

GLOUCESTER CITY COUNCIL MEETING

Tuesday, March 25, 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 Robert Whyntott; Councilor Paul Lundberg; Councilor William Fonvielle

Absent: None

Also Present: Linda T. Lowe; Kenny Costa; Mike Hale; Sally Polzin; John Dunn; Fire Chief Eric Smith

The meeting was called to order at 7:01 p.m. Councilor Cox departed the meeting at 9:19 p.m.

Flag Salute & Moment of Silence.

Oral Communications:

MaryAnn Albert Boucher, 93 Mt. Pleasant Avenue, made the following statement (placed on file):

My name is Mary Ann Albert Boucher. I reside at 93 Mt. Pleasant Avenue and I am also part owner of a home at #6 Davis Street Extension. #6 Davis Street Extension sits next to the parking lot at the East Gloucester Elementary School. Davis Street Extension is also, for those who may not know, a dead end street.

My family (my parents) purchased their home, #6 Davis Street Extension back in 1960. Upon my parent's death in 2005, my daughter Kailey and her husband Seth Mione moved into the home and have lived there ever since. Today they live there with their two daughters, Iylan 3, and Ilani 6 months. My brother Jay purchased the home directly next to my parent's home, #4 Davis Street Ext. in 1994 and has lived there with his wife, Jennie ever since.

Approximately 10+ years ago my parents and my brother starting noticing the odor of natural gas seeping from the storm drain that sits outside of their homes. Occasionally, they would call National Grid to report a leak. I believe the company's name at the time was Boston Gas. Anyway, Boston Gas would arrive, check the area and report that all was fine. As the years have passed the odor has been steadily getting stronger. Approximately 2 years ago we all noticed that this odor was more frequent and we would make regular calls to National Grid. Again, they would arrive, probe the drain, check the LEL (low explosive levels) and leave.

The week of September 6, 2013, I was at my daughter's home and the odor was significantly worse than we had ever experienced in the past and has remained significantly worse ever since. No longer could they open their doors and windows without the strong odor of Mercaptan entering their home. It became nauseating to say the least. No longer could they park their cars outside of their home unless they aired them out prior to entering. The odor would consume the interior of the vehicle.

We've made many, many attempts to have National Grid find the problem and fix it...Each time we were told..."there is no problem."

Now here is WHY I AM SO WORRIED - approximately 1-1/2 months ago my 3 year old granddaughter started experiencing respiratory issues that warranted a visit to her pediatrician. We've noticed that in the past year she seemed stuffy quite often, but now it was constant and nothing that her mother and father were trying was helping. Her doctor is concerned that this could be the result of long term exposure to Mercaptan, concerned enough to give her a nebulizer treatment and put her on an inhaler; concerned enough to write a letter in her behalf.

At this point it was clear to us that this could, in fact, be hazardous to our family, surrounding neighbors, as well as the staff and students of the East Gloucester Elementary School and could be the cause for Iylan's respiratory issue. OUR RESEARCH FOR THE LONG TERM AFFECTS OF MERCAPTAN BEGAN:

Mercaptan is put into natural gas to inform us that there is a leak. Leaks don't get smaller, they only get bigger. As the odor gets stronger we can only assume that a leak in the area is getting bigger too. You do NOT have to have gas in your home for an explosion. Gas can travel along sewer lines, water lines, etc.

I have asked National Grid for a report of the complaints made by the residents of the neighborhood in regards to this issue. I've have asked them to send me a hard copy.... I have yet to see it. Mercaptan is not thought to be hazardous at very low levels. However, long periods of exposure can affect the central nervous system, possibly resulting in long term respiratory health problems. We were not willing to wait to see what happens next with our little one. Her bedroom windows sit just 25 feet from this drain. Her sister's bedroom sits approx. 30+ feet from this drain.

Mercaptan is HARZARDOUS.... this IS a HEALTH issue. My family should NOT have to live with this constant odor 24/7. This has been going on for FAR TOO LONG. Four out of the 8 women who have lived on this street (remember, there are only 4 houses on this street) have either died of Cancer or Parkinson's Disease and I too am fighting a form of cancer. Could this exposure be a result??? Who knows!

Since September I have called the Mayor's office, visited the Assessor's office, the Engineering Dept., the Gloucester Fire Dept. (Deputy Tom Aiello and Deputy McCrob), I've spoken with David Santana, Customer Relations for National Grid, 3 times, the DPU, the State Fire Marshall's office, (Code and Compliance Dept.), the Board of Health (Max Shank and Noreen Burke), both State Rep. Ann Margaret Ferrante and Senator Bruce Tarr's office and also my Ward One Councilor, Paul McGeary. I've met with the National Grid's supervisor for this area(Bill Moscka) on several occasions. National Grid has taken the "band aid approach" making a few repairs to the pipes in the past several weeks. Each time we thought it would "do the trick", but the odor is strong, very strong and our problem still remains.

I received a call on March 14th from David Santana, Customer Relations at National Grid. He told me that National Grid had completed their investigation due to the odor and at that time didn't feel that immediate action needed to take place, but that National Grid would replace the services at some point. I asked when? He could not give me an answer. After several more phone calls I was informed that National Grid would PROBABLY be replacing the lines some time in July. How could my family possibly open their doors and windows when the winter weather breaks? What about the 300+ children sitting in classrooms? Would they be exposed to the odor???? What long term affects would this impose on any or all of them? At this point I made the call to the State House. With the help of Senator Bruce Tarr's office, Chief of Staff, A.J. Paglia, as well as their liaison, Joe Newman work is underway.

On March 20th work started to replace ALL gas lines on Davis Street, Davis Street Extension, Chapel Street and a small section of East Main Street.

I am here tonight as a CONCERNED citizen. I've learned so much in the past few months about the condition of our gas lines throughout the city. Most of the cast iron pipes that are being replaced were installed in 1918. I am here tonight to ask the Mayor to form a committee to investigate the conditions of the gas lines in this city and to improve the conditions of these old lines before we have another accident like the one that occurred on Eastern Avenue.

I am here tonight as I am concerned about others in the same situation. just two weeks ago I received a call from a Gloucester resident who has been experiencing the same issues on Bellevue Avenue. They first reported their leak one year ago this coming summer.

I've spoken with others in our community who are experiencing the same Mercaptan smell on a constant basis. What are we waiting for? What is National Grid waiting for?

I applaud Wayne Sargent and State Rep. Ann-Margaret Ferrante in their efforts to seek new guidelines for these gas lines.

I will leave you with one last thought: As of Sunday it was not known as to where the leak is stemming from according to National Grid. Although the LEL levels (low explosive levels) are low in front of #6 Davis Street, there is still a STRONG odor.....odor means a leak WHERE IS IT? WHAT IS THE LEVEL OF MERCAPTAN? IS THIS LEVEL OF MERCAPTAN SAFE TO THE RESIDENTS, CHILDREN AND STAFF attending the school?

Thank you for your time.

Susannah Altenburger, 66 Atlantic Street, spoke about the Blynman Bridge and suggested that a possible solution to the continued need for maintenance of that bridge would be the installation of a so-called "Dutch" bridge like those found in the Netherlands. The mechanisms of such bridges are mounted on land, not in the water and are less prone to deterioration, she said. Boaters, she said, would also benefit as the foundations of a Dutch bridge are installed on land, which allows for more width under the bridge.

Presentations/Commendations:**1 of 2: Sally Polzin, Personnel Director and John Dunn, CFO re: update on GIC Insurance**

Sally Polzin, Personnel Director, responded to previously submitted questions through Council President McGeary.

- *Were there any problems bureaucratic or financial during the transition to the GIC health insurance program?* Ms. Polzin said whenever a great deal of data is entered into a system, there are bound to be mistakes. There were some folks had their incorrect zip codes, birth dates, etc, inputted. As soon as GIC was informed, she said, the agency did take care of the problems. She conceded that there had been difficulties until corrections were made.
- *Have the anticipated savings been realized.* She said some savings have been realized but there are a lot of moving parts, so it was unclear what the total amount of savings will be at this time.
- *What groups (health insurers) have people chosen to join?* **Ms. Polzin** said most people comprised of non-Medicare retirees and active employees, migrated to the Harvard Independence insurance program. The breakdown is: Harvard Independence Plan: 167; Tufts Health Plans: 30; Fallon Plans 86.
- *The schools were surprised when more people than expected opted into the GIC health insurance during open enrollment.* **Ms. Polzin** said she believed that to be the case, but she does not work with the School Department.
- *What is the prognosis moving forward?* **Ms. Polzin** noted there is a GIC training session next week she and her staff would attend and if something important came out of the session she would forward that information to the Council. She said in general the GIC has increased the premiums by 1 percent. Because the insurance plans are all slightly different, she noted for budgeting purposes it is viewed as 1 percent for the premium increases, and there are no other increases.
- *Are the union contracts signed?* **Ms. Polzin** said the union contracts were settled last year and are good until June 30, 2016. She pointed out Gloucester is a Section 19 community – a long time ago the city accepted MGL c. 32B, Sec. 19. In doing so, the city coalition bargains with the Public Employee Committee (PEC), she said.
- *Are people generally satisfied with the coverage?* **Ms. Polzin** reported that people on the whole are satisfied with their insurance coverage. Some retirees said their prescription costs have gone up a bit which was expected, and whenever possible doctors switched their patients to generic drugs. There is a fund that will address that issue with the PEC, she pointed out.

Councilor Theken asked whether the city is negotiating next year's contract with the GIC and whether the employees would be offered the same plans with the same co-pays and deductibles. **Ms. Polzin** said the only change is the 1 percent increase for premiums, and the plans will remain in place until next July. **Councilor Theken** asked if the retirees are protected with the so-called 90/10 agreement. **Ms. Polzin** confirmed those who were entitled to that insurance payment scheme were grandfathered into the program. **Councilor Theken** said asked what was being done to educate staff for people who are eligible for Medicare and a spouse may not be and that fines are involved for incorrect enrollment. **Ms. Polzin** said the city pays the fine and did not know what the School Department arrangements. She said it is a new issue for her and would be pleased to meet with Councilor Theken to discuss the issue. It is part of the PEC agreement, **Ms. Polzin** said.

Councilor Hardy pointed out that she was assigned the wrong primary care physician when changed to the GIC. She said a quick call to the Personnel Department helped her to reach someone in the GIC, where she received excellent customer service to resolve her problem. She said some retirees are not receiving the benefit they used to receive, especially for prescriptions. **Ms. Polzin** said the program for receiving part of the deductible back is no longer available. She said employees and retirees who have billing or prescription issues must talk directly to the insurance provider and not the GIC or the Personnel Department. She asked if any Councilor was under the impression there would be special attention paid to the retirees and there would be a sum of money they would be able to draw upon to even things out. **Ms. Polzin** confirmed there was a fund which is part of the PEC agreement. She noted there is a separate arrangement for retirees and one of the Health Reimbursement Accounts which need to be set up by working with the PEC. She said she has asked for a meeting with the PEC for a while now.

Councilor Theken spoke about issues retirees have had with the GIC Fallon Health Insurance Plans.

Council President McGeary asked for confirmation that on the city side only one person had joined the GIC health insurance under a spouse's plan. He said he understood that some businesses in the city had their insurance plans change and that a number of dependents had migrated into city employees plans. **Ms. Polzin** said she could

not speak to what may have happened in the School Department, but the city is only aware of this one situation on its books.

John Dunn, CFO, said that there were 26 new enrollees on the School side as a result of the open enrollment and one on the city side. Mr. Dunn pointed out, on inquiry by **Council President McGeary** that the original savings estimates were based on the assumption of a stable number of enrollees. **Mr. Dunn** said increased enrollment would affect the amount the city saves by joining the GIC and offered the following information:

It is still early as it has only been three months since the city started with the GIC. There are about 1,500 enrollees.

On the school side the projection is a saving of \$3,700 a month, lower than expected because of the addition of an extra 26 enrollees. Accrued savings on the school side to the end of FY14 would be about \$22,000. Projected savings are based on taking six months' savings and doubling them to estimate savings for a full year.

The city side enrollment situation is different; there is only one additional enrollee. The projected savings for the city side is about \$50,000 a month. The city savings is spread across a number of funds. The General Fund sees the most savings, but savings are realized in enterprise funds and some special revenue funds and grant expenditures. **Mr. Dunn** estimated the savings will be \$300,000 for six months and double for the year.

Mr. Dunn noted the premiums for retired Mass. Teachers who were enrolled in the GIC statewide, had previously been assessed to the city through the Cherry Sheet. With the city's enrollment in the GIC, the premium is now paid directly by the city. There is a sizeable increase in premium costs when compared to the Cherry Sheet charge for the current fiscal year. He said he was still investigating the issue.. That increase in the cost for the retired teachers could reduce the projected savings of \$50,000 a month. The CFO would update the Council when the investigation is complete.

Councilor Theken requested to know the duration of the contract. **Ms. Polzin** said it runs 3 years from January. **Councilor Theken** said it was understood there would be a big savings by converting the city to the GIC insurance program. **Ms. Polzin** said the savings were a moving target in part because it couldn't be predicted which GIC insurer employees would choose.

2 of 2: Fire Chief Eric Smith re: Update on Blynman Bridge

Fire Chief Eric Smith reported to the Council on the Blynman Bridge use by the city's emergency vehicles as follows: The Fire Department was granted their overweight permits when responding to and returning from fire calls and ambulance calls. There are strict protocols that have been agreed on with the MassDOT (Mass. Department of Transportation) for communications with the bridge tender. Emergency vehicles can only cross one at a time because of the weights of the vehicles and the total capacity of the bridge. There is also a strict protocol for communication which is important especially because the summer boating season is coming up. The process is underway to assess for the condition of bridge. The Fire Chief and Chief Administrative Officer, Jim Duggan met with Sen. Tarr, Rep. Ferrante, and the MassDOT Highway Director and the administrator of the Highway Division March 24 in Boston. Short-term repairs will start immediately and are expected to take three to six weeks. Those repairs are not likely to increase the weight limit for vehicles allowed to cross the bridge. School buses will still not be able to cross the bridge. MassDOT will appear at the April 8 City Council meeting to make a presentation not only on the Blynman Bridge but on the A. Piatt Andrew Bridge and the MBTA railroad bridge.

Chief Smith said he had also pointed out to MassDOT there are other bridges in the city such as the Centennial Avenue Bridge, and he asked MassDOT for weight ratings for the other bridges, and any bridges with issues. With this information, he said, the Fire Department would then be able to formulate their plans. He said MassDOT informed him they were not concerned as these other bridges, like the Centennial Avenue Bridge, are short spans.

Councilor Cox noted that the immediate bridge repairs will not allow CATA buses to cross the bridge and expressed her concern that that tour buses will no longer be able to travel on the bridge either. For the city's tourism sector this is going to be a big problem, she said and expressed further concern that bus tours will skip Gloucester entirely having a major financial impact on the city's tourism-dependent businesses. **Chief Smith** said MassDOT has said they have had the same issues raised at their level and are looking to address it. He noted that Centennial Avenue is a viable alternative route. **Councilor Cox** said she had heard otherwise - that the tour operators say they are not able to go over the Centennial Avenue Bridge and make the turn onto the boulevard.

Councilor Hardy said although the Centennial Avenue Bridge is a short span, a bus could sit atop that bridge for more than a minute or two when traffic backs up. She recommended that MassDOT do a daytime tour of the city's bridges to see the traffic on the bridges for themselves. **Chief Smith** pointed out that a moving load is more significant than a standing load. The DOT engineers take many factors into account, he said. **Councilor Hardy** said she assumed that the daytime site visits would happen before April 8 Council presentation. **Chief Smith** said

MassDOT has sent crews out for inspections and have a plan for the A. Piatt Andrew and Blynman bridges.

Councilor Hardy asked if the Magnolia fire station is still on track to open July 1. **Chief Smith** said the renovation efforts have been accelerated with the station on track to open July 1. He said the work should be wrapped up by mid-June to give the department two weeks to move equipment and supplies into the station.

Councilor LeBlanc said the bridge has been worked on several times in recent years with the bridge left up during the repairs. He urged the Chief to be sure MassDOT keeps the Chief in the loop. Chief Smith confirmed that the head of MassDOT told him that the bridge will not be left open in that fashion again and apologized for it.

Councilor Fonvielle asked whether what was envisioned was a two-phased project for a quick fix and then much more in-depth repairs. **Chief Smith** said any major replacement or repair of the bridge would require about a three-year permitting process. He said he understood the goal is to keep the bridge operable, and MassDOT will start the permitting process. This bridge was supposed to have been replaced 10 years ago, he pointed out.

Councilor Hardy added that for a truck to get through any corner it takes logically placed signage. She said putting a sign 20 feet away from a bridge or a turn is unhelpful and recommended that sign placement be examined. Chief Smith suggested the Council bring that matter up with MassDOT on April 8.

Appointments:

Cable TV Advisory Committee (TTE 02/14/17) Ryan Sawyer, Thomas Manning, Grant Harris

Councilor Whynott said that all three candidates for appointment to the Cable TV Advisory Committee are highly recommended by the Ordinances & Administration Committee after an in-depth conversation with each appointee.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to appoint Ryan Sawyer to the Cable TV Advisory Committee, TTE 02/14/17.

DISCUSSION: None.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to appoint Ryan Sawyer to the Cable TV Advisory Committee, TTE 02/14/17.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to appoint Thomas Manning to the Cable TV Advisory Committee, TTE 02/14/17.

DISCUSSION:

Thomas Manning, Edgemoor Road, a retired electrical engineer who is involved in networking, said he believed he could add value by serving on the Cable TV Advisory Committee.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to recommend to the City Council to appoint Thomas Manning to the Cable TV Advisory Committee, TTE 02/14/17.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend to the City Council to appoint Grant Harris to the Cable TV Advisory Committee, TTE 02/14/17.

DISCUSSION:

Grant Harris, IT Technologist for the School Department for 14 years, said he was a key part of the building the city's fiber network for its own uses in 2007 which was done under the last Comcast contract in 2007. He said he works with the Cable TV Advisory Committee whenever he can. **Council President McGeary** asked about getting high speed internet to the island. **Mr. Harris** said Comcast has fiber on the island for consumers. An underground boring project has been completed which placed conduits for Comcast to move into as well as the city and is hoped

to happen in the next several months. That is a contract issue with the city to get Comcast on board to the new conduits, he noted. **Council President McGeary** asked about FioS from Verizon. **Mr. Harris** said FioS would not happen as it is cost prohibitive. A letter was submitted by Verizon saying they have no plans to expand FioS to anywhere in Gloucester. **Council President McGeary** noted that some municipalities are putting in their own high-speed internet installations. **Mr. Harris** said it is a question of the city wanting to become an ISP (Internet Service Provider). He pointed out that if the city took on that infrastructure, the city would have to go through the Federal Communications Commission. He said, rather, the city is in the position to encourage companies to come forward to do that, but he said he did not recommend the city becoming an ISP.

Councilor Whynott recalled Stan Usevicz of Verizon saying that there are no plans to put FioS into the City.

Councilor Hardy asked when was the last meeting of the Cable TV Advisory Committee and if the next one is scheduled. Mr. Harris said there was a meeting two weeks ago and another is scheduled in one week.

Councilor LeBlanc asked about the plans for improving Kyrouz Auditorium's sound, lighting and broadcasting capabilities. **Mr. Harris** said the work is underway. He noted there will be test microphones put into place and the equipment has to be compatible with CATV. He pointed out that the CATV operators are volunteers and that and that any new equipment has to be simple to use He agreed that sound quality is an issue and is on the list to be improved. **Councilor LeBlanc** said in speaking to a colleague of Mr. Harris, he came highly recommended.

Councilor Cox recommended some test runs before the city purchases anything for the auditorium. **Mr. Harris** said the city should not purchase any system until it has been tested. As to remote participation equipment, he said that there are parts of the project that are require improvements to the city's network so that the remote participation can happen seamlessly. **Councilor Cox** added her commendation for Mr. Harris' work ethic.

Council President McGeary said the City Clerk and he have been working with CATV, the IT Director and Mr. Harris to see that these systems are improved. He would update the Council when more information is available.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to appoint Grant Harris to the Cable TV Advisory Committee, TTE 02/14/17.

Consent Agenda:

• **CONFIRMATION OF REAPPOINTMENTS**

1. Cable TV Advisory Committee Robert McGillivray (TTE 02/14/17)
2. Waterways Board David McCauley –At Large Member, Robert Gillis Economic Development Member (TTE 02/14/17)

• **MAYOR'S REPORT**

1. Appointment of Director of Veterans' Services/Veterans' Agent Adam Curcuro TTE 02/14/16 (Refer O&A)
2. Memorandum from Harbor Planning Director & completed copy of Study of Dockage in the Designated Port Area (Info Only)
3. Memorandum from General Counsel re: Gloucester/Rockport Intermunicipal Agreement (IMA) for sewer services (Refer P&D)
4. Memorandum from Senior Engineering Aide re: Proposed Street Naming and Numbering Plans (Refer P&D)
5. Special Budgetary Transfer Request (2014-SBT-21) from Police Department (Refer B&F)
6. Special Budgetary Transfer Request (2014-SBT-22) from Police Department (Refer B&F)
7. Special Budgetary Transfer Request (2014-SBT-23) from Police Department (Refer B&F)
8. Special Budgetary Transfer Request (2014-SBT-24) from Police Department (Refer B&F)
9. Special Budgetary Transfer Request (2014-SBT-25) from Police Department (Refer B&F)
10. Special Budgetary Transfer Request (2014-SBT-26) from Police Department (Refer B&F)
11. Special Budgetary Transfer Request (2014-SBT-27) from Police Department (Refer B&F)
12. Special Budgetary Transfer Request (2014-SBT-28) from Police Department (Refer B&F)
13. Special Budgetary Transfer Request (2014-SBT-29) from Police Department (Refer B&F)
14. Supplemental Appropriation-Budgetary Request (2014-SA-63) from the Mayor's Office (Refer B&F)
15. Memorandum from Chief Administrative Officer re: withdrawal of the reappointment of Susan Albiero to the Historical Commission (Info Only)

• **COMMUNICATIONS/INVITATIONS**

1. Response to Oral Communications of February 25, 2014 City Council Meeting to Phil Dench (File)
2. Invitation to the 4th Annual Community Health Activist Award Breakfast honoring Sefatia Giambanco Romeo Theken (Info Only)

• **APPLICATIONS/PETITIONS**

1. Application for License of Flammable and Combustible Liquids, Flammable Gasses and Solids re: 27 Maplewood Avenue (Refer P&D)

• **COUNCILORS ORDERS**

• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 03/11/14 (Approve/File)
2. Standing Committee Meetings: B&F 03/20/14 (under separate cover), O&A 03/17/14, P&D 03/19/14, Joint Meeting P&D and Planning Board 03/06/14 (under separate cover) (Approve/File)

Items to be added/deleted from the Consent Agenda:

Councilor Cox asked to remove Item #3, the Gloucester/Rockport Intermunicipal Agreement (IMA) for sewer services under the Mayor's Report. She said that she would like this matter to be referred to the B&F Committee as it deals with revenues. **By unanimous consent of the Council the matter was referred to the B&F Committee.**

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

Committee Reports:

Budget & Finance: March 20, 2014

Budget & Finance Committee Consent Agenda "A"

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, to accept the Budget & Finance Committee's Unanimous Consent Agenda "A" dated March 25, 2014 as follows:

Grant Acceptance:

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, under MGL c. 44, §53A accept a grant from the Massachusetts Council on Aging Grant "Healthy Aging through Healthy Community Design in the amount of \$11,400.

Special Budgetary Transfer Requests:

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2014-SBT-19 for \$2,000 (Two Thousand Dollars) from Auditor's Office, Salary/Wage-Permanent Position, Account #101000.10.135.51100.0000.00.000.00.051 to Auditor's Office, Contractual Services, Account #101000.10.135.52000.0000.00.000.00.052 052 for the purpose of additional funds needed to conduct the City's Other Post Employment Benefit (OPEB) Actuarial Study as of June 30, 2013 for required financial reporting purposes as part of Government Accounting Standards Board (GASB) #45.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2014-SBT-20 for \$10,000 (Ten Thousand Dollars) from Auditor's Office, Salary/Wage-Permanent Position, Account #101000.10.135.51100.0000.00.000.00.051 to Auditor's Office, Additional Equipment, Account #101000.10.135.58500.0000.00.000.00.058 for the purpose of funding improvements to the City Auditor's Office.

End B&F Consent Agenda "A"

B&F Consent Agenda "B"

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to accept the Budget & Finance Committee's Unanimous Consent Agenda "B" dated March 25, 2014 as follows:

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, approve Supplemental Appropriation 2014-SA-50 in the amount of \$10,000 (Ten Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Mayor's Office, Contingency/Emergency, Account # 101000.10.121.57800.0000.00.000.00.057 for the purpose of unforeseen expenditures in the Mayor's Office.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-51 in the amount of \$15,000 (Fifteen Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Auditor's Office, Contractual Services, Account #

101000.10.135.52000.0000.00.000.00.052 for the purpose of conducting the City's Other Post Employment Benefit (OPEB) Actuarial Study as of June 30, 2013 for required financial reporting purposes as part of Government Accounting Standards Board (GASB) # 45.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-54 in the amount of \$9,150 (Nine Thousand One Hundred Fifty Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Salary/Wage-Temporary Position, Account # 101000.10.470.51200.0000.00.000.00.051 for the purpose of funding temporary staffing through June 30, 2014.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-55 in the amount of \$13,545 (Thirteen Thousand Five Hundred Forty Five Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Salary/Wage-Overtime, Account # 101000.10.470.51300.0000.00.000.00.051 for the purpose of funding overtime through June 30, 2014.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-56 in the amount of \$6,225 (Six Thousand Two Hundred Twenty Five Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Public Property Maintenance, Supplies, Account # 101000.10.470.54000.0000.00.000.00.054 for the purpose of the maintenance of the Harbor walk and purchasing supplies for Newell Stadium.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-59 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 Tourist Commission, Purchased Services, Account # 101000.10.563.53500.0000.00.000.00.052 for the purpose of supporting the Tourist Commission.

MOTION: On a motion by Councilor Cox, seconded by Councilor Hardy, the City Council voted 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-62 in the amount of \$270,850 (Two Hundred Seventy Thousand Eight Hundred Fifty Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Capital Project Stabilization Fund-Transfer In from General Fund, Account #850000.10.991.49700.0000.00.000.00.040 to earmark funds for School Department technology.

*****End B&F Consent Agenda "B"*****

2014-SA-57 as removed from Consent Agenda "B":

Councilor Hardy asked if this appropriation includes the flags and flag staffs on any of the memorials. **Councilor Cox** said this was more for two events sponsored by the Veterans' Office, and also it includes costs for plantings at the memorial squares. **Councilor Hardy** asked if there has been any discussion at B&F for funding for improvements for the flags and flagstaffs. **Councilor Cox** said there was a request to the Mayor's office that the flags and flag staffs at the high school and at the Blynman Canal at the Bridge Tender's office be replaced. It was her understanding that the DPW was going to ask that they would be replaced, she said. **Councilor Hardy** asked the Councilor Request be reestablished.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-57 in the amount of \$2,000 (Two Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to Veterans Services, Public Relations, Account # 101000.10.543.57890.0000.00.000.00.057 for the purpose of the upkeep and improvements to Memorial Squares.

2014-SA-61 as removed from Consent Agenda "B":

Kenny Costa, City Auditor explained as follows: The OPEB (Other Post Employment Benefits) Trust Fund is money set aside to pay retiree health insurance premiums, a pay-as-you-go situation where the city only pays 30 percent. The annual actuarial OPEB cost is \$14.8 million, and pay-as-you-go cost (which only pays current obligations) is \$4.4 million creating a gap of \$10.4 million. The city sets money aside for the future when the funds are needed when health insurance premiums rise, and this fund can only be spent on retirees' health insurance premiums. The City Council approved the creation of the trust fund in FY11. This would be the city's fourth contribution. Upon approval of this appropriation it will have a balance of \$205,000, but there is a liability. The \$204 million is an actuarial number if everyone retired on the same day. That number will be refreshed through a new OPEB actuarial study. The liability will decrease because it was based on the costs of the old city health plan not the new GIC health plan. The new actuarial study will determine the decrease in actuarial obligation.

Councilor Cox observed that city is not alone and that every municipality is in the same boat. **Mr. Costa** confirmed the problem of funding other post-employment benefits is faced by every community in the country. The city is in the middle of the curve, he said, in terms of its effort to set aside funding.

MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve Supplemental Appropriation 2014-SA-61 in the amount of \$100,000 (One Hundred Thousand Dollars) from the General Fund-Undesignated Fund Balance ("Free Cash"), Account #101000.10.000.35900.0000.00.000.00.000 to OPEB Trust-Transfers In from General Fund, Account #830000.10.991.49700.0000.00.000.00.040 for the purpose of increasing the city's funding of the OPEB Trust Account.

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the election of the City Auditor, to recommend the election of Kenny Costa as the City Auditor for a term of April 2014 to April 2016.

DISCUSSION:

Councilor Cox said that the B&F Committee is extremely happy with Mr. Costa's work and urged the Council to reelect Mr. Costa.

Councilor Whynott said that the O&A Committee also had Mr. Costa before them and highly recommended him for reelection.

Mr. Costa said that his department has improved the city's General Ledger. He said he enjoys working with and educating his staff on auditing practices. He said when he first came to the city there was a lot of outsourcing of auditing work, but now his staff is able to close the city's books, and get Free Cash certified as well as working on the financial statement audit. As to goals, he said the department is looking at a new financial system for the city that will fully integrate school and city finances rather than their being two separate systems as is in place now. This, he said will be a large undertaking but something he has done in the past.

Council President McGeary said, as the former Chair of B&F, he commended Mr. Costa's effort and that of his staff over the last two years. He pointed out the city's books are in great shape and would vote for Mr. Costa's reelection enthusiastically.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted by ROLL CALL 9 in favor, 0 opposed, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the election of the City Clerk, to elect Kenny Costa as the City Auditor for a term of April 2014 to April 2016.

Upon his reelection of **Mr. Costa** asked that the Council reappoint Aleesha Nunley as the Assistant City Auditor for a term from April 2014 to April 2016.

MOTION: The City Council voted BY ROLL CALL 9 in favor, 0 opposed pursuant to the Gloucester Code of Ordinances, Chapter 2, Sec. 2-109 concerning the reappointment of the Assistant City Auditor to reappoint Aleesha Nunley as the Assistant City Auditor for a term of April 2014 to April 2016.

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-58 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 Community Development, Contractual Services, Account # 101000.10.181.52000.0000.00.000.00.052 to fund additional Community Development needs including the Fuller Site Study.

DISCUSSION:

The motion to approve 2014-SA-58 was moved by Councilor Cox, and seconded by Councilor Fonvielle.

Council President McGeary requested that the Council postpone this matter to the next regularly scheduled meeting when city staff will be available to answer questions of the Council. Because the future of the Fuller School is important to the City, he asked this discussion be tabled for the time being.

By unanimous consent 2014-SA-58 is continued to April 8, 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 under MGL c. 44, §53A accept a grant from the Seaport Advisory Council in the amount of \$5,600,000 for the purpose of the reconstruction project of Stacy Boulevard seawall and repairs at the Blynman Bridge seawall.

DISCUSSION:

Mike Hale, Public Works Director, said the design of this project started many years ago. He noted all the city’s seawalls that had been worked on. He said the Blynman Canal bulkhead and the Stacy Boulevard languished due to lack of funding which will now be in place allowing the repairs to go forward.

David Smith, Project Manager for GZA GeoEnvironmental, Inc., made a presentation (on file) on the Blynman Canal and Stacy Boulevard Bulkhead Reconstruction Projects as follows:

Stacy Boulevard bulkhead \pm 1,810 linear feet:

- A review of a timeline starting in 2000 with the inspection of four seawalls/report; including permitting in 2008-2009 by MEPA, by the U.S. Army Corps of Engineers (Dec. 2015/2016), by the state Department of Environmental Protection (DEP) under Chapter 91 of the Mass. General Laws (Aug. 2014), by Gloucester Conservation Commission and Gloucester City Council Special Council Permit; and in 2010 submittal to the state Department of Conservation and Recreation.
- Deterioration of the Stacy Boulevard was described and photographs were shown. There is serious deterioration to the wall with huge voids and stones popping out. Soil has disappeared with the tide and creating sinkholes on the sidewalk.
- The plan for rebuilding the bulkhead for the boulevard is to take it to the concrete base and build it back up, retaining its current look. Railing will be replaced; concrete sidewalks will extend to Stage Fort Park. There will be improvements for park amenities (full description on file).
- At the Fishermen’s Wives Memorial which is only 10 feet from the front wall, the bulkhead will extend an additional eight feet into the harbor.
- The wall was last surveyed in 2006/2007. An update will be done via a topographic survey.
- There will be a utility/stakeholder meeting regarding utilities that run under the Boulevard.
- The wall will have the same look but have concrete reinforcement.
- The work is anticipated to take 16 to 18 months.

The Blynman Canal bulkhead reconstruction project \pm 200 linear feet

- The work extends from bridge tenders house to the concrete footing around to the peninsula and along the shoreline. This project started in 2007.
- Damage is significant to the bulkhead and seawall with huge voids. There are more constraints to accomplish the repairs for this project as there is the bridge tenders house and the canal itself. The area

over the Spooner Tunnel (which runs underneath the bridge) will have steel sheeting placed over it and concrete beneath it to the wall.

- When the wall is stabilized it will be taken down on the land side to prevent water incursion. The wall will have a large concrete footing with stone above. The wall will be rebuilt back to its current height.
- There will be a restoration of landward park features.
- There is still work to do with MassDOT and the utility companies who have use of the Spooner Tunnel. There will be baseline monitoring established to assess conditions in the Spooner Tunnel. It is hoped this project will start in the fall with 10 month construction duration.

Councilor LeBlanc expressed his concern for the area in front of the Fishermen's Wives Memorial where the water line goes up against the wall has been undermined. Last summer during an installation of landscaping the ocean could be seen from simple holes made to do the plantings. **Mr. Hale** said it is not just in front of the Fishermen's Wives Memorial where that condition exists. He said the voids will be filled in with this project.

Councilor LeBlanc asked about the proposed extension in front of the Fishermen's Wives Memorial. **Mr. Hale** said it is an eight foot bump out that will run 330 feet total following a gentle curve. The alternative is to move the memorial, he said. **Councilor LeBlanc** commented on the little beaches on either side of the memorial below the seawall and asked what the integrity of the beach would be after the work is done, citing the condition of Cressy's Beach. **Mr. Hale** said the repaired seawall will have the same footprint and design. He pointed out Cressy's Beach is not protected the same way these small beaches are. He pointed out that the revetment at Cressy's Beach is the reason why it is strewn with stones.

Councilor Hardy noted it has been a while since the grant application checklist for the Seaport Advisory Council grant had been updated. She asked if that documentation had changed since 2012. **Mr. Hale** said that documentation did not come through his office but was administered through the Community Development Department.

Councilor Hardy noted within the application for the grant is a clause for a handicapped accessible restroom. She asked where it would be located. **Mr. Hale** said the public restroom would likely be installed next to the bridge tender's house in the area which opens towards the pedestrian walkway paralleling the canal.

Councilor Fonvielle said he understood there were to be two public restrooms. **Mr. Hale** pointed out prior to this grant there was no proposal for a restroom at all although it had been discussed for four or five years. When Sarah Garcia, Harbor Planning Director, went to the Seaport Advisory Council last fall to present the grant application, the request was made to add in a public restroom, he said, and there is only funding for one restroom.

Councilor Cox noted the match for this grant had already been approved by the Council in the form of a loan order for \$1,200,000.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed, under MGL c. 44, §53A to accept a grant from the Seaport Advisory Council in the amount of \$5,600,000 for the purpose of the reconstruction project of Stacy Boulevard seawall and repairs at the Blynman Bridge seawall.

Ordinances & Administration: March 17, 2014

COMMITTEE RECOMMENDATION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the election of the City Clerk, recommends the election of Linda T. Lowe as the City Clerk for a term of April 2014 to April 2016.

DISCUSSION:

Councilor Whynott said that the Committee was pleased with the progress made in the last two years in the City Clerk's office by Ms. Lowe and that it voted unanimously to recommend Ms. Lowe's reelection as City Clerk.

Linda T. Lowe, City Clerk, noted that the last two years have been productive in the City Clerk's office. She said the entire staff contributed to the progress, which included:

- The consolidation of the polling places for Ward 2. She said she hoped to consolidate more polling places this year.
- A reorganization of the department and reclassification of positions to reflect the work that the individuals do and bring the job descriptions up to date.

- Installation of new furnishings to improve the professional appearance of the office.
- Working toward her certification through the International Institute of Municipal Clerks, which she hopes to complete within the next year. She said she would encourage the Assistant City Clerk to do the same.
- In her work with the Licensing Commission she helped to create an efficient and fair hearing system for taxi license appeals.
- Creation of the Special Events Advisory Committee and its success in decreasing the load on the Planning & Development Committee.
- Submission of an application to the Capital Improvements Advisory Board with Sarah Dunlap of the Archives Committee to create or renovate a Records/Archives Center for storage of city records.

Councilor Hardy noted that Joanne Senos, Assistant City Clerk, who was present, would go forward with her certification efforts as well, and that Ms. Senos does a great job.

Council President McGeary agreed that both Ms. Lowe and Ms. Senos do a fine job.

Councilor Cox said that the B&F Committee also unanimously voted to reelect Ms. Lowe as City Clerk.

Councilor Theken commented that the City Clerk's department has also worked on cross-training of the staff. The reorganization, she said, went smoothly. She lauded the work of Ms. Lowe and Ms. Senos. Every staff member has come together and is moving forward working as a team, she said.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the election of the City Clerk, to elect Linda T. Lowe as the City Clerk for a term of April 2014 to April 2016.

Upon her reelection as City Clerk, **Ms. Lowe** asked that the Council reappoint Joanne Senos as Assistant City Clerk for a term from April 2014 to April 2016.

Councilor Whynott recalled when Ms. Senos first applied for the position that she wasn't the successful candidate but two years later when the position reopened, she was successful. He said she has done a fine job.

Councilor Theken also acknowledged the Clerk of Committees, Dana Jorgensson, a member of the City Clerk's staff.

Councilor LeBlanc expressed his appreciation for the entire City Clerk's office for their daily contributions to the city: Ms. Lowe, Ms. Senos, Ms. Jorgensson, Marie Giambanco, Grace Poirier and Maureen. Nicastro. He said he appreciated what they did for everyone in the city.

MOTION: The City Council voted BY ROLL CALL 9 in favor, 0 opposed, pursuant to the Gloucester Code of Ordinances, Chapter 2, Sec. 2-63 concerning the reappointment of the Assistant City Clerk to reappoint Joanne Senos as the Assistant City Clerk for a term of April 2012 to April 2014.

The Council recessed at 8:58 p.m. and reconvened at 9:03 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Hardy, seconded by Councilor Theken, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council that Council Order 2013-051 (LeBlanc) to Amend GCO c. 22 Sec. 22-200-209 "Reserved" and Sec. 22-270 "Parking Prohibited at all times" re: Draw Bridge Tender be withdrawn without prejudice.

DISCUSSION: None.

MOTION: On a motion by Councilor Hardy, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, that Council Order 2013-051 (LeBlanc) to Amend GCO c. 22 Sec. 22-200-209 "Reserved" and Sec. 22-270 "Parking Prohibited at all times" re: Draw Bridge Tender parking be withdrawn without prejudice.

Planning & Development: March 19, 2014

Councilor Verga informed the Council there were no matters from this meeting for Council action this evening.

Scheduled Public Hearings:

1. **PH2014-005: Group Free Petition under City Charter Sec. 9-1(b) re: Leash Free Gloucester Beaches Petition which requests the City Council to amend the Code of Ordinances Sec. 4-16a Dogs prohibited on beaches at certain times**

This public hearing is opened at 9:04 p.m.

Council President McGeary noted by the Council had referred changes in the Animal Control ordinance to the O&A Committee which had in turn appointed an Ad Hoc Committee to study the matter. Recommendations were made to the O&A Committee which are now under discussion, and a City Council public hearing will be held on April 22, 2014. The Council has discharged its duty pursuant to this petition, he said.

This public hearing is closed at 9:05 p.m.

Councilor Hardy noted that there is a community discussion being held in Lanesville about the proposed dog ordinance amendments, and that there may be a proposal coming forward from an ad hoc Lanesville group of concerned citizens to the Council. The City Council public hearing would take place on the proposed dog ordinance amendments on April 22.

Public Hearings #3 and #4 were taken after Public Hearing #1.

2. **PH2014-020: SCP2014-003: East Main Street #49, GZO Sec. 2.3.1(6) conversion to or new multi-family or apartment dwelling, three units**

This public hearing is opened at 9:19 p.m.

Those speaking in favor:

Attorney Ralph Pino, representing Ingrid Echiverria of 49 East Main Street, described the parameters for a Special Council Permit application under GZO Sec. 2.3.1(6), conversion to or new multi-family or apartment dwelling, three dwelling units Assessors Map #54, Lot 76 under Zoning Classification R-5. He said that **Ms. Echiverria** owns #47 East Main St., purchased first, and then purchased #49 East Main Street which thereby creates a common driveway between the two properties that sit side by side. This request is to make legal a third, previously allowed apartment.

Mr. Pino related the following: In August 2013 the Zoning Board of Appeals decision (on file) noted that the premise is a lawful two-family dwelling with a currently uninhabited third apartment unit. The premise was previously used as a three-family domicile, according to the Assessor's records, from at least the 1960s through 1989. In 1989 there was an application to divide the lot to #47 and #49 East Main Street which went to the Zoning Board of Appeals in which the then petitioner indicated his intention to use this house as a two-family (photos on file). After 1989 no apparent physical alternation to the premises ever took place, and the basement unit has remained complete with kitchen and bathroom. The current owner/petitioner who purchased the building in 2012 has concluded it would not make economic or construction sense to incorporate the basement apartment unit into another existing apartment unit. He referred eight support letters which he was submitting to the Council (placed on file) in support of the Special Council Permit application.

Mr. Pino reviewed the six Special Council Permit criteria as follows:

1. Social, Economic or community needs served by the proposal: The proposal would provide one additional housing rental unit (currently vacant) and utilize what is now simply vacant space in the building without practical means to join it to other units;
2. Traffic flow and safety: The addition of one more apartment unit would be insignificant on East Main Street; there is off-street parking;
3. Adequacy of utilities and other public services: The space was used until 1989 a separate unit and utilities are in place;
4. Neighborhood character and social structure: The neighborhood contains two- and three-family homes and commercial uses;
5. Qualities of the natural environment: There will be no exterior change in the building or site;
6. Potential Fiscal Impact: There would be increased value and tax revenue.

Mr. Pino asked for the Council's approval of this Special Council Permit application and to make lawful the third unit.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:23 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant Ingrid Echeiverria-Rivas a Special Council Permit (SCP2014-003) for the property located at East Main Street #49, Assessor's Map 54, Lot 76, zoned R-5, pursuant to Sections 1.8.3 and 2.3.1(6) of the Gloucester Zoning Ordinance to increase the number of dwelling units from two residential units to three residential units as based on the plan submitted with the application entitled, "Boundary Retracement Exhibit," by County Land Surveys, Inc. of Gloucester, Mass., dated February 7, 2013.

DISCUSSION:

Councilor Verga said that as this was a pre-existing dwelling unit and previously permitted and occupied, and all parameters of the Special Council Permit six criteria under GZO Sec. 1.8.3 had been met, for those reasons the P&D Committee unanimously recommended the application to the Council.

MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 9 in favor, 0 opposed, 1 (Cox) absent, to grant Ingrid Echeiverria-Rivas a Special Council Permit (SCP2014-003) for the property located at East Main Street #49, Assessor's Map 54, Lot 76, zoned R-5, pursuant to Sections 1.8.3 and 2.3.1(6) of the Gloucester Zoning Ordinance to increase the number of dwelling units from two residential units to three residential units as based on the plan submitted with the application entitled, "Boundary Retracement Exhibit," by County Land Surveys, Inc. of Gloucester, Mass., dated February 7, 2013.

3. PH2014-021: Amend GCO Sec. 22-287 "Disabled veteran, handicapped parking" re: Proctor Street #12**This public hearing is opened at 9:08 p.m.****Those speaking in favor:**

Michael Militello, 12 Proctor Street, said that the request for the handicapped parking space is for his partner, Ms. Marshall, who lives with him and has a disability. Parking in the immediate area of their home during the day is an issue, and Ms. Marshall at times has to walk two or three blocks to their home upon parking their car. He asked for the Council's support in this matter.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Theken reminded Mr. Militello that this space can be utilized by any handicapped person with a valid handicapped placard. **Mr. Militello** said that it was understood that the space was not for Ms. Marshall's exclusive use.

On inquiry by **Councilor Hardy**, **Councilor Whynott** said the creation of this handicapped parking space was recommended by the Traffic Commission.

This public hearing is closed at 9:10 p.m.

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 Amend GCO c. 22, Sec. 22-287 "Disabled veteran, handicap parking" by adding 1 handicap parking space in front of Proctor Street #12.

DISCUSSION:

Councilor Whynott said that the O&A Committee agreed with the Traffic Commission to create this handicap parking space at #12 Proctor Street.

Councilor Cox encouraged the Council to vote in favor. The Traffic Commission did an extensive study. Proctor Street #12 has no driveway access and approved the space unanimously, she said.

Councilor Theken commended Councilor Cox's work with the neighborhood. She noted there are many handicapped spaces being installed of late in the downtown area, but that this was proved to be necessary.

Councilor Cox assured the Council that the need for this handicapped space has been thoroughly vetted.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Hardy, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO c. 22, Sec. 22-287 “Disabled veteran, handicap parking” by adding 1 handicap parking space in front of Proctor Street #12.

4. PH2014-022: Amend GCO Sec. 22-269 “Stop intersections” re: intersection of Pleasant Street & Prospect Street

This public hearing is opened at 9:13 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:14 p.m.

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 to Amend GCO Sec. 22, 269 “Stop Intersections by ADDING a stop sign as follows: “Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street.”

DISCUSSION:

Councilor Whynott said that the installation of the proposed stop sign at the intersection of Pleasant and Prospect Streets near #79 would be an additional safety precaution and not harm the flow of traffic.

Councilor Cox described when driving down Prospect Street towards St. Ann’s Church, the sign would be installed at the angled portion of the roadway to the side of the Spanish War Memorial, where Prospect Street intersects with Pleasant Street. This matter was brought forward by a tenant at 79 Prospect Street, she pointed out. She said the Traffic Commission studied this matter for two months and concluded this stop sign was necessary. She noted a condition of the Traffic Commission was that she speak to the owner of the property to obtain an agreement that in the spring and summer the bushes on the property at the intersection are to be trimmed back for visibility purposes.

Councilor Hardy asked that **Councilor Cox** to draw the DPW’s attention to the condition placed by the Traffic Commission.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Sec. 22, 269 “Stop Intersections by ADDING a stop sign as follows: “Pleasant Street at its fork in the southeast corner intersecting with Prospect Street just before the driveway at 79 Prospect Street.”

5. PH2014-023: Amend GCO Sec. 16.1 “Grant Applications”

This public hearing is opened at 9:38 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:38 p.m.

MOTION: 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 to Amend GCO Sec. 16-1 by DELETING Sec. 16-1 in its entirety and ADDING new Section 16-1:

Sec. 16-1. Grant applications.

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed

\$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting; then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

b) Applications for grants with match requirements below the threshold set forth in (a) above may be submitted without prior approval of the Council, provided that the department or employee applying for the grant must notify the Council in writing of the intention to file such application. Such notification is for information only and no permission by the Council is required to complete the application.

DISCUSSION:

Councilor Whynott said that this grants ordinance went back to 1992 and spoke to its reasons for being put into place.

Council President McGeary said that this is a part of his effort is to streamline some of the city procedures. He said getting permission to apply for a grant is a bit of needless overhead as the Council retains the right to grant permission to accept any grant the city receives. He pointed out he wanted to have some provision for vetting a grant that would require a large commitment on the part of the city. The requirement of prior approval on grants requiring city match in excess of \$100,00 was included so that a check is made before someone spends a great deal of time applying for a grant and gathering the necessary documentation. so that before someone spends a great deal of time applying for a grant and gathering the necessary documentation.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Fonvielle, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Cox) absent, to Amend GCO Sec. 16-1 By DELETING Sec. 16-1 in its entirety and ADDING new Section 16-1:

Sec. 16-1. Grant applications.

(a) Prior to a city agency or employee filing any grant application that requires an in-kind or monetary match, on behalf of the city, in excess of \$100,000 or multiple year commitment the total of which is anticipated to exceed \$100,000, such application shall be submitted to the City Council for approval and referred to its Budget and Finance committee for recommendation. If the application deadline is prior to the next regularly scheduled city council meeting; then the applicant may file the application and seek committee approval at the next regularly scheduled meeting following the deadline.

b) Applications for grants with match requirements below the threshold set forth in (a) above may be submitted without prior approval of the Council, provided that the department or employee applying for the grant must notify the Council in writing of the intention to file such application. Such notification is for information only and no permission by the Council is required to complete the application.

For Council Vote:

1. CC2014-009 (LeBlanc/McGeary/Cox) Council Support of location of Sculpture at Grant Circle

Council President McGeary said that the famous sculptor, David Black, a Gloucester has offered to gift the city by creating a signature sculpture which is of a large scale requiring a prominent place for display. He said he and Councilors Cox and LeBlanc, in whose wards locations for the proposed sculpture has been suggested, felt that Grant Circle as the gateway to the city is an appropriate spot. He pointed out much has to be done before anything can be erected on Grant Circle. He said because it is state property, permission must be gained from MassDOT to even consider the location. The state has asked that the Mayor and the Council signify they favor Grant Circle as a location. The Council is not adopting any particular proposal, design, location within the circle, but are simply saying to the state that the city would countenance Grant Circle as the location for a significant work of art in the city.

Councilor Theken said she was very pleased by the idea of a sculpture being placed at Grant Circle. She asked who would pick the design of the sculpture.

Judith Hoglander, Chair of the Committee for the Arts, said that the sculptor has made a proposal for two different sculptures. One is called "High Seas" and the other is called "Whitecaps," she noted. She said the sculptures can be made three sizes - the largest is 35 feet by 38 feet and weighs about 1.5 tons. **Council President McGeary** said the proposal would be reviewed by the Committee for the Arts when a formal proposal is submitted by Mr. Black. Right now the Committee, **Ms. Hoglander** said, is seeking an appropriate installation location. She said Mr. Black prefers the sculptures to be installed where people can interact with them but that he understood that because this is a gateway to the city, the sculpture would be representational of the city's artistic endeavors. Mr. Black has now embraced the idea of the location, she said.

Councilor Whynott asked if there was consideration for trailer trucks and cars that go through the circle itself and possible damage to the sculpture and to vehicles. **Ms. Hoglander** said it would likely be more damage to a vehicle because this sculpture is not a small piece. A vehicle, she said, would hit the concrete base first. She added this would have to be considered further.

Councilor Fonvielle asked about the sculpture's height. **Ms. Hoglander** said there is a 16 foot clearance at the base. She added that the sculpture is donated and funds would be raised for the installation and casting of the sculpture.

Councilor LeBlanc said he had the pleasure of spending a morning with Ms. Hoglander and Mr. Black and his family. He noted Mr. Black's sculptures are very abstract, of twisted iron and steel and are tasteful. He noted Mr. Black has sculptures installed all over the world and that for him to offer his sculpture to the city is important.

Council President McGeary also endorsed this Council action reiterating this is all in the preliminary stages and that the Committee for the Arts will review this proposal thoroughly as relates to location, size and appropriateness. He said a signature piece of sculpture at the gateway to the city to complement and highlight the Man at the Wheel and be an interesting addition to Gloucester's cityscape.

MOTION: On a motion by Councilor Hardy, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Cox) absent, the following Resolution:

WHEREAS the renowned sculptor, David Black, a Gloucester native, has offered his services to the city at no charge for the creation of a significant civic sculpture to be placed in a place of prominence in our city, and WHEREAS the citizens of the city and visitors to our city would benefit from such a gift, and WHEREAS the proposed sculpture would enrich our cultural and artistic heritage for which the city is justly proud,

NOW THEREFORE, the City Council of Gloucester records itself as favoring the location of the proposed sculpture on Grant Circle on Route 128 in the City, and

FURTHER that this vote be conveyed to:

State Sen. Bruce E. Tarr

State Rep. Ann-Margaret Ferrante

Mr. Paul Stedman

Director, MassDOT-Highway Division District 4

- 2. CC2014-010 (Lundberg/Theken) 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**

Councilor Lundberg explained that the Mass. Congressional delegation led by Congressman Tierney and Senator Warren were able through the omnibus budget process allocate \$75 million in disaster relief funding for fisheries specifically the northeast multi-species ground fishery based in Gloucester. He said that money is both in the legislative and political intent to go directly to the businesses that have been adversely impacted for economic relief. He and Councilor Theken, he noted, thought it was appropriate that the Council express its support of the affected businesses, and that this money go directly to them in a format that affects both shore side and waterside. He pointed out he and Councilor Theken have also vetted this resolution with the fishing community at large, and they are all in support of this Council action. He said this is a transmission of the Council's intent to hold the legislature accountable.

Councilor Theken said that she and Councilor Lundberg went in front of the Seafood Coalition and the Fisheries Commission to discuss this Council action. She said that this is to show fishermen and the fisheries industry that the Council supports them. She pointed out that the City of New Bedford is also waiting for this vote

in order to join Gloucester in voicing its opinion. She said this federal funding not a handout but is money for relief, to diversify fishing vessels, and work with governmental entities to diversify the fisheries.

Council President McGeary said he joined in supporting this resolution saying it is important that it is understood this effort has to proceed on two tracks – one of long-term changes in the fisheries and rebuilding the industry for the future, and for need relief for shore side and fishing businesses in the short-term.

MOTION: On a motion by Councilor Hardy, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 8 in favor, 1 opposed, 1 (Cox) absent, the following Resolution:

WHEREAS, the Federal Government, in its Omnibus Appropriations Bill for FY2014, has appropriated \$75 Million to help alleviate the economic impacts associated with declared fisheries failures, fishery resources disasters, and State and Federal regulations; and

WHEREAS, the \$75 million will be allocated by the Commerce Department to the States with eligible fisheries for distribution to those affected fisheries, including the Northeast Multispecies Groundfish Fishery and its many businesses based in Gloucester; and

WHEREAS, those funds are to help alleviate the economic impacts associated with declared commercial fisheries failures, fishery resources disasters, and State and Federal regulations; now therefore be it RESOLVED, that the City Council of Gloucester moves that the State allocate this funding to provide for direct disaster mitigation to affected fishing businesses through immediate financial relief for the economic injury resulting from the fishing disaster, and through programs developed directly by the affected fishing industry to create economic viability of the fishery, and moves that the State not allocate this funding to activities that could be funded by other sources; and be it further;

RESOLVED, that a copy of these resolutions be delivered to the General Court.

Unfinished Business: None.

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

Councilors' Requests to the Mayor:

Councilor Fonvielle announced an April 6 from 2:00 to 4:00 p.m. there will be a community meeting at the Magnolia Community Center with a panel of business and property owners around Lexington Avenue to update the community on all the great changes taking place and to begin the process of developing a community vision for that area. He said that will be followed by a meeting on April 7 with a community meeting in West Gloucester at the Trinitarian Church that will be more of a Town Hall style meeting.

Council President McGeary noted that Councilor Theken is being honored for her years in Human Services and dedication to the community as the Health and Human Services liaison at the Addison Gilbert Hospital. The event recognizing all of Councilor Theken's efforts on the community's behalf is sponsored by the North Shore Health Project, and will take place on Thursday, April 29 at the Gloucester House Restaurant. The Council indicated their appreciation of Councilor Theken with their applause.

The City Council also extended their best wishes for a Happy Birthday to **Councilor Verga**.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:50 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Speaking under Oral Communications: Mary Ann Albert Boucher**, 93 Mt. Pleasant Avenue, a submission of a written statement and a letter from Dr. Brian G. Orr, Pediatrician regarding her granddaughter's chronic respiratory issues
- **SCP2014-003: East Main Street #49**, submission of eight letters from neighbors of the applicant in support of the Special Council Permit application by Attorney Ralph Pino