

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, March 11, 2014 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

**Present: Chair, Councilor Paul McGeary; Vice Chair, Councilor Sefatia Theken; Councilor Melissa Cox; Councilor Jacqueline Hardy; Councilor Steve LeBlanc, Jr.; Councilor Greg Verga; Councilor Paul Lundberg; Councilor William Fonvielle**

**Absent: Councilor Whynott**

**Also Present: Linda T. Lowe; Jim Duggan; Kenny Costa; John Dunn; Fire Chief Eric Smith; Deputy Chiefs Stephen Aiello and Miles Schlichte; Captain LoGrande and firefighting members of the Gloucester Fire Department; Jim Caulkett; Sarah Garcia**

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

**Flag Salute & Moment of Silence** was dedicated by **Councilor Theken** in memory of Joseph Kaknes and Robert Peavey.

**Oral Communications:**

**Valerie Nelson**, 7 Sunset Hill Road made six requests concerning regulations of animals in the city (written statement submitted) as follows:

- 1) Implement a program linking information on dogs and owners collected in the City Clerk's office with the Police Department and Animal control to streamline information sharing when a dog is lost;
- 2) That the Clean Energy Commission develop a program to install bio-gas digesters for dog waste at the Dog Park and city beaches, and possibly the Boulevard and other appropriate sites; and explore financing through state and federal programs;
- 3) That the Tourism Commission develop a branding program publicizing Gloucester as a dog-friendly community;
- 4) That the Planning Department update the City's comprehensive plan incorporating measures to make Gloucester neighborhoods dog friendly;
- 5) That the Public Health Department research and document the public health benefits of dogs in communities;
- 6) Work with the EDIC to incorporate branding of the city as a dog-friendly community.

**Presentations/Commendations:**

- 1 of 1: Presentation to Gloucester Firefighters for heroism by State Senator Bruce Tarr and State Representative Ann-Margaret Ferrante: Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas

**Council President McGeary** asked Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas to come forward (absent were Firefighters' Frank LeClerc and James Burke). He noted that these Gloucester firefighters were recognized by the State Fire Marshall in a ceremony held at MIT in December at the annual Firefighter of the Year awards that they were honored for their extraordinary actions in an effort to save a young woman trapped in a fire at considerable personal risk.

**Sen. Bruce Tarr** presented to Captain Aiello and Firefighters Sanger; Scola, Burke, Hannon, Hudson and Rivas with a citation from the Massachusetts Senate lauding the action of the firefighters in their efforts to save a young woman trapped in a fire on Summer Street on April 9, 2013. He not only offered his thanks to the firefighters for their heroic efforts but for also serving every day of the year to keep safe and protect the citizens of Gloucester.

**Rep. Ann-Margaret Ferrante** presented a citation from the Massachusetts House of Representatives in commemoration of the Gloucester firefighter's heroism. She expressed her pride in the brave Gloucester firefighters. She pointed out there was no hesitation or fear on the part of these firefighters when there was a life was at stake. She said that nothing says more than the gift of those who are willing to lay down their lives to save another.

**Council President McGeary** thanked the firefighters' on behalf of the citizens of Gloucester. He said that no one exceeds the dedication and hard work that the firefighters do every day to protect their community. He then read the City Council's citation honoring the eight Gloucester firefighters:

*“Whereas the Gloucester City Council recognizes that Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas were among those Gloucester Firefighters from Engine 1 and Ladder 1 who responded to a fire in a two-family home on Summer Street in Gloucester on April 9, 2013 and Whereas through their efforts and the efforts of their fellow firefighters Victoria McCabe Schmelzer, who had become trapped in a second floor rear bedroom was evacuated from the burning building and Whereas, their efforts and the efforts of their fellow firefighters have been honored with certificates of meritorious recognition by the Commonwealth's Executive Office of Public Safety and Whereas Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas continue to serve the department and their community with distinction Now Therefore, on behalf of the Gloucester City Council, we the President and Vice President, on the 11<sup>th</sup> day of March 2014 recognize Captain Joseph Aiello and Firefighters Jonathon Sanger, Charles Scola; James Burke, Frank LeClerc, James Hannon, Paul Hudson and Robert Rivas for the demonstrated acts of heroism and bravery that they selflessly exhibited on that day and thanks them for their continuing commitment to the safety and health of all the citizens of Gloucester.”*

The Council recessed at 7:28 p.m. to allow personally congratulate the Gloucester firefighters present and then reconvened at 7:35 p.m.

#### Appointments:

##### *Open Space & Recreation Committee TTE 02/14/17 Jerome Goulart*

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Jerome Goulart to the Open Space & Recreation Committee, TTE 02/14/17

#### DISCUSSION:

**Councilor Theken** said three of the four appointees, the exception of Mr. Orlando who is already a member of the city's Planning Board, came before the O&A Committee. She thanked all those members of the community, on behalf of the Council, who step forward in service to their city. She also noted all appointees have submitted their Certificates of Completion for the State Ethics Test to the City Clerk.

**Councilor Lundberg** said that he read Mr. Goulart's excellent letter of interest addressed to the Mayor and commented it was one of the best he had read to date. **Mr. Goulart** acknowledged the appreciation of the Councilors.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to appoint Jerome Goulart to the Open Space & Recreation Committee, TTE 02/14/17**

##### *Community Preservation Committee TTE 02/14/17 Joseph Orlando-Planning Board Representative*

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Joseph Orlando to the Community Preservation Committee as the Planning Board Representative, TTE 02/14/17.

#### DISCUSSION:

**Mr. Orlando** was present and acknowledged the thanks of the Council for his service to the community.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to appoint Joseph Orlando to the Community Preservation Committee as the Planning Board Representative, TTE 02/14/17.**

**Planning Board**

**TTE 02/14/19**

**Shawn Henry**

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Shawn Henry to the Planning Board, TTE 02/14/19.

**DISCUSSION:**

**Councilor Theken** noted that although Mr. Henry was not present, he had served on the Planning Board from 2006 to 2010, and that the city was fortunate he was returning to serve once again on the Board.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, to appoint Shawn Henry to the Planning Board, TTE 02/14/19.**

**Capital Improvement Advisory Board TTE 02/14/17 Cindy Wilson**

COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, seconded by Councilor Hardy, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Cindy Wilson to the Capital Improvement Advisory Board, TTE 02/14/17.

**DISCUSSION:**

**Cindy Wilson**, 518 Washington Street, said that she moved to Gloucester in 2010, noting that she is a scientist and project manager who has been involved in formulating budgets. She said she looked forward to serving the city with the Capital Improvements Advisory Board.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to appoint Cindy Wilson to the Capital Improvement Advisory Board, TTE 02/14/17.**

**Consent Agenda:**

• **CONFIRMATION OF REAPPOINTMENTS**

<i>Affordable Housing Trust</i>	<i>TTE 02/14/16</i>	<i>Betsy Works Cook, Mary John Boylan</i>
<i>Archives Committee</i>	<i>TTE 02/14/17</i>	<i>Sarah Dunlap, Jane Walsh, Stephanie Buck</i>
<i>Board of Health</i>	<i>TTE 02/14/17</i>	<i>Claudia Schweitzer, Fred Cowan</i>
<i>Board of Registrars</i>	<i>TTE 02/14/17</i>	<i>Lucia Sheehan</i>
<i>Clean Energy Commission</i>	<i>TTE 02/14/16</i>	<i>Tom Kiely, Linda Stout-Sanders, Candace Wheeler</i>
<i>Community Preservation Comm.</i>	<i>TTE 02/14/17</i>	<i>William Dugan, Gloucester Housing Authority Rep. Scott Smith, At Large member</i>
<i>Conservation Commission</i>	<i>TTE 02/14/17</i>	<i>Robert Gulla</i>
<i>Downtown Development Comm.</i>	<i>TTE 02/14/17</i>	<i>Jane Fonzo, Douglas Cook, Katherine Cuddyer</i>
<i>Fisheries Commission</i>	<i>TTE 02/14/17</i>	<i>Angela Sanfilippo, Al Cottone, Paul Vitale, Mark Ring</i>
<i>Historic District Commission</i>	<i>TTE 02/14/17</i>	<i>Joseph Orlando, William "BG" Brown</i>
<i>Historical Commission</i>	<i>TTE 02/14/17</i>	<i>Stephen Miller (Alternate Member), David Porper</i>
<i>Magnolia Woods Oversight &amp; Advis. Committee</i>	<i>TTE 02/14/17</i>	<i>Nancy Goodick, Charles Nazarian</i>
<i>Open Space &amp; Recreation Committee</i>	<i>TTE 02/14/17</i>	<i>David Rhinelander, Susan Albiero</i>
<i>Shellfish Advisory Commission</i>	<i>TTE 02/14/17</i>	<i>Thomas Falzarano, Alexander Monell</i>
<i>Tourism Commission</i>	<i>TTE 02/14/17</i>	<i>Charles Crowley, Susan Hedman</i>
<i>Traffic Commission</i>	<i>TTE 02/14/17</i>	<i>David Roach</i>
<i>Waterways Board</i>	<i>TTE 02/14/17</i>	<i>Catherine Ryan</i>
<i>Zoning Board of Appeals</i>	<i>TTE 02/14/17</i>	<i>Larry Ingersoll</i>
		<i>Anthony Gross</i>
		<i>Virginia Bergmann, Francis Wright, David Gardner</i>

- **MAYOR'S REPORT**
- 1. City of Gloucester Groundfish Port Recovery and Revitalization Plan (Info Only)
- 2. Memorandum, Grant Application & Checklist from Harbor Planning Director re: City Council acceptance of a Seaport Advisory Council Grant
- 3. Memorandum from City Auditor re: City's FY2013 Basic Financial Statements (Refer B&F)
- 4. Memorandum, Grant Application & Checklist from Community Development Director re: City Council Acceptance of MA Council On Aging Grant "Healthy Aging through Health Community Design" in the amount of \$10,000 (Refer B&F)
- 5. Special Budgetary Transfer 2014-SBT-19 from the Auditor's Office (Refer B&F)

6. Special Budgetary Transfer 2014-SBT-20 from the Auditor's Office (Refer B&F)
7. Reappointments: Waterways Board (TTE 02/14/17) David McCauley, At Large Member, Robert Gillis, Economic Development Member (Refer O&A)
- **COMMUNICATIONS/INVITATIONS**
1. Communication from the Rotary Club of Gloucester re: City Council support of the Rotary's Polar Plunge (Info Only)
- **INFORMATION ONLY**
  - **APPLICATIONS/PETITIONS**
1. SCP2014-005: Fort Hill Avenue #48, GZO Sec. 3.1.6(b) Building Heights in Excess of 35 feet (Refer P&D)
- **COUNCILORS ORDERS**
1. CC0214-009 (LeBlanc/McGeary/Cox) Council support of location of sculpture at Grant Circle (FCV 03/25/14)
2. CC0214-010 (Lundberg/Theken) Resolution requesting state apply its share of \$75 million in disaster relief funding for fisheries Provided in 2014 federal omnibus appropriations bill, to direct disaster mitigation to affected fishing businesses (FCV 03/24/14)
3. CC2014-011 (McGeary) Election of City Clerk and City Auditor pursuant to the City Charter section 2-7(a) (Refer O&A & B&F)
4. CC2014-012 (Cox) Amend GCO Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zone" re: Prospect St. At its intersection with Railroad Avenue (Refer O&A & TC)
5. CC2014-013 (Cox) Amend GCO c. 22, Sec. 22-280 "Fifteen-minute parking" re: Main Street #274 (Refer O&A & TC)
6. CC2014-014 (McGeary) Amend GCO c. 22, Art. II, Div. 2 "Traffic Commission" by adding new Sec. 22-37 re: Commission's Authority to reserve parking areas for handicapped persons and disabled veterans; amending Sec. 22-175 & Sec. 22-287 (Refer O&A & TC)
- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 02/11/14 (Approve/File)
2. Special City Council Meeting: 02/18/14 (Approve/File)
3. Standing Committee Meetings: B&F 03/06/14 (under separate cover), 03/11/14 (under separate cover), O&A 03/03/14, P&D 03/05/14 & Special Meeting 03/06/14 (Approve/File)

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

**A motion was made, seconded and voted unanimously to accept the Consent Agenda as presented.**

**Committee Reports:**

**Budget & Finance: March 6, 2014**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to accept the Budget & Finance Committee's Unanimous Consent Agenda dated March 11, 2014 as follows:**

**Permission to Pay Invoices without a Purchase Order in Place:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize payment of an outstanding invoice #42413 from the Town of Essex Police Department incurred by the Gloucester School Department for Private Detail services rendered on 11/28/2013, for a total of \$384.00 without a purchase order in place. The invoice will be paid from current FY2014 School Department budget.**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize payment of outstanding travel expenses submitted by Kathleen Foote, a teacher at Veterans Memorial School, Gloucester, MA for travel expenses incurred attending professional development seminars submitted to the Gloucester School Department 11/15/13, for a total of \$195.35 without a purchase order in place. The invoice will be paid from current FY2014 School Department budget.**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize payment of outstanding travel expenses submitted by Melanie Stansfield, Beeman Elementary School Literacy Coordinator, Gloucester, MA for travel expenses incurred attending professional development seminars submitted to the Gloucester School Department 12/5/13, for a total of \$487.36 without a purchase order in place. The invoice will be paid from current FY2014 School Department budget.**

**Raising School Department Revolving Fund Spending Limit:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to authorize raising the spending limit on the Gloucester School Department Revolving Fund #283013, for Professional Development, from \$20,000 to \$40,000.**

**Permission to Apply for Grants:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to permit the Community Development Department to apply for a non-competitive Commonwealth of Massachusetts “Our Common Backyard Grant” Program in the amount of up to \$200,000.**

**Supplemental Appropriation-Budgetary Transfer:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, opposed, 1 (Whynott) absent, to approve Supplemental Appropriation 2014-SA-47 in the amount of \$40,000 (Forty Thousand Dollars) from the Highway Force Account, Transfer Out –General Fund, Account # 294015.10.991.59600.0000.00.000.00.059 to Public Service Paving, Account # 101000.10.470.58415.0000.00.000.00.058 for the purpose of funding various paving projects throughout the city.**

\* \* \* END B&F COMMITTEE CONSENT AGENDA \* \* \*

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council to accept under MGL c. 44, §53A a donation from the Belinda Fund of the Boston Foundation in the amount of \$15,000 to be used for the restoration of the Work Progress Administration (WPA) murals at City Hall.

**DISCUSSION:**

**Councilor Cox** acknowledged the donation from the Belinda Fund of the Boston Foundation for the WPA mural restoration work and said the city is most grateful.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to accept under MGL c. 44, §53A a donation from the Belinda Fund of the Boston Foundation in the amount of \$15,000 to be used for the restoration of the Work Progress Administration (WPA) murals at City Hall.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-52 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Health, Medical/Surgical Supplies, Account # 101000.10.510.55000.0000.00.000.00.054 for the purpose of purchasing the shingles vaccines for Gloucester residents.

**DISCUSSION:**

**Councilor Cox** said this supplemental appropriation is for the Public Health Department’s Shingles Vaccination Program which for the last three years has been solely funded by free cash disbursements. This program is in great demand and the Committee unanimously endorsed the supplemental appropriation, she said.

**Council President McGeary** commended the Public Health Department for making the shingles vaccine available, observing that the vaccine is expensive for those who are uninsured.

**MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by 8 in favor, 0 opposed, 1 (Whynott) absent, to approve Supplemental Appropriation 2014-SA-52 in the amount of \$20,000 (Twenty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Public Health, Medical/Surgical Supplies, Account #**

**101000.10.510.55000.0000.00.000.00.054 for the purpose of purchasing the shingles vaccines for Gloucester residents.**

**Special Budget & Finance Meeting: March 11, 2014**

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-53 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Management Information Systems, Replace Equipment, Account # 101000.10.155.58700.0000.00.000.00.058 for the purpose of purchasing capital equipment as part of the City’s capital plan.

**DISCUSSION:**

**Councilor Cox** said that the \$60,000 will be used mainly to replace the Windows XP operating system which is installed in 45 city computers and must be replaced as that operating system will no longer be supported by Microsoft. There are other hardware and software upgrades that are necessary for the city as well as licensing agreement renewals included in this transfer from free cash, she said.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to approve Supplemental Appropriation 2014-SA-53 in the amount of \$60,000 (Sixty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to Management Information Systems, Replace Equipment, Account # 101000.10.155.58700.0000.00.000.00.058 for the purpose of purchasing capital equipment as part of the City’s capital plan.**

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve Supplemental Appropriation 2014-SA-60 in the amount of \$50,000 (Fifty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to EDIC – Community Development, Contractual Services, Account # 295045.10.181.52000.0000.00.000.00.052 for the purpose of public relations and marketing support for economic development, job creation and attracting investment to the City of Gloucester.

**DISCUSSION:**

**Councilor Cox** explained this free cash appropriation for \$50,000 will be used in a partnership between the EDIC and the Community Development Department for a public relations and marketing campaign intended to foster economic development, job creation and attracting investment to the city. She said there is a draft scope of work for the proposed marketing campaign (on file) and that the services will be put out to bid.

**Councilor Fonvielle** said that a study by Northeastern University has shown that the primary factor for economic growth in Massachusetts communities is marketing, not the popularly held ideas of quality of education available, quality of the workforce, or properties available. He said this expenditure of public money would be money well invested.

**Council President McGeary** said there is a scope of work for the public relations campaign, but that this appears to be a highly directed marketing campaign. **Jim Duggan**, CAO, said that with the support of the Council the city has enjoyed great success in outreach marketing in the economic development arena. He pointed to bringing the Mazzetta Company and its seafood processing plant, anticipated to employ 225 people, to the city. He said that Gloucester came to the company’s attention due to the city’s earlier marketing program. He also pointed to the city’s success in bringing the Innovation House to Magnolia. He said the city needs to continue its marketing and outreach to stimulate further economic growth.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to Council approve Supplemental Appropriation 2014-SA-60 in the amount of \$50,000 (Fifty Thousand Dollars) from the General Fund- Undesignated Fund Balance (“Free Cash”), Account #101000.10.000.35900.0000.00.000.00.000 to EDIC – Community Development, Contractual**

Services, Account # 295045.10.181.52000.0000.00.000.00.052 for the purpose of public relations and marketing support for economic development, job creation and attracting investment to the City of Gloucester.

**Ordinances & Administration: March 3, 2014**

There were no matters for Council action from this meeting other than appointments, reappointments and those matters to come forward for public hearing on other dates.

**Planning & Development: March 5, 2014**

**MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent to accept the Planning & Development Committee Unanimous Consent Agenda dated March 11, 2014 as follows:**

*Backshore 5 Mile Road Race on May 9, 2014*

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to permit the Cape Ann YMCA on Friday, May 9, 2014 to hold the Backshore 5 Mile Road Race with the following conditions:**

1. **Certificate of Insurance:**  
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**  
Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.
3. **Refuse and Comfort Stations:**  
All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.
4. **Emergency Services are as determined by City EMS Director.**
5. **Staffing:**  
Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.
6. **Notification to Immediate Abutters and Businesses to Race Course:**  
Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.
7. **Responsibility of the Cape Ann YMCA:**  
The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

*Around Cape Ann 25K Road Race on September 1, 2014*

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to permit the Cape Ann YMCA on September 1, 2014 to hold the 25K Around the Cape Road Race with the following conditions:**

1. **Certificate of Insurance:**  
A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.
2. **Road Closure Plans:**

**Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.**

**3. Refuse and Comfort Stations:**

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.

**4. Emergency Services are as determined by City EMS Director.**

**5. Staffing:**

Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.

**6. Notification to Immediate Abutters and Businesses to Race Course:**

Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.

**7. Responsibility of the Cape Ann YMCA:**

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

*Run the Goose 7K Road Race on September 1, 2013*

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted 8 in favor, 0 opposed, 1 (Whynott) absent, to permit the Cape Ann YMCA on September 1, 2014 to hold the 7K Run the Goose Road Race with the following conditions:**

**1. Certificate of Insurance:**

A Certificate of Insurance naming the City as an additional insured party is on file with the City Clerk's Office.

**2. Road Closure Plans:**

Applicant must have Police/Fire Department approval of any road closure/traffic plans 30 days before event, including any police details. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

**3. Refuse and Comfort Stations:**

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early on the day of the event and removed by 9 p.m. the day of the event.

**4. Emergency Services are as determined by City EMS Director.**

**5. Staffing:**

Event staff to have cell phones and to wear distinct shirts. A list of event staff and cell phone numbers to be submitted to Police, Fire and DPW Departments.

**6. Notification to Immediate Abutters and Businesses to Race Course:**

Written notice shall be made by event organizer at least seven days in advance of the event to function halls, motels and hotels and other businesses along the route.

**7. Responsibility of the Cape Ann YMCA:**

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Public Health Department and the Licensing Commission. It is the sole responsibility of the Cape Ann YMCA to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

**Special Joint Meeting with Planning Board March 6, 2014**

**Councilor Verga** said that at a special joint meeting on Thursday evening, March 6, the Planning & Development Committee and the Planning Board, Beauport Gloucester LLC, presented its request for modifications for previously granted Special Council Permits for a hotel at 47-61 Commercial Street. He noted that most of the City Council was in attendance at the special meeting. The P&D Committee voted at that time to advertise for a public hearing on the matter, and that the Committee would take Beauport Gloucester LLC Special Council Permits Request for Modification matter up at its April 2 regularly scheduled meeting.

**Scheduled Public Hearings (Public Hearing #1 and #2 were taken out of order):**

1. **PH2014-016: Amend GCO Chapter 4, “Animals,” Art. II “Dogs,” Sec. 4-16 “Off Leash Dog Areas” by adding new subsections re: Dog Park**

**This public hearing is opened at 8:00 p.m.**

**Those speaking in favor:**

**Marie Demick**, representing the Gloucester Dog Park Board of Directors, explained the rules and regulations the Friends of the Gloucester Dog Park are asking to be codified into the Code of Ordinances are the rules were adopted by the City Council and which are prominently displayed at the dog park. Not only is it proposed to incorporate the Gloucester Dog Park rules and regulations into the Code of Ordinances Chapter 4 but to further introduce into Sec. 1-15 civil penalties for violations for those same rules and regulations in order for these rules to become enforceable. There have been no issues yet at the Dog Park needing enforcement, she said, but it would be helpful to have the threat of civil enforcement.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Council President McGeary** asked about the utilization of the dog park since its opening. **Ms. Demick** said the park has been opened less than a year. There is heavy use on the weekends, and the park averages about 50 dogs per day with lighter attendance in the winter months, she noted. She suggested there are likely several hundred dogs and owners using the park each week. The highest use she said she observed was in the small dog area with up to 40 dogs at a time, and about 20 to 30 dogs at a time in the large dog area of the park.

**This public hearing is closed at 8:04 p.m.**

COMMITTEE RECOMMENDATION: 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. 4 “Animals,” Art. II “Dogs,” Section 4-16(d) “Off Leash Dog Areas” by ADDING new subsections as follows:

“Dog Park Establishment and Use

1. There is established an enclosed dog park at Stage Fort Park for the use and enjoyment of dogs of residents of the city.
2. Use of the dog park is subject to the following rules and regulations:
  1. The dog park shall be open from dawn to 9 p.m. and may be closed as conditions require;
  2. Dogs must be accompanied by a guardian at least 14 years of age;
  3. Minors under the age of 14 must be accompanied by an adult;
  4. Maximum of 3 dogs per guardian at any one time;
  5. Dogs must display a municipal dog tag license and current vaccination tag;
  6. Guardians must have voice control over their dogs at all times;
  7. Guardians must immediately clean and properly dispose of waste;
  8. Holes dug by dogs must be filled;
  9. All dogs must be leashed upon entering and exiting the dog park; and
  10. Users of the dog park are responsible for any damage or injury inflicted by their actions and/or those of their dog(s). Neither the city nor any of its agents shall be liable for any injury or damage caused in the dog park.
3. The following are prohibited inside the dog park:

1. Dogs displaying aggressive behavior (subject to immediate removal from the park by the animal control officer or his designee);
  2. Female dogs in heat, unaltered male dogs, all dogs younger than four months in age;
  3. Choke, prong or spike collars;
  4. Toys of any kind, except for tennis balls;
  5. Children under the age of 8;
  6. Food, smoking, alcoholic beverages and glass; and
  7. Bicycles, strollers, skateboards, roller blade and bare feet.
4. Whoever violates any provision of this section shall be subject to a fine as set forth in Section 4-21(d). In addition, the dog officer may revoke the use of the dog park for those who violate any provision of this section. The decision of the dog officer shall be final.”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to Amend the GCO c. 4 “Animals,” Art. II “Dogs,” Section 4-16(d) “Off Leash Dog Areas” by ADDING new subsections as follows:**

**“Dog Park Establishment and Use**

1. **There is established an enclosed dog park at Stage Fort Park for the use and enjoyment of dogs of residents of the city.**
2. **Use of the dog park is subject to the following rules and regulations:**
  1. **The dog park shall be open from dawn to 9 p.m. and may be closed as conditions require;**
  2. **Dogs must be accompanied by a guardian at least 14 years of age;**
  3. **Minors under the age of 14 must be accompanied by an adult;**
  4. **Maximum of 3 dogs per guardian at any one time;**
  5. **Dogs must display a municipal dog tag license and current vaccination tag;**
  6. **Guardians must have voice control over their dogs at all times;**
  7. **Guardians must immediately clean and properly dispose of waste;**
  8. **Holes dug by dogs must be filled;**
  9. **All dogs must be leashed upon entering and exiting the dog park; and**
  10. **Users of the dog park are responsible for any damage or injury inflicted by their actions and/or those of their dog(s). Neither the city nor any of its agents shall be liable for any injury or damage caused in the dog park.**
3. **The following are prohibited inside the dog park:**
  1. **Dogs displaying aggressive behavior (subject to immediate removal from the park by the animal control officer or his designee);**
  2. **Female dogs in heat, unaltered male dogs, all dogs younger than four months in age;**
  3. **Choke, prong or spike collars;**
  4. **Toys of any kind, except for tennis balls;**
  5. **Children under the age of 8;**
  6. **Food, smoking, alcoholic beverages and glass; and**
  7. **Bicycles, strollers, skateboards, roller blade and bare feet.**
4. **Whoever violates any provision of this section shall be subject to a fine as set forth in Section 4-21(d). In addition, the dog officer may revoke the use of the dog park for those who violate any provision of this section. The decision of the dog officer shall be final.”**

**COMMITTEE RECOMMENDATION: On a motion by Councilor Theken, 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. 1 General Provisions, Section 1-15 Penalty for violation of certain specified sections of Code to ADD a new penalty for violation as follows:**

“Chapter 4, section 4-16d, dog park violations.

Penalty:

Each offense: \$50.00;

The enforcement officer for violation is the animal control officer”.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to Amend the GCO c. 1 General Provisions, Section 1-15 Penalty for violation of certain specified sections of Code to ADD a new penalty for violation as follows:**

**“Chapter 4, section 4-16d, dog park violations.**

**Penalty:**

**Each offense: \$50.00;**

**The enforcement officer for violation is the animal control officer”.**

## **2. PH2014-017: Amend GCO Chapter 10 “Waterways Board” Sec. 10-51(e) Fees re: Launch Fees**

**This public hearing is opened at 7:50 p.m.**

**Those speaking in favor:**

**David McCauley**, Chairman of the Operation, Finance and Safety Subcommittee of the Waterways Board, said that the Board proposes the launch fee be increased from \$3 to \$5, with passengers under 12 years old continuing to ride for free. He said the board knew from the service’s onset that it would run in a deficit the first few years. He said that the deficit for FY13 was \$800, and that the launch service ridership was low, as expected. He said while the Board wasn’t surprised, it was concerned. During a Board review at the close of the season, he said the Board concluded the salaries offered to launch operators at \$10 to \$12 per hour were not enough to attract the necessary number of qualified launch drivers. He said that the Board this year has authorized raising the hourly pay rate to \$12 to \$15 an hour in order to attract more launch operators for the anticipated expanded hours of the launch service. In 2014 the service’s goal is to increase ridership by expanding hours with a longer season; but in view of the increased salary cost, he said it warranted the raising of the launch fee. He also spoke about the possible increase in the number of city moorings by 10 percent, and that there would be a proportional increase in transient moorings available for visiting boaters who would utilize the city’s launch service. **Mr. McCauley** noted that with the fee increase, the Gloucester launch fee would still be competitive with surrounding waterfront communities. The increase in the launch fee is also a way to help minimize a deficit for the service, he said.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Fonvielle** asked what the revenues were in the service’s first season. **Mr. McCauley** said that revenues for the first year were \$2,604. Salaries were the largest cost to the service, he noted. He passed an information sheet for the launch service to the Council (on file). He said the service is anticipated to run at a deficit for three to five years, and added that the Board anticipated it would be the case while getting the word out about the service to the region’s boaters.

**Councilor Cox** asked if cash would continue to be collected by the launch operators or would there be a swipe card system much like what is utilized at the beaches. **Harbormaster Jim Caulkett** said it was the opinion of the launch operators that the swipe card system for debit and credit cards would be too time consuming as there is just one operator on the launch and it is easier for them to accept the cash.

**Councilor LeBlanc** noted, as the City Council’s liaison to the Waterways Board, that any new start-up expects to run in a deficit in the first several years. He encouraged that the service be heavily advertised in as many venues as possible in order to make the launch service solvent that much sooner.

**Council President McGeary** noted the hours of the launch service would be expanded. **Mr. Caulkett** said last summer, being the first season that hours were limited and also because he was only able to hire five qualified launch operators. This summer the service will run 8 a.m. to 10 p.m. seven days per week from Memorial Day to Labor Day.

**This public hearing is closed at 7:58 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council amend the

GCO c. 10 Waterways Board, Sec. 10-51(e) Fees by DELETING from “Fees for the use of the Gloucester Launch shall be Three Dollars (\$3.00) and ADDING the phrase “Fees for the use of the Gloucester Launch shall be Five Dollars (\$5.00).”

**DISCUSSION:**

**Councilor Theken** explained the O&A Committee supported unanimously the increase in launch fees, and **Councilor Cox** added that the B&F Committee unanimously supported the increase for the launch fee from \$3to \$5.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to amend the GCO c. 10 Waterways Board, Sec. 10-51(e) Fees by DELETING from “Fees for the use of the Gloucester Launch shall be Three Dollars (\$3.00) and ADDING the phrase “Fees for the use of the Gloucester Launch shall be Five Dollars (\$5.00).”**

- 3. PH2014-018: Amendments to GCO Appendix A & B of Sec. 4 of the Personnel Ordinance re: Fire Department; Amend Appendix A, Classification Plan by ADDING the title of the position of “Assistant Fire Chief”; amend Appendix B, Compensation Plan by ADDING the compensation for the position of “Assistant Fire Chief” at the level of M11; amend Appendix A, Classification Plan, under the “Schedule Column” for the position of “Master Mechanic, Fire Department” by DELETING the word “Fire”; amend Appendix B, Compensation Plan, by ADDING the position of “Master Mechanic” at level of M6; Reorganization of Plan of the Fire Department; and under City Charter Sec. 7-2, whether the City Council should approve the reorganization plan of the Fire Department as submitted to the City Council on January 13, 2014 with an effective date of July 1, 2014**

**This public hearing is opened at 8:08 p.m.**

**Those speaking in favor:**

**Fire Chief Eric Smith** said that the Fire Department’s reorganization plan comes forward out of a negotiated contract with the Local 762 firefighters union and is incorporated into the department’s current contract. He noted this reorganization restructures the department’s working groups from a four group system to a three group system; moving from a 42 hour work week to a 56 hour work week. He pointed out the reorganization also creates a new position of Assistant Chief, adds lieutenant positions, and restores the Master Mechanic position, changing it from a union position to a civilian job.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Council President McGeary** noted there was a number of new lieutenantancies being created by the department reorganization and asked why the new level of management is required. **Chief Smith** noted a lieutenant position is a first-level manager will be in command of a company. He said each apparatus will have that individual trained to be in control of a company of men and women which is an important step for the management of the department in the Incident Command System (ICS). He added this system blends well into the department training program and professional development. This change has been recommended by all the department audits, including that of the MRI Audit of 2009. **Council President McGeary** observed that in the short term there will be more captains than the reorganization calls for. **Chief Smith** said that the department will promote seven to lieutenant positions when they come available through the Civil Service lists. The department, he said, will continue to have the captains, but that the first two of those positions will be vacated either by promotion or retirement, then by promotion lieutenants will then take the place of a Captain. **Council President McGeary** noted the reducing of firefighter groups will have financial implications over time, but that it is the Chief’s hope that need for firefighter overtime will decrease and offset some of the costs of moving to a 56 hour work week. **Chief Smith** said it comes at a significant initial cost in order to open all the fire stations but is no more than what it would have continued to cost with the overtime incurred for a four group system with a 42 hour work week. He pointed out that the long-term effect was that the department didn’t hire 24 additional personnel in order to implement the three group system. He assured that there would be cost savings, but it may take some time to realize those savings. To have all four fire stations open, which is the wish of the community, precipitated these departmental changes. **Chief Smith** and **Councilor McGeary** discussed by having more personnel on a shift it will enable regularly scheduled firefighters versus firefighters brought in on overtime to keep outlying stations open. **Chief Smith** added that he cannot predict injuries or leave, sick time which are unknowns that can’t be predicted.

**Councilor Theken** asked if the firefighters all support this change. **Chief Smith** said the vote of the union was nearly unanimous and is supported by the department's management as well as the Administration.

**Councilor Hardy** asked when, if this reorganization is approved, the positions would be added to the department organization. **Chief Smith** said the implementation is planned to coincide in the new budget year starting July 1, 2014. He said job postings will be done in advance so that staffing is in position for the July 1<sup>st</sup> changeover.

**Council President McGeary** asked if the current union contract specifies minimum staffing levels to maintain the Magnolia fire station. **Chief Smith** said that the minimum staffing will now be 16 (from 14) which guarantees Bay View fire station is opened at all times. With 24 firefighters per group, he said, he doesn't anticipate staffing levels dropping lower than 18 firefighters per shift. It is at that level that allows all four stations to be opened and is anticipated to keep overtime to a minimum. He pointed out that with the advent of summer and vacations associated with the season there may be gaps that warrant overtime staffing, but that he expected by early fall staffing would return to normal levels without much need for overtime. He cautioned that injuries and sick time can't be predicted which impacts the need for overtime.

**This public hearing is closed at 8:21 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council in connection with the Fire Department's Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 1, 2014 as follows:

1. That Appendix A, Classification Plan, be amended by adding the title of the position of "Assistant Fire Chief;"
2. That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Assistant Fire Chief" at the pay grade level of M11.

#### **DISCUSSION:**

**Councilor Theken** said that the O&A Committee unanimously supported the Fire Department's Reorganization Plan which was something that needed to be done. She said that this is a wonderful example of teamwork by a city department working together to towards the betterment and safety of the community.

**Councilor Lundberg** commended the Fire Department and the firefighter's union and noted that in his professional capacity he is a practioner of labor/management relations, and cited this fire department reorganization as a great example of the benefit that comes from everyone working together. He said in the end it does the citizens of Gloucester proud and thanked both the department and the union.

**Council President McGeary** also commended the department for the effort it took to rethink the way the department does business.

**Councilor Hardy** declared that under MGL Chapter 268A she would recuse herself from any discussion and vote of the Council on the Fire Department reorganization to avoid any appearance of impropriety.

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Hardy) recused, 1 (Whynott) absent, that in connection with the Fire Department's Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 1, 2014 as follows:**

1. **That Appendix A, Classification Plan, be amended by adding the title of the position of "Assistant Fire Chief;"**
2. **That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Assistant Fire Chief" at the pay grade level of M11.**

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, 1 (Hardy) recused, to recommend that the City Council in connection with the Fire Department Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 14, 2014 as follows:

1. That Appendix A, Classification Plan, be amended by adding the title of the position of "Master Mechanic;"
2. That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Master Mechanic" at the pay grade level of M6.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Hardy) recused, 1 (Whynott) absent, in connection with the Fire Department Reorganization Plan Amend the Personnel Appendix A and B of Section 4 of the Personnel Ordinance designated as Appendix C of the Gloucester Code of Ordinances with an effective date of July 14, 2014 as follows:**

1. **That Appendix A, Classification Plan, be amended by adding the title of the position of "Master Mechanic;"**
2. **That Appendix B, Compensation Plan, be amended by setting the compensation for the position of "Master Mechanic" at the pay grade level of M6.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor LeBlanc, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council the acceptance of the Fire Department's Reorganization Plan based on the chart and new job descriptions as submitted to the City Council on January 14, 2014 in accordance with the City Charter Sec. 7-2 with an effective date of July 1, 2014.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Theken, seconded by Councilor Cox, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Hardy) recused, 1 (Whynott) absent, to accept the Fire Department's Reorganization Plan based on the chart and new job descriptions as submitted to the City Council on January 14, 2014 in accordance with the City Charter Sec. 7-2 with an effective date of July 1, 2014.**

4. **PH2014-019: Loan Order 2014-003: Loan Authorization in the amount of \$1,200,000 re: Stacy Boulevard and Blynman Canal seawalls**

**This public hearing is opened at 8:26 p.m.**

**Those speaking in favor:**

**Sarah Garcia**, Harbor Planning Director, said that the city received a \$5.6 million grant from the Seaport Advisory Council after lobbying for many years for funding for the rebuilding of the Stacy Boulevard and Blynman Canal seawalls. She said this loan authorization represents a 20 percent grant match which is required by the state and must be in place in order to contract the work. The grant, she pointed out, must be expended first before the loan authorization is used; however, the loan authorization needs to be in place to move forward in order to contract the work.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions:**

**Councilor Hardy** noted that she had worked closely with Community Development, the Department of Public Works and the Administration to make sure that language in the final version of the grant includes construction of public bathrooms, which she confirmed with **Ms. Garcia**. The restrooms will be positioned at the middle of the boulevard at the bridge tender's house and available year round.

**Councilor Theken** asked how much of the seawall is being replaced. **Ms. Garcia** said she would defer that answer to the DPW Director, Mike Hale. She added that it would be the side of the boulevard from the bridge to the end at Stage Fort Park. **Councilor Theken** noted that portion of the boulevard goes by the Fishermen's Wives Memorial Statue and asked about the anticipated wall repair in that particular location. **Ms. Garcia** noted the design of the seawall would allow for a bump out similar to the seawall design at the Fisherman's Memorial. She added that Mr. Hale would be better able to answer any questions regarding the engineering of the seawall design. **Councilor**

**Verga** added that he recalled that the bump out at the Fishermen's Wives Memorial is more of a gradual design, and does not extend as much as the other side's bump out due to wave action in the protection of the statue at that point.

**Councilor LeBlanc** asked for a clarification of the seawall work. **Ms. Garcia** said that one side of the Blynman Canal has been done; now the other side will be done which will require more engineering. Stacy Boulevard will go out to bid first as the engineering is complete. The railings would be replaced, she noted. She said it was a key priority for the city to have the seawall bolstered as well as the Blynman Canal repairs as this is a main connector for the city. **Councilor LeBlanc** asked if the Tavern side of the boulevard will have its railings replaced. He also asked if the lawn will be repaired at the Stage Fort Park end of the boulevard. **Ms. Garcia** suggested that the Councilor would need to seek out the answers from the DPW Director. She noted that the grass upkeep has always been a challenge given the sea salt spray.

**Councilor Verga** asked that drawings be posted on the City's website to depict the work to be undertaken. **Ms. Garcia** said she would make that inquiry.

**Council President McGeary** asked when the borrowing approved by the loan authorization will come on line. **John Dunn**, CFO confirmed Ms. Garcia's earlier statement that the grant funding will first be expended. The borrowing at first will be short term, with interest rates at a very low level currently that are advantageous to the city. When the long-term debt is issued, he said, it will cost \$100,000 for the first year and then decline annually for the life of the loan. The cost to the tax rate is relatively minor, he noted.

**Council President McGeary** asked that the DPW Director come before the Council to review the seawall project plans which were approved by the Council as part of a City's Special Council Permit four years ago.

**This public hearing is closed at 8:38 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council approve the following loan order:

ORDERED: That the City of Gloucester appropriates One Million One Hundred Twenty Thousand Dollars (\$1,120,000) to pay costs of seawall reconstruction and construction of public restroom facilities, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44 or pursuant to any other enabling authority. The Mayor and any other appropriate officials of the City are authorized to apply for and accept any and all grants or gifts that may be available to the City to pay costs of the projects.

FURTHER ORDERED: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

#### DISCUSSION:

**Councilor Cox** said that the B&F Committee was in unanimous support of the loan order. She pointed out that under the Consent Agenda, the Council referred to the B&F Committee is the acceptance of the \$5.6 million grant from the Seaport Advisory Council that will complete the funding for this long-awaited project. She said this project while not cheap, it very important to the city. She said she appreciated the persistence of the Community Development Department in pursuit of this grant.

**Councilor Theken** said that \$1.2 million is not much to repair a priceless asset of the city to be enjoyed for years to come. She extended her thanks to Ms. Garcia, the State for this funding, and for the Mayor's efforts as well.

**Councilor LeBlanc** asked what the expected timeline will be for the project. **Mr. Duggan** said that it is anticipated to start construction this spring/summer. He noted the hard work of Ms. Garcia in pursuing this grant.

**Councilor Fonvielle** said that this is a very necessary project, not just for public safety, but to restore a world-class venue for visitors and residents alike.

On inquiry by **Councilor Hardy** regarding recent events concerning the weight limits posted for the Blynman Bridge, **Mr. Duggan** said that these funds stand alone and have nothing to do with the weight tonnage limits on the Blynman Bridge. It is a separate issue, and this funding would not be redirected, he said.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) absent, to approve the following loan order:**

**ORDERED: That the City of Gloucester appropriates One Million One Hundred Twenty Thousand Dollars (\$1,120,000) to pay costs of seawall reconstruction and construction of public restroom facilities, including the payment of all costs incidental or related thereto. To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. Chapter 44 or pursuant to any other enabling authority. The Mayor and any other appropriate officials of the City are authorized to apply for and accept any and all grants or gifts that may be available to the City to pay costs of the projects.**

**FURTHER ORDERED: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under Chapter 44A of the General Laws any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.**

### **End of Public Hearings**

At the request of **Council President McGeary, Chief Smith** updated the Council on the Blynman Bridge weight limit matter which raised concerns about response times and safety for the city as follows:

Signs were erected by the state in late January on the Blynman Bridge limiting the weight of vehicles traversing the bridge. There was no notification to the Fire Chief in that role or in the role of Emergency Management Director or to any other city department, including the Mayor's office, from the Massachusetts Department of Transportation (MassDOT) of this. Steps were taken by the Fire Department to learn if their apparatus was exempt. The weight limits posted now exclude all but one Fire Department vehicle, all school buses and a great many DPW vehicles. The investigation yielded that there is no exemption (known as an overweight permit) specific to emergency apparatus (known as an overweight permit)The Chief said he was informed by MassDOT that the overweight permits are under review for the A. Piatt Andrew Bridge and informed the Chief those permits are likely to be granted. The state said that the Blynman Bridge has new areas of deterioration, and that no analysis would yield a positive result. The city's vehicles can use the A. Piatt Andrew Bridge awaiting those permits but can't, with the weight ratings of the fire department vehicles, use the Blynman Bridge at all.

This change for the Blynman Bridge was not communicated to the city at all; there was no opportunity to plan, no coordination on the state's part, and no options offered to the city.

This has placed the city's emergency services in a bad situation to be able to respond to emergency calls. This affects areas from the Castle Manor Inn on Essex Avenue out to the four corners at Magnolia Avenue and to where Hesperus Avenue turns into Norman Avenue which is the response area for Central Station until the Magnolia Station is reopened in July. Emergency response times are based on the fact that the intersecting points where the headquarter apparatus and West Gloucester apparatus would meet at the same time. Those response times are longer than the city wants now, and is the reason the city is investing into the Fire Department. The Blynman Bridge situation is a significant set back to the city. The Mayor, Sen. Tarr and Rep. Ferrante are hoping for an answer from the state tomorrow. There are no details on what is going on with the scope of work or timeline for the repair of the bridge at this time.

**Councilor Cox** asked if this information is being communicated to local businesses. **Chief Smith** said that is not incumbent on the city to reach out to specific businesses, but on the drivers to know the rules of the road and to communicate to their respective delivery service to determine what they need to do to deliver their goods. This affects not only the Fire Department, but the DPW and the Cape Ann Transportation Authority (CATA). **Councilor Cox** said she understood it is not the city's responsibility, but asked that there be more proactive outreach approach. **Chief Smith** added that press coverage has helped to get the word out, and the signage has been posted since late January.

**Councilor LeBlanc** said he and **Councilor Hardy** have previously discussed their mutual concern for the Centennial Avenue Bridge weight limits, and asked if there were any restrictions on it. **Chief Smith** said that there is not a complete assessment for all city bridges and culverts. The city doesn't have many bridges it is responsible for, but is responsible mostly for culverts. He admitted that this needs to be looked at and that the department is in the process of such an assessment.

**Councilor Fonvielle** asked if the Magnolia Fire Station could be on line faster than the scheduled opening of July 1<sup>st</sup> to help ameliorate the bridge issue. **Chief Smith** said that when funding is found that there could be extra staffing at the West Gloucester station. He said that this is a catastrophe the state has created, and it should step up

to help the city fund overtime to add apparatus and staff to the West Gloucester fire station, he said. He said he spoke with Jim Hafey, the city's Facilities Manager to expedite the repairs needed to open the Magnolia Station. He said there may be costs attached to accelerating the repairs. He hoped to have an assessment of the status of the repairs within several days, he added.

**Councilor Theken** expressed concern that much work over time has been done by the state on the Blynman Bridge and that the city is still bearing the brunt of the state's problem. Rerouting emergency vehicles and buses and expecting the city to bear the financial cost is not fair, she said.

**Councilor Hardy** said that the Centennial Avenue Bridge has, in addition to fire apparatus, school buses and fully loaded transport trucks travelling over it, and expressed her on-going concern for that bridge's stability. She suggested that the Council President speak with the Mayor to appoint an Ad Hoc Bridge Committee to look into all the city's bridges and culverts

**Council President McGeary** asked if ambulances can cross the Blynman Bridge. **Chief Smith** said three of the four units cannot cross the bridge because of the imposed weight limit, and the one unit that can cross the bridge is not a front-line unit. He pointed out that West Gloucester is able to respond, although time is increased from Central Station. It is an unacceptable situation, he said, and that he is meeting with the union board to determine what is best in the interest to public service and what can be done within the confines of the union contract. He suggested that the department could put the one ambulance back on the front line to respond to the affected area. **Council President McGeary** asked if the problem affecting response time is that a second piece of apparatus coming from Central Station would have to go around over the A. Piatt Andrew Bridge. The first arriving unit is only staffed with two personnel, **Chief Smith** pointed out, which means they're waiting for the ladder truck and ambulance. He said he would like to put a paramedic on the engine and staff the ladder truck with three firefighters to meet the "two-in-two-out" rules for best practice at fire scenes to protect life and property. He said it is not a complete solution and would cost about \$4,500 per 24-hour period for an additional officer and firefighter paramedics because it is on overtime.

**Councilor Fonvielle** observed that the bridge support is in terrible shape which has been obvious for some time. He expressed a concern that the state plans to do repair on the A. Piatt Andrew Bridge late this summer, and that if the Blynman Bridge is under repair at the same time this could present a very dangerous situation to the city.

**Councilor Cox** asked about the Chief's written assessment on the Blynman Bridge. **Chief Smith** said it was an assessment he had handed into the Mayor's office.

**For Council Vote: None.**

**Unfinished Business: None.**

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

**Councilors' Requests to the Mayor:**

**Councilor Fonvielle** said that on April 6 from 2 to 4 p.m. at the Magnolia Community Center there will be a discussion about the redevelopment of Magnolia.

**Councilor LeBlanc** said the following evening the Ad Hoc Dog Ordinance Committee will have its last meeting to vote on proposed changes for the ordinance to pass forward to the O&A Committee. The meeting starts at 5:30 p.m. in the 3<sup>rd</sup> Fl. Conference Room at City Hall.

**Councilor Cox** said the Pride Stride is scheduled for Sunday, April 27. Team applications are now available, she said.

**Councilor Theken** thanked Rep. Ferrante and Cindy Donaldson of the Addison Gilbert Hospital for a round table discussion on the Affordable Care Act which she said was very helpful. She then spoke to the on-going issues with enrolling for Affordable Care Act health care insurance programs.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 9:20 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson**  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **Under Oral Communications – written statement by Valerie Nelson, 7 Sunset Point Road**