

GLOUCESTER CITY COUNCIL MEETING
TUESDAY, August 25, 2009
7:00 P.M.
Kyrouz Auditorium – City Hall
Council Meeting 2009-021

Present: Council President Bruce Tobey, Councilor Joe Ciolino, Councilor Steve Curcuru, Councilor Phil Devlin, Councilor John “Gus Foote, Councilor Jason Grow, Councilor Sharon George, and Councilor Jackie Hardy
Absent: Councilor Sefatia Romeo-Theken

Also Present: Mayor Kirk, Jeffrey Towne; Jim Duggan; Marcia McInnis, Greg Verga; Mike Hale, Chief Dench, Miles Schlichte, Sarah Buck-Garcia, Jack Vondras and members of the Health Department, Frank Ventimeglia, Scott Memhard (Cape Pond Ice) and approximately 18 interested residents.

Flag Salute and Moment of Silence

City Council Meeting 2009-21 was called to order at 7:00 p.m.

Councilor Tobey announced the following:

There will be an update on the NS Regional Vocational School/ Essex Aggie proposal, arranged by the Town Manager of Danvers. This will be scheduled for September or early October. A presentation will be held before the City Council in the near future.

The State School Building Assistance Authority is, once again, beginning their process for school assistance, which could include financing for Gloucester school projects. Deadline is in September and information will be forthcoming.

The City Council is continuing to advertise in local newspapers for the positions of City Clerk and Clerk of Committees. Both positions are open for resumes until September 3, 2009.

It has been announced by Mr. Rosa, Chair of the Board of Health, that there will be a public meeting on September 3rd at 6:00 p.m. in the CATA Building, First Floor on certain aspects of DNA Technology. The draft regulations are available at the Board of Health.

Councilor Tobey announced that prior to the items on this evening’s agenda, there will be a presentation from the Administration on the “Boil Water Order”.

Presentation – Boil Water Order:

Mayor Kirk stated that there has been team work day and night on this issue. She thanked people for their patience during this long and complex process. She stated that communications have not been as expeditious as expected and thanked residents and businesses for their forbearance.

She reported that the Public Information Officer, Deputy Fire Chief Miles Schlichte will review the update, provided this evening, to cover a time line to date with current status as of 7:00 p.m.

this evening. This, she said, is the outlook as is known today and there will be an after-action report on the City's response.

Deputy Schlichte reviewed the Update on Drinking Water Event, dated August 25, 2009, distributed this evening. He read through the time line as it occurred.

A copy of this report is attached and made an official part of the City Council Minutes of August 25, 2009.

Mr. Hale updated the Council as follows:

- Outdoor watering ban in effect;
- Boil water order in effect;
- Water main break on Western Ave repaired, but caused a set back;
- Bond Hill up to 8 feet (a foot over yesterday – Monday, August 24th);
- Contingency plan with outside contractor on stand-by;
- A careful review of events leading up to this is being conducted;
- Klondike is running well;
- Babson is performing well;
- W. Gloucester repairs have been expedited;
- City has curtailed the CSO project for the time being; and
- Day to day operations of the DPW are continuing as normal.

Mr. Hale stated that tomorrow, August 26th, he is meeting with the DEP and engineers at the Babson Filtration Plant to review the current status of the facility as well as the performance of the contract operator. Further, there are goals to understand the issues to keep this from reoccurring. He stated that sampling is frequent and, if there is a problem, retest. DEP is notified on the third test.

He also stated that it is too early to speculate on the root causes; however, water filtration records are kept and one can look at the history of the system, perhaps developing reasons for the problems. There is ample expert staff to identify the cause and come up with the solution. This, he said, is an aging facility with questionable management in the past which deserves a close look.

COUNCIL QUESTIONS:

Councilor George referring to the time line, asked when did you know about the boil water order and when was the Council/public supposed to find out.

Mayor Kirk stated that the problems came up fast and a command team was assembled to address the order. There was a priority to come up with a response and what message would go out to the public. The team went to hospitals, restaurants, business, nursing homes, etc. She noted it was very important to have a consistent message and it took an hour or more to understand what the boil water order would state and, only after that happened, went forward and notified the Council. Protocols have to be taken and priorities determined. The team and DEP notified the hospital and it appears that Public Health notified the hospital and DEP, also. She stated she does not have the steps with regard to the hospital/DEP communications.

Councilor George commented that restaurants cannot go on line and get updates all the time and thinks that local people should have gone to the elderly housing facilities, etc. She also noted that Milford is supplying water to the elderly.

Mayor Kirk stated that there were discussions regarding a water distribution point and there was consensus that until there is an e-coli reading, which has not happened, that would have triggered a water emergency and water distribution. She said there is not an equal comparison between Gloucester and Milford.

Councilor Hardy requested Mr. Duggan to provide the DEP report to the Council.

This report, dated August 21, 2009 was provided to the Council.

A copy of this report is attached and made an official part of the City Council Minutes of August 25, 2009.

Councilor Foote reported that the Housing Authority was fully informed, there were postings and the postings will continue. Water was also available to people in the facilities.

Councilor Curcuru questioned **Mr. Hale** about the events of Saturday, August 15th at the Babson facility.

Mr. Hale stated that he had a call that the plant operators could not control the issues; that the plant operator is experience; there was assembly at Babson; and it was agreed that action should be taken. He stated that sludge and sediment was high. He also stated that it, perhaps, was a level of preventative maintenance.

Councilor Curcuru asked about the work on the W. Gloucester plant, and **Mr. Hale** stated that the West Gloucester facility has a different issue and that raw water in West Gloucester is different from that at the Babson facility. Further, **Mr. Hale** stated that at some point, the City had to make a decision as to which facility to close and chose West Gloucester. He noted that today, it could not have been running. He noted that at Babson, filters are up to 30 years old; there is old equipment; a new pump motor will be arriving Wednesday, August 26th; there is no back up motor; and, he offered a tour to those interested.

Mr. Hale stated that Babson has gone without maintenance for a long time; the facilities are old; and it is not just management. Also, the contractor, United Water, has an obligation; they are serving over 7 million people; and, for a contract operator, many of the same people remain year after year. People have been here for up to 20 years. He also noted that the contractors have been responsive and they are all out working right now

Councilor Devlin spoke to his concerns with the schools opening on Tuesday. **Deputy Schlichte** said the pipes in the schools will be flushed. There is no plan as yet, but it will happen before the schools open. **Councilor Devlin** also questioned the hydrant flushing in West Gloucester. **Mr. Hale** stated that West Gloucester is the furthest point from Babson, there is less chlorine further away and the department is trying to increase chlorine in that area.

Councilor Devlin also questioned if there is comfort with the resources such as a fire, etc.

Deputy Schlichte said he is happy with the current pressure, the tankers are full, and the department can take care of an average house fire.

Councilor Ciolino thanked the incident team for coming up with the time line. He asked Mr. Hale if the DEP requires the City to have two good reports, two days in a row.

Councilor Tobey questioned the testing protocol.

Mr. Hale stated that samples are taken in the same places (33 sites), looking for the absence/presence of coliform. Re-testing is done to see if there is an issue and what the issue may be. He also said that chlorine is tested as the further away from the source, the less chlorine. Two days of no hits of coliform are required and that has not happened as yet. The water main break set back the progress. When coliform low, chlorine is also.

Councilor Ciolino questioned if the Babson is manned 24-7 and how the malfunction happened with someone in house. He also questioned if the Board of Health has a plan and while down, is there a plan.

Mr. Hale stated that, in the summer, the facility is manned 24-7; that there is one operator at night and more than one during the day. Further, there are people in the field doing sampling. **Mr. Vondras** responded that the Health Department individually assessed each restaurant and food service. Further, during the Boulevard break, a few years back, they established what they could and could not repair. He noted that few restaurants are closed now, and the department is working with the restaurant owners to comply with the order. If they do not, they are closed. This, he said, is labor intensive and efforts will be made for those at high risk. He also noted that a document will be prepared and sent, but, the department is now focusing on the boil water order.

Councilor Ciolino also asked if businesses have been notified by the DEP and Board of Health and whether the DEP will inspect businesses when they are able to reopen. **Mr. Vondras** stated that the City licenses food establishment, and the DEP licenses the wholesalers. The City will work in concert with the DEP depending on the facts with which they are dealing. The State Department of Public Health will be working with the wholesalers.

Councilor Ciolino stated an action plan is needed as businesses are suffering an inconvenience and losing money.

Councilor Hardy questioned the testing of coliform and how many tests are available. Further, questioned the introduction of chlorine. She noted there would be red flags with the EPA on this issue. She also noted that the City Council was told they would be kept in the loop; and, were told to discourage rumors the day the DEP sent the fax out. People are saying the City Council should know what is going on; however, was not informed. The Councilors, she said, gave out false information as were not informed given this communication failure. She stated that this needs to be fixed. In closing she thanked **Deputy Schlichte**.

In response to **Councilor Hardy**, **Mr. Hale** stated that testing is done daily; that there are different types of tests; and, the City follows the letter of permit for testing. At the current time, testing is being done for e-coli. Further, chlorine was being introduced until the water main break on Western Avenue, which set the situation back. Chlorine is now being introduced to Bond Hill.

Councilor Grow thanked **Mr. Hale** and his crew for working with too few resources. He agrees with **Councilor Hardy** regarding communications, noting that Councilors are dealing with the public while the Administration is dealing with the problem. The Councilor asked **Mr. Vondras** about the health point, noting there is a fine line between caution and panic.

Mr. Vondras stated that coliform is a bacteria which is present naturally, in nature. It does not prove that water is unsafe for drinking, but does, in fact, need treatment. He has spoken with the Hospitals and pharmacies and there is no spike in illness. Further, there is no e-coli in the water.

Mr. Vondras stated that it is very important that everyone follow the boil water order. On question regarding the one vs. five minutes to boil, he stated that restaurants have a higher level and potential to make more people sick, thus the five minute boil for food establishments. He reiterated that everyone needs to follow the boil water order.

Councilor Grow asked about the symptoms and **Mr. Vondras** stated diarrhea is the most prevalent condition; however, from all reports from the hospital, there has been no spike in symptoms.

Councilor Tobey asked about the sampling procedure and whether the City gave notice to the DEP on the total number of positive hits.

Mr. Hale stated it was reported the day they knew, but is not sure of the date.

Councilor Tobey commented on the matters of public confidence and questioned when did who know what. He requested an answer to this. Further, he saluted **Mr. Hale** and his team. He also questioned who is the expert, and noted that Christie Millhouse was the former overseer and asked whether anyone, now, has the licenses required to operate water treatment plants.

Mr. Hale stated that **Lynne Brown** is currently working twenty hours per week and has been back with the city for about eight months. She came on board until the new contract begins and this position is crafted and ready to be posted, as full time.

Councilor Tobey questioned whether the staff is licensed and who holds the license. **Mr. Hale** responded the staff is from United Water; however, Camp, Dresser, Mckee and James Taylor are also on board. There will be three on the staff tomorrow, Wednesday, he stated; however, does not know if they are licensed operators.

Deputy Schlichte stated the Mayor has indicated she would like to have an after-action report, but at this time, he has no knowledge of this.

Mayor Kirk state there are two issues, the root cause and an explanation for what occurred and why. It is critical that the after-action report is a self-reflection on the City's response to the emergency; therefore, the report would not cover the technical aspects of the treatment plant itself. The City will be NIMS compliant, and trained NIMS are on staff that may be able to perform the report. This has not yet been determined.

Mayor Kirk also stated that she is aware communications were not good which, clearly, has to be taken into consideration. Further, an action plan must be in place for when the boil water order is lifted.

Councilor Tobey asked who is doing the after-action report, and **Mr. Hale** stated it would be a third party.

Councilor Tobey stated that the after-reports need to be comprehensive, technical, and diagnostic of the facility, studied with expertise by neutral, disinterested, and unbiased parties. Further, it is his thought that the objective assessment will come from the DEP. The City, he suggested, should request the DEP give a comprehensive assessment. He also suggested the Association of State Drinking Water Authority which would give a report on coliform, inadequately treated water, system breeches, main breaks, cross connections, internal plumbing in an objective manner.

Councilor Tobey asked if a contractor for the sewer plant is being solicited.

Mr. Hale stated that experts are being selected; the RFP process is ongoing; four vendors have submitted contract plans for the WW Treatment facilities; and, additional technical expertise is being sought. Further, the RFP is solid and merits are being reviewed. He stated that the City Council will be kept informed as how the process is proceeding. Also noted that United Water is under an extension with obligations, liabilities being in tact.

Councilor George stated that What? When? And Why? is important for after the report. She also commented that it is incumbent on the City to make sure the elderly residents are provided for and well informed.

Councilor Foote commended the Administration for doing what it is doing, and to solve the problem, people must work together. He also commented that people can only be kept informed of what you know.

Councilor Curcuru thanked Mr. Hale, his staff, and all individuals involved.

Councilor Devlin said that now is not the time to critique and after the problem fixed, then it will be critiqued. Further, communication is most important.

Councilor Ciolino said there is a need to move forward and get the City back to normal.

Councilor Hardy asked what the residents could do to help themselves and get Bond Hill restored.

Mr. Hale stated any and all conservation will go a long way to restore Bond Hill.

Councilor Grow stated that, after the action report, the Council will be looking from the point of view of a realistic picture, a time frame, and costs to bring the systems up to par so this problem will not happen again. He said the city should be looking at the long term.

Councilor Tobey commented that information should be going out to all members of the City Council, not just the Council President. Further, he is grateful for the efforts of Mr. Hale and the Health Department and looks forward to the action report.

ORAL COMMUNICATIONS; None

COUNCILOR REQUESTS TO THE MAYOR: None, other than those submitted in writing to the Mayor.

CONFIRMATION OF APPOINTMENTS

1. Appointments to Clean Energy Commission:

MOTION: On Motion of Councilor Foote, Seconded by Councilor Hardy, the Ordinance and Administration Committee voted 3 IN FAVOR, 0 OPPOSED to recommend the City Council to approve appointments to the Clean Energy Commission as follows:

Jill Buchanan	(TTE 02/14/2010)
Linda Stout-Saunders	(TTE 02/14/2010)
Michelle Dyer	(TTE 02/14/2010)
Linda Brayton	(TTE 02/14/2011)
Thomas Balf	(TTE 02/14/2011)
John Moskal	(TTE 02/14/2011)
Samuel Cleaves	(TTE 02/14/2011)

MOTION: On motion of Councilor Foote, seconded by Councilor Devlin, the City Council voted 8 in favor 0 opposed to approve the following appointments to the Clean Energy Commission with dates to expire as noted:

Jill Buchanan	(TTE 02/14/2010)
Linda Stout-Saunders	(TTE 02/14/2010)
Michelle Dyer	(TTE 02/14/2010)
Linda Brayton	(TTE 02/14/2011)
Thomas Balf	(TTE 02/14/2011)
John Moskal	(TTE 02/14/2011)
Samuel Cleaves	(TTE 02/14/2011)

PRESENTATIONS

1. Update Community Development Department. Sarah Buck-Garcia, Director, Community Development.

Ms. Buck Garcia reported on the following meetings/hearings:

Harbor Plan - Public Hearing on Tuesday, September 1st, Kyrouz Auditorium at 7 pm.
Community Preservation Committee Board has its first meeting with training provided to the community from the CPA Coalition on September 10th from 6 – 8 p.m. Friend Room, Sawyer Free Library. **Councilor Grow** requested Cape Ann Cable cover this training.

Ms. Buck Garcia touched on the report presented to the City Council which covered Harbor Management, Natural Resource Management, Increased Productivity and Improved Services, Housing, Public Facilities, Coordination for Boards, Committees and Commissions, and Renewable Energy/Green Building. Copies of the 2009 Harbor Plan, Mass in Motion partners, and MAPC technical assistance scope were received with copies on file in the City Clerk's Office and CDD.

Councilor Tobey questioned the mission of the Commission pertaining to the Designated Port. **Ms. Buck Garcia** stated that CZM has convened a task force to gather people with different views for flexibility. This advisory committee will test ideas to avoid complications before the public process begins. She further noted that one person from each community serves on the task force.

Ms. Buck Garcia also report a new Conservation Agent has been hired at half-time. The Agent is also half-time in Manchester and has a Master's Degree in Environmental Planning.

2. CodeRed Presentation. Craig Wells

Chief Dench introduced **Craig Wells**, an Account Representative from Code Red. **Mr. Wells** gave a brief overview of Code Red and invited questions from the Council. He stated that Code Red is used by thousands of people for missing children, snow vendors in the wintertime and serves as a resource and tools for various types of emergencies. He stated that the system is fast, effective, and easy to use, with calls being set up in different ways for residences and business. He reported that certain areas of a city may be selected by the system depending on the emergency; i.e a vehicle accident effecting one part of a city only.

Councilor Hardy commented that many people will not answer their phone unless they know who it is and questioned whether words vs the 1-866 number can be put on the caller ID screen. She also commented that she, personally, did not receive a call this past week for the boil water order. **Mr. Wells** stated that the 1-866 number is universal and if one dials back to the number on the caller ID, the message will be played. If that number not used, the message will not be played. **Councilor Hardy** suggested changing the number to a word.

Mr. Wells recommended educating the public on the phone number, and commented that the number could be changed to anything, but the retrieval ability will be lost. He also noted that 5% of people call back to the number. **Councilor Hardy** stated, once again, her intent is to request a change.

On further question, **Mr. Wells** stated that phone data is provided from various sources including the white pages.

Councilor George asked why she had not received calls, and **Mr. Wells** said he could not speak to the reasons; however, the City gave them a collection of 911 data. **Councilor George** commented that the system used by the schools is good. **Mr. Verga, Chair of the School Committee**, reported that the schools collect information every year, that updating is constant so the data is reliable. The caller ID on school calls is 'City of Gloucester'.

Councilor Devlin stated he had the first call, but not the second and suggests working out a name or something that specifically identifies the call as an emergency. **Chief Dench** stated that the first calls happened quickly, and the system will not be used if there is not an emergency. He further reported that only five people are allowed to launch calls. They include the DPW Director, Mayor, Board of Health, Fire Chief, and Police Chief. And, currently, everything goes through the Fire Chief before launching. He noted there will be a policy in the future.

Councilor Ciolino spoke to the lead time and asked how soon a phone number goes into the system after people register on line. **Mr. Wells** stated the five people retrieve the numbers and it is the City's responsibility to approve the records in the data base. **Chief Dench** stated that the first day the program was launched, 964 people logged on to receive the calls, day two had 164

people and today (August 25th) 1089 people signed on. Word is getting out and on line registration will be checked more often. He stated that he currently does this.

Councilor Ciolino also spoke to the minute lag time from when person picks up the phone to when the message begins and asks if this can be changed. **Mr. Wells** stated if people do not pick up and say hello, there will be a lag time; but, the message should come on sooner if phone picked up.

Councilor Grow stated he received both calls. He also suggested that Chief Dench assign another person to confirm the data base records. He asked if lists can be assembled by business; i.e. restaurants, so all would be notified at the same time. **Mr. Wells** said this can be done, as wells as regional areas targeted. The data collection, however, is the most important. **Councilor Grow** recommended that department heads provide relevant lists.

Chief Dench stated this is a one-year contract and it will be determined how well it works. Further, when the current school contract ends, there is discussion of them tying into the Code Red System. **Mr. Wells** pointed out this is a City notification system.

Councilor Tobey questioned if another language could also be used. **Chief Dench** stated they do not have this capacity. The Councilor also stated this is a work in progress; that there should be a way to find words vs numbers; and, notice should be put on water and sewer bills as a means of communication for how people can sign on.

Councilor Hardy stated that the information getting out is only as good as the information being put in. She also recommended residents begin and continue using the Zip Code plus four.

Chief Dench stated that there will be input, and this system gives the City the ability to reach thousands of residents in a short period of time.

CONSENT AGENDA.

>Mayor's Report

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| 1. Memo and Special Budgetary Request – SA from Engineering Dept | Refer to B and F |
| 2. Memo from CDD re: Acceptances of monies from Comm. Of Mass. | Refer to B and F |
| 3. Memo from General Counsel re: Proposed renewal of Lease, Isabel Babson Mem. | Refer to B and F |
| 4. Memo from CAO re Permission to pay invoice w/out a PO. | Refer to B and F |
| 5. Report from City Auditor re Accounts having expenditures
which exceed their appropriations | Refer to B and F |
| 6. Appointments to the Clean Energy Commission:
Amanda Nash Historical Commission TTE 2/14/2012 | Refer to O and A |

>Approval of Minutes

- | | |
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| 1. City Council, August 11, 2009 | Approve/File |
| 2. Special City Council, August 18, 2009 | Approve/File |
| 3. Special City Council, August 20, 2009 | Approve/File |

COMMUNICATIONS

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| 1. COM 2009-028 – Request for Street Closure for NS Tour de Cure
May 22, 2010 | Refer to P and D |
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COUNCIL ORDERS

1. CC2009-38 – (Devlin) No parking – Entrance of Beechbrook Cemetery extending 100 feet west (towards Essex) Refer to TC/O & A
2. CC2009-39 – (Devlin) Dead End sign at entrance to Homans Court Refer to TC/O & A
3. CC2009-40 – (Foote) Amend GCO Section 22-287 – 38 Green Street One Handicapped Space Refer to TC/O & A
4. CC2009-41 – (Foote and Ciolino) AMEND Chapter 11 – Hawkers and Peddlers – Section 11-5 – Amend to read: with the exception of St Peter’s week. Section 11-6 – Add: No vendor shall pitch a tent in addition to their cart or vehicles for the purpose of selling their wares. Refer to O and A

ITEMS REMOVED FROM CONSENT AGENDA - None

Councilor Ciolino spoke to Councilor Order CC2009-41 and the reasoning for this Order.

>MOTION: On motion of Councilor Ciolino, seconded by Councilor Hardy the City Council voted UNANIMOUSLY to refer Councilor Order CC2009-41 to Ordinance and Administration for review and recommendation.

FOR COUNCIL VOTE

1. CC2009-36 – (Ciolino) Commendation for Mark Foote Approve

MOTION: On motion of Councilor Ciolino, seconded by Councilor Hardy the City Council voted UNANIMOUSLY to approve the Commendation for Mark Foote.

2. Decision to Adopt SCP 2009-05 – Maplewood School, 120 Maplewood Avenue – Section 2.3 1 (8) and Section 3.1.6 (b) Adopt

MOTION: On motion of Councilor Hardy, seconded by Councilor George, the City Council voted by ROLL CALL 8 in Favor, 0 Opposed to Adopt the Decision, SCP 2009-05 – Maplewood School, 120 Maplewood Avenue under Section 2.3.1 (8) and Section 3.1.6(b)

3. Warrant for Preliminary Election – September 29, 2009
Councilor Tobey stated that this item will be included on the September 8, 2009 City Council Agenda for action by the Council.

SCHEDULED PUBLIC HEARINGS

1. **PH 2009-28: Amend GCO, Chapter 2 “Administration” by adding Open Space and Recreation Advisory Committee.**

The Public Hearing is Opened

Speaking In Favor: Sarah Buck Garcia, spoke to the ordinance proposal before the Council this evening. She reported on the neighborhood meetings which have been held to gather input and discuss issues of residents. She also noted that GIS maps are available. She stated the group that is currently meeting is an Ad Hoc Committee; however, members will be appointed by the Mayor and confirmed by the City Council. She requested recommendations of people from all wards in the city.

Ms. Buck Garcia, on question of **Councilor Grow**, stated that the Parks and Recreation Committee is in the City Charter and it is to manage the parks, which is a different mission than the Open Space Committee. The management of the Parks is under the DPW. There is, however, some overlap, but a lot of the Parks Committee responsibilities has gone back to the schools and

other organizations. There is a State law written to have an Open Space Plan. She also commented that a person on this Committee will be appointed to the CPA Commission.

Councilor Grow stated that management of the parks has to be addressed and that parks are open space, are part of the overall picture and should not be ignored. **Ms. Buck Garcia** state that this committee will not manage the parks in the city, although the parks consist of a huge amount of open space and should be well-kept.

On question of **Councilor Hardy**, **Ms. Buck Garcia** stated that all meetings will be posted and a quorum at meetings will be required.

Speaking in Opposition. No one spoke

Communications. None

The Public Hearing is closed.

MOTION: On motion of Councilor Romeo-Theken, seconded by Councilor Tobey, the Ordinance and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the Open Space Committee Ordinance, as amended.

Be it enacted by the City Council assembled and by the authority of same as follows:

Section 2- 517 – Establishment; composition; appointment and terms of members

There is hereby established an Open Space and Recreation Committee which is created to formulate and implement an Open Space and Recreation Plan (OSRP) for the City of Gloucester. The Open Space and Recreation Committee will assist the city in its future actions with regard to open space parcels within the city. The committee shall consist of seven (7) members who shall be appointed by the Mayor from the residents of the city and confirmed by the City Council. The members shall serve for three-year staggered terms beginning on the date of appointment and ending on February 14 as required by City Charter.

Section 2 – 518 Purpose

The Committee shall create and implement an OSRP which shall:

- a. Ensure the existence, smart use and access to open space in perpetuity.
- b. Ensure that contiguous areas and functions and values that depend on them are maintained
- c. Propose a process for agreements with abutters with shared use/conservation interests for enhancing open space.
- d. Recommend planned city growth and business development in a way that fully contemplates and strives to maintain the functions, values, uses and vision for open space in Gloucester.
- e. Establish a criteria and process for ceding open space to development or dedicated use
- f. Promote awareness and use of open spaces through a descriptive inventory of open spaces.

Section 2 – 519 Process

The former open space plans shall be used to create the plan which shall be submitted to the Commonwealth.

Section 2-520 Authorities and Responsibilities

- a. The Open Space and Recreation Committee shall act as an advisory committee to the Mayor, City Council, municipal boards, and the general public on matters concerning open space and recreation and shall have no budgetary powers.
- b. A majority of appointed members serving on the committee shall constitute a quorum and no meeting shall be continued without a quorum being present, unless a subcommittee has been established.
- c. The committee shall submit a summary of its activity and its progress on semiannually basis in the months of September and April.
- d. The Open Space and Recreation Committee may promote ad-hoc committees to develop stewardship for public open spaces. Such activities shall be coordinated with the Parks Department and Conservation Commission.

Discussion:

Councilor Foote said he has been unable to find people to serve; therefore, should be advertised.

Councilor Grow stated he is in favor of the Ordinance, but wants the parks to be addressed and not lost in the overall view of the proposed Ordinance.

Councilor Hardy stated that she can see the benefits of the Commission.

Councilor Tobey stated he is in favor and will support, but the Commission should not substitute the Parks and Recreation Commission.

MOTION: On motion of Councilor Foote, seconded by Councilor Devlin, the City Council voted 8 IN FAVOR 0 OPPOSED to AMEND Chapter 2 “Administration” by ADDING “Open Space and Recreation Advisory Committee” Sections 2-517 through 2-520 as follows:

Be it enacted by the City Council assembled and by the authority of same as follows:

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Section 2-520 Authorities and Responsibilities

- a. The Open Space and Recreation Committee shall act as an advisory committee to the Mayor, City Council, municipal boards, and the general public on matters concerning open space and recreation and shall have no budgetary powers.
- b. A majority of appointed members serving on the committee shall constitute a quorum and no meeting shall be continued without a quorum being present, unless a subcommittee has been established.
- c. The committee shall submit a summary of its activity and its progress on semiannually basis in the months of September and April.
- d. The Open Space and Recreation Committee may promote ad-hoc committees to develop stewardship for public open spaces. Such activities shall be coordinated with the Parks Department and Conservation Commission.

2. PH2009-029 – Amend GCO Section 22-287 “Disabled Veteran, Handicapped Parking, 22 Cleveland Street.

The Public Hearing is Opened

Speaking In Favor. No one spoke

Speaking in Opposition. No one spoke

Communications. None

Questions: None

The Public Hearing is closed.

MOTION: On motion of Councilor Romeo-Theken, seconded by Councilor Tobey, the Ordinance and Administration Committee voted 2 in favor, 0 opposed to recommend the City Council AMEND the Code of Ordinances by ADDING one Handicapped Parking Space as follows: 30 feet from the intersection of Maplewood Avenue on the southerly side of Cleveland

Street in an easterly direction for 20 feet with the sign being mounted on the existing “Slow Children” signpost.

MOTION: On motion of Councilor Foote, seconded by Councilor Ciolino, the City Council voted **8 IN FAVOR 0 OPPOSED** to AMEND Section 22-287 entitled “Disabled Veteran, Handicapped Parking of the Gloucester Code of Ordinances by ADDING: One Handicapped Parking Space as follows: 30 feet from the intersection of Maplewood Avenue on the southerly side of Cleveland Street in an easterly direction for 20 feet with the sign being mounted on the existing “Slow Children” signpost.

3. PH 2009-0030 – SCP2009-06 16 Kondelin Road – Section 5.13 Personal Wireless Service Facility

The Public Hearing is Opened

The Public Hearing is Continued to September 8, 2009

4. PH 2009-031. SCP 2009-007 30 Blackburn Drive, Bldg 4 – Section 5.13 Personal Wireless Service Facility

The Public Hearing is Opened

The Public Hearing is Continued to September 8, 2009

5. PH 2009-0032 – SCP 2009-008 One Main Street – Section 5.13 Personal Wireless Service Facility

The Public Hearing is Opened

The Public Hearing is Continued to September 8, 2009

6. PH 2009-0033 – SCP 2009-009 21 Rocky Neck Ave, Section 5.5 Lowlands

The Public Hearing is Opened

The Public Hearing is continued to September 8, 2009

COMMITTEE REPORTS

Ordinance and Administration – August 17, 2009

MOTION: On motion of Councilor Tobey, Seconded by Councilor Romeo-Theken, the Ordinance and Administration Committee voted **3 IN FAVOR, 0 OPPOSED** to recommend City Council AMEND the Code of Ordinances, Section 22 Chapter 272, Parking Prohibited by Adding: Cabo Drive - No Parking on the Westerly Side of Cabo Drive between May 1 and September 15.

MOTION: On motion of Councilor Foote, Seconded by Councilor Grow, the City Council voted **UNANIMOUSLY** to amend the Code of Ordinances, Section 22 Chapter 272, Parking Prohibited by Adding: Cabo Drive No Parking on the Westerly Side of Cabo Drive between May 1 and September 15.

West Gloucester Firing Range:

Councilor Tobey announced that the Ordinance and Administration Committee voted to ADVERTISE for PUBLIC HEARING on the Amendment regarding the West Gloucester Firing Range.

MOTION: On motion of Councilor Foote, seconded by Councilor George, the City Council voted **UNANIMOUSLY** to **ADVERTISE FOR PUBLIC HEARING** – Amendment to the West Gloucester Firing Range. Public Hearing to be held 9/8/09

Storm Water Management Utility Ordinance PUBLIC HEARING – September 8, 2009

Ordinance and Administration – August 20, 2009 (Special Meeting) Complete – Special City Council Meeting – August 20, 2009.

Planning and Development – August 19, 2009

No City Council Action items at this time.

Budget and Finance – August 20, 2009

MOTION: On motion of Councilor Tobey, seconded by Councilor Ciolino, the Budget and Finance Committee voted 3 IN FAVOR 0 OPPOSED to recommend the City Council approve Transfer 10-1 in the amount of \$5,000

From: Fire Department Public Safety 101000.10.222.53060.0000.00.000.00.052

To: Fire Department Sal/Wage Overtime –
101000.10.220.51300.0000.00.000.00.51

MOTION: On motion of Councilor Grow, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 IN FAVOR 0 OPPOSED** to approve Transfer 10-1 in the amount of \$5,000

From: Fire Department Public Safety 101000.10.222.53060.0000.00.000.00.052

**To: Fire Department Sal/Wage Overtime –
101000.10.220.51300.0000.00.000.00.51**

MOTION: On motion of Councilor Ciolino, seconded by Councilor Tobey, the Budget and Finance Committee voted 3 IN FAVOR 0 OPPOSED to recommend the City Council approve Transfer 10-2 in the amount of \$750.00

From: Mayor / Contingency-Emergency 01000.10.121.57800.0000.00.000.00.057

To: Mayor / Sal/Wage – Temp Position.
101000.10.121.51200.0000.00.000.00.051

MOTION: On motion of Councilor Grow, seconded by Councilor Ciolino, the City Council voted by **ROLL CALL 8 IN FAVOR 0 OPPOSED** to approve Transfer 10-2 in the amount of \$750.00

From: Mayor / Contingency-Emergency 01000.10.121.57800.0000.00.000.00.057

**To: Mayor / Sal/Wage – Temp Position.
101000.10.121.51200.0000.00.000.00.051**

MOTION: On motion of Councilor Tobey, seconded by Councilor Curcuru, the Budget and Finance Committee voted 3 IN FAVOR 0 OPPOSED to recommend the City Council approve the request of the Police Department to reimburse a police officer for EMT training in FY09 from FY10 Funds in the amount of \$6659.90 pending confirmation of two Money Orders from 12/9/08 and confirmation that the officer was not paid for prior classes.

Mr. Duggan reported that the two money orders were related to courses and books; further, there was no cost to the city for the re-take of the exam.

MOTION: On motion of Councilor Grow, seconded by Councilor Curcuru, the City Council voted 8 IN FAVOR 0 OPPOSED to approve the request of the Police Department to reimburse a police officer for EMT training in FY09 from FY10 Funds in the amount of \$6659.90.

Payment of Invoice to Cricket Press:

Councilor Ciolino reported that the Administration has requested this request be withdrawn. No City Council action is required. **Mr. Duggan** stated that the former Tourism Coordinator notified the Administration that the Chamber of Commerce has covered the invoice.

MOTION: On motion of Councilor Curcuru, seconded by Councilor Tobey, the Budget and Finance Committee voted 3 IN FAVOR 0 OPPOSED to recommend the City Council approve payment of Invoice No 09-16113 in the amount of \$461.91 to Lyons Ambulance Service LLC.

MOTION: On motion of Councilor Grow, seconded by Councilor Tobey, the City Council voted 8 IN FAVOR 0 OPPOSED to approve payment of Invoice No 09-16113 in the amount of \$461.91 to Lyons Ambulance Service LLC.

MOTION: On motion of Councilor Ciolino, seconded by Councilor Curcuru, the Budget and Finance Committee voted 3 IN FAVOR 0 OPPOSED to recommend the City Council approve the One Dollar Fee (\$1.00) for the 15 gallon trash bag.

MOTION: On motion of Councilor Grow, seconded by Councilor Curcuru, the City Council voted 8 IN FAVOR 0 OPPOSED to approve the One Dollar Fee (\$1.00) for the 15 gallon trash bag.

For the Record: Councilor George was at the Budget and Finance Committee Meeting on August 20, 2009 from the Call to Order at 7:00 p.m. to adjournment.

COUNCILOR REQUESTS OTHER THAN TO THE MAYOR.

Councilor Devlin cautioned residents to be alert at crosswalks and with traffic as schools are about to open.

Councilor Ciolino thanked people for their support of the Rotary Pancake Breakfast.

Councilor Hardy stated she would be at the Rose Baker Senior Center on Wednesday, August 26, 2009 to help any seniors with their concerns on the Code Red System. Further, she will be at Poplar Park on Sunday.

Councilor Tobey announced that with the expected heat on Wednesday, August 26, 2009, the Rose Baker Senior Center will be open until 8 p.m.

Councilor Grow thanked the Life Guards at Good Harbor Beach for their rescue efforts during the weekend storm, as well as efforts each and every day.

Councilor George thanked everyone for their extra hard work and efforts throughout this past week.

Councilor Foote bid goodnight to the senior citizens. He also requested the teens who have been working throughout the city this summer to be acknowledged for their efforts in keeping the city clean. **Councilor Tobey** requested their coordinator be contacted regarding the above.

ADJOURNMENT. It was moved, seconded and voted **UNANIMOUSLY** to adjourn the meeting at 10:25 p.m.

Respectfully Submitted,

**Anne Marchand,
Substitute Recorder**