

GLOUCESTER CITY COUNCIL MEETING

Tuesday, March 24, 2015 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul McGeary; Councilor Joseph Ciolino; Councilor Melissa Cox; Councilor Steve LeBlanc, Jr.; Councilor Greg Verga; Councilor Robert Whynott; Councilor Paul Lundberg; Councilor William Fonvielle; Councilor Robert Stewart

Absent: None.

Also Present: Mayor Sefatia Theken; Kenny Costa; Jim Destino; John Dunn; Linda T. Lowe; Chip Payson; James Pope; Tony Gross

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

Flag Salute & Moment of Silence. Councilor Whynott offered that the Moment of Silence was dedicated to Dr. Sylvester Smith, a long-time podiatrist in the city who had passed away recently.

Oral Communications:

Rosalyn Fronteira, 12 Beacon Street, said that she was pleased to see so many boards, committees and commissions on the Council's agenda. She noted that there had been a committee on Civic Participation Public Information under former Mayor Kirk's Administration in 2009. That committee was charged with compiling a list of all the city's boards, commissions and committees for the purpose of accuracy of information, transparency of process and to encourage civic participation in local government. She said this ad hoc group assisted in coordinating volunteers in those departments which had experienced staff cutbacks at that time. She spoke to the city's change over to Civic Plus, the company that redesigned and hosts the current city website. She pointed out there are additional programs offered by Civic Plus that she said would enhance and expand the city's abilities to grow its website. She suggested that those programs be explored. She offered her assistance in this area. She suggested that the Mass. Municipal Association may have some resources the city might avail itself of as well. She suggested one of the hindrances to timely posting of so many agendas was the lack of city staff to assist in that effort.

Council President McGeary summed up the Ms. Fronteira's request as asking that the Administration explore further uses of the Civic Plus software specifically towards getting boards, committees and commissions agendas posted to the city's website in a timely fashion.

Presentations/Commendations:**New Appointments:**

Community Preservation Committee Barbara Silberman TTE 02/14/18

Barbara Silberman told the Council she was a former volunteer at the Sargent Murray Gilman House and had become familiar with the work of the Community Preservation Committee (CPC) by helping secure a CPA grant for the museum's historic preservation. She said she has worked not only in historic preservation but in land conservation and open space efforts and would bring that experience to her work with the CPC.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Barbara Silberman to the Community Preservation Committee, TTE 02/14/18.

DISCUSSION:

Councilor Whynott said that Ms. Silberman had informed the O&A Committee of her work as a volunteer with the Sargent House Museum and told the Committee that in her professional life she has worked in historic preservation and land conservation, writing grants, and had a familiarity with the CPC grant process.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed, to appoint Barbara Silberman to the Community Preservation Committee, TTE 02/14/18.

Historical Commission

Leon Doucette

TTE 02/14/16

Mr. Doucette told the Council he is a Gloucester native and attended college to study painting. Upon his return to Gloucester he was hired by the Cape Ann Museum as a Curator’s Assistant for the past four years working under Curator Martha Oakes. While it was the artwork housed in the museum that drew him to his work, over time, he said, he developed a love of the history of the city. He said when he was told of an opportunity to play a more active role in sharing what the community’s history is about and to foster it, he stepped forward. He pointed out that while he is new to municipal involvement he had sat in on four to five months of Commission meetings.

Councilor Ciolino commented that it was refreshing to see young people in the community step forward to fill roles on the city’s boards, committees and commissions.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Leon Doucette to the Historical Commission, TTE 02/14/16.

DISCUSSION: None.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, to appoint Leon Doucette to the Historical Commission, TTE 02/14/16.

Conservation Commission

Linda Charpentier

TTE 02/14/18

Ms. Charpentier said she spent many years in the private sector. She said she was a chemist by training but had moved into environmental management and had more than 20 years’ experience in that field. She said she currently works for Boston Sand & Gravel, and often deals with conservation issues. She said she felt she could bring a different perspective to the city’s Conservation Commission (ConCom) and expressed her hope to move from the city’s Planning Board to ConCom.

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Linda Charpentier to the Conservation Commission, TTE 02/14/18.

DISCUSSION:

Councilor Cox confirmed with Ms. Charpentier that she is no longer a member of the Planning Board.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed, to appoint Linda Charpentier to the Conservation Commission, TTE 02/14/18.

Council President McGeary observed, concerning the appointments to city commissions and committees, that these residents bring a great depth of experience and specialized knowledge. He noted that the board members are volunteers and recalled that Mayor Theken when on the Council would say that the city is so blessed to have people like Ms. Charpentier, Mr. Doucette and Ms. Silberman who are willing to give of themselves to the city.

Consent Agenda:

• **CONFIRMATION OF REAPPOINTMENTS**

Board of Health	Dr. Richard Sagall	TTE 02/14/18
Cable TV Advisory Board	Karen Favazza Spencer	TTE 02/14/18
Council on Aging	Selma Bell	TTE 02/14/18
Clean Energy Commission	John Moskal	TTE 02/14/17
Historical Commission	Jeff Crawford, Thomas O’Keefe	TTE 02/14/18
Historic District Commission	Robert Chandler	TTE 02/14/18
Magnolia Woods Oversight & Advisory Committee	Dean Sidell	TTE 02/14/18
Zoning Board of Appeals	James Movalli	TTE 02/14/18

• **MAYOR’S REPORT**

1. Supplemental Appropriation-Budgetary Request (2015-SA-26) from Mayor’s Office (Refer B&F)
2. Special Budgetary Transfer Request (2015-SBT-41) from the City Clerk/Registration Department (Refer B&F)

3. New Appointments: Stage Fort Park Advisory Committee TTE 02/14/18 Steve Kaity, David Benjamin, Louise Grindrod (Refer O&A)
- *COMMUNICATIONS/INVITATIONS*
 - *INFORMATION ONLY*
 - *APPLICATIONS/PETITIONS*
1. Special Events Application re: request from Cape Ann YMCA to hold Backshore 5 Mile Road Race on May 8, 2015 (Refer P&D)
2. Special Events Application re: request from Cape Ann YMCA to hold Round Cape Ann 25K Rd. Race & Run the Goose 7K Race (Refer P&D)
- *COUNCILORS ORDERS*
1. CC2015-006 (Fonvielle) Request O&A & Traffic Commission review existing parking restrictions in GCO Sec. 22-270 & -291 for Kondelin Road from its intersection w/Magnolia Avenue for its entire length & review existing Kondelin Rd. signage for consistency with c. 22 (Refer O&A & TC)
- *APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS*
1. City Council Meeting: 03/10/15 (Approve/File)
2. Standing Committee Meetings: B&F 03/19/15 (under separate cover), O&A 03/16/15, P&D 03/18/15 (Approve/File)

Items to be added/deleted from the Consent Agenda:

Councilor Verga asked to remove Item No. 3 under the Mayor's Report (New Appointments: Stage Fort Park Advisory Committee) in order to draw attention to the first appointments to come forward for the newly formed committee. He recalled that this committee was established by the Council in June of 2014, and a folder full of applicants had sat on the desk of the previous Administration. He did observe that there were not enough applicants at that time, nor were there now. He noted that there are still more openings on the Committee to be filled. He encouraged residents to put their names forward by submitting a Letter of Interest to the Mayor.

Councilor Cox wished to remove Item No. 1 under Councilor Orders--CC2015-006 (Fonvielle) Request O&A & Traffic Commission review existing parking restrictions in GCO Sec. 22-270 & -291 for Kondelin Road from its intersection w/Magnolia Avenue for its entire length and review existing Kondelin Road signage for consistency with GCO c. 22. **Councilor Cox** explained that Ward 5 constituent of Councilor Fonvielle's had spoken to her while she was at a business on Kondelin Road, and the conversation had turned to parking in that area. She expressed her thanks to Councilor Fonvielle for quickly putting forward the Council Order to investigate the matter.

By unanimous consent the Consent Agenda was accepted as presented and further discussed.

Committee Reports:

Planning & Development: March 18, 2015

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 pursuant to GCO Sec. 2-3(2)(d) grant to The Trio Building, Inc., d/b/a Lobsta Land Restaurant, the easement entitled, "Easement to Trio Building" on Ye Old County Road as shown on the plan entitled, "Utility Easement Exhibit Plan" as prepared and stamped by Gateway Consultants, Inc. dated January 5, 2015, and as described in the easement submitted with The Trio Building, Inc.'s request for the disposition of said easement for a nominal fee of \$1.00. The Trio Building, Inc., d/b/a/ Lobsta Land Restaurant shall pay all costs to record said plan.

DISCUSSION:

Councilor Verga said that the easement was as recommended by the city's Land Disposition Committee and as reviewed and recommended by General Counsel. The P&D Committee also voted to recommend the easement unanimously.

Councilor Fonvielle, in whose ward the business is located, said that the granting of the easement was not only good for the business but the community in that the current septic system is in an environmentally sensitive area, and this easement will aid in solving that issue going forward.

Councilor LeBlanc said that many people who live in the Jones Creek area have failing septic systems and are struggling to meet Code requirements. He thanked Mr. Grammas, owner of Lobsta Land, for doing what it takes to make things work for his business and the environment.

MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 9 in favor, 0 opposed, pursuant to GCO Sec. 2-3(2)(d) grant to The Trio Building, Inc., d/b/a Lobsta Land Restaurant, the easement entitled, "Easement to Trio Building" on Ye Old County Road as

shown on the plan entitled, "Utility Easement Exhibit Plan" as prepared and stamped by Gateway Consultants, Inc. dated January 5, 2015, and as described in the easement submitted with The Trio Building, Inc.'s request for the disposition of said easement for a nominal fee of \$1.00. The Trio Building, Inc., d/b/a/ Lobsta Land Restaurant shall pay all costs to record said plan.

Budget & Finance: March 19, 2015

1. Police Department:

A) Special Budgetary Transfer Request (2015-SBT-36)

COMMITTEE RECOMMENDATION: On 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 Special Budgetary Transfer 2015-SBT-36 in the amount of \$1,891.05 from Account #101000.10.211.58720.0000.00.000.00.058, Police-Uniform, Capital Expense, to Account #101000.10.211.55010.0000.00.000.00.054, Police-Uniform, Safety Supplies/Equipment for the purpose of purchasing portable radios for the Police Department.

DISCUSSION:

Councilor Cox said that Assistant Police Chief John McCarthy explained that this transfer from Police-Uniform Capital Expenses to Police Uniform Safety Supply/Equipment is due to the fact that a police radio was supposed to have been included in the new Animal Control van quote but had been left off in error. The Department now has to purchase a radio for the van from All-Communications to finish outfitting the new van.

MOTION: On motion by Councilor Cox, seconded by Councilor Verga, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2015-SBT-36 in the amount of \$1,891.05 from Account #101000.10.211.58720.0000.00.000.00.058, Police-Uniform, Capital Expense, to Account #101000.10.211.55010.0000.00.000.00.054, Police-Uniform, Safety Supplies/Equipment for the purpose of purchasing portable radios for the Police Department.

B) Special Budgetary Transfer Request (2015-SBT-39)

COMMITTEE RECOMMENDATION: On 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 Special Budgetary Transfer 2015-SBT-39 in the amount of \$471.42 from Account #101000.10.292.51100.0000.00.000.00.051, Animal Control, Salary/Wages-Permanent Position, to Account #101000.10.218.51944.0000.00.000.00.051, Police-Parking, Sick Incentive Pay for the purpose of fully funding the Sick Incentive Pay.

DISCUSSION:

Councilor Cox said that Assistant Chief McCarthy said that funds are coming from the Animal Control, Salary/Wages-Permanent Position account because the second Animal Control officer, whose position had been funded for a full year, wasn't hired until October 2014 which left unexpended funds in the account.

She noted that the B&F Committee has asked the City Auditor to track any transfers that are due to budgeting mistakes so the number of transfers due to those mistakes will be fewer. The committee and the auditor will work with the department heads to minimize budget oversights during the upcoming budget process, but she noted such transactions will never be fully eliminated.

MOTION: On motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2015-SBT-39 in the amount of \$471.42 from Account #101000.10.292.51100.0000.00.000.00.051, Animal Control, Salary/Wages-Permanent Position, to Account #101000.10.218.51944.0000.00.000.00.051, Police-Parking, Sick Incentive Pay for the purpose of fully funding the Sick Incentive Pay.

2. Purchasing Department:

Special Budgetary Transfer Request (2015-SBT-37)

COMMITTEE RECOMMENDATION: On 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 Special Budgetary Transfer 2015-SBT-37 in the amount of \$1,000 from Account #101000.10.138.5340.0000.00.000.00.052, Purchasing-Telephone Services, to Account #101000.10.155.53410.0000.00.000.00.052, Management Information Systems, Telephone Service in order to purchase cell phone service for the Mayor.

DISCUSSION:

Councilor Cox said the transfer moves funds from the Purchasing Department's Telephone Services account and puts it into the Management Information Systems Telephone Services account to pay for the Mayor's cell phone. She said the IT Department is able to obtain a better rate for the cell phone service.

Councilor Fonvielle added that at the B&F meeting there was a discussion between the committee and city staff as to whether there should be some consolidation of purchasing of items like cell phones and copier leases. **Councilor Cox** added that the Administration said it is moving toward that goal, but it takes time as current contracts need to run their course until they can be rewritten or replaced.

MOTION: On motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2015-SBT-37 in the amount of \$1,000 from Account #101000.10.138.5340.0000.00.000.00.052, Purchasing-Telephone Services, to Account #101000.10.155.53410.0000.00.000.00.052, Management Information Systems, Telephone Service in order to purchase cell phone service for the Mayor.

3. Community Development Department:

Special Budgetary Transfer Request (2015-SBT-38)

2015- SBT-38 is noted to have been rescinded and retired.

4. Licensing Board:

Special Budgetary Transfer Request (2015-SBT-40)

COMMITTEE RECOMMENDATION: On 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 Special Budgetary Transfer 2015-SBT-40 in the amount of \$2,400 from Account #101000.10.165.51250.0000.00.000.00.051, Licensing Board, Salary/Wages, Part-time Position, to Account #101000.10.181.51250.0000.00.000.00.051, Community Development, Salary/Wages, Part-Time Position, for the purpose of funding the position of Recording Clerk to the Conservation Commission and Planning Board for the remainder of FY15.

DISCUSSION:

Councilor Cox said that the Clerk of the Boards position has been split into two positions; Licensing Board Clerk and Conservation/Planning Board Clerk. She said that the extra budgeted funds were being transferred to the Community Development Department's Salary/Wages, Part-Time Position account to fund the stipend paid to the Recording Clerk for the Conservation Commission and the Planning Board.

Mr. Destino, responding to a question by **Councilor Ciolino**, confirmed that the Licensing Board clerk's position previously was 24 hours per week, but that position's duties have been split between two people at 12 hours each per week. **Councilor Ciolino** noted the Licensing Board generates a good deal of revenue for the city. **Mr. Destino** confirmed for the Councilor that this action has been approved by the Licensing Board.

MOTION: On motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2015-SBT-40 in the amount of \$2,400 from Account #101000.10.165.51250.0000.00.000.00.051, Licensing Board, Salary/Wages, Part-time Position, to Account #101000.10.181.51250.0000.00.000.00.051, Community Development, Salary/Wages, Part-Time Position, for

the purpose of funding the position of Recording Clerk to the Conservation Commission and Planning Board for the remainder of FY15.

5. Grant Application and Checklist from Council on Aging re: City Council acceptance of a Title III B Older Americans Grant for \$15,156.00

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept under M.G.L. c. 44, §53A a federal grant passed through the Mass. Executive Office of Elder Affairs through SeniorCare, Inc., for a Title III-B Older Americans Act Grant for \$15,156 for FFY2014 and FFY2015. Funds are to be used to supplement the hours and part-time salary for an Outreach Community Education Worker at the Rose Baker Senior Center.

DISCUSSION:

Councilor Cox said that Lucy Sheehan, Senior Center Director, informed the Committee of SeniorCare's awarding a \$15,156 grant to the Council on Aging for the purpose of supplementing the salary of a part-time outreach worker to work out of the Rose Baker Senior Center. She noted there is no match on the city's part. She added that the contract funding has been reduced again this year but has been extended to FFY2016. The position is funded by the grant and funding from the Friends of the Council on Aging and the city. The outreach worker works approximately 30 hours a week.

MOTION: On motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to accept under M.G.L. c. 44, §53A a federal grant passed through the Mass. Executive Office of Elder Affairs through SeniorCare, Inc., for a Title III-B Older Americans Act Grant for \$15,156 for FFY2014 and FFY2015. Funds are to be used to supplement the hours and part-time salary for an Outreach Community Education Worker at the Rose Baker Senior Center.

6. Memo from City Auditor regarding accounts having expenditures which exceed their authorization

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 accept the provisions of MGL c. 44, §31D, Snow and Ice Removal, Emergency Expenditures, not to exceed \$3,500,000. The increase of emergency expenditure authority is \$2,850,000 added to the current FY2015 DPW Snow and Ice Removal appropriation budget of \$650,000.

DISCUSSION:

Councilor Cox explained that after consulting with Mark Cole, Assistant DPW Director, that it was his recommendation that the Council vote to expand the ceiling for Snow and Ice Removal, Emergency Expenditures to a spending limit not to exceed \$3.5 million. He also said it was not expected that the city's snow removal spending would hit that increased ceiling.

Councilor LeBlanc asked why the amount is being raised to \$3.5 million if it was not expected to go to that level. **Councilor Cox** said snow and ice removal spending was expected to go slightly over \$3 million and this would prevent the Council from having to vote to raise the ceiling again.

In response to **Council President McGeary, Mr. Destino** said the estimated cost of snow removal is still at around \$3 million. He additionally noted for the Council President there was an attempt to extend the period for which snow removal costs could be reimbursed beyond the general 48-hour period. That effort, he said, was groundbreaking. The Legislature, **Mr. Destino** noted, is also exploring further ways to assist that state's cities and towns that were hard hit with snow deficits with such things as emergency funding. He said the city is pursuing every avenue possible for reimbursement.

Mr. Destino said the city is still waiting for reimbursement but remained hopeful that the awarding of disaster funding from the Federal Emergency Management Agency for the first snow event of 2015 would be reimbursed for 75 percent of the \$430,000 claimed for city's costs arising out of the storm. He explained that the second submission to the state for disaster relief from the quick series of snowstorms that followed has been made, but it is

anticipated that the city will receive less in the way of reimbursement. He also announced that the city has just received \$100,000 in “pothole” funds from the state for road repair.

MOTION: On a motion by Councilor Cox seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to accept the provisions of MGL c. 44, §31D Snow and Ice Removal, Emergency Expenditures, not to exceed \$3,500,000. The increase of emergency expenditure authority is \$2,850,000 added to the current FY2015 DPW Snow and Ice Removal appropriation budget of \$650,000.

Ordinances & Administration: March 16, 2015

Councilor Whynott explained that two reappointments were withdrawn by the Mayor due to a resignation of members of the Cable TV Advisory Committee and the Clean Energy Commission.

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the withdrawal by the Mayor of the reappointment of Geoffrey Bradford to the Cable TV Advisory Committee.

DISCUSSION: None.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, to accept the withdrawal by the Mayor of the reappointment of Geoffrey Bradford to the Cable TV Advisory Committee.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the withdrawal by the Mayor of the reappointment of Tom Balf to the Clean Energy Commission, TTE 02/14/17.

DISCUSSION: None.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed, to accept the withdrawal by the Mayor of the reappointment of Tom Balf to the Clean Energy Commission, TTE 02/14/17.

Scheduled Public Hearings:

- 1. PH2015-015: Amend GCO Chapter 10 Waterways, Sec. 10-51 Regulations of Moorings, Subsection (3) Fees in order to increase Transient Mooring Fees**

This public hearing is opened at 7:38 p.m.

Those speaking in favor:

Tony Gross, 18 Nashua Ave., and newly re-elected Waterways Board Chair, noted that the last time the transient mooring fee was increased was in 2002 when it went from \$20 to \$25. The Harbormaster is exploring new locations for transient moorings, and so the Board has to purchase tackle associated with the moorings, which is expensive. This will allow an increase in revenue to fund the expansion of the number of transient moorings and upgrades of the existing tackle to ensure boats can remain safe at mooring. He noted that Salem charges the same rate as that proposed for Gloucester, \$35 a night. He noted Beverly doesn't charge for transient moorings and Marblehead charges \$25 per night. He pointed out that the Waterways Board voted “heavily in favor” of the transient mooring fee increase.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor LeBlanc noted that Mr. Gross was the only member of the Waterways Board who voted against the transient mooring fee increase. **Mr. Gross** said the Board is in the infancy of trying to expand the city's transient boater traffic with the launch service which began last year. He said the original proposal before the board was for a \$20 increase, and the full Board reduced it to a \$15 increase. He said that as the increase didn't come with added service, a free launch ride, for example, he was unable personally to support a transient mooring fee increase. He

pointed out that the launch service fee had been increased last year. He said he felt it was counterproductive, but that the rest of the Board was in full support of the increase. **Councilor LeBlanc** asked what would the impact of the increase of \$10 on current revenue. He said he thought that there wasn't enough transient boater traffic as it is to support the launch service. **Mr. Gross** said the primary moorings in the inner harbor and by "the Stage" have a good occupancy rate, but the ones in Southeast Harbor and Stage Head are generally only full during Fiesta, Fourth of July weekend, and during the Schooner Festival. He said the Board needs to do more work to sell Gloucester to transient boaters and pointed out there is now an Administration that is likeminded with people in place who can help the Board accomplish that goal. He noted transient mooring revenues are currently around \$25,000, and the proposed increase would add another 22 percent in revenues, or about \$10,000, which would could be used to pay for new moorings. He pointed out that new moorings cost \$2,000 to \$2,500 apiece. **Mr. Gross** explained the Waterways Enterprise Fund had surplus cash, but because the board is being assessed for retirement costs, surplus cash is being depleted. The budget now has to be balanced strictly, he said. He suggested the Board would know better next year, and reiterated that, while he personally was not in favor of the transient mooring fee increase and was the lone dissenting vote, the Board was overwhelmingly in favor of increasing the fee.

Councilor LeBlanc said he's been a boat owner for over 10 years, and offered his opinion that the city is not considered very welcoming to transient boaters. He expressed concern that the proposed increase would further harm the city's reputation with transient boaters. **Mr. Gross** agreed with that assessment.

Councilor Verga asked if there were projections in place to show the effect on revenue if the Council were to reject the proposed increase or approve a lesser one. **Mr. Gross** said projections weren't run by the Board. Some of the projections of revenue were based on a three-year average of how many people availed themselves of the city's transient moorings per season and noted that the trend of transient boaters visiting the city has remained stable. Responding to an additional inquiry by **Councilor Verga**, **Mr. Gross** said the Board has voted to have the Harbormaster find more places for transient moorings in more desirable spots. There is a balance that has to be reached because if they convert a permanent mooring for transient boaters, a boater on the city's mooring wait list will have to wait longer for a permanent mooring to become available.

Councilor Stewart asked if the Waterways Board needs the funds. **Mr. Gross** said it will probably cost \$10,000 to expand the transient moorings. The Board could use Chapter 91 monies for that expansion, but it is already using those funds for the expansion of public facilities. As in any budget there are many places that are competing for funds, he said. **Councilor Stewart** observed that if the Board's budget and its expansion plans can be met without a \$10 increase in the transient mooring fee, the financial benefit of attracting more transient boaters than the surrounding communities would make up for not raising the mooring fee and might result in bringing in more revenue. **Mr. Gross** said the Board is submitting a balanced budget for FY16. Because he wasn't chair when that budget was formulated, he said, he wasn't as familiar with it as he would otherwise have been. He said that the money for the transient moorings is not in the operating budget right now. At least part of the fee increase is being counted on in the budget, and some form of an increase would be warranted, he said. He suggested if the transient mooring fee is increased, it was his personal opinion that the Board should offer a free launch ride with the overnight rental of a transient mooring. That was not undertaken as part of this increase, he said. He added that some form of an increase to the transient mooring fee would definitely be helpful. The Waterways Board feels that the \$10 increase is what is required who voted eight to one in favor of the increase.

Councilor Whynott reconfirmed with Mr. Gross that Rockport and Manchester don't have transient moorings and that Beverly is free, Marblehead charges \$25 and Salem charges \$35. **Councilor Whynott** said the public mood is not for raising fees at this time. He said that he supported the fee increase in Committee but may not support it now. **Mr. Gross** said his personal opinion should not sway the Council and reminded the Council that the Harbormaster and the Waterways Board representative who spoke to the O&A Committee gave their reasoning as to why the transient mooring fee should be raised which he asked the Council to keep in mind.

Councilor Ciolino said previous Councils have asked the Waterways Board to increase the number of moorings made available and asked by how many moorings had added in the past few years. **Mr. Gross** said the Board instructed the Harbormaster to find 100 new locations for moorings in the 2013/2014 boating season. **Mr. Gross** briefly described to Councilor Ciolino the process by which the Harbormaster and the Board identified areas for these new resident moorings to accommodate those on the mooring wait lists which were not for transient mooring use.

Council President McGeary asked whether any new moorings would be installed, if the transient mooring fee increase were not to go forward. **Mr. Gross** said the argument could be made not to install new moorings, even though the sites had been identified, as the mooring gear is very expensive.

Councilor LeBlanc confirmed that the discussion involving 100 moorings were personal moorings and not transient moorings. The Board instructed the Harbormaster to locate six more transient mooring spots, he said,

adding to the 29 the city already has. **Councilor LeBlanc** confirmed also that \$15,000 would only buy the gear for about one dozen more transient moorings. He asked if most of the people on the transient moorings are trailer boaters from town. **Mr. Gross** said some come from their personal docks and are local boaters, but not many. He also noted there is an anchorage off of the State Fish Pier that is free and those who anchor there can utilize the city's launch.

Council President McGeary asked if there was a plan to increase launch hours this summer. **Mr. Gross** said the hours were increased last year but usage wasn't supporting the expanded hours and so launch hours were cut back. He also confirmed that this increase in transient mooring fees would not have an impact on the launch service.

Councilor Cox discussed Council procedure with **Council President McGeary** and offered a suggestion that the Council continue the public hearing based on the opinions expressed by the Council this evening. She said she believed the Council would prefer that the Waterways Board take up this matter again at its next meeting, which **Mr. Gross** said was the following week. She suggested that the Board members return with the results of their discussion at a continuance of the public hearing on April 14, the next regularly scheduled City Council meeting.

Councilor Ciolino noted that the Council could amend the Committee recommendation rather than postpone the public hearing if time was a factor for instituting the fee.

Councilor Lundberg expressed his disagreement with Councilor Ciolino and agreed with Councilor Cox and Council President McGeary to have the matter return to the Waterways Board in order that they may reconsider the fee with the information from the Council's discussion from this evening. **Councilor Cox** reiterated her agreement to continue the public hearing and give time to the Waterways Board to reconsider its recommendation on the increase for the transient mooring fee.

Councilor Whynott cautioned that raising fees many times cause an appreciable drop off in use.

Councilor Stewart expressed his concern about raising the transient mooring fee at this time, especially when there is a need to attract as many boaters to the city as possible.

This public hearing is continued to the next regularly scheduled Council meeting of April 14.

2. PH2015-016: Amend GCO Chapter 2, Article V, "Boards, Commissions, Councils and Committees," Div. 1, by ADDING a new Section 2-401 entitled, "Posting to City Website"

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

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Verga asked if it procedures outlined in the amendment were doable. **Mr. Pope** said it was. **Linda Lowe**, City Clerk said the posting can be done and she hoped it would go smoothly. She said she understood the capability and obligation to post electronically, or online, meeting notices as obligated by state law would serve as the second 24-hour, seven-day-a-week location for the posting of agendas of boards and commissions. The only anticipated glitches would be technological; sometimes technology can fail, she noted. Her biggest concern, she said, other than whether the public can see the notices, is to assure they are posted in a timely fashion. She said **Mr. Pope** has worked diligently with her office to ensure this posting process to the city's website will work and meet Open Meeting Law requirements. The goal all along was to improve the information available to the public.

Councilor Verga suggested that all those who attend an upcoming Open Meeting Law seminar be notified about this ordinance amendment to ensure that all notices come promptly to the City Clerk's office for posting.

Councilor Stewart inquired whether 30 days from the date of the vote was enough time in order to implement this new process. **Mr. Pope** said it was. This issue has been discussed at length, he said, in front of P&D several times. In that timeframe the process was refined working with the City Clerk's staff to simplify it.

Council President McGeary pointed out that the ordinance refers only to posting of agendas. **Ms. Lowe** said agreed, as there are no requirements to provide agenda packets. .

This public hearing is closed at 8:06 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor , the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend that the City Council Amend GCO c. 2, Art. V, "Boards, Commissions, Councils and Committees," Div. 1 by ADDING a new Section 2-401 "Posting to City Website" as follows:

“The meeting notices and agendas for the public meetings of all city boards, commissions and committees including the School Committee and City Council shall comply with the Open Meeting Law, MGL c. 30A, §18-25 and 940 C.M.R. 29.00, and shall be posted to the City of Gloucester website or Gloucester School Department website at least 48 hours exclusive of Saturdays, Sundays and holidays, prior to a meeting. All postings must include a complete agenda, and if the notice is to be posted by the City Clerk, must be provided to the Office of the City Clerk during regular business hours and more than 48 hours in advance.”

DISCUSSION:

Councilor Whynott explained that the Council will look for the Mayor’s help to encourage the city’s boards, committees and commissions to comply with this new rule.

Councilor Verga, who’s Council Order precipitated the Council action on this matter, commented that this is a great idea that came from a member of the public.

MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO c. 2, Art. V, “Boards, Commissions, Councils and Committees,” Div. 1 by ADDING a new Section 2-401 “Posting to City Website” as follows:
“The meeting notices and agendas for the public meetings of all city boards, commissions and committees including the School Committee and City Council shall comply with the Open Meeting Law, MGL c. 30A, §18-25 and 940 C.M.R. 29.00, and shall be posted to the City of Gloucester website or Gloucester School Department website at least 48 hours exclusive of Saturdays, Sundays and holidays, prior to a meeting. All postings must include a complete agenda, and if the notice is to be posted by the City Clerk, must be provided to the Office of the City Clerk during regular business hours and more than 48 hours in advance.”

For Council Vote:

1. **Decision to Adopt: SCP2015-015: Centennial Avenue #21, GZO 1.10.1(a)(1) and 3.1.6(b) height in excess of 35 feet; Sec. 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units.**

MOTION: On a motion by Councilor Verga seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to adopt the Special Council Permit (SCP2014-015) for Centennial Avenue #21, pursuant to Sections 1.10.1(a)(1), 3.1.6(b) height and 2.3.1.7 of the Gloucester Zoning Ordinance.

Unfinished Business: None.

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

Councilors’ Requests to the Mayor:

Councilor Cox announced the dates for two annual city fundraisers: Relay for Life is June 20 and will include a dunk tank for charity. She asked her fellow Councilors for volunteers. Pride Stride takes place on Sunday, April 26.

Councilor Fonvielle commended the Administration for the effort it put forward representing the city at the Boston Seafood Exposition and bringing an international roster of businesspeople to the city to see what Gloucester had to offer which he said was very well orchestrated.

Councilor Ciolino thanked the Administration for fixing the auditorium clock. He asked that they now fix the dais which has loose pieces that are a safety hazard. He asked when Cape Ann TV will once again broadcast Council meetings live. **Ms. Lowe** said she discussed that issue with Mr. Pope today who said it was anticipated this meeting was to be live, but the set up won’t be complete for a few more days. She said it is expected that the next meeting of April 14 would be broadcast live on Cape Ann TV. **Council President McGeary**, responding to a further inquiry by **Councilor Ciolino** as to the status of updating ancillary equipment to enhance the live broadcast of meetings in Kyrouz Auditorium, said the piece of equipment that failed cost \$15,000 and that they would be meeting with Cape Ann TV about it. He added that Mr. Pope has a plan but funding to implement that plan has yet to be determined.

Councilor Lundberg drew to the Council and public’s attention the World War II Veterans’ Project that Former City Councilor Jason Grow is undertaking. He explained that Mr. Grow is photographing all the living World War II veterans on Cape Ann in recognition of the 70th anniversary of the end of that conflict. He noted that he is working with Adam Curcuru, the city’s Veterans Agent who is at the same time compiling an oral history with

these veterans. He said it is hoped to have the project ready by Veterans Day this fall. For more information please contact Jason Grow or Adam Curcuro (acurcuro@gloucester-ma.gov).

Councilor Stewart inquired about follow up from the Council's joint meeting with the Fisheries Commission recalling there was a proposal for small boat activity for research, and some interest was expressed by the head of the Fisheries Commission, he said. **Council President McGeary** said the proposal by the Northeast Seafood Coalition to swap back some quota in order to be able to land effectively species they couldn't land at all is being reviewed by the National Oceanographic and Atmospheric Administration (NOAA) in an expedited manner and has some short term remediation to the problems faced by the city's day fleet. He said he knew it was on the fast track for approval and was an important suggestion that came from the joint meeting. He added that he would try to get more feedback from that meeting for the Council.

Councilor Verga pointed out that now that the sidewalk "glaciers" have started to recede, there is a lot of trash being revealed. While there are local clean-up efforts planned, he said he would like to ask through the Administration that they work with Sen. Tarr's office, MassDOT, and the Essex County House of Correction to help the city to clean up Routes 133 and 127, which run through the city. He extended Happy Birthday wishes to his mother.

Council President McGeary pointed out his "Innovate Gloucester" button on his lapel worn to remind people that Gloucester is open for businesses. He too lauded the work of the city's Administration at the Boston Seafood Exposition. He said he thought Mayor Theken and Angela Sanfilippo, President of the Gloucester Fishermen's Wives Association may have a future on food television (both participated in a live seafood "throw down" at the Expo). He commended the O'Maley Drama Club for their production of Alice in Wonderland Junior presented last weekend, and would also present it again this coming Friday, Saturday and Sunday. He also noted the birthdays of Councilors Verga and Lundberg were upcoming and offered his congratulations to them on behalf of the Council.

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:25 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.