Wonson Street - \$50,000

Mr. Bell explained the following:

The CPA funding of \$50,000 will serve the purpose of rehabilitating and restoring of an historic asset by providing exterior restoration which includes: window repair, gutter and downspout replacement and painting as well as providing handicap accessibility through the installation of a ramp and construction of American with Disabilities Act (ADA) bathrooms at the Rocky Neck Cultural Center. The Rocky Neck Art Colony (RNAC) has acquired this historic building and took title of it on April 30, 2013.

Karen Ristuben, 4 Bickford Way, President of the Rocky Neck Art Colony (501 (C) 3 organization) said money was raised to make a substantial down payment to purchase the building (the former Christian Science Church on Wonson Street) and the organization expects to be debt free by next year. The building is acquired now. Programming enables the RNAC to pay for the building's running expenses, she said. It is hoped, she said, a part-time staff will be hired in the next year or two. **Ms. Ristuben** noted \$74,000 is committed through CDBG funds for a handicapped accessible bathroom. This funding is sought for offsetting the costs of: 1) a handicapped-accessible ramped entrance on the eastern side of the building; two accessible bathrooms, and an interior wheelchair lift (which may be done in the following year); and 2) exterior restoration which includes window repair, gutter and downspout replacement and painting; a kitchen as well. The total cost of the three projects is about \$125,000. **Council President Hardy** complimented Ms. Ristuben's organization for their outreach to the community. **Ms. Ristuben** said, in response to an inquiry by **Council President Hardy** that the RNAC came to the CPC for funding in 2012 but that initial application was not recommended to move forward at that time.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$50,000.00 (Fifty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a

grant to the Rocky Neck Art Colony, Inc. for the purpose of the rehabilitation and preservation of the former Christian Science Church, 6 Wonson Street in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275021.

DISCUSSION:

Councilor McGeary said that this is a worthy project. The building is at this time is unfriendly to the handicapped, and this project will allow for the building's full accessibility. **Councilor McGeary** noted that Ms. Ristuben has been the heart and soul of the RNAC and the creation of the City's first cultural district for which he commended her.

Councilor Ciolino said this is the model in the state for a cultural center organization. He said he supported the project funding. **Council President Hardy** added her approbation also.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$50,000.00 (Fifty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Rocky Neck Art Colony, Inc. for the purpose of the rehabilitation and preservation of the former Christian Science Church, 6 Wonson Street in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275021.

Project #6 – City Hall Restoration Committee: City Hall Restoration – Repairs/Restoration of Auditorium Windows - \$36,000

Ms. Ronan explained the following:

The City Hall Restoration Committee is recommended to receive \$36,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitation and restoration of an historic asset by repairing City Hall windows on the second level of City Hall (Warren Street side). This project will continue the restoration of the exterior of City Hall, specifically repairs and restoration of the Kyrouz Auditorium windows and will represent three windows only. The approved 2010 application of CPA funding to restore the exterior of City Hall included these windows; however, the final project budget necessitated that the repairs of the windows south and east elevations be delayed until other funding was secured.

Maggie Rosa, City Hall Restoration Committee submitted a hand out on the restoration of City Hall. In 2009 the Committee applied for \$3.5 million for the restoration of the exterior of City Hall. As it was the first round, it was a \$2.6 million loan order in the end for a term of 13 years. The money would not be sufficient to complete the restoration of the exterior of the building. The specific request was for \$150,000 to complete the window restoration of the Pleasant Street side and the windows on Warren Street of City Hall. All the windows facing the Post Office and the west elevation have been restored and are being reinstalled, she noted. The CPC recommended \$36,000 together with funds that remain from the on-going project, and funds privately raised the Committee will be able afford to restore the four windows on the Warren Street side of the building. The windows facing Pleasant Street in Kyrouz Auditorium would have to wait. The Committee has applied to the Administration for some Free Cash. They have also applied through State Rep. Ferrante and Sen. Tarr who through their efforts City Hall should be eligible for funding as a municipal building which would have to be matched funds. Each passing year, she pointed out, the building continues to deteriorate, and restoration is an on-going project. **Ms. Rosa** also reviewed her handout to the Council in brief which covered the progress of the City Hall restoration project.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Whynott asked if the restored windows would be an improvement over what had been done before. **Ms. Rosa** said the Commission hired a historical architectural firm which is top notch, McGinley Kelso, who tested the windows to be sure they would stand the test of time. There will be drafts, she pointed out, because the interior of the building has not been addressed yet.

Councilor LeBlanc requested that regular maintenance be done on the new windows. **Ms. Rosa** said that her Committee has advocated for DPW line items for maintenance on the City buildings. It is a matter for the Administration and Council to consider, she said.

Councilor McGeary said if and when the interior trim is completed it would obviate some of the drafts coming through now. **Ms. Rosa** said the interior window frames do need work, but that they need help from the DPW and the Administration on that matter. Things have to be maintained; an assessment will have to be done, she said. The Committee's mission was to stop the building from falling down, **Ms. Rosa** pointed out.

Council President Hardy and **Ms. Rosa** discussed the issue of the newly restored windows, on-going maintenance issues and issues concerning the Facilities Manager.

Mr. Cole said the Mass. Historic Association was very strict with what could be done and said the department can only maintain the windows not change them. He said this is the first he has heard of any issues with the Facilities Manager, and said he would talk with the Facilities Manager to learn what the current issues are.

Ms. Rosa and **the Council President** also discussed other aspects of the City Hall restoration problems and the lack of communication with the Office of the Mayor despite the Committee's attempts to communicate their position and needs. **Council President Hardy** asked for a progress update on the City Hall restoration to the Council. Until the issues are resolved with the recently installed windows she said would propose a postponement of this vote. **Ms. Rosa** said the contract for the windows had to be extended; and with the \$36,000 to do the Warren Street windows it would extend the contract to May 2014. **Mr. Bell** added that the windows recently installed had not been finished via a punch list; and he pointed out many windows don't have their storm windows installed yet.

MOTION: On motion by Councilor Hardy, seconded by Councilor Ciolino, the City Council voted 8 in favor, 0 opposed to request that the Mayor appoint an alternate for the Facilities Manager to the City Hall Restoration Committee when the Facilities Manager is unavailable to attend the City Hall Restoration Committee meetings.

Councilor McGeary asked what recourse there was for windows found to be defective. **Ms. Rosa** said the contractors are very responsive but must be told about the issues, and commented that somewhere there seemed to be a significant lack of communication. **Councilor McGeary** recalled there was a time constraint that if the money is not spent that the current contract will have to be closed. **Ms. Rosa** confirmed that was the case. If there is a delay in this funding, it will be an issue for the City to abide by the State rules and regulations for procurement; she had been informed by the City's Purchasing Agent. **Council President Hardy** said the Building Inspector can't sign off on the window project to date. **Ms. Rosa**, noting that the Building Inspector sits on their committee, and at the Committee's request it was he who went through the building to survey compliance with ADA regulations.

Councilor Ciolino noted the inside trim on the newest installed windows appears compromised commenting that the windows are tight on the outside but are not on the inside. **Ms. Rosa** said the \$2.6 million was insufficient to do it all. There had to be compromises, she said; and she suggested that the DPW could do the inside trim and further look at the building for things like this.

Councilor Verga said this is a communication breakdown and that he would not vote for the \$36,000. He suggested that the vote be postponed. **Ms. Rosa** said with this \$36,000 approved this evening combined with private funds the four windows could be done and the contractor would still be on site. Without a vote this evening to approve the funding the contract would cease, she reiterated.

Councilor LeBlanc said he is a contractor and on construction sites all the time. A properly installed window with insulation without the interior trim should not create drafts. He said he wanted to ensure the casings were being insulated and wanted to be sure someone is checking before the casings go on the building.

Councilor Whynott expressed concern that by postponing a vote it would impede the current contract. **Mr. Bell** said that contract was up in September and was extended to May 2014. He said he didn't know if a postponement of the vote would work for January.

MOTION: On a motion by Councilor Verga, seconded by Councilor Theken, the City Council voted by ROLL CALL 4 in favor, 4 (Ciolino, Cox, McGeary, Whynott) opposed to continue the portion of the public hearing for the funding of the City Hall Restoration Committee of \$36,000 be continued to January 28, 2013.

MOTION FAILS.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$36,000.00 (Thirty Six Thousand

Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Hall Restoration Committee for the purpose of the City Hall repairs and restoration of the Kyrouz Auditorium windows in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Capital Fund #346001.

DISCUSSION:

Councilor Theken expressed her concern for the funding of this project without answers to issues just raised by the Council. **Councilor McGeary** read from B&F minutes about the contract issues now raised by the Council. He said he believed if the Council doesn't fund this project now they'll lose one of the four Warren Street windows because of the cost going back out to bid. The new contractor has done a better job; he noted and said he would vote for the windows, although it is a risk. There is still \$140,000 of City Hall windows to be done, he pointed out. **Mr. Bell** said the Committee is looking to other sources for funding as well. **Council President Hardy** suggested that the funding request be withdrawn.

Mr. Bell reiterated that these windows have just been finished and the architect has not come back to punch them out. Without this funding the City Hall Restoration Committee will lose this contractor, he said. He asked the Council for a continuance.

By unanimous consent, the Council continued this portion of the public hearing to January 28, 2014.

Project #7 – Ocean Alliance: Tarr and Wonson Paint Manufactory – Repair Chimney & Support Building - \$30,000

Ms. Ronan explained the following:

The Ocean Alliance is recommended to receive \$30,000 in CPA funds for the purpose of the rehabilitation and restoration of the chimney and accompanying brick building with repointing and stabilization of the Tarr and Wonson Paint Factory chimney.

Ian Kerr, Director of Ocean Alliance summarized the project as follows: The chimney is cracking and pointing is gone so that water egress is taking place. This is a project that would start in the spring. The organization is a 501(C) 3 oceanographic research institute. Some Ocean Alliance recent research projects worldwide were touched upon, that the Ocean Alliance made a documentary and that Mr. Kerr had speaking engagements at the United Nations and at the National Academy of Sciences. The site is open Monday through Friday, and the site free and clear, he pointed out, with one building completed. The total project cost is estimated at \$80,650, of which \$53,000 worth of work will be completed by this winter.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor LeBlanc asked why the Ocean Alliance is coming forward for CPA funding. **Mr. Kerr** said most of the people that give them money are interested in the research, not in saving a chimney. It is Gloucester and his organization is interested in the building which is iconic and historic to the City, he said. **Councilor LeBlanc** asked what would happen to the chimney without the funds. **Mr. Kerr** said the goal is to restore the whole site. He would still do his best to raise the money for the chimney's restoration as they are in a race to save it.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$30,000.00 (Thirty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Ocean Alliance for the purpose of repairing a chimney and supporting building at the Tarr and Wonson Paint Manufactory in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275022.

DISCUSSION:

Councilor McGeary said that Mr. Kerr is preserving an iconic building as important to Gloucester as Motif #1 is to Rockport. **Councilor Ciolino** added his support for the funding.

The Council unanimously extended the meeting to 11:30 p.m.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$30,000.00 (Thirty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Ocean Alliance for the purpose of repairing a chimney and supporting building at the Tarr and Wonson Paint Manufactory in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275022.

Project #8 – Magnolia Historical Society, Inc.: Rehabilitation and Restoration of the Blynman Schoolhouse to enable use as the Magnolia Historical Museum and Cultural Center - \$30,000

Mr. Bell explained the following:

The Magnolia Historical Society (MHS) is recommended to receive \$30,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitation and restoration of an historic asset by upgrading the electrical and HVAC system at the former Blynman School.

Lisa Ramos, President of the MHS said that the society, a 100 percent volunteer organization. The \$30,000 is for the heating system; after reviewing three estimates, the cost will be \$38,000 for heat throughout the building with air conditioning in the museum and the cultural center with humidity control in the museum section only. The entire heat system can be done; and the A/C and humidity control can be done later, she noted. **Ms. Ramos** said a building committee has been established which has put together a six phase plan for rehabilitation of the Blynman School House for it to become a historical museum and cultural center.

Those speaking in opposition: None.

Communications: None.

Questions:

Bob Cannon, 22 Fuller Street, MHS member said that there are propane interior heaters which are exteriorly vented. These have been inspected by the Fire Department, he said responding to **Council President Hardy's** inquiry. **Ms. Ramos** said the heating project will take three weeks for installation, and they are ready to go immediately upon receiving the funding.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$30,000.00 (Thirty Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Historical Society, Inc. for the purpose of the rehabilitation and restoration of the Blynman School House in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275023.

DISCUSSION:

Councilor McGeary explained that this is a building that the MHS is using is important to maintain given its historical significance.

Councilor Ciolino noted that this is a group to watch; it is a group that is well organized and working hard to be successful. He said he was pleased to hear that the group was doing something about preserving their archives with humidity control.

Council President Hardy asked about other funding sources which **Ms. Ramos** confirmed the MHS is pursuing other funding sources aggressively.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent to appropriate up to \$30,000.00 (Thirty Thousand

Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Historical Society, Inc. for the purpose of the rehabilitation and restoration of the Blynman School House in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Fund #275023.

Project #9 – Gloucester Committee for the Arts: City Hall WPA Mural Restoration Project – Phase II - \$35,000

Mr. Bell explained the following:

The CPA funding of \$35,000 will serve the purpose of preserving an historic asset by continuing the restoration and repairing of the Mulhaupt panels in the hallway of City Hall, mural in the City Attorney's office, the mural in Kyrouz Auditorium.. Following recommendations from the 2010 Condition Assessment Report funded by the National Endowment for the Humanities, the Committee for the Arts (CFA) has already overseen the completed restoration of six Charles Allen Winter WPA murals in City Hall. The second phase will include the remaining four WPA murals (as listed) recommended for restoration in the Condition Assessment report, the total cost of which is approximately \$55,000.

Dale Brown, 37 Beacon Street, Committee for the Arts noted this is the second phase of the City Hall mural restoration project. The first phase received CPA funding as well, she said. **Ms. Brown** and **Council President Hardy** briefly discussed the mural in the Mayor's office reception area and why it is not being restored at this time.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$35,000.00 (Thirty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Gloucester Committee for the Arts for the purpose of Phase II of the restoration of City Hall Works Progress Administration Murals, in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Capital Projects Fund # 346002.

DISCUSSION:

Councilor McGeary said that the mural restoration has been an amazing project and appreciated the on-going work. **Councilor Ciolino** asked that the murals stored under the Kyrouz Auditorium stage not be forgotten.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent to appropriate up to \$35,000.00 (Thirty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Gloucester Committee for the Arts for the purpose of Phase II of the restoration of City Hall Works Progress Administration Murals, in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Capital Projects Fund # 346002.

Project #10 – Cape Ann Women's Softball League: Mattos Field Rehabilitation Project - \$10,075

Ms. Ronan explained the following:

The Cape Ann Women's Softball League working with the Department of Public Works is recommended to receive \$10,075 in Community Preservation Act (CPA) funds for the purpose of rehabilitation of recreational land by repairing and resurfacing areas of the infield and outfield.

Patti Amaral, Cape Ann Women's Softball Field said that the group will continue their restoration and care of the Mattos Field. She gave a brief overview of the project. The field, she pointed out, is used by Veteran's Memorial Elementary School and also in addition by other groups. Total cost of this project is estimated at \$10,075.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council appropriate up to \$10,075 (Ten Thousand Seventy Five Dollars) from Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Women's Softball League for the purpose of rehabilitating Mattos Field located in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340002.

DISCUSSION:

Councilor Cox extended her appreciation to the Cape Ann Women's Softball League and **Council President Hardy** extended her thanks to Ms. Amaral for her continuing efforts.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$10,075 (Ten Thousand Seventy Five Dollars) from Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Cape Ann Women's Softball League for the purpose of rehabilitating Mattos Field located in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340002.

Project #11 – City of Gloucester: Gloucester Skate Park Rehabilitation Project - \$25,000

Mr. Bell explained the following:

The Department of Public Works is recommended to receive \$25,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitating and restoring a recreational resource by repairing and enhancing the Skate Park located at the O'Maley Middle School which is becoming unsafe. The total cost for this project is estimated at \$25,000.

Mr. Cole said the skate park was built in the 1990's, and noted that skateboarders who use the park also supervise it, some of whom were present this evening. He pointed out to date the DPW to date had taken old fence down; and new signage, benches, picnic tables are all ready to be ordered as is new signage. New lighting will be installed as well as landscaping. He said transition areas had deteriorated and will be fixed. **Mr. Cole** assured the skateboarders and the DPW would come forward next year seeking funding in order to make more improvements at the park.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor LeBlanc asked if there were scheduled hours which **Mr. Cole** confirming there were. **Council President Hardy** expressed her concern about graffiti. **Mr. Cole** said it is being handled. **Council President Hardy** suggested that there be a maintenance plan which included handling of graffiti.

Jared Downey, 7 Diamond Avenue said there is a nice culture change at the skate park with a good group of young kids that do a lot of self policing and positive activities. He urged the Council to give the group a chance to show what they can do to improve the skate park.

Council President Hardy noted she was on the building committee for the skate park and pointed out the original park rules should be researched as she recalled the School Department had some say as to the hours of use. She expressed concern about bicycles being used on the skate park. **Mr. Cole** said this is something they can

address. **Council President Hardy** also urged the transitions be carefully repaired and that the kids who use the skate park should report any problems to the DPW.

Councilor LeBlanc commented bikes will be difficult to keep off the skate park track; however, he said he would support this funding; as did **Councilor Theken**.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox , the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$25,000 (Twenty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Of Gloucester Department of Public Works for the purpose of rehabilitating the Gloucester Skate Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340003.

DISCUSSION: None.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$25,000 (Twenty Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Of Gloucester Department of Public Works for the purpose of rehabilitating the Gloucester Skate Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340003.

Project #12 – Friends of Stage Fort Park: Stage Fort Park – Walking Path - \$4,000

Mr. Bell explained the following:

The Stage Fort Park Walking Path Project, sponsored by George H. Roark and Susannah Wolfe (Friends of Stage Fort Park or FSFP) working with the Department of Public Works, is recommended to receive \$4,000 in Community Preservation Act (CPA) funds for the purpose of rehabilitation and restoration of recreational land by repairing and resurfacing a gravel path at Stage Fort Park.

Susannah Wolfe, 3 Old Salem Road, representing The Friends of Stage Fort Park said this path restoration is approximately 325 feet by 10 feet of a central path between the Visitors Welcome Center at Stage Fort Park and the children's park. The path's current condition is very rocky and unsafe. It is hoped, she said, to make the park more walkable for all ages. The project has the support of City departments, the Open Space & Recreation Committee, the Gloucester Civic & Garden Club, she and including the Gloucester Rotary Club which is a co-sponsor of the project, she said. Total cost for this project is estimated at \$5,100.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$4,000 (Four Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Stage Fort Park (George H. Roark and Susannah Wolfe) for the purpose of creating a walking path at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340004.

DISCUSSION:

Councilor McGeary said this was a good idea, and **Councilor Ciolino** noted he has put in a request to the Mayor for a revolving fund to be established for the maintenance of Stage Fort Park.

(**Councilor Cox** stepped away from the dais.)

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Cox, Tobey) absent, to appropriate up to \$4,000 (Four Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Stage Fort Park (George H. Roark and Susannah Wolfe) for the purpose of creating a walking path at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340004.

(**Councilor Cox** returned to the dais.)

Project #13 – Gloucester Waterways Board/Harbormaster: Hodgkins Cove Public Landing - \$8,000
Project #14 – Gloucester Waterways Board/Harbormaster: Head of Lobster Cove Public Landing - \$5,000

Ms. Ronan explained the following:

The CPC recommends funding of \$8,000 to be given to the Gloucester Waterways Board/Harbormaster serve the purpose of rehabilitating and restoring recreational land by clearing overgrown areas and provide seating/viewing and parking areas at the Hodgkins Cove Public Landing and a similar project at Head of Lobster Cove Public Landing, also recommended by the CPC for \$5,000. Both projects serve the purpose of rehabilitating and restoring recreational land.

Jim Caulkett, Harbormaster said with these grant funds the Waterways Board will be able to accomplish three important goals: 1) Clean up the two landings with installation of proper signage that indicates these are public landings and public property for all to enjoy; 2) improve public access to the water at both public landings; and 3) these projects when completed will also encourage all the residents of Gloucester to come and enjoy the beautiful scenery of both of these areas.

Mr. Caulkett confirmed to **Councilor LeBlanc** both Hodgkins Cove and Head of Lobster Cove are both fully functioning public landings.

Those speaking in opposition: None.

Communications: None.

Questions: None.

These portions of the public hearing are closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$8,000 (Eight Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbormaster for the purpose of rehabilitating Hodgkins Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340005.

DISCUSSION:

Councilor McGeary said that this funding helps to improve access to the water for the City. **Councilor LeBlanc** also endorsed the two projects.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$8,000 (Eight Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbormaster for the purpose of rehabilitating Hodgkins Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and

funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340005.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbor Master for the purpose of rehabilitating Head of Lobster Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340006.

DISCUSSION: None.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City of Gloucester Waterways Board/Harbor Master for the purpose of rehabilitating Head of Lobster Cove Public Landing in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340006.

Project #15 – Magnolia Bike Club: Magnolia Bike Park – Bicycle Track - \$5,000

Mr. Bell explained the following:

The Magnolia Bike Club (MBC) working with the Gloucester DPW is recommended to receive \$5,000 in CPA funds for the purpose of obtaining technical assistance to aid in the planning, location, design, permitting and cost analysis of a proposed “Pump Track” at the Magnolia Woods field. The estimated cost of this project is now over \$25,000. The \$5,000 is seed money to come up with a plan and cost out a pump track installation. This plan would assist the MBC to be able to come back before the CPC to apply for further funding to execute the plan.

Chris Pester, 24 Englewood Road, and Treasurer of the Magnolia Bike Club which is pending final approval of as a 501 (C) 3 organization noted his club’s mission is to create a fun and safe track and trail experience for the enjoyment and health of Gloucester residents of all ages and abilities.

He explained that: A pump track is a continuous route that can be ridden without pedaling with the rider pumping the front and back side of rollers to build speed and momentum. A pump track is also a tool for riders to learn bike handling skills. This is a fast growing sport worldwide. The closest pump track to the City is in Chelmsford, Mass. The MBC believes that the City would benefit from such a track. An example is the Kingdom Bike Trails Bike Park in Vermont. After a decade this track now brings over \$4 million to the area with an average visitor at 37 years old, staying an average of two nights and spending an average of \$100 per day on lodging and food. The average mountain biker makes two visits per year.

The MBC has identified the area of Magnolia Woods at the far end of the complex. The specific area is approximately 100 feet by 150 feet currently overgrown but with no requirement for any digging into the ground. There would be 1,500 cubic yards of clean top soil and clay brought in to create rollers and berms (banked turns). He said MBC is aware of the delicate nature of working in and around the Magnolia Woods. The track will be built with clean uncontaminated fill as approved by City boards. The MBC group believes they are a welcome addition to the City, noting that the school system is already supportive and interested in having a team. The group sees itself as an ideal part of the Get Fit! Gloucester initiative and will plan to work with other groups using the area. In busy periods the advantage of having bikes will allow members and riders the use of other local parking options such as Burke Field, the Blynman Schoolhouse or other public parking in Magnolia. The MBC would provide personnel patrol the track to ensure the track’s integrity is preserved. Estimates for the project are \$15,000 to \$40,000 depending on the requirements imposed by the City. At the low end the track would be built with no surrounding fence and by volunteers. At the higher cost it would involve a professionally built and enclosed facility. Fundraising was reported to be underway with the MBC applying for grants to fund the initial planning, construction and maintenance of the track. It was also noted that the growing popularity of the sport would help to attract tourists seeking locations with a superior collection of activities.

Those speaking in opposition: None.

Communications: None.

Questions:

Councilor Verga said he was pleased to hear about the clean fill as there are very particular requirements for soil at Magnolia Woods. He added he knew the MBC had been in contact with the Woods Oversight and Advisory Committee. He asked if Mr. Pester had considered becoming a member and that the ordinance could be expanded to allow that if this track were to become a full time part of the Magnolia Woods sports area and added his hope the MBC was working in concert with the Committee. **Mr. Pester** pointed out that the MBC's initial site for the track was in an area that would have been under that jurisdiction. The track is some distance from the cap, nor is it on conservation land. He pointed out that the MBC has the full support of the Magnolia Woods Oversight and Advisory Committee. On inquiry by **Council President Hardy**, **Mr. Pester** noted that the track is at least several hundred yards away from the cap. She also asked if the DPW had any input during the B&F review on this project to which **Councilor McGeary** said he didn't believe so although minutes show a reference to the DPW. **Mr. Pester** said there is a letter of recommendation in the application submitted to the CPC and to the Council in which the DPW gave their full support of the project. **Councilor McGeary** said at the site visit it appeared to his eye that the track location was substantially distant from the capped area. **Council President Hardy** expressed her concern that no matter how far the track was from the cap it would not keep people off the capped landfill. She pointed out that without seeing something from the DPW in writing she may not be able to approve the initial work in Phase 2 for funding for the actual project with or without a fence around the track and would want something in writing from the DPW with rules and regulations in place as well as fines. It is about the protection of the cap, she said. **Mr. Pester** and **Council President Hardy** also discussed her concern about bicycles coming off of the track onto the capped area. He noted there would be no motorized bikes will be allowed.

Councilor Verga and **Council President Hardy** strongly suggested that the MBC work closely with the Magnolia Woods Oversight and Advisory Committee. **Mr. Pester** said that Committee had been involved in their plan's development since the beginning. It was the Committee that offered that part of the Magnolia Woods and told the MBC that would be the best spot for the pump track. The MBC would also use the paved tarmac path that already exists which terminates at the area of the proposed pump track.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Bike Club for the purpose of creating a Magnolia Bike Park Bicycle Track at Magnolia Woods in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340007.

DISCUSSION:

Councilor McGeary explained that this is for a study and that the group has been in contact with the Magnolia Woods Oversight and Advisory Committee. He said he also encouraged the MBC to stay in close touch with the Committee. **Councilor Ciolino** added his support and suggested the MBC work closely with the DPW. **Councilor Verga** pointed out William Fonvielle will become the Ward 5 Councilor and urged Mr. Pester meet with him very soon. **Council President Hardy** said she would want to see precautions taken with close vigilance regarding the cap.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$5,000 (Five Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Magnolia Bike Club for the purpose of creating a Magnolia Bike Park Bicycle Track at Magnolia Woods in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340007.**

Project #16 – Friends of Gloucester Dog Park: Gloucester Dog Park - \$15,000

Ms. Ronan explained the following:

The Friends of the Gloucester Dog Park improvements project is recommended to receive \$15,000 in Community Preservation (CPA) funds for the purpose of creating recreational space for an agility center for dogs. The proposed enhancement includes adding a section of fence, a gate and some outdoor agility equipment within the Dog Park located at Stage Fort Park. Total cost for this project is approximately \$15,000.

Marie Demick, 12 Long Beach Road, speaking on behalf of the Friends of the Gloucester Dog Park with Louise Grinrod, 19 Way Road and Dog Park board member said the intention is to install a six-unit dog agility center to expand the exercise and fun for dogs in the park which is the last piece of the park to be built which will be fully funded by the CPA funds. The contractor is lined up from the State bid list. And the installation is expected to be completed by May 2014. Fundraising has been on-going; with \$175,000 raised privately to build the Dog Park.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend to the City Council appropriate up to \$15,000 (Fifteen Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Gloucester Dog Park for the purpose of making improvements at the dog park located at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340008.

DISCUSSION:

Councilor McGeary commented that the Dog Park is a resounding success, and with this project it will serve more dogs. **Councilors Ciolino, LeBlanc, Theken** all added their support.

Council President Hardy disclosed that under MGL c. 268A part of the Dog Park is named in her honor, but she will not benefit financially in any way; therefore, she is able to vote and support the project funding.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$15,000 (Fifteen Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the Friends of Gloucester Dog Park for the purpose of making improvements at the dog park located at Stage Fort Park in Gloucester, Massachusetts, in order to rehabilitate land for recreational use. The appropriation will be allocated to the Open Space/Recreation category and funded from Unrestricted Reserves in Fund #270000. This project will be tracked in the Community Preservation Fund – Open Space/Recreation Capital Projects Fund #340008.**

Project #17 – Essex County Greenbelt Association: Norcross Property Acquisition - \$100,000

Mr. Bell explained the following:

The CPA funding of \$100,000 will allow the Essex County Greenbelt Association (ECGA) to pursue the purchase of the Norcross property, slightly over 10 acres, for the purpose of its preservation, located at Concord Street and Route 128 by protecting the property from development as well as to enhance, expand and improve access and parking for the adjacent 300 acre Tompson Street Reservation, also purchased with some CPA funds as well. After the CPC and B&F voted the ECGA has said they only need \$60,000, not the recommended \$100,000 because of a grant that came through. Therefore, the CPC is recommending an amendment to the motion for funding to \$60,000, **Mr. Bell** added.

David Santomenna, Director of Land Conservation, ECGA, for the Norcross Property Acquisition made the following statements: The ECGA proposes to acquire and preserve the Norcross property at a cost of \$200,000, with the total project cost being approximately \$225,000. He pointed out the property on an enlarged map to the Council. The property which is located on Concord Street in West Gloucester directly abuts the ECGA's 300-acre

Thompson Street Reservation and serves as the de facto access point via an existing trail. He also showed the Council an aerial photograph of the Norcross Property. Some features of this property are: a 19th century carriage road, and a brook that crosses over to the Tompson Street Reservation which becomes the core of the trail system. The ECGA will install a kiosk and informational trail signage at the trail head indicating trail connections. The ECGA has been fortunate with their fundraising and receipt of grants and are able to reduce their request for CPA funding from \$100,000 to \$60,000. The ECGA expects to close on the property by the end of 2013.

Councilor LeBlanc asked about the closest residential properties to the Norcross Property and **Mr. Santomenna** discussed that the closest privately owned properties were well away from the Norcross property.

Councilor Verga and **Mr. Santomenna** discussed issues with people discarding trash in the area and plan to deal with it.

Those speaking in opposition: None.

Communications: None.

Questions: None.

This portion of the public hearing is closed.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council to appropriate up to \$100,000 (One Hundred Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee for a grant to the Essex County Greenbelt Association (ECGA) for the purpose of purchasing of the 10.3 acre site on Concord Street and Route 128 in Gloucester, Massachusetts, in order to acquire land for open space, upon the condition that the ECGA conveys a conservation restriction to the City of Gloucester or its designee. The appropriation will be allocated to the Open Space category and funded by up to \$97,130 from Open Space Reserves in Fund #2701000, and funded by up to \$2,870 from the Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Open Space Projects Fund #271005.

DISCUSSION:

Councilor McGeary asked for and received unanimous Council approval for a friendly amendment to reduce the CPA funding from \$100,000 to \$60,000 for the Essex County Greenbelt Association's purchase of the Norcross Property.

Councilor McGeary then pointed out that the carriage road on the Norcross property was constructed by Clarence Birdseye; and that this property provides access to the Tompson Street Reservation. He said he thought the funding was money well spent. He also thanked Mr. Bell, Ms. Ronan, the CPC, Debbie Laurie, Project Manager with the Community Development Department who works with the CPC, and Kenny Costa, City Auditor for their tremendous work on the Round 4, FY13 CPA funding. **Councilor McGeary** said this is an enormous amount of work, but that the Community Preservation Act is a great success and commended everyone involved.

Councilor Ciolino added his approbation for this project and maintaining open space.

Council President Hardy also thanked the B&F Committee and Mr. Costa for their hard work.

MOTION: On a motion by Councilor McGeary, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Tobey) absent, to appropriate up to \$60,000 (Sixty Thousand Dollars) from the Community Preservation Act funds as recommended by the Community Preservation Committee for a grant to the Essex County Greenbelt Association (ECGA) for the purpose of purchasing of the 10.3 acre site on Concord Street and Route 128 in Gloucester, Massachusetts, in order to acquire land for open space, upon the condition that the ECGA conveys a conservation restriction to the City of Gloucester or its designee. The appropriation will be allocated to the Open Space category and funded by up to \$60,000 from Open Space Reserves in Fund #2701000. The project will be tracked in the Community Preservation Fund – Open Space Projects Fund #271005.**

Councilor Theken left the meeting at 11:50 p.m.

For Council Vote:

1. Decision to Adopt: SCP2013-006: Ferncliff Heights #6, GZO Sec. 2.3.4(6) Animal Daycare, animal grooming, daytime only.

MOTION: On a motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Theken, Tobey) absent to adopt the SCP2013-006 decision for 6 Ferncliff Heights pursuant to Section 2.3.4(6) of the Gloucester Zoning Ordinances.

Committee Reports:

- **Budget & Finance:** The Committee Report of December 5, 2013 was continued to January 14, 2014.
- **Ordinances & Administration:** The Committee Report of December 2, 2013 was continued to January 14, 2014.

Planning & Development: December 4, 2013

MOTION: On a motion by Councilor Ciolino, seconded by Councilor McGeary, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend that the City Council approve under GCO Sec. 2-3(a) (2) and 2-3(e) the Disposition of Real Property #14070, Sign Location Lease Agreement for the Gloucester House Restaurant sign located at 45 Rogers Street for a five-year term beginning January 1, 2014 and ending December 31, 2018 at a rate of \$1,200 per year.

DISCUSSION:

Councilor Verga said that the previous lease for the Gloucester House Restaurant was set at a rate of \$800 per year for a five-year term and with an option to renew, which was taken up, at a rate of \$900 per year for another five year term. He explained that the rate is set by determining the revenue lost by use of a parking space. The particular space lost would be an undersized. Gary Johnstone, Assessor prepared an assessment of leased City property where billboards are erected, of which there are three. **Councilor Verga** noted that based on average price per square foot Mr. Johnstone estimated the rental for a five year lease would be \$1,000 to \$1,200 annually based upon the square footage of the sign. The Committee, he said, was unanimous that the rate of \$1,200 was a fair market rate.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 2 (Theken, Tobey) absent, to approve under GCO Sec. 2-3(a) (2) and 2-3(e) the Disposition of Real Property #14070, Sign Location Lease Agreement for the Gloucester House Restaurant sign located at 45 Rogers Street for a five-year term beginning January 1, 2014 and ending December 31, 2018 at a rate of \$1,200 per year.

Unfinished Business: None.

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

Councilors' Requests to the Mayor:

Councilor Ciolino said it was an honor to serve on the Council and thanked the voters for allowing him to serve five terms.

Councilor LeBlanc said he was honored to serve with Councilors Tobey and Ciolino. He also thanked Council President Hardy for her mentoring during his first term as a City Councilor.

The entire City Council wished the citizens of Gloucester a very Merry Christmas.

A motion was made, seconded and voted unanimously to adjourn the meeting at 11:56 p.m.

Respectfully submitted,
Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Handout of City Hall Restoration Committee project timelines submitted by Maggie Rosa**